



**MINUTES OF ORDINARY COUNCIL MEETING HELD ON 18 May 2005**

I hereby certify that the Minutes of the ordinary Meeting of Council held on the 18 May 2005 are a true and accurate record of the proceedings contained therein.

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

The Shire President declared the meeting open at 6.00pm

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

**Attendees**

Cr Michele Pucci	Shire President
Cr Bill Barnes	Deputy Shire President
Cr John Buchanan	Councillor
Cr Keith Wright	Councillor
Cr Julee Nelson	Councillor
Cr George Hamilton	Councillor
Cr Jane Parker	Councillor
Cr Maxine Middap	Councillor
Mr Chris Adams	Chief Executive Officer
Mr Matthew Scott	Executive Manager Corporate and Community Service
Mr Steven Chadwick	Executive Manager Engineering and Development Services
Mr Phil Harris	Manager Technical Services
Mr Keith Williams	Town Planning Officer
Mr John Gault	Executive Support Officer – Council Services
Mrs Bev Ozanne	Administration Officer – Council Services

**Apologies**

Cr Roch Devenish-Meares Councillor

**Gallery**

3 Members of the public

**3. DECLARATION OF INTEREST:**

• **Financial Interest**

Mr S. Chadwick declared a Financial Interest in Item 12.3.7 Vehicle Tenders, on the grounds that it is part of his salary package.

Mr M Scott declared a Financial Interest in Item 12.3.7 Vehicle Tenders, on the grounds that it is part of his salary package.

- **Members Impartiality Interest**

Cr G. Hamilton declared an Impartiality Interest in Item 12.2.4, Write off – Warriu Park Water Usage, on the grounds he is a member of Joorook Ngarni

- **Proximity Interest**

Nil

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

Nil

**5. PUBLIC QUESTION TIME**

Marian Floyd asked:

**Proposed transient accommodation and industrial shed – lot 1129 Dianella Way.**

Argyle engineering is located next door to the proposed accommodation request. 1130 Dianella Way.

We feel that this would not be a benefit to anyone as we work from 6.00am til 6.00 pm and later .Our business works odd hours and sometimes 7 days a week, mostly 6 days a week We perform fabrication, sand blasting, painting and rubber lining.

We feel that accommodation in this area would not benefit as:

Sand blasting is extremely loud and dusty.

Painting - a lot of fumes and over spray

Same with rubber lining and

Fabrication - very noisy.

If this accommodation is for shift workers etc, they would not get much sleep. Please think carefully before deciding on this as we can't change our hours as this is an industrial area, as we can be working nights as well.

**Chief Executive Officer, Mr C Adams advised that:**

***This question relating to an Item in this Agenda***

***Officers have proposed conditions to address many of the concerns raised in the question***

**6. APPLICATIONS FOR LEAVE OF ABSENCE (Minute No 7133)**

Cr Maxine Middap requested Leave of Absence on the 24.05.05 for Council Budget Briefing Session.

**Minute No 7133**

***That Cr Maxine Middap apology for the Council Budget briefing Meeting on 24/05/05 be noted.***

***Moved by Cr K Wright /Cr J Nelson***

**CARRIED UNANIMOUSLY 8-0**

**7. PETITIONS**

Nil

**8. CONFIRMATION OF MINUTES**

**8.1 CONFIRMATION OF MINUTES FOR THE ORDINARY MEETING OF COUNCIL 17 APRIL 2005 (MINUTE No 7134)**

**RECOMMENDATION**

That the Minutes of Ordinary Meeting 17 April 2005, be confirmed as a true record of proceedings, subject to the following amendment Minute No 7118 should be an Art Piece not a sign

**MINUTE NO 7134**

***Moved Cr K Wright/J Nelson***

***That the Minutes of Ordinary Meeting 17 April 2005, be confirmed as a true record of proceedings, subject to the following amendment Minute No 7118 should be an Art Piece not a sign***

**CARRIED UNANIMOUSLY (8-0)**

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

*Cr M Pucci:*

*Advised Councillors of a Thanksgiving Ceremony in honour of the Former Shire President Barbara Johnson. She encouraged all councillors to attend.*

Welcomed Yale Bolto as Manager of Financial Services

Read a letter from a resident complimenting Phil Harris on his high standard of Customer Service.

**10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1 MINUTES OF COUNCIL COMMITTEE MEETINGS (MINUTE NO 7135)



**MINUTES  
OF AUDIT COMMITTEE MEETING  
HELD ON 14 APRIL 2005  
AT 3.30PM AT THE SHIRE COUNCIL CHAMBERS**

1. Declaration of Opening

The meeting was declared opened at 3.31pm

2. Record of Attendance/Apologies

Cr Keith Wright Chair  
Cr John Buchanan Councillor  
Cr Barbara Johnson Councillor

Mr Chris Adams Chief Executive Officer  
Mr Matthew Scott Executive Manager Corporate and Community Services  
Miss Hayley McKeen Minutes

3. Declaration of Interest

- Financial Interest

Nil

- Members Impartiality Interest

Nil

- Proximity Interest

Nil

4. Acceptance of Previous Minutes

Page 26 last recommendation needs to be deleted

**Minute No. AC008**

**Moved Cr B Johnson/Cr J Buchanan  
That the minutes of the Audit Management Committee Meeting from the 22  
February 2005 be adopted.**

**CARRIED UNANIMOUSLY (3-0)**

5. Officer's Report's

5.1 Appointment of Auditor

**5.1 Appointment of Auditor**

<b>DATE:</b>	14 <sup>th</sup> April 2005
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	Matthew Scott, Executive Manager, Corporate and Community Services
<b>REPORTING OFFICER:</b>	Matthew Scott, Executive Manager, Corporate and Community Services
<b>FILE NO:</b>	
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

For the Audit Committee to recommend to the appointment of an Auditor for the Shire for the next 3 years

**BACKGROUND**

As the committee is aware, Haines Norton were contracted in 2001 to perform the annual audit of the Shire's accounts for a three year term. This contract terminated at the finalisation of the 2003/04 Audit. Haines Norton were appointed from a regional audit tender. The other three Kimberley Shire's appointed Hall Chadwick as their auditor.

As all audit contracts within the region finalised in 2003/04, a regional "expression of interest", was advertised for Audit services, coordinated by the Shire of Broome. Given that the annual cost for audit is substantially below the \$50,000 Local Government threshold it is believed that a formal tender process was not necessary. The expression of interest closed on the 18<sup>th</sup> March 2005, with four expressions of interest being received from the following:

1. Hall Chadwick Chartered Accountants & Business Advisors
2. Haines Norton Chartered Accountants
3. Horwath Audit (WA) Pty Ltd
4. Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)

Each of the submissions were assessed in response to a specific audit specification document and weighted according to the following factors on a 100 point basis;

<b>Factor</b>	<b>%</b>
Nominated Auditor (experience & quality)	25
Fee	25
Hours of Engagement	10
Past LG Experiences	10
Methodology	5
Other Services	25
<b>Total</b>	<b>100</b>

These assessment criteria were developed after consultation with the relevant executives from the four Shires.

On assessment of the submissions, the following scores were determined

<b>Auditor</b>	<b>Score</b>
Hall Chadwick	62
Haines Norton	73
Horwath Audit	67
Deloitte	53

**STATUTORY IMPLICATIONS**

Local Government Act 1995

7.3 . Appointment of auditors

- (1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person to be its auditor.
- (2) The local government may appoint one or more persons as its auditor.
- (3) The local government’s auditor is to be a person who is —
  - (a) a registered company auditor; or
  - (b) an approved auditor.

\* Absolute majority required.

**POLICY IMPLICATIONS**

The are no relevant policies relating to the appointment of Auditor

**FINANCIAL IMPLICATIONS**

Should the Committee accept Haines Norton proposal, and depending on the number of Kimberley Council’s that also appoint Haines Norton, the Shire’s audit fees for 04/05 will range between \$8,600 and \$9,890. As a comparison, \$9,275.00 was spent on 2003/04 audit.

**STRATEGIC IMPLICATIONS**

There are no relevant strategic plan implications regarding this matter

## **COMMUNITY CONSULTATION**

All Kimberley Councils were involved in review the audit specifications.

## **COMMENT**

Haines Nortons have been the Shire's Auditors for the last three years, and therefore fully understand previous problems experienced by SWEK and the recent achievements that have been made from a financial management perspective. It would be in the Council's interest to maintain this relationship, while the Shire's financial management practices and procedures are further developed and refined.

## **ATTACHMENTS**

Audit expression of interest quotation matrix

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

1. That the Audit Committee recommend to Council to appoint Haines Norton as the Shire's Auditor for the next 3 years
2. That this recommendation be presented to Council at the April Ordinary Meeting of Council as a late item.

**EXPRESSION OF INTEREST  
KIMBERLEY COUNCIL AUDIT - MATRIX**

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
7.0 Information to be provided from audit specification					* Final audit only \$17,825
4 Secured Engagements	Shire of Broome 04/05	7,250	13,500	10,700	22,925
	Shire of Derby – West Kimberley 04/05	6,500	11,000	11,200	22,925
	<b>Shire of Wyndham - East Kimberley 04/05</b>	6,500	8,600	9,200	22,925
	Shire of Halls Creek 04/05	6,000	11,000	9,200	22,925
3 Secured Engagements	Shire of Broome 04/05	7,450	14,175	10,850	22,925
	Shire of Derby – West Kimberley 04/05	6,750	11,550	11,350	22,925
	<b>Shire of Wyndham - East Kimberley</b>	6,750	9,030	9,350	22,925

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
	<b>04/05</b>				
	Shire of Halls Creek 04/05	6,300	11,550	9,350	22,925
2 Secured Engagements	Shire of Broome 04/05	7,950	14,850	11,000	22,925
	Shire of Derby – West Kimberley 04/05	7,000	12,100	11,500	22,925
	<b>Shire of Wyndham - East Kimberley 04/05</b>	7,000	9,460	9,500	22,925
	Shire of Halls Creek 04/05	6,525	12,100	9,500	22,925
1 Secured Engagement	Shire of Broome 04/05	7,950	15,525	12,000	22,925
	Shire of Derby – West Kimberley 04/05	7,000	12,650	12,500	22,925
	<b>Shire of Wyndham - East Kimberley 04/05</b>	7,000	9,890	10,500	22,925
	Shire of Halls Creek 04/05	6,525	12,650	10,500	22,925
Alternative Fees Total	<b>4 Secured</b>	26,250	44,100	40,300	91,700

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
	<b>3 Secured</b>	27,250	46,305	40,900	91,700
	<b>2 Secured</b>	28,475	48,510	41,500	91,700
	<b>1 Secured</b>	28,475	50,715	45,500	91,700
Fees Total (based on 4 Secured)	-Year 1	26,250	44,100	40,300	91,700
	<b>-Year 2</b>	29,510	45,700	42,315	96,284
	-Year 3	30,600	47,300	44,431	101,100
Value Added Services	Additional Benefits	<p>Access to direct / indirect taxation sections of firm for advice</p> <p>Six monthly updates of changes to Accounting Standards specific changes impacting on LG</p> <p>Attendance at Electors meeting at no charge</p> <p>Attendance at Audit Committee meetings via</p>	<p>Liaison of audit and accounting issues during the year is encouraged free of charge.</p> <p>Regular newsletters for the local government industry with comment and direction on topical issues</p> <p>Model Financial Report and Model Budget updated annually, establishes a consistent guideline to follow in respect of statutory reporting guidelines</p> <p>Annual Workshop series based on model reports,</p>	<p>Liaison of audit and accounting issues during the year is encouraged free of charge.</p> <p>Can provide assistance with finalisation of financial statements and budget document preparation, if required</p> <p>As additional service can provide a report on the appropriateness and effectiveness of financial management systems under FM Reg</p>	

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
		telephone conf Review of Councils readiness for the implementation of International Accounting Stds	addressing topical accounting issues, reporting amendments etc  Nuts & Bolts workshop dealing with fundamental local government accounting concepts  Detailed advice is available through tax consulting division on complex areas of GST, FBT or salary packaging at indicative rates	5(2)(c)  Local Government specific newsletter on accounting and reporting issues	
	Consultancy	Yes	Yes	Yes	Yes
	Seminars/Workshops		Yes		
	Guidance Booklets		Yes		
	New sletters		Yes	Yes	
	Updates	Yes (six monthly)	Yes		
	Regular feedback				
	Support	Yes	Yes	Yes	
	Direction		Yes		
Estimate of Hours Partner/Interim/Final (Total)	Shire of Broome	10/70/70 (150)	10/42/58 (110)	5/20/64 (89)	(185)

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
	Shire of Derby – West Kimberley	10/60/60 (130)	10/34/46 (90)	5/20/64 (89)	(185)
	<b>Shire of Wyndham East Kimberley</b>	10/60/60 (130)	10/34/46 (90)	3/15/48 (66)	(185)
	Shire of Halls Creek	10/55/55 (120)	10/26/34 (70)	3/15/48 (66)	(185)
Scheduling of Audit (see clause 5e)	Entrance interview	Early May (via telephone conf)	Fourth Quarter	Prior to Interim	June
	Interim audit visits	Early May	Fourth Quarter During interim we perform the bulk of our systems and compliance testing	February – June A planning phase will be undertaken prior to interim. During interim we perform the bulk of our systems and transaction testing	June
	Final audit visit	Late September / Early October	Mutually convenient, within 30 days of statements being available for audit and within the demands of a 30 Nov deadline. Year-end procedures mainly focus on substantively verifying year-end balances and ensuring disclosure requirements are met and financial report correctly stated.	Mutually convenient to ensure meeting of deadline. Year-end procedures mainly focus on substantively verifying year-end balances and ensuring disclosure requirements are met and financial report correctly stated.	October/November to be mutually agreed

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
	Exit Interview	Early October (partner in attendance)	At conclusion of audit fieldwork	At completion of final audit	November
	Issue of Audit Report and Management Letter	14 days after exit interview	14 days after exit interview	14 days after exit interview	
Nominated Auditor		Michael Hillgrove CA Or Maurice Anghie FCA (review audit partner)	David Tomasi CA Or R B Swarbreck (Alternative Engagement Partner)	Tony Bevan CA Or G D O'Brien	Robert Hudson FCA
Registered Co audit Number		16037 or 14025	15724 or 14170	15403 or 170197	5293
Experience of Nominated Auditor		12 years public practice 4 years local government 3 years as a partner Broad-spectrum audit experience across government statutory authorities and departments.	18 years public practice 14 years local government 10 years as a partner Developed firms methodology and approach to Financial Management Reviews Actively involved in fieldwork enabling a detailed knowledge of operations and the LG industry. Has facilitated Strategic Plans, special investigations	19 years public practice 12 years local government Was a member of the Local Government Financial management Advisory Committee 1999 – 2001 Has been actively involved in presentation of seminars and workshops to local government	30+ years public practice Has served as a member of the ICA Professional Education Committee for six years and has lectured and tutored in accountancy at a college of Advanced Education, for the ICAA Professional

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
Current Local Govt Audit engagements held	City of Perth City of Gosnells	<p>and consulting engagements</p> <p>Actively involved in training programs during past nine years, member of DLGRD working party to review financial reporting of LG, chairman of HN National Audit Committee.</p> <p>Has presented a paper "Checking the pulse- Understanding Audit Reports" to LG Week 2002, presents papers to CPA industry seminars eg Sydney 2003 "Accounting and Financial Issues in Asset Management" and another Perth 2004 on ED125 detailing proposed changes to AAS27. Recently "IFRS and Local Government" and "IFRS and Audit Committees" to CPA seminars in 2005.</p> <p>David brings necessary experience, expertise and knowledge to the engagement to help ensure Council receives an efficient, effective and value for money audit service.</p>	<p>Largest Auditor of Local Government in WA with fifty-two (52) current</p>	<p>Tony was recently recognised for his commitment to education and the accounting profession by being elected a Regional Councillor of the Institute of Chartered Accountants.</p> <p>(19) Current Local Govt engagements consisting of (2) Towns</p>	<p>Year Programme and Australian Institute of Company Directors at Charles Darwin University.</p> <p>Robert is currently a member of the NT Committee of the Institute of Company Directors and has served on the Companies &amp; Securities Advisory Committee.</p> <p>Darwin City Council</p>

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
Other Local Govt Industry engagements	<p>Shire of Shark Bay</p> <p>City of Fremantle (new)</p> <p>Pilbara Regional Council</p> <p>Geraldton regional Council</p>	<p>engagements ranging from (49) small rural, remote, larger regional Shires, (1) Town and (2) larger city based municipalities.</p> <p>Annual workshop in 2004 was attended by ninety (90) municipalities addressing Performance Measures, Strategic Planning, the Annual Financial Report, the Budget, Infrastructure Assets, cash flow statements and other topical accounting issues.</p> <p>The model financial report and budget was purchased by in excess of one hundred (100) authorities statewide; and updated annually as disclosure requirements are amended.</p> <p>Recently implemented a strategy to assist Councils with transition to Australian equivalents to International Financial Reporting Standards (AIFRSs) including</p>	<p>and (17) Shires</p> <p>Advice provided to Councils (in addition to statutory audit services) has included Financial Management Reviews, Financial Reporting preparation, Infrastructure Assets, AAS27 implementation, Budget conversion and assistance, Statutory Compliance Audits, Strategic Plans, Principal Activity Plans, Business Plans, FBT.</p>	<p>Yugul Mangi Community Govt Council</p> <p>Alawa Aboriginal Corporation</p> <p>Litchfield Shire Council</p> <p>Alice Springs Town Council</p>	

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
		<p>workshops.</p> <p>Since 1999 have provided remote area accounting services for up to six(6) local authorities, including its own suite of software including a unique rating package developed in-house and used by fifteen (15) Councils statewide</p> <p>A subscriber member of LGMA and an active participant in Institute events incl major sponsor of annual conference since 2000 and support sponsor of the Metropolitan/Southwest and Goldfields conferences.</p>			
Experience of Audit staff		<p>Mr V Vijayasekaran FCPA (Audit Manager) 19 years w ith HC</p> <p>Mark Petricevic B.Comm (Intermediate) 2 years exp</p> <p>Joe Simpson B Comm (Graduate)</p>	<p>Plinio Bresciani BAS (Audit Manager) 12 years audit</p> <p>Jules Ueckerman CA (Audit Manager) 23 years Chartered Acctg exp</p> <p>Pedro Costa BComm (Audit Senior) 5 years Chartered Acctg exp</p> <p>Zane Arthur Bcomm (Audit Graduate)</p>	<p>Bob Waddell DipBus (Manager) 1 year audit</p> <p>Connie Keightley ASA (Audit Manager) 5 years audit</p>	<p>Leanne Karamfiles ACA (Review Partner) 12 years audit</p> <p>Jasmin Aldenhoven CA (Client Director) 13 years audit</p> <p>Julie Crisp CA (Client Manager) 6 years audit</p>

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
					<p>Brendan Tozer CA (Senior Analyst) 4 years audit</p> <p>Brooke Davis BComm (Analyst)</p> <p>Marcin Swierkowski Bcomm (Analyst) 2 years audit</p>
<p>Typical Audit checklist of items reviewed (see clause 5c)</p>	<p>Methodology</p> <p>Outline our understanding of the authority and its control environment</p> <p>Issues impacting on the Authority</p> <p>Significant audit risks</p> <p>Our audit approach</p>		<p>Procedures are designed to ensure the critical audit areas as detailed in the “Minimum standard audit specification per the Dept of Local Govt and Regional Development circular 10/2001” and your audit specification are met.</p> <p>Critical areas include Revenue; Expenditure; Current Assets; Non Current Assets; Liabilities; Reserve Funds; Contingent Assets/Liabilities; Capital Commitments; Cash Flow Statement; Statutory Obligations; Accounting Policies and Notes to the Financial Statements, Budget compliance with respect to timing, format and the previous years final audited</p>	<p>Procedures are designed to ensure the “Minimum standard audit specification per the Dept of Local Govt and Regional Development circular 10/2001” and your audit specifications are met.</p>	<p>Use Deloitte audit methodology known as AuditSystem/2</p> <p>Approach is risk based with focus on understanding the client’s business and identifying risks with the industry, the control environment and accounting processes.</p> <p>All components of the methodology have been highly automated.</p>

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
			position and Major trading activities.		
	Procedures	<p>Understanding municipal operations, assess inherent and control risk factors</p> <p>Document the accounting system and internal controls</p> <p>Assess materiality, determine sample size for testing</p> <p>Perform compliance audit procedures against established control procedures, legislation, policies</p> <p>Conduct detailed audit testing of transactions, items in Balance Sheet</p> <p>Review final accounts for compliance with Acts, Regulations and Standards</p> <p>Finalise Management</p>	<p>Undertake testing that will:</p> <p>Assist in forming an opinion as to whether a) accounting records are reliable and adequate base for preparation of financial statements; b) accounts properly kept; c) annual financial report is prepared in accordance with financial records and represents fairly the results of operations and financial position in accordance with standards, the act. Regulations etc.</p> <p>All bank and cash balances subject to third party confirmation and test to ensure investments made according to legislation;</p> <p>Examine Council's receipting function;</p> <p>Examine money owing to Council including testing recoverability, follow up procedures and compliance;</p> <p>Review payment vouchers, ensure appropriate procedures exist in respect to authorisation and payment of</p>	<p>Current procedures include testing of;</p> <p>External confirmation of bank balances, test bank reconciliation and that management of investments comply with legislation;</p> <p>Test sample of receipts and review internal control over receipting system;</p> <p>Rates and sundry debtors listings to subsequent receipts and a review of uncollectables;</p> <p>Payment vouchers and review of internal control over payments;</p> <p>Payroll payment sample and review of controls over payroll system, year-end payroll reports, group certificates and staff leave records for provisions;</p> <p>Review of rate record,</p>	<p>Noting the critical audit areas identified in part 5.0 of the specification, we advise that additional review would be conducted in the areas;</p> <p>Fraud &amp; error</p> <p>Application of IFRS</p> <p>Controls over business cycles</p> <p>IT reliance</p> <p>Annexure 2 includes a comprehensive checklist of general items, cash, accounts receivable, property, plant &amp; equipment, other assets, accounts payable, accrued expenses, borrowing, reserve funds, revenue,</p>

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
	<p>Report on areas of improvement or saving made to current system</p> <p>Issue of audit opinion on or before deadline</p> <p>Certifications of pension deferrals and acquittal of govt grants</p> <p>Statement of Performance checklist; Salaries and wages; Other exp; Contracts; Rates Revenue; Other Revenues incl User Pays Revenue &amp; Profit on Sale of Assets; Grants</p> <p>Statement of Financial Position checklist; Cash Resources Investments; Accounts Receivable; Inventories; Fixed Assets; Accounts Payable; Employment</p>	<p>accounts;</p> <p>Perform a review of controls surrounding payroll and staff leave records;</p> <p>Review of rating records incl rate imposition, valuations, compliance with legislation;</p> <p>Review all borrowing transactions ensuring conduct with the act;</p> <p>Review reserve transactions ensuring compliance with legislation;</p> <p>Review all transactions involving land and other property to ensure legislative requirements are complied with;</p> <p>Review agreements where Council has leased land to third parties and help ensure compliance with relevant legislation;</p> <p>Review budget and related processes ensuring compliance with the Act and regulation;</p> <p>Examine tenders to ensure compliance with the act and regulation.</p> <p>The above is not exhaustive</p>	<p>rate setting statement and relevant budget resolutions to ensure setting of rates, differentials, specified area and service charges accord with legislation. Valuations reconcile with VGO;</p> <p>New borrowings checked for compliance relating to raising and expenditure of loans;</p> <p>Reserve fund transfers and new reserves comply with the Act and are cash backed;</p> <p>Sample of non-current assets as detailed on asset register are sighted and agreed to ownership records;</p> <p>Review of budget, budget adoption and reporting to DLGRD for compliance with Act and Regs;</p> <p>Review of all minutes to consider compliance relating to land transactions, leases, fees &amp; charges, trading undertakings,</p>	<p>expenses and budget compliance.</p>	

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
		Entitlements; Borrowings Other Audit Work; Budgets; Tendering Procedures; Compliance with Financial Management Regulations; Compliance with Australian Accounting Standards; EDP Systems; Procedures Review	as procedures will examine other areas as deemed appropriate to form an opinion and make comments in regard to accounting systems.	declarations of interest, leave of absences etc;  Financial reports presented to Council;  Local Government Compliance Audit Return.	
Hourly \$ rate for separate audits	Partner	140	250		310
	Manager	100	160		240 (Director) 210 (Client Manager)
	Supervisor		130		
	Senior	65	90		170
	Intermediate / analyst	50			155
	Consultancy Range			85-170	

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
Selection Criteria (100) points					
(25) Nominated Auditor		12 Has not always provided adequate preparation planning for audit assignments or given a perception of real interest in the affairs of audit clients during the early years of engagement	21 Specialises in the field of local government auditing and has a high profile involvement within the industry as an educator and policy advisor. 52 Current local government engagements	20 Specialises in the field of local government auditing. 19 Current local government engagements	17 Robert is an experienced auditor at the highest level however it is unclear as to whether he will be involved in the hands on engagement.
(25) Fee	Fees in proportion to lowest fee	25 (\$26,250) Fee appears to be abnormally low (49.50/hr) considering the quality of process and value adding expected	15 (\$44,100) (Ave \$122.50/hr)	16 (\$40,300) (Ave \$130/hr)	7 (\$91,700) (Ave \$124/hr) Very high price because of large estimate of audit hrs
(10) Hours of Engagement	In proportion to greatest estimate; as a time	7 530hrs	5 360hrs	4 310hrs	10 740hrs

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
	counter balance to cut price fees by cutting service time				
(10) Other staff Experience		6 One staff member with over 2 years experience	8 Sufficiently experienced audit managers	6 One staff member with over 2 years experience	9 Appears to have a wide range of experienced staff
(5) Methodology/Procedure		3 Has lacked clear communication, scoping and preparation eg Financial Management Review 2004 (Broome)	5 Comprehensive, tailored for local government.	5 Comprehensive, tailored for local government.	5 Technology based, generic format
(25) Other Services, Value Adding etc		9 Some value adding mentioned in 2002 successful tender did not materialise	19 Significant effort directed towards other value adding services and involvement with the local government industry	16 Effort directed towards other value adding services to the local government industry	5 Not much offered outside of management report
(100) Selection Totals		62	73	67	53
Comment		Has quoted the cheapest price by far however there is a perception about the quality of work	Preferred candidate; Has forged a successful presence in the local government industry by not only specialising in local	Second preferred candidate; A very competitive price although drawn from the lowest estimate of	Although the average cost per hour is comparable the fee has been based on a large

Criteria	Detail	Hall Chadwick Chartered Accountants & Business Advisors	Haines Norton Chartered Accountants	Horwath Audit (WA) Pty Ltd	Deloitte Growth Solutions Pty Ltd (Member of Deloitte Touche Tohmatsu)
	<p>that could be received by a profession quoting an average of \$49.50/hr.</p> <p>There have also been some reservations as to quality of service during the preceding 3-year tenure with the Shires of Derby, Halls Creek and Broome.</p>	<p>government audit but also in becoming proactive in the affairs of local government financial policy and an educator in local government finance and compliance.</p>	<p>work hours, may just lag slightly in staff experience and value added activities within the local government industry</p>	<p>estimate of work hours making this the most expensive proposition,</p> <p>Also there was little in the way of value added services indicated outside of the external audit process.</p>	

**Minute No. AC009**

**Moved Cr J Buchanan/Cr B Johnson**

- 1. That the Audit Committee recommend to Council to appoint Haines Norton as the Shire's Auditor for the next 3 years**
- 2. That this recommendation be presented to Council at the April Ordinary Meeting of Council as a late item .**

**CARRIED UNANIMOUSLY (3-0)**

- 6 Closure of Meeting  
The Chair closed the meeting at 3.45pm

**RECOMMENDATION**

That Council note the Minutes of 14.04.05 Audit Committee Meeting

**MINUTE NO 7135**

**Moved Cr J Nelson/K Wright**

**That Council note the Minutes of 14.04.05 Audit Committee Meeting**

**CARRIED UNANIMOUSLY (8-0)**

## 12. REPORTS

### 12.1. ENGINEERING & DEVELOPMENT SERVICES

#### 12.1.1 Monthly Engineering and Development Services Report(*MINUTE NO 7136*)

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	Engineering and Development Services Team
<b>REPORTING OFFICER:</b>	Steven Chadwick, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	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.

## **ATTACHMENTS**

- Aboriginal Environmental Health Report – Unavailable due to Officer being on Annual Leave
- Building Surveyors Report – April 2005
- Environmental Health – April 2005
- Manager Technical Services Report – April 2005
- Town Planner – April 2005
- Ranger's Report – April 2005

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council receive the Engineering and Development Services reports for April.

## ***MINUTE NO 7136***

***Moved Cr B Barnes/Cr M Middap***

***That Council receive the Engineering and Development Services reports for April.***

***CARRIED UNANIMOUSLY (8-0)***

## **BUILDING SURVEYOR'S REPORT**

**April 2005**

**Note:** Statistics for April 2004 not available due to Officer being on Annual Leave. Some Statistical information is not available due to data not being collected until mid 2004.

### **Licences/Certification:**

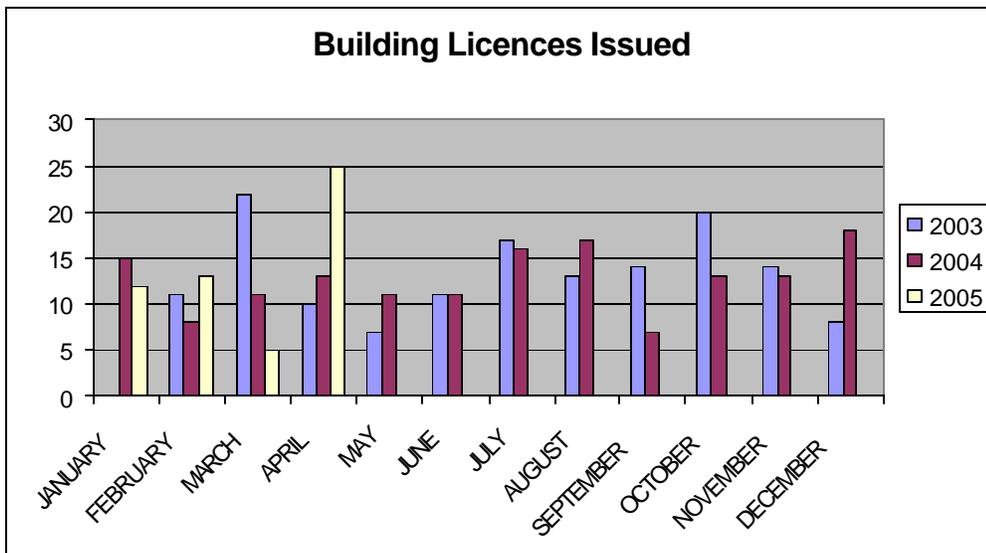
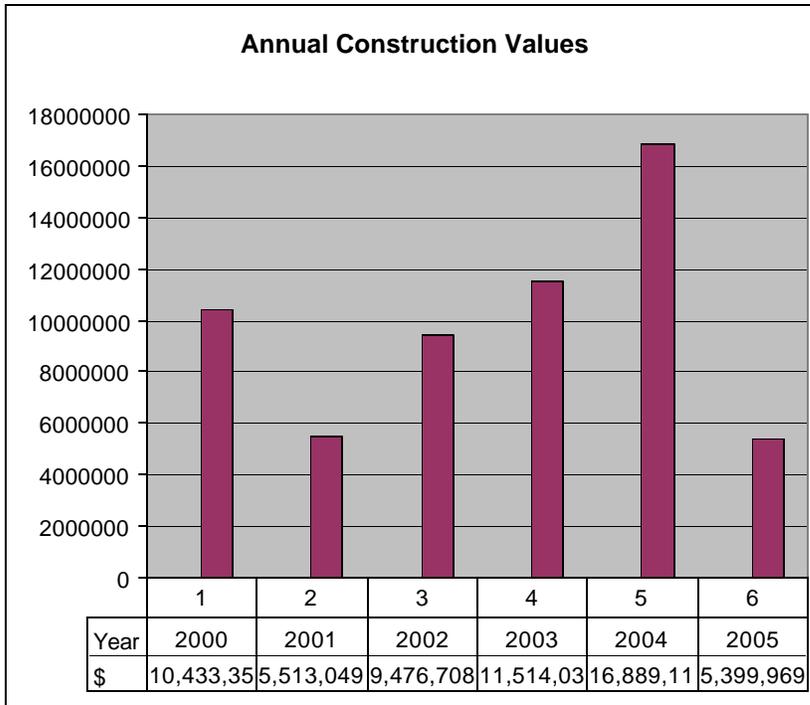
<b>Type of Licence/Certificate</b>	<b>April 2003</b>	<b>April 2004</b>	<b>April 2005</b>
Building Licences	10	11	25
Demolition Licences	0	0	0
Sign Licences	1	1	1
Certificate of Classification	2	2	2
Amended Building Licence	2	0	2
Extension of Time	0	0	0
Site Instruction	2	0	0
Formal Notice	2	0	0
Land Purchase Enquiry	4	6	11
Invitation to Acknowledge Existing	2	4	3
Service Requests Received	N/A	N/A	5
Service Requests Completed	N/A	N/A	3
Purchase Orders <\$5,000	N/A	N/A	11
Purchase Orders >\$5,000	N/A	N/A	1
Invoice Authorisations	N/A	N/A	16
Miscellaneous Correspondence	N/A	N/A	30

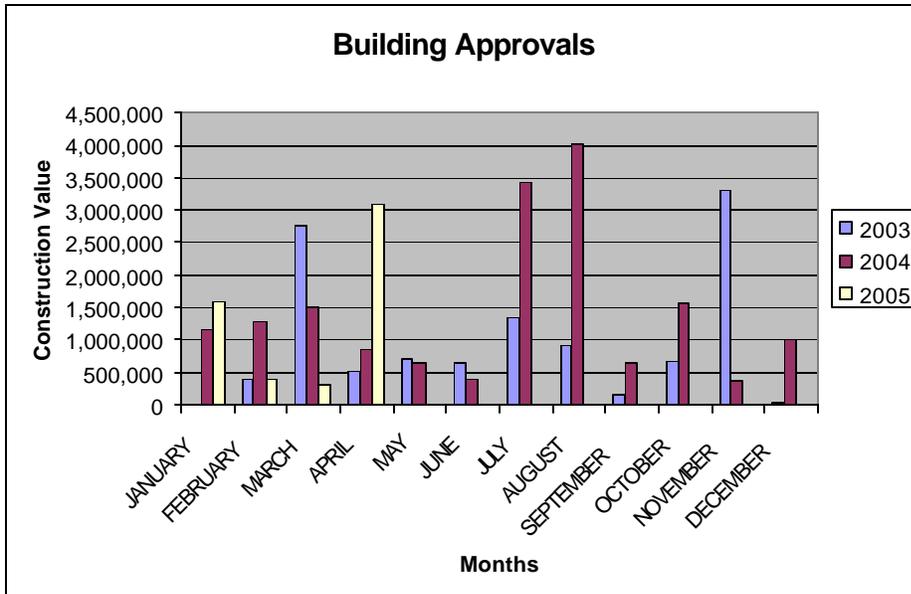
### **Inspections:**

<b>1. Type of Inspection</b>	<b>April 2003</b>	<b>April 2004</b>	<b>April 2005</b>
Preliminary Site	9	12	10
Footing / Slab Inspection	4	9	7
Final Inspection	4	7	12
Swimming Pool	2	2	1
Unauthorised/Undocumented Structures	4	4	3
Aboriginal Communities	0	0	4
DOLA enquiry inspection	0	0	0
Fencing/Neighbour Dispute	0	2	0
Miscellaneous	11	15	14
Subdivision	0	0	0
Strata Titles	0	0	0
Pastoral Stations	N/A	0	1

**2005**

MONTH	CONTRACT VALUE \$	No of LICENCES ISSUED	ACKNOWLEDGEMENT OF EXISTING	REMOTE/PASTORAL BUILDINGS	KUNUNURRA			WYNDHAM			ABORIGINAL RESERVES/ COMMUNITIES		
					COMMERCIAL/ INDUSTRIAL	OUT BUILDINGS, POOLS & ADDITIONS	NEW DWELLINGS	COMMERCIAL/ INDUSTRIAL	OUT BUILDINGS, POOLS & ADDITIONS	NEW DWELLINGS	COMMERCIAL/ INDUSTRIAL	OUT BUILDINGS, POOLS & ADDITIONS	NEW DWELLINGS
JANUARY	1,594,500	12	0	0	0	14	5	0	1	0	0	0	0
FEBRUARY	408,038	13	8	10	2	10	1	0	0	0	0	0	0
MARCH	312,700	5	0	0	0	4	0	0	0	0	0	1	1
APRIL	3,084,731	25	10	0	7	7	0	0	0	0	0	4	12
MAY													
JUNE													
JULY													
AUGUST													
SEPTEMBER													
OCTOBER													
NOVEMBER													
DECEMBER													
<b>TOTAL 2005</b>	<b>5,399,969</b>	<b>55</b>	<b>18</b>	<b>10</b>	<b>9</b>	<b>35</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>13</b>
<b>TOTAL 2004</b>	<b>16,889,112</b>	<b>153</b>	<b>31</b>	<b>3</b>	<b>18</b>	<b>101</b>	<b>36</b>	<b>2</b>	<b>8</b>	<b>7</b>	<b>0</b>	<b>8</b>	<b>11</b>
<b>TOTAL 2003</b>	<b>11,514,032</b>	<b>147</b>	<b>40</b>	<b>3</b>	<b>28</b>	<b>106</b>	<b>13</b>	<b>3</b>	<b>9</b>	<b>2</b>	<b>1</b>	<b>6</b>	<b>9</b>
<b>TOTAL 2002</b>	<b>9,476,708</b>	<b>135</b>	<b>22</b>	<b>10</b>	<b>11</b>	<b>94</b>	<b>15</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>15</b>	<b>19</b>
<b>TOTAL 2001</b>	<b>5,513,049</b>	<b>91</b>											
<b>TOTAL 2000</b>	<b>10,433,353</b>	<b>102</b>											





**Vandalism to Council Property – April 2005**

DATE	BUILDING	DAMAGE	REPORTED POLICE	INSURANCE
4/7/2005	Swim beach ablutions	Door Female toilet ripped from hinges Spray paint everyw here	Yes incident report number 07040509009921	YES
4/11/2005	EXALOO Toilet APT	Door opening switch damaged will not operate	NO as could have been a fault of switch but has been hit hard with somet hing sharp over weekend	NO
4/15/2005	WHITEGUM PARK TOILETS	Electrical conduit pulled from wall and bent conduit clips on mains run in into fuse box	NO	NO
4/26/2005	SHIRE ADMIN	Back wall fibro sheet kicked in replace part of sheet	Yes incident report number 280405074110390	NO
4/28/2005	SWIM BEACH TOILETS	power box torn from wall interior of box has gone missing Whole board earth leakage circuit breakers power points and anything else associated with board has vanished	Yes incident report number 280405074017390	YES

**Capital Maintenance Program Commenced during the Month of April:**

No Capital Maintenance Program items were commenced during the month of April.

## **ENVIRONMENTAL HEALTH REPORT**

*April 2005*

### **Food Premises**

17 visits, inspections or discussions were carried out during the month.

### **Itinerant Vendors**

Six issues have been dealt with regarding itinerant vendors.

### **Swimming Pool Sampling**

9 visits were made to swimming pools in relation to sampling issues. One backpacker's pool is to provide automatic chemical dosing equipment.

### **Potable Water Supplies**

4 visits or discussions were carried out regarding potable water supplies, including the Keep River National Park on behalf of NT Parks and Wildlife Service

### **Wyndham Effluent Reuse Scheme**

The effluent is not currently being used for oval irrigation.

### **Food Complaints**

Three complaints were received in relation to cleanliness of a fast food outlet, poor conditions of a bakery delivery vehicle, and itinerant ice cream vendors selling outside Tucker Box.

### **Mosquitoes/Pest Control**

For three weeks we have been trapping larvae, eggs and adults looking at species, numbers and density during the day. Extensive data have been compiled and it is hoped to start fogging and larviciding critical areas at the beginning of May.

Also several chickens in the KNX sentinel flock have demonstrated antibodies to Kunjin virus and Murray Valley Encephalitis and four Ross River Virus infections have been reported in the KNX population.

### **Septic Tanks**

Five issues relating to septic tanks were dealt with during this period.

### **Sentinel Chickens**

Bleeding of chicken flocks to detect antibodies to Murray Valley Encephalitis and Kunjin Virus was undertaken on four occasions once at Wyndham and twice at Kununurra.

### **Infectious Disease Notifications**

Nine visits and investigations took place in relation to notifiable diseases, predominately gastro intestinal infections.

### **Lodging Houses**

Six lodging house inspections were carried out during the period.  
One complaint was made about dirty conditions at a backpacker establishment.

### **Caravan Parks**

Two caravan parks were visited during the period.

**Food Recalls**

No recalls were actioned during the period on products sold in WA.

**Meat Inspection**

There is still no indication as to when or if the abattoir will reopen.

**Crocodile Abattoir**

Exactly how this abattoir will operate during the year is still unclear; however we are in close contact with the owners.

**Public Events**

Three discussions and visits have been made in connection with temporary stalls.

**Remote Facilities**

Visits have been made to Home Valley, Drysdale Station, Kalumburu, and Keep River. Issues have also been dealt with relating to El Questro and an operator proposing to conduct catered day tours from Kalumburu to Truscott Airport.

**Asbestos**

No issues were dealt with regarding disposal of asbestos products safely.

**Environmental Issues**

Three visits or discussions took place relating to environmental activities.

**Nuisances**

No visits have been made during this period due to nuisances.

**General Items**

A visit from a Halls Creek EHO was hosted during the month

Roger Feely  
Environmental Health Officer

## **MANAGER TECHNICAL SERVICES REPORT**

*April 2005*

### **Current Major Works**

<b>Project</b>	<b>Status</b>
Coolibah Drive - Blackspot	Construction on schedule for completion within contract period. Project audit and Certificate of Completion scheduled for May
Konkerberry Drive CBD & TMP	Design for road widening Leichardt Street – Ebony Street and car parking Leichardt Street to Tristania Street complete. Tenders close early May. Progressing design for remaining sections.
Lily Creek Boat Ramp	Concrete Ramp work complete, piles driven, Steel for boardwalk scheduled for return from galvanizer 10 May. Concrete upstand poured 9 May.
Weaber Plain Road Reconstruct, Widen & Seal LIA	Earthworks for shoulder widening complete. Order raised for resurvey of basecourse. Survey delayed until first week in May. Quotes for basecourse rescheduled for May with completion by mid June 2005.
King River Road Flood Repairs Wyndham Boat Ramp	Work Complete and claim for Natural Disaster funding being prepared. Designs of proposed repairs to Pontoon Jetty and Boat Ramp have been submitted to Department of Planning and Infrastructure (DPI) to release funding. Project approved by DPI April 2005. Contract specifications / documentation complete. Separating project into Jetty reconstruction and Boat ramp components.
Gibb River - Kalumburu Road Flood Damage	Inspections complete, road opened to 4WD and liaising with MRWA on Natural Disaster Funding.
Stormwater Management Plan Resealing Contract	Draft report & plan complete – Awaiting mapping processing and supplementary information. Contractor due on site 11 May to complete all SWEK work. New Contract specifications for 2005 – 2008 complete and scheduled for advertising 1 <sup>st</sup> week in May.

### **Routine Works**

#### **Wyndham**

- Progressing licensing for Wyndham Landfill site and scrap metal removal.
- Footpath repairs & Upgrade by Council staff
- Preparation for Reseal Program
- Reticulation modifications
- Unsealed road repairs

- Landfill site fire

## **Other**

### **Internal Clients**

- Addressing Service Request forms (Internal & External)
- Staff Issues– numbers / response time / skills / management –ongoing
- Performance Appraisals for all Engineering Staff
- Liaising with Landfill consultant and providing additional information.
- Finalising design issues Coolibah Drive Parking – Shire office
- Flood Mitigation Grants- Remote Access Roads and Weaber Plains– Applications were successful however as no equivalent State Government funding available, the Grant Funding will not be available to SWEK.
- Scheduling footpath & kerbing repairs in Kununurra
- Assisting other sections in Tender preparation.
- Budget review
- Airport Lighting Upgrade– Assisting Airport Manager
- Wyndham unsealed runway repairs - Assisting Airport Manager

### **External Clients**

- Meeting & discussions with Main Roads WA on
  - On Farm Roads awaiting advised on 28 April that no additional funding is available.
  - Natural Disaster Funding following Cyclone Ingrid
  - Road Safety Issues
  - Speed zoning – Requested that MRWA review Valley roads due to failure of pavement.
  - Review of Regulatory signage and private advertising signs
- Ongoing liaison with developer and contractor involved in Lakeside subdivision. Erosion, excavation and maintenance issues;
- Monitoring of Nulleywah Roads for DHW
- Road Inspections –
  - Wyndham & Kununurra Roads
  - King River Road
  - Kalumburu Road
  - Farm Roads
  - Cave Springs Road
  - Carlton Hill Road
  - Parry Creek Road
- Progressing Weaber Plains Flood impact reduction options and funding – on hold due to lack of funding.

## **Programming & Contract Issues**

- Regular meeting with contractors providing period service contracts
- Ongoing programming and review of contract works
- Planning for Capital Works Program for 2004 /2005

<b>Period Contract Type</b>	<b>Contractor</b>	<b>Tender Number</b>	<b>Contract Expiry</b>
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
Road Sweeping Contract	Kimberley Waste Services	T27 95/96	30/9/05
Landfill Contractors	Kimberley Metal Recyclers	T14 02/03	30/3/05
Bitumen Sealing Services	Pioneer Road Services	T09 01/02	12/6/05

## TOWN PLANNING REPORT

April 2005

### POSITION TASKS

TASK	TOTAL
Planning Approval Applications received	4
Reports to Council	5
Planning Approvals issued under delegation	14
Subdivisions / Strata Applications received	1
Subdivision / Strata Applications approved	1
Current Town Planning Scheme Amendments	2
Planning Scheme Amendments Granted Final Approval by Minister	1
Site Inspections	11
Government Agency Meetings	9
Meetings with Councillors	2

### OTHER MATTERS

Date	Stakeholder	Purpose	Site / Application / Issue
6 <sup>h</sup>	SWEK	Training	InfoLGS Training
7 <sup>n</sup>	G Glasson	Meeting	ADM Office Raintree Street
8 <sup>h</sup>	SWEK	Meeting	EDS Monthly Meeting
14 <sup>th</sup>	SWEK DoE - Katya Tripp	Meeting	Drainage - Ribbons of Blue
15 <sup>th</sup>	SWEK	Meeting	Management Meeting
15 <sup>th</sup>	HCJB - Mike Moore	Meeting	Development Guide Plan
18 <sup>th</sup>	DPI - Ray Patterson	Meeting	DPI processes update
19 <sup>th</sup>	SWEK	Meeting	Foreshore Management Plan CEO update
19 <sup>th</sup>	SWEK	Meeting	Councillor Pucci
19 <sup>th</sup>	SWEK	Meeting	Councillor Nelson
21 <sup>st</sup>	Dept Housing Works	Site Inspections	Untidy Sites - Regional Manager DHW
26 <sup>th</sup>	SWEK	Meeting	Budget Review
26 <sup>th</sup>	SWEK / NRM	Meeting	NRM Strategy Update
27 <sup>th</sup>	SWEK / DPI	Site Inspections	Untidy Sites - Wyndham
28 <sup>th</sup>	ORWVG	Meeting	Various
28 <sup>th</sup>	Barabagallo	Site Inspection	Kimberley Hotel
29 <sup>th</sup>	Cavlovic	Site Inspection	Lakeview Apartments
30 <sup>th</sup>	Dobson / Kirby	Site Inspection	Drainage Lot 20

## **RANGERS' REPORT**

*April 2005*

<b>ITEMS</b>	<b>KNX</b>	<b>WYN</b>	<b>TOTAL</b>
<b>Dogs Impounded</b>	31	7	38
<b>Dogs Returned</b>	14	5	19
<b>Dog Complaints</b>	3	2	5
<b>Dog Attacks</b>	2	0	2
<b>Cat Cages Delivered/Picked up</b>	3	6	9
<b>Cats Destroyed</b>	7	5	12
<b>Dogs Destroyed</b>	17	2	19
<b>Campers Moved On</b>	2	3	5
<b>Bags of Rubbish Collected</b>	320	20	340
<b>Abandoned Vehicles</b>	0	1	1
<b>Notices to Supermarket re:</b>			
<b>Abandoned Trolleys</b>	0	0	0
<b>Shopping Trolleys Impounded</b>	0	0	0
<b>Community Education (Courses Run)</b>	0	0	0
<b>Controlled Fire Attendances</b>	3	0	3
<b>Fire Permits Issued</b>	5	0	5
<b>Call Outs (After Hours &amp; W/ends)</b>	3	1	4
<b>Weekend Pound Duties</b>	0	2	2
<b>TOTAL</b>	<b>410</b>	<b>54</b>	<b>464</b>

<b>KUNUNURRA RANGER STATISTICS – YEARLY COMPARISONS</b>					
<b>ITEMS</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>Total to end of April 2005</b>
<b>Dogs Impounded</b>	319	275	257	333	108
<b>Dogs Returned</b>	133	89	61	69	36
<b>Dog Complaints</b>	40	58	54	39	18
<b>Dog Attacks</b>	6	12	5	8	7
<b>Cat Cages Delivered/Picked up</b>	60	64	66	87	22
<b>Cats Destroyed</b>	222	222	192	145	53
<b>Dogs Destroyed</b>	198	157	196	258	62
<b>Campers Moved On</b>	106	40	52	71	9
<b>Bags of Rubbish Collected</b>	538	522	497	346	509
<b>Abandoned Vehicles</b>	0	5	10	11	3
<b>Notices to Supermarket re: Abandoned Trolleys</b>	N/A	N/A	N/A	26	0
<b>Shopping Trolleys Impounded</b>	22	18	0	0	0
<b>Community Education (Courses Run)</b>	0	1	2	0	0
<b>Controlled Fire Attendances</b>	28	21	48	48	4
<b>Fire Permits Issued</b>	36	31	36	48	7
<b>Call Outs (After Hours &amp; W/ends)</b>	42	48	49	29	10
<b>TOTAL</b>	<b>1750</b>	<b>1563</b>	<b>1525</b>	<b>1513</b>	<b>860</b>

**12.1.2 Proposed Tourist Vessel Landing and Associated Sales Office - Diversion Cruises  
(Minute No 7137, 7138, 7139)**

<b>DATE:</b>	17/05/2005
<b>PROponent:</b>	Diversion Cruises
<b>LOCATION:</b>	Reserve 41812 Corner Messmate Way And Victoria Highway
<b>ATLAS REFERENCE:</b>	Map 54 B3
<b>AUTHOR:</b>	Keith Williams , Town Planning Officer
<b>REPORTING OFFICER:</b>	Steven Chadwick, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	01.2860.02
<b>ASSESSMENT NO:</b>	2860

**PURPOSE**

To provide advice to Council so that it can make an informed decision regarding an application to commence development of a ticketing booth and tour vessel berth on a portion of Reserve 41812 on Victoria Highway near Messmate Way

**Background**

Council is in the process of leasing a portion of Reserve 41812 to Diversion Cruises for the operation of a Tour Vessel and Houseboat, and to facilitate the formalisation of the use of this section of the foreshore. A development application has been submitted to enable development of a ticketing office and landing for these uses.

The proposed lease will formalise tenure over the land, on a short term basis, however, does not provide approval to develop the land, which is required under the Town Planning Scheme irrespective of the lease.

**Site and Surrounds**

The subject site is located near the intersection of Messmate Way and Victoria Highway on the foreshore of Lily Creek Lagoon.

The land proposed to be developed is intended to be leased, and is a Reserve vested in Council and the Department of Environment.

**Development Proposal**

The application proposes to use the land for the operation of a tour business. The development consists of a ticketing and sales office, fencing, bollards for berthing of vessels and car and bus parking.

The applicant has stated that the buildings are to be constructed predominantly of cement bricks and corrugated iron roof. No colours have been indicated on the plans.

The proposed sales office has an area of 50m<sup>2</sup>, with verandahs on two sides with an area of 100m<sup>2</sup>. Verandahs would have balustrading.

Plans of the proposed development and lease area are available on request and can be viewed at the Council meeting.

## **PLANNING FRAMEWORK**

### **Strategic/Structure Plans**

The Kununurra Structure Plan, which forms part of the Kununurra - Wyndham Area Development Strategy (KWADS), designates the subject land as Recreation and Foreshore Protection. The development is consistent with KWADS.

### **Town Planning Scheme No 7**

The land is located within the Special Foreshore Reserve under Town Planning Scheme No 7 - Kununurra and Environs.

The Scheme states that purpose of the Reserve must be considered when granting approval for development Reserved under the Scheme:

## **2.2 MATTERS TO BE CONSIDERED BY THE COUNCIL**

- 2.2.1** *Where an application for Planning Approval is made with respect to land within a Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a Public Authority, confer with that Authority before granting its approval.*

The objectives of the Reserve are as follows:

## **2.4 OBJECTIVES FOR RESERVES**

### **2.4.5 Special Foreshore Reserve**

*To identify and protect those foreshore areas that have special conservation values particularly in regard to flora and fauna values and ensuring that areas of significance are ultimately identified and recorded through appropriate studies.*

It is considered that the proposed development does not conflict with the objectives of the reserve.

### **Council Policies**

The land is not located in a Precinct Policy Area,

Community Consultation

Town Planning Scheme No. 7 (Kununurra and Environs) does not require any community consultation for the proposed development; however, the application was referred to the Ord River Waterways Management Group and advertised for Public Comment given the sensitive and highly visible nature of the site, and the community's connection with Lily Creek.

The Ord River Waterways Management Group confirmed that there are no serious issues with the proposed development on the basis that the development is temporary in nature, and agreed that any buildings should be designed and constructed to be readily relocated from the site as and when required by Council, and that as long as this occurred the Group supports the development.

Advertising occurred over 21 days in accordance with the provisions of Clause 11.2 of the Scheme. Four submissions were received during public advertising. These submissions are summarised below:

No.	Resident or Agency	Submission	Comment	Recommendation
1.	Ann Ward	Comment	<ul style="list-style-type: none"> <li>• Development will have and adverse visual impact.</li> <li>• Development will restrict access.</li> <li>• Development will be permanent.</li> </ul>	Condition approval to ensure temporary visual aesthetic and ensure development is removed at termination of lease.
2.	G & D Greene	Comment	<ul style="list-style-type: none"> <li>• Structure is not consistent with proposed temporary lease.</li> <li>• Proponent should be permitted to park on site.</li> <li>• Public parking on foreshore is not desirable.</li> </ul>	Condition approval to ensure temporary visual aesthetic and ensure development is removed at termination of lease.
3.	Rotary Club of Kununurra	Comment	<ul style="list-style-type: none"> <li>• Assessment of application should be deferred until foreshore management plan developed.</li> <li>• Development will have an adverse visual impact.</li> </ul>	Condition approval to ensure temporary visual aesthetic and ensure development is removed at termination of lease.
4.	R Floyd	Objection	<ul style="list-style-type: none"> <li>• Assessment of application should be deferred until foreshore management plan developed.</li> <li>• Development will have an adverse visual impact.</li> <li>• Commercial use of foreshore inappropriate</li> <li>• Development should be conditioned to reduce visual impact.</li> </ul>	Condition approval to ensure temporary visual aesthetic and ensure development is removed at termination of lease.

Submissions are available for viewing on request.

**FINANCIAL IMPLICATIONS**

The applicant has paid the requisite application fee of \$75.

**COMMENT**

The application has been through a rigorous assessment process as part of the proposal to lease the land and as part of the development assessment process, and the joint landowners have agreed to enter into a lease with the applicant subject to conditions to minimise impacts of development. The proposed use and development of the land has been advertised twice, and significant community input has been received.

Use of the land does not conflict with the purpose of the Reserve or the objectives of the Scheme, and the site is suitable for short term development and lease. The proposed development is unlikely to have a detrimental impact on the foreshore as a temporary use, and the lease has been prepared to require relocation of the use and development when a commercial boating facility is developed. As such the lessee would be required to relocate from the subject site.

Notwithstanding this, there are significant community concerns regarding the visual appearance of the proposed development, especially given the proposed temporary nature of the development. These concerns are valid, especially given the values of the site and the relationship of the community with the site and with Lily Creek Lagoon.

These concerns can, however, be overcome by implementation of appropriate conditions to ensure visual impacts are minimised, and submissions lodged during advertising suggest the development should reflect the temporary use of the land.

It is considered that the development should be approved subject to conditions minimising visual impact and ensure the temporary context of the development is reflected in aesthetics.

Given that the use will increase use of the foreshore reserve, it is recommended that the approval be conditioned to require works to the public parking area, such as graveling and installation of bollards.

**ATTACHMENTS**

Plans of the proposed development are available on request, and will be available at the Council meeting.

**VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council grant planning consent to Diversion Cruises for the use and development of Reserve 41812 on the corner of Messmate Way and Victoria Highway for a Tourist Vessel Landing and Ticket Sales Office in accordance with the submitted plans and subject to the following specific conditions of approval:

- 1 The proposed Ticket Sales Office shall be demountable and shall be constructed of a steel frame clad with corrugated iron such that it can be transported off site at the conclusion of any lease or tenure over the land;
  - 2 All vehicles associated with the use shall be parked on site during operating hours of the tour vessel only, and shall not be parked on site after hours;
  - 3 Service vehicles shall be parked behind the ticketing booth;
  - 4 No vehicles shall be parked or stored outside the fenced area or within any area where public access is required;
  - 5 Building colours shall be submitted to Council for approval prior to occupation of the building;
  - 6 Approval of building colours shall be delegated to the CEO;
  - 7 All fencing shall consist of pool type safety fencing to a maximum height of two metres;
  - 8 the Public car parking area shall be constructed to a compressed gravel standard to the satisfaction of the Manager of Technical Services, the cost of which shall be borne by the applicant
  - 9 Bollards shall be installed around the public car park to the satisfaction of the Manager of Technical Services, the cost of which shall be borne by the applicant;
  - 10 Any further or additional modifications to the foreshore must be approved by Council;
  - 11 The applicant shall provide evidence of public liability insurance to the value of 10 million dollars and indemnify Council for any loss, injury or damage arising from the development or use of the lease area;
  - 12 No landscaping other than lawns and reticulation shall be undertaken without the prior submission and approval of a landscaping plan to the satisfaction of the CEO;
  - 13 No flood lighting shall be permitted and any lighting shall be limited to minimum levels of security lighting;
  - 14 No flags or banners shall be erected on site or on any buildings or structures;
  - 15 Signage shall be restricted to a maximum of 5 square metres to be located on the building;
- Other standard conditions from Council's standard conditions list issued under delegated authority.

**Minute No 7137**

**That Council Suspend Standing Order 7.5  
Moved by Cr B Barnes / Cr M Middap**

**CARRIED UNANIMOUSLY 8-0**

Standing order was suspended at 6.14pm

**Minute No 7138**

**That Council Resume Standing Order  
Moved by Cr K Wright / Cr J Buchanan**

**CARRIED UNANIMOUSLY 8-0**

Council resumed Standing Orders at 6.19pm

**MINUTE NO 7139**

**Moved Cr J Nelson/M Pucci**

**That Council grant planning consent to Diversion Cruises for the use and development of Reserve 41812 on the corner of Messmate Way and Victoria Highway for a Tourist Vessel Landing and Ticket Sales Office in accordance with the submitted plans and subject to the following specific conditions of approval:**

- 1. The proposed Ticket Sales Office shall be constructed of a steel frame clad with corrugated iron such that it can be removed off site at the conclusion of any lease or tenure over the land;**
- 2. All vehicles associated with the use shall be parked on site**
- 3. Service vehicles shall be parked behind the ticketing booth;**
- 4. A schedule of the external building colour scheme shall be submitted at or prior to Building Rules Assessment**
- 5. Commencement of construction of any structures associated with this development application shall not occur without receipt of the written acceptance of the chosen external building colour scheme by Council's CEO**
- 6 All fencing shall consist of pool type safety fencing to a maximum height of two metres;**
- 7. The Public car parking area shall be constructed to a compressed gravel standard to the satisfaction of the Manager of Technical Services, the cost of which shall be borne by the applicant**
- 8. Bollards shall be installed around the public car park to the satisfaction of the Manager of Technical Services, the cost of which shall be borne by the applicant;**

**9. Any further or additional modifications to the foreshore must be approved by Council;**

**10. The applicant shall provide evidence of public liability insurance to the value of 10 million dollars and indemnify Council for any loss, injury or damage arising from the development or use of the lease area;**

**11. No landscaping other than lawns and reticulation shall be undertaken without the prior submission and approval of a landscaping plan to the satisfaction of the CEO;**

**12. No flood lighting shall be permitted and any lighting shall be limited to minimum levels of security lighting;**

**13. No flags or banners shall be erected on site or on any buildings or structures;**

**14. Signage shall be restricted to a maximum of 5 square metres to be located on the building;**

**15. The use of concrete to form paths, plinths or retaining walls shall not occur on the site alternative materials that do not form permanent fixtures shall be used.**

**Other standard conditions from Council's standard conditions list issued under delegated authority.**

**CARRIED (6-2)**

**Cr Keith Wright requested that the votes be recorded:**

**Against**

**Cr Julee Nelson**

**Cr Michelle Pucci**

**For**

**Cr Keith Wright**

**Cr John Buchanan**

**Cr Maxine Middap**

**Cr George Hamilton**

**Cr Jane Parker**

**Cr Bill Barnes**

**Explanation:**

**Recommendations 1 and 2 were modified to better clarify councils intention.**

**Foreshadow Motion by Cr J Nelson**

**That Council grant planning consent to Diversion Cruises for the use and development of a portion of Reserve 41812 on the corner of Messmate Way and Victoria Highway for a Tourist Vessel Landing and Ticket Sales Office in accordance with the submitted plans and subject to the following specific conditions of approval:**

- 1. The proposed Ticket Sales Office shall be demountable and shall be constructed of a steel frame clad with corrugated iron such that it can be transported off site at the conclusion of any lease or tenure over the land;**
- 2. All vehicles associated with the use shall be parked on site during operating hours of the tour vessel only, and shall not be parked on site after hours;**
- 3. Service vehicles shall be parked behind the ticketing booth;**
- 4. No vehicles shall be parked or stored outside the fenced area or within any area where public access is required;**
- 5. A schedule of the external building colour scheme shall be submitted at or prior to Building Rules Assessment**
- 6..Commencement of construction of any structures associated with this development application shall not occur without receipt of the written acceptance of the chosen external building colour scheme by Council's CEO**
- 7. All fencing shall consist of pool type safety fencing to a maximum height of two metres;**
- 8. The Public car parking area shall be constructed to a compressed gravel standard to the satisfaction of the Manager of Technical Services, the cost of which shall be borne by the applicant**
- 9. Bollards shall be installed around the public car park to the satisfaction of the Manager of Technical Services, the cost of which shall be borne by the applicant;**
- 10. Any further or additional modifications to the foreshore must be approved by Council;**
- 11. The applicant shall provide evidence of public liability insurance to the value of 10 million dollars and indemnify Council for any loss, injury or damage arising from the development or use of the lease area;**
- 12. No landscaping other than lawns and reticulation shall be undertaken without the prior submission and approval of a landscaping plan to the satisfaction of the CEO;**
- 13. No flood lighting shall be permitted and any lighting shall be limited to minimum levels of security lighting;**
- 14. No flags or banners shall be erected on site or on any buildings or structures;**
- 15. Signage shall be restricted to a maximum of 5 square metres to be located on the building;**
- 16.. The use of concrete to form paths, plinths or retaining walls shall not occur on the site. Alternative materials that do not form permanent fixtures shall be used.**

***Other standard conditions from Council's standard conditions list issued under delegated authority.***

***Foreshadow Motion by Cr J Nelson was not put to Council as it was ultra vires.***

**12.1.3 Town Planning Scheme No's 6 & 7 - Amendment 15 - Settlement Zones  
(Minute No 7140)**

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	Department for Planning and Infrastructure
<b>LOCATION:</b>	Various Aboriginal Communities Located Within The Wyndham And Kununurra Schemes
<b>ATLAS REFERENCE:</b>	Various
<b>AUTHOR:</b>	Keith Williams , Town Planner
<b>REPORTING OFFICER:</b>	Steven Chadwick, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	43.30.15
<b>ASSESSMENT NO:</b>	NA

**PURPOSE**

For Council to consider the adoption of an amendment to Shire of Wyndham East Kimberley Town Planning Scheme No 7 - Kununurra and Environs and Town Planning Scheme No 6 - Wyndham Townsite for the rezoning of land from Public Purposes to Settlement Zone, and introduce provisions for the preparation and implementation of Community Layout Plans for land zoned Settlement zone.

**BACKGROUND**

The Department for Planning and Infrastructure, as part of the Community Layout Plan (CLP) program, has prepared Town Planning Scheme amendments to recode the Nulleywah, Mirima and Emu Creek aboriginal communities from Public Purposes, Rural Agriculture 1 and General Rural respectively, to Settlement Zone.

Adoption of the amendment would rezone the subject land and introduce provisions into Town Planning Scheme No 7 - Kununurra and Environs and Town Planning Scheme No 6 - Wyndham Townsite for preparation and implementation of Settlement Zones.

The amendment also introduces provisions for the process of preparation and implementation of Community Layout Plans, as well as introduces provisions for development to be consistent with Community Layout Plans. These provisions would formalise the current CLP process, which presently has no statutory provisions.

The proposed amendments will:

- Introduce the Settlement Zone into Town Planning Scheme No 7 - Kununurra and Environs.
- Reclassify Nulleywah, Mirima and Emu Creek communities from Public Purposes Reserves to Settlement zones.
- Introduce the Settlement Zone into Town Planning Scheme No 6 - Wyndham Townsite.
- Reclassify Warryu and Guda Guda communities from Public Purposes Reserves to Settlement zones.
- Introduce provisions for the preparation and implementation of Community Layout Plans.
- Introduce development controls for land within the Settlement zone.

The amendments cover five communities initially, all existing communities within the Planning Scheme boundaries. Any new communities within the Scheme boundary would be subject to the provisions of the amendment.

Communities outside the Scheme boundaries are not zoned, and the rezoning or CLP provisions of the amendment would have no effect on communities outside the Scheme boundary.

#### Site and Surrounds

The subject sites are currently being utilised for aboriginal communities.

Nulleywah and Mirima are relatively large communities. These communities are located adjacent to Kelly's Knob, with Nulleywah to the west and Mirima to the north, and are 39 hectares and 52 hectares in size respectively. Both communities have been developed for some time, and both support housing. Nulleywah also supports community uses, a media and radio broadcast facility, language centre, a sobering up shelter and craft shop.

Emu Creek is located to the east of Kununurra, approximately seven kilometres from the town centre. This community is located off the Victoria Highway, and is smaller than Nulleywah and Mirima. The Emu Creek Community consists of several houses and community buildings.

Warrayu Community is approximately 4.9 hectares in size, and consists of housing and community buildings. This community is located immediately north of Wyndham town centre.

Guda Guda Community is located 10 kilometres south east of Wyndham town centre, and is 22.2 hectares in size. This community also consists of housing and community buildings.

#### Development Proposal

No development is proposed as part of the amendment, which proposes textual changes to the Scheme only.

#### **PLANNING FRAMEWORK**

##### 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 adopt the amendment in accordance with the provisions of the Act.

##### Strategic/Structure Plans

The Kununurra Structure Plan, which forms part of the Kununurra – Wyndham Area Development Strategy (KWADS), designates the subject sites as 'Aboriginal Use'.

The amendment would bring Town Planning Scheme 7 into conformity with KWADS.

## Town Planning Scheme No 7

The subject sites are currently reserved for Public Purposes under Town Planning Scheme No 7 - Kununurra and Environs and Town Planning Scheme No 6 - Wyndham Townsite. No specific provisions or development controls are in place for land Reserved under the Schemes for Public Purposes.

### Council Policies

Portion of the subject sites, Nulleywah and Mirima, are within precinct 2 of Council Precinct Policy Areas. Precinct 2 is the institutional Use Area. The proposed amendment conforms to the objectives of this policy precinct, which are:

*To consolidate institutional and public purposes uses in the precinct.*

Other locations included in the amendments are outside the precinct policy areas.

### External Policies

Not Applicable.

### Community Consultation

Community consultation is required when Council resolves to initiate a Town Planning Scheme amendment, under the provisions of the Town Planning and Development Act 1928. Council advertised 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;
- Erection of a sign on site and
- Posting of notices to affected parties.

No objections were received during the consultation process.

## **PHYSICAL ASSESSMENT**

### Land Capability

The amendment does not propose any development. No change in the physical characteristics of the locations will arise immediately from the amendment.

### Servicing

The subject sites are currently serviced. Any additional servicing will be the responsibility of the proponent.

### Environmental Impact

The amendment will improve the planning process over existing processes, and is likely to have a positive impact on environmental health.

### Design

Not Applicable.

### Social/Economic Implications

The proposed amendment will assist in providing a more refined and structured process for planning for indigenous communities.

### **FINANCIAL IMPLICATIONS**

A \$500 rezoning initiation fee is normally applicable, however, given that the amendment has been prepared by DPI on behalf of the Shire of Wyndham East Kimberley, it is considered that this fee is not applicable in this circumstance.

### **CONCLUSION**

The proposed amendments will introduce a Settlement Zone into Town Planning Scheme No 7 - Kununurra and Environs and Town Planning Scheme No 6 - Wyndham Townsite, and would recode five existing aboriginal communities located within the existing Scheme boundary to Settlement Zone.

The amendments also propose to modify Town Planning Scheme No 7 - Kununurra and Environs and Town Planning Scheme No 6 - Wyndham Townsite by introducing provisions for the preparation and implementation of Community Layout Plans.

The proposed amendment will result in land being used for indigenous communities being rezoned to a zoning category that provides better recognition of the land uses in these communities, and also provides provisions for control of development within these communities.

The amendment is recommended for adoption by Council.

### **ATTACHMENTS**

Documents can be viewed on request.

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

That Council

1 Resolves to adopt for Final Approval Amendment 15 to Town Planning Scheme No 7 - Kununurra & Environs, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), the proposed amendment by:

A Creating a new 'Settlement' zone by adding a 'Settlement Zone' to the list of zones in Clause 3.1.1.

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B Adding a new column to Table 1 - Zoning Table with the notation against all the use classes as follows:

TABLE 1 - ZONING TABLE:

USE CLASSES

All use classes

SETTLEMENT

Predominant Uses to be limited to those included in a Community Layout Plan endorsed by the Community, the Council & the Western Australian Planning Commission

C Renumbering Clauses '5.24' and '5.25' to '5.25' and '5.26' respectively.

D Inserting a new clause 5.24 as follows:

5.24 SETTLEMENT ZONE

5.24.1 Objective

The Council's objective for this Zone is to improve the general health, safety and amenity of Aboriginal communities by supporting the preparation, endorsement and implementation of Community Layout Plans.

5.24.2 Preparation and Endorsement of Community Layout Plans

a) Council's dealings in regard to communities in the Settlement zone shall be in accordance with Statement of Planning Policy No. 3.2 - Planning for Aboriginal Communities.

b) Community Layout Plans may be prepared for either the whole or part of any land within the Settlement Zone. The plans should be prepared in accordance with the Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities and with any other relevant State or Commonwealth Government policy.

c) A Community Layout Plan may provide for a mix of land uses which may include residential, community, administration, rural, and health, and small business activities for the support and benefit of the community, where these are consistent with improving the residential amenity in the locality;

d) The Council shall not consider a layout plan, or any modification to an approved layout plan, unless the affected community has had an opportunity to comment on the contents of the plan or amendments to an approved plan.

e) The Council shall assess the planning merits of the plan and then resolve to either approve, refuse or approve with any modification(s) that Council considers necessary.

### 5.24.3 Development Requirements

- a) Development in the zone is to be consistent with a Community Layout Plan endorsed by the Community, Council and Western Australian Planning Commission;
- b) Where an endorsed Community Layout Plan is not in place, development is to be assessed using the best information available, which may include draft Community Layout Plans, 'as constructed' drawings or advice from relevant servicing agencies or organisations;
- c) Essential services and community infrastructure provided in conjunction with development of land within the zone should be consistent with the adopted Community Layout Plan

E Reclassifying Reserves 26600 and 31504 (Town Lots 233 and 1180 respectively, Mirima), and Reserves 41401, 31213 and 31221 (Town Lots 1209, 1125, 1272 and 2229, Nulleywah) and Reserve No 40260 (Town Lot 2238, Emu Creek) in the Kununurra area from 'Public Purposes' and 'Public Purposes - Community Welfare' to 'Settlement' zone, and amending the Scheme maps accordingly.

2 Forwards three copies of the signed and sealed Amendment Documents in accordance with Regulation 22(1); and

3 Requests that the Honourable Minister for Planning and Infrastructure grant final consent to Amendment 15 of Town Planning Scheme No 7 - Kununurra and Environs without modifications.

### 2 That Council

1 Resolves to adopt for Final Approval Amendment 15 to Town Planning Scheme No 6 - Wyndham Townsite, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), the proposed amendment by:

A Creating a new 'Settlement' zone by adding 'Settlement Zone' to the list of zones in clause 3.2.1.

B Adding a new column to Table 1 - Zoning with the notation against the Use Classes as follows.

#### TABLE 1 - ZONING

use classes  
all use classes

Predominant uses to be limited to those included in a Community Layout Plan endorsed by the Community, the Council and the Western Australian Planning Commission.

C Inserting a new clause 5.11 as follows;

## 5.11 SETTLEMENT ZONE

### 5.11.1 Objective

The Council's objective for this Zone is to improve the general health, safety and amenity of Aboriginal communities by supporting the preparation, endorsement and implementation of Community Layout Plans.

### 5.11.2 Preparation and Endorsement of Community Layout Plan

a) Council's dealings in regard to communities in the Settlement zone shall be in accordance with Statement of Planning Policy No. 3.2 - Planning for Aboriginal Communities.

b) Community Layout Plans may be prepared for either the whole or part of any land within the Settlement Zone. The plans should be prepared in accordance with the Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities and with any other relevant State or Commonwealth Government policy.

c) A Community Layout Plan may provide for a mix of land uses which may include residential, community, administration, rural, and health, and small business activities for the support and benefit of the community, where these are consistent with improving the residential amenity in the locality;

d) The Council shall not consider a layout plan, or any modification to an approved layout plan, unless the affected community has had an opportunity to comment on the contents of the plan or amendments to an approved plan.

e) Council shall assess the planning merits of the plan and then resolve to either approve, refuse or approve with any modification(s) that Council considers necessary.

### 5.11.3 Development Requirements

a) Development in the zone is to be consistent with a Community Layout Plan endorsed by the Community, Council and Western Australian Planning Commission;

b) Where an endorsed Community Layout Plan is not in place, development is to be assessed using the best information available, which may include draft Community Layout Plans, 'as constructed' drawings or advice from relevant servicing agencies or organisations;

c) Essential services and community infrastructure provided in conjunction with development of land within the zone should be consistent with the adopted Community Layout Plan. '

D Reclassifying Reserve 27020 (Town Lots 1740 and 1033, Warrayu) and Reserve 25238 (Town Lot 656, Guda Guda) in the Wyndham area from 'Public Purposes - Community Welfare' and 'Public Purposes - Aboriginal Uses' to 'Settlement' zone, and amending the Scheme maps accordingly.

2 Forwards three copies of the signed and sealed Amendment Documents in accordance with Regulation 22(1); and

3 Requests that the Honourable Minister for Planning and Infrastructure grant final consent to Amendment 15 of Town Planning Scheme No 6- Wyndham Townsite without modifications.

#### **MINUTE NO 7140**

**Moved Cr J Buchanan/K Wright**

**That Council**

**1 Resolves to adopt for Final Approval Amendment 15 to Town Planning Scheme No 7 - Kununurra & Environs, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), the proposed amendment by:**

**A Creating a new 'Settlement' zone by adding a 'Settlement Zone' to the list of zones in Clause 3.1.1.**

**B Adding a new column to Table 1 - Zoning Table with the notation against all the use classes as follows:**

#### **TABLE 1 - ZONING TABLE:**

##### **USE CLASSES**

**All use classes**

##### **SETTLEMENT**

**Predominant Uses to be limited to those included in a Community Layout Plan endorsed by the Community, the Council & the Western Australian Planning Commission**

**C Renumbering Clauses '5.24' and '5.25' to '5.25' and '5.26' respectively.**

**D Inserting a new clause 5.24 as follows:**

## **5.24 SETTLEMENT ZONE**

### **5.24.1 Objective**

**The Council's objective for this Zone is to improve the general health, safety and amenity of Aboriginal communities by supporting the preparation, endorsement and implementation of Community Layout Plans.**

### **5.24.2 Preparation and Endorsement of Community Layout Plans**

**a) Council's dealings in regard to communities in the Settlement zone shall be in accordance with Statement of Planning Policy No. 3.2 - Planning for Aboriginal Communities.**

**b) Community Layout Plans may be prepared for either the whole or part of any land within the Settlement Zone. The plans should be prepared in accordance with the Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities and with any other relevant State or Commonwealth Government policy.**

**c) A Community Layout Plan may provide for a mix of land uses which may include residential, community, administration, rural, and health, and small business activities for the support and benefit of the community, where these are consistent with improving the residential amenity in the locality;**

**d) The Council shall not consider a layout plan, or any modification to an approved layout plan, unless the affected community has had an opportunity to comment on the contents of the plan or amendments to an approved plan.**

**e) The Council shall assess the planning merits of the plan and then resolve to either approve, refuse or approve with any modification(s) that Council considers necessary.**

### **5.24.3 Development Requirements**

**a) Development in the zone is to be consistent with a Community Layout Plan endorsed by the Community, Council and Western Australian Planning Commission;**

**b) Where an endorsed Community Layout Plan is not in place, development is to be assessed using the best information available, which may include draft Community Layout Plans, 'as constructed' drawings or advice from relevant servicing agencies or organisations;**

**c) Essential services and community infrastructure provided in conjunction with development of land within the zone should be consistent with the adopted Community Layout Plan**

**E Reclassifying Reserves 26600 and 31504 (Town Lots 233 and 1180 respectively, Mirima), and Reserves 41401, 31213 and 31221 (Town Lots 1209, 1125, 1272 and 2229, Nulleywah) and Reserve No 40260 (Town Lot 2238, Emu Creek) in the Kununurra area from 'Public Purposes' and 'Public Purposes - Community Welfare' to 'Settlement' zone, and amending the Scheme maps accordingly.**

**2 Forwards three copies of the signed and sealed Amendment Documents in accordance with Regulation 22(1); and**

**3 Requests that the Honourable Minister for Planning and Infrastructure grant final consent to Amendment 15 of Town Planning Scheme No 7 - Kununurra and Environs without modifications.**

## **2 That Council**

**1 Resolves to adopt for Final Approval Amendment 15 to Town Planning Scheme No 6 - Wyndham Townsite, pursuant to Section 7 of the Town Planning and Development Act 1928 (as amended), the proposed amendment by:**

**A Creating a new 'Settlement' zone by adding 'Settlement Zone' to the list of zones in clause 3.2.1.**

**B Adding a new column to Table 1 - Zoning with the notation against the Use Classes as follows.**

### **TABLE 1 - ZONING**

**use classes  
all use classes**

**Predominant uses to be limited to those included in a Community Layout Plan endorsed by the Community, the Council and the Western Australian Planning Commission.**

**C Inserting a new clause 5.11 as follows;**

#### **5.11 SETTLEMENT ZONE**

##### **5.11.1 Objective**

**The Council's objective for this Zone is to improve the general health, safety and amenity of Aboriginal communities by supporting the preparation, endorsement and implementation of Community Layout Plans.**

### **5.11.2 Preparation and Endorsement of Community Layout Plan**

- a) Council's dealings in regard to communities in the Settlement zone shall be in accordance with Statement of Planning Policy No. 3.2 - Planning for Aboriginal Communities.**
- b) Community Layout Plans may be prepared for either the whole or part of any land within the Settlement Zone. The plans should be prepared in accordance with the Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities and with any other relevant State or Commonwealth Government policy.**
- c) A Community Layout Plan may provide for a mix of land uses which may include residential, community, administration, rural, and health, and small business activities for the support and benefit of the community, where these are consistent with improving the residential amenity in the locality;**
- d) The Council shall not consider a layout plan, or any modification to an approved layout plan, unless the affected community has had an opportunity to comment on the contents of the plan or amendments to an approved plan.**
- e) Council shall assess the planning merits of the plan and then resolve to either approve, refuse or approve with any modification(s) that Council considers necessary.**

### **5.11.3 Development Requirements**

- a) Development in the zone is to be consistent with a Community Layout Plan endorsed by the Community, Council and Western Australian Planning Commission;**
- b) Where an endorsed Community Layout Plan is not in place, development is to be assessed using the best information available, which may include draft Community Layout Plans, 'as constructed' drawings or advice from relevant servicing agencies or organisations;**
- c) Essential services and community infrastructure provided in conjunction with development of land within the zone should be consistent with the adopted Community Layout Plan. '**

**D Reclassifying Reserve 27020 (Town Lots 1740 and 1033, Warrayu) and Reserve 25238 (Town Lot 656, Guda Guda) in the Wyndham area from 'Public Purposes - Community Welfare' and 'Public Purposes - Aboriginal Uses' to 'Settlement' zone, and amending the Scheme maps accordingly.**

**2 Forwards three copies of the signed and sealed Amendment Documents in accordance with Regulation 22(1); and**

**3 Requests that the Honourable Minister for Planning and Infrastructure grant final consent to Amendment 15 of Town Planning Scheme No 6 - Wyndham Townsite without modifications.**

**CARRIED UNANIMOUSLY (8-0)**

**12.1.4 Proposed Wayside Stall - Lot 30 Research Station Road  
(Minute No 7141, 7142)**

<b>DATE:</b>	17/05/2005
<b>PROponent:</b>	P Pegg
<b>LOCATION:</b>	Lot 30 Location 233 Research Station Road
<b>ATLAS REFERENCE:</b>	Map 37 H2
<b>AUTHOR:</b>	Keith Williams , Town Planner
<b>REPORTING OFFICER:</b>	Steven Chadwick, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	01.1652.02
<b>ASSESSMENT NO:</b>	1652

**PURPOSE**

For Council to consider an application for planning consent for the use of the subject land for a Wayside Stall.

**BACKGROUND**

An application for a Wayside Stall has been lodged by the owner of Lot 30 Research Station Road. The property is under cultivation, and the owner seeks to sell produce from the site. The application form states that fruit, vegetables and flowers will be sold from the site.

No definition of a wayside stall is included within the Scheme; however, it can generally be described as a small area or shop close to a traffic route for retail sale of produce.

**Site and Surrounds**

The subject site is located approximately 10 kilometres to the North of Kununurra Townsite. Surrounding land is all zoned for and used for agricultural production. A dwelling and various sheds associated with the agricultural use of the site are located on the subject site.

**Development Proposal**

No specific development is proposed, and the landowner seeks to sell fruit from an existing cool room. Sufficient area is available for parking and access.

Traffic would be required to pull into the subject property to access the sales area, and no traffic conflicts are anticipated.

**PLANNING FRAMEWORK**

**Strategic/Structure Plans**

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

### Town Planning Scheme No. 7

The land is located within the Rural Agriculture 1 Zone. Clause 5.18.1 of the Town Planning Scheme states that the objective of this zone is:

*(a) That the land be retained for extensive agriculture and/or horticulture. The land shall be retained in viable farm sized lots to prevent subdivision and subsequent loss of this limited resource.*

Pursuant to Town Planning Scheme No. 7 - Kununurra and Environs, the proposed use is defined as a Wayside Stall,

The Zoning Table specifies that use of land for Wayside Stall in the Rural Agriculture 1 Zone is an AA use, meaning that Council may at its discretion, permit the use.

Existing driveways, cool rooms and storage areas will be utilised, and no specific development is proposed under the application.

### Council Policies

The land is located in Policy Area Precinct 18 – Rural Agriculture 1 and General Rural Areas, which has the objective to “*retain the area for Broad Acre Intensive Agriculture.*” The policy states that:

- *Subdivision of land will generally not be supported unless such subdivision is supported by an agricultural assessment demonstrating that the proposed lot sizes are capable of supporting an economic level of agricultural development. However in any event such subdivision will not generate lot sizes less than 80 hectares;*
- *Development will be limited to uses of an agricultural nature or ancillary to the principal use of Broad acre Intensive Agriculture in accordance with the Scheme.*

### External Policies

Not applicable.

### Community Consultation

Town Planning Scheme No. 7 (Kununurra and Environs) does not require any community consultation for the proposal.

### **FINANCIAL IMPLICATIONS**

The Application Fee of \$75.00 has been paid.

### **CONCLUSION / COMMENT**

The proposed use of the land is consistent with the definition of Intensive Agriculture, and the use meets the objectives of the Scheme. No actual development is proposed, and the approval constitutes approval to use the land for this purpose only.

Additionally, no subdivision of the land is proposed ensuring the land will remain in viable sized lots.

The proposed development conforms to the provisions of Policy Precinct 18, subject to conditions requiring that only produce from the subject site should be sold, in order to ensure that the use remains ancillary to the primary use of the site.

No parking requirements are specified within the Town Planning Scheme, however, it is suggested that space for 5 vehicles would be adequate for this type of use. Sufficient space for this many bays is available on the subject site, and car parking would be anticipated to be constructed of gravel.

It is recommended that the proposed use of the site should be approved by Council, subject to appropriate conditions to ensure the use remains ancillary and subordinate to the use of the site for agricultural production.

### **ATTACHMENTS**

Plans of the site can be viewed on request.

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

That Council grants Planning Consent to P Pegg for the use of Lot 30 King Location 233 Ivanhoe Road, Kununurra, for a Wayside Stall, subject to the following conditions:

- 1 Only goods produced on site may be sold from the site;
- 2 Any additional development shall be the subject of a separate application for planning consent;
- 3 Obtain separate Council approval for the erection of any advertising signs;
- 4 All employee parking is to be located within the site;
- 5 No vehicles associated with the use shall be parked within Council's road reserve;
- 6 Provision of a minimum of 5 on site parking spaces. All parking areas shall be constructed, drained and signed to the satisfaction of Council;
- 7 Any change of use of the building is to be subject to specific Council consent;
- 8 Compliance with all the requirements of the appropriate Statutory Authorities; and
- 9 Other conditions issued under delegated authority in accordance with Council's standard conditions list.

**MINUTE NO 7141**

**Moved Cr B Barnes/J Nelson**

**That Council grants Planning Consent to P Pegg for the use of Lot 30 King Location 233 Ivanhoe Road, Kununurra, for a Wayside Stall, subject to the following conditions:**

- 1 Only goods produced on site may be sold from the site;**
- 2 Any additional development shall be the subject of a separate application for planning consent;**
- 3 Obtain separate Council approval for the erection of any advertising signs;**
- 4 All employee parking is to be located within the site;**
- 5 No vehicles associated with the use shall be parked within Council's road reserve;**
- 6 Provision of a minimum of 5 on site parking spaces. All parking areas shall be constructed, drained and signed to the satisfaction of Council;**
- 7 Any change of use of the building is to be subject to specific Council consent;**
- 8 Compliance with all the requirements of the appropriate Statutory Authorities; and**
- 9 Other conditions issued under delegated authority in accordance with Council's standard conditions list.**

**MINUTE NO 7142**

**Moved Cr K Wright/J Buchanan  
Amendment**

**That Council grants Planning Consent to P Pegg for the use of Lot 30 King Location 233 Ivanhoe Road, Kununurra, for a Wayside Stall, subject to the following conditions:**

- 1 Any additional development shall be the subject of a separate application for planning consent;**
- 2 Obtain separate Council approval for the erection of any advertising signs;**
- 3 All employee parking is to be located within the site;**
- 4 No vehicles associated with the use shall be parked within Council's road reserve;**
- 5 Provision of a minimum of 5 on site parking spaces. All parking areas shall be constructed, drained and signed to the satisfaction of Council;**

**6 Any change of use of the building is to be subject to specific Council consent;**

**7 Compliance with all the requirements of the appropriate Statutory Authorities;  
and**

**8 Other conditions issued under delegated authority in accordance with Council's  
standard conditions list.**

**AMENDMENT CARRIED UNANIMOUSLY (8-0)**

*The amendment becomes the substantivemotion and was put to this Meeting.*

**Explanation:**

**Council removed condition 1 as it felt that restricting sales to goods produced on  
this property was too restrictive.**

**CARRIED UNANIMOUSLY (8-0)**

**12.1.5 Proposed Transient Accommodation and Industrial Shed - Lot 1129  
Dianella Way (Minute No 7143)**

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	Kimberley Consulting Group / W O'Rafferty
<b>LOCATION:</b>	Lot 1129 Dianella Way
<b>ATLAS REFERENCE:</b>	Map 52 F 4
<b>AUTHOR:</b>	Keith Williams , Town Planner
<b>REPORTING OFFICER:</b>	Steven Chadwick, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	01.1148.02
<b>ASSESSMENT NO:</b>	1148

**PURPOSE**

For Council to consider granting planning consent for the Use and Development of Lot 1129 Dianella Way for Transient Accommodation and an Industrial Shed.

**BACKGROUND**

Council received an application for the use and development of Lot 1129 Dianella Way for temporary workers accommodation and an industrial shed on 31 March 2005.

Transient Accommodation is an SA, or Special Approval use under the Town Planning Scheme, and requires advertising. This component of the development was subsequently advertised [see community consultation section of this report].

**Site and Surrounds**

The subject site is located on Dianella Way, and has frontage to this local street as well as Ivanhoe Road. The land is flat and is currently developed with an existing shed and a caravan used as a caretakers dwelling. The lot has an area of 4878 m<sup>2</sup>.

The surrounding land is used for a variety of uses, including light industrial and mixed business uses.

**Development Proposal**

The application proposes to construct a shed to be used for light industrial uses. Existing development including the existing shed and caravan will be removed prior to the commencement of development.

The proposed shed will have an area of 630m<sup>2</sup>, including 117m<sup>2</sup> of showroom and office space, and a lunch room and ablutions. The industrial development has 20 car parking bays, including a disabled bay. Access to the shed and office is proposed via Ivanhoe Road.

The accommodation units, located at the Dianella Way frontage of the includes and ablution block and 6 residential units consisting of 2 single bedroom open plan units with a floor area of

43.2m<sup>2</sup>, [21.6m<sup>2</sup> per unit] and verandahs of 36m<sup>2</sup> [18m<sup>2</sup> per unit], and each with kitchen facilities. The accommodation units have 15 parking bays provided, as well as an outdoor living area. Access to the temporary residential component of the development is proposed via Dianella Way.

Plans of the proposed development are available for reviewing, and will be available at the Council meeting.

## **PLANNING FRAMEWORK**

### Strategic/Structure Plans

The Kununurra Structure Plan, which forms part of the Kununurra - Wyndham Area Development Strategy (KWADS), designates the subject land as being for Commercial / Mixed Business uses.

### Town Planning Scheme No 7

The land is located within the Mixed Business zone. Pursuant to Clause 5.12 of Town Planning Scheme No 7 - Kununurra and Environs, the objectives of the Zone are:

#### 5.12.1 Objectives

- (a) *to encourage the establishment of predominantly showrooms related to the manufacturing on-site and service industry and/or service trades centres;*
- (b) *to only permit the establishment of caretakers dwelling if such dwelling is considered necessary by Council for the operational and security purposes of the business already established on the site.*

Under the zoning table of Town Planning Scheme No 7 - Kununurra and Environs, the proposed use is defined as Light Industry and Transient Accommodation. Light Industry is an AA use that can be permitted in the Mixed Business zone under Table 1 - Zoning Table, with the consent of Council.

Transient Accommodation is an SA use under the Scheme. This permissibility class requires advertising to determine any community comments with regard to the proposed use. The use was advertised for the requisite 21 days, and no submissions were received.

The applicant has advised that the Transient Accommodation is required for temporary accommodation of workers when not on site at construction locations such as Argyle Diamond Mine and other sites. Workers would stay at the location while undertaking specific works or while in transit to other locations, and would not be located on site for extensive periods of time.

The definition of Transient Accommodation under the Scheme is as follows:

***Transient Accommodation*** *Means any habitable building not permanently affixed to the ground and includes any caravan, transportable dwelling, or any structure used for habitation for the purposes of accommodation for a period not exceeding six months.*

The proposed use can be approved under this definition on the basis that no accommodation can be occupied for a period exceeding 6 months, and the development can be relocated.

The car parking requirement for the Office under the Scheme is 3. The car parking bay requirement for the workshop under the Scheme is 7. The proponent proposes 20 car parking bays. The office is setback 10 metres from Ivanhoe Road, and 3 metres from the adjacent property boundary. The Scheme requires 9 metres and 3 metres respectively.

No specific development provisions relating to Transient Accommodation are included within the Scheme, however, the proposed 15 car parking spaces are considered adequate for the 12 units proposed. The Scheme is also silent regarding setbacks, however, the proposed setbacks of 3 metres to the adjoining property and 6 metres to Dianella Way are compliant with general Scheme provisions, and are considered appropriate.

The proposed development consequently complies with the setback and car parking requirements of the Scheme.

The submitted plans also show landscaping, which is required under Clause 5.6 of the Scheme.

#### Council Policies

The land is located in the Policy Area Precinct 5- Mixed Business Precinct. The objective of the Precinct is:

*To facilitate the transition of the area from industrial use to mixed business use.*

The policy statement states that the development of Shop front service commercial and showroom development shall be encouraged.

#### Community Consultation

Town Planning Scheme No. 7 (Kununurra and Environs) requires any SA use be advertised prior to determination. Consequently the application has been advertised for public comment and also for comment from public authorities.

No comments were received during advertising.

### **PHYSICAL ASSESSMENT**

#### Servicing

The subject site is currently serviced. Any additional servicing requirements would be the responsibility of the applicant. The application shows a packaged waste water treatment system in place. It is understood that the site is located too far from the reticulated sewerage network for viable economic connection. It is proposed to condition the approval to require connection to the reticulated sewerage network if required by the Water Corporation or Health Department.

## Environmental Impact

Environmental issues relate to the location of the proposed development within the Waste Water Treatment Plant located some 450 metres to the west of the proposed transient accommodation.

Clause 5.4.5 of the Scheme states as follows:

*5.4.5 Development within 500 metres of the Kununurra sewer treatment works may not be approved by the Council if such development includes a permanent residential or temporary residential component including tourist accommodation in the event that Council considers that such development may be affected by the odour buffer area.*

Given prevailing winds and the temporary nature of the accommodation, it is not considered that the proximity to the Waste Water Treatment Plant will form a significant constraint. It is, however, appropriate for the proponent to recognise this constraint by indemnifying Council from any action or complaint arising from the development and its proximity to the Waste Water Treatment Plant, and ensuring future landowners are advised accordingly.

## **FINANCIAL IMPLICATIONS**

The applicant has paid the application fee of \$450.

## **CONCLUSION**

The Light Industry use is consistent with the current predominant industrial use of the area, and is an AA use that can be permitted with the consent of Council, subject to compliance with development standards.

The temporary residential accommodation can be approved as Transient Accommodation, an SA use that has been advertised in accordance with Scheme provisions, if Council considers that this use is appropriate for this location and that the nearby Waste Water Treatment Plant will not have an adverse impact on the proposed development. Should Council consider that this component of the application is not appropriate the Light Industrial development should still be approved.

It is considered that the development conforms to the objectives and development provisions of the Scheme, and can be supported, subject to conditions.

## **ATTACHMENTS**

Plans of the proposed development are available for review, and will also be presented at the Council meeting.

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council grants Planning Consent to W O'Rafferty for the use and development of Lot 1129 Dianella Way Kununurra for Light Industry and Transient Accommodation in accordance with the submitted plans, and subject to the following specific conditions and any conditions issued under delegated authority in accordance with Council's Standard Conditions List:

- 1 The Transient Accommodation shall not be occupied by any occupant for any period exceeding 6 months;
- 2 The landowner shall indemnify Council from any loss or injury arising from the Council granting Planning Consent for the proposed development within the Waste Water Treatment Plant buffer;
- 3 Prior to the issue of a Building License, the applicant shall ensure that a Section 70A Notice is placed on the Certificate of Title for the subject land. The Notice shall read as follows:  
  
*"Lot 1132 Dianella Way, Kununurra is located wholly within the Odour Buffer of the Kununurra Wastewater Treatment Plant, hence the site will from time to time be impacted by odours. For further information pertaining to this matter, please contact the Water Corporation."*  
  
All costs associated with the Section 70A Notice shall be borne by the applicant.
- 4 A restrictive covenant shall be placed on title advising that the landowner shall indemnify the Council from any loss or injury arising from Council granting Planning Consent for the proposed development located within the Waste Water Treatment Plant buffer;
- 5 The development shall be connected to the reticulated sewerage network unless not required by the Health Department of Western Asustralia and the Water Corporation, in which case an approved Water Water Treatment System shall be installed to the satisfaction of Council;
6. Prior to the issue of a Building License a written statement shall be provided to Council by the property owner acknowledging that:
  - a. The subject land is within 500 metres of the Kununurra Sewer Treatment Works.
  - b. The land may be subject to odour issues due to its proximity to this facility.
  - c. The operations of the sewage treatment facility may increase over time, leading to increased odour issues .
7. Access to Ivanhoe Road shall be permitted upon the installation, at the expense of the land owner or applicant, of slip lanes on Ivanhoe Road to the specifications of Council.

**OR**

Where no slip lane is installed, only egress to Ivanhoe Road is permitted for use by service vehicles, with gates to the property being locked when not in use to the satisfaction of the Shire.

The subject land is located within 500 metres of the Kununurra Sewage Treatment Works. Council does not accept responsibility for any current or future odour impacts associated with the odour buffer area and the Caretaker's Dwelling.

**MINUTE NO 7143**

**Moved Cr K Wright/M Middap**

**That Council grants Planning Consent to W O'Rafferty for the use and development of Lot 1129 Dianella Way Kununurra for Light Industry in accordance with the submitted plans. Subject to the following condition:**

**1. Unimpeded access to Ivanhoe Rd be maintained**

**CARRIED UNANIMOUSLY (8-0)**

**Foreshadowed Motion by Cr Julee Nelson**

**1 The Transient Accommodation shall not be occupied by any occupant for any period exceeding 6 months;**

**2 The landowner shall indemnify Council from any loss or injury arising from the Council granting Planning Consent for the proposed development within the Waste Water Treatment Plant buffer;**

**3 Prior to the issue of a Building License, the applicant shall ensure that a Section 70A Notice is placed on the Certificate of Title for the subject land. The Notice shall read as follows:**

**"Lot 1132 Dianella Way, Kununurra is located wholly within the Odour Buffer of the Kununurra Wastewater Treatment Plant, hence the site will from time to time be impacted by odours. For further information pertaining to this matter, please contact the Water Corporation."**

**All costs associated with the Section 70A Notice shall be borne by the applicant.**

**4 A restrictive covenant shall be placed on title advising that the landowner shall indemnify the Council from any loss or injury arising from Council granting Planning Consent for the proposed development located within the Waste Water Treatment Plant buffer;**

- 5 The development shall be connected to the reticulated sewerage network unless not required by the Health Department of Western Asutralia and the Water Corporation, in which case an approved Water Water Treatment System shall be installed to the satisfaction of Council;**
- 6. Prior to the issue of a Building License a written statement shall be provided to Council by the property owner acknowledging that:**
- a. The subject land is within 500 metres of the Kununurra Sewer Treatment Works.**
  - b. The land may be subject to odour issues due to its proximity to this facility.**
  - c. The operations of the sewage treatment facility may increase over time, leading to increased odour issues.**
- 7. Access to Ivanhoe Road shall be permitted upon the installation, at the expense of the land owner or applicant, of slip lanes on Ivanhoe Road to the specifications of Council.**

**Explanation:**

**Council supported the use of this site for industrial purposes but did not support the proposed development of transient accommodation on this site due to potential conflicts with adjoining property users.**

**Foreshadowed Motion by Cr Julee Nelson was not put to Council as it was considered Ultra Vires**

## 12.2. CORPORATE & COMMUNITY SERVICES

### 12.2.1 Monthly Corporate and Community Services Report(*Minute No 7144*)

<b>DATE:</b>	17 May 2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>REPORTING OFFICER:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	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.

**ATTACHMENTS**

Corporate and Community Services Report.

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council receive the Corporate and Community Services Reports for April 2005.

***Minute No 7144***

***Moved by Cr J Nelson / Cr K Wright***

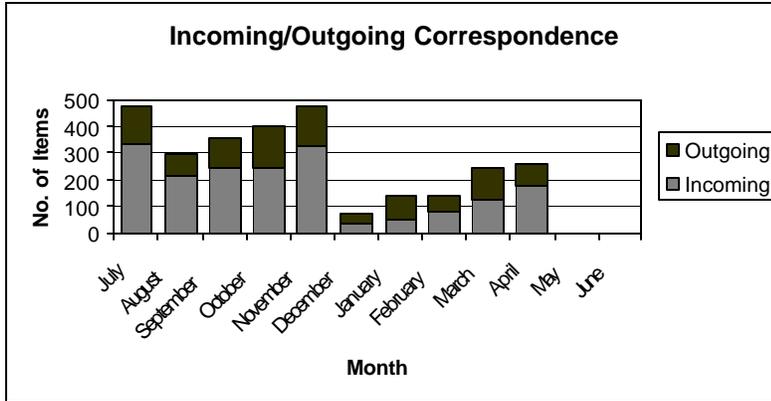
***That Council receive the Corporate and Community Services Reports for April 2005.***

**(CARRIED UNANIMOUSLY 8-0)**

**INFORMATION COORDINATORS REPORT**

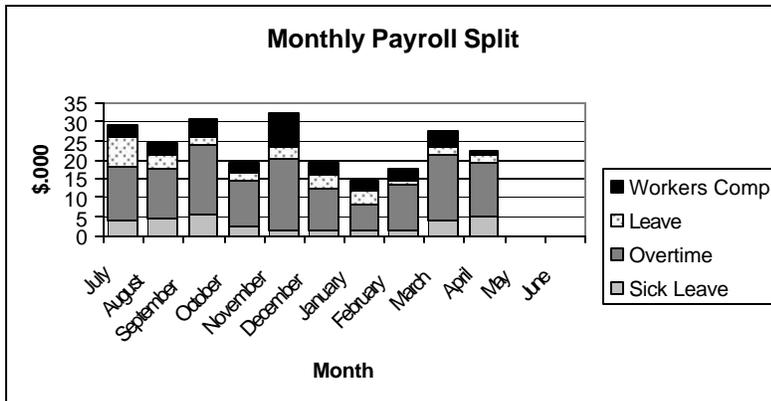
**Correspondence**

Attached for Council's information is a graph indicating the incoming and outgoing correspondence during the financial year.



**ACCOUNTANTS REPORT**

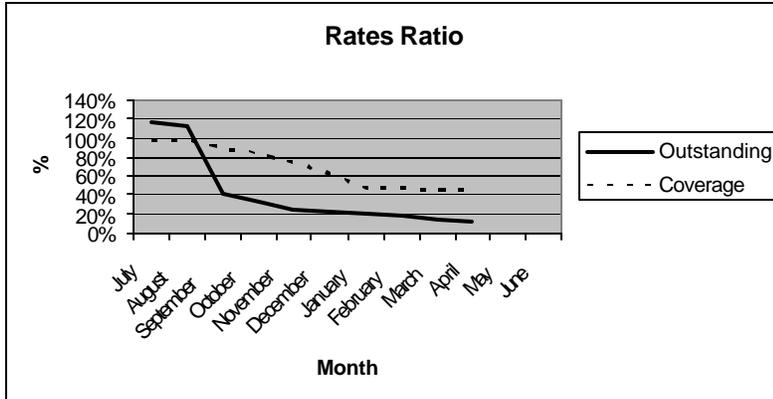
**Human Resources**



## 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 Monthly Report

### Community Development

Significant Events:

- Child Care Centre detailed design progressing
- Youth Centre detailed design commenced.

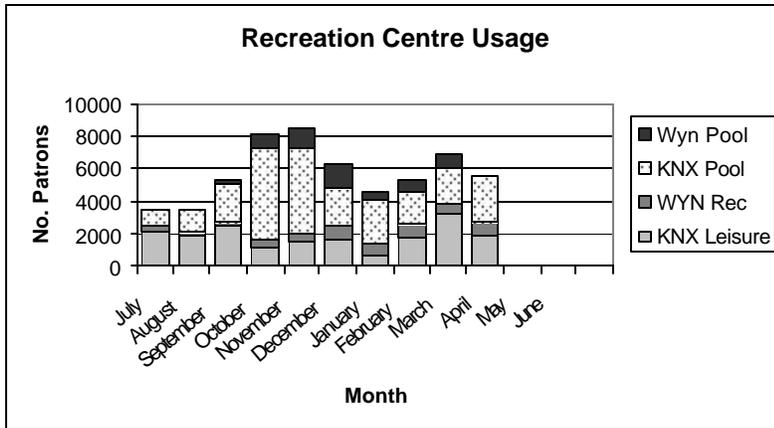
### Community Development

Significant Events:

- International Women's Day
- Community Development Plan

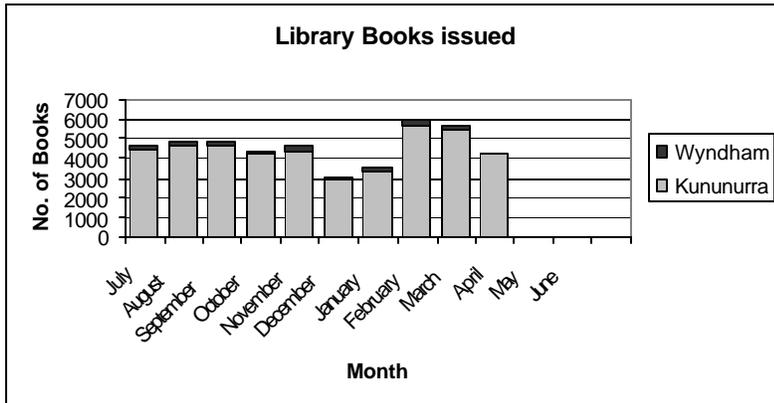
1. Funding:

- Successful application to Y Culture for \$ 3,000
- Successful application to Youth Grants for \$5,000.



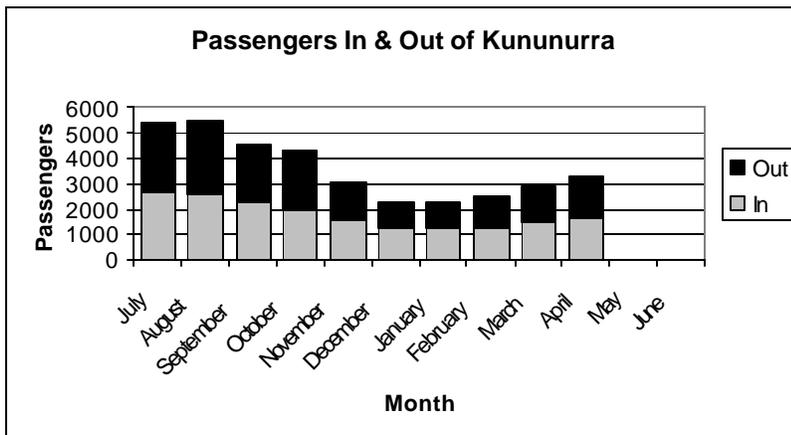
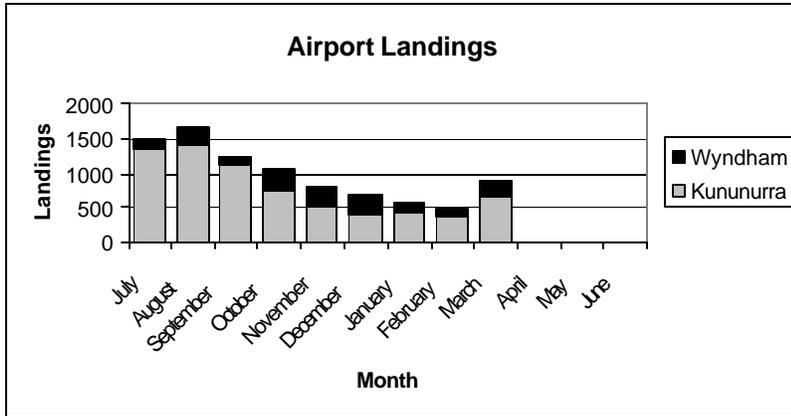
Note: The Pump motor for the Wyndham Pool fused at the end of March, resulting in the pool being closed.

### Libraries



Note: Statistics were unavailable for the Wyndham Library.

**AIRPORT MANAGER'S REPORT**



Note: Avdata will release the April Airport Landings in the second week of May.

## 12.2.2 Discount Gymnasium Usage -Kununurra Leisure Centre (Minute No 7145)

<b>ATE:</b>	17 May 2005
<b>PROponent:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Kununurra Leisure Centre
<b>ATLAS REFERENCE:</b>	Map 51, H5
<b>AUTHOR:</b>	Melanie King, Coordinator Recreation Services
<b>REPORTING OFFICER:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>FILE NO:</b>	30.14.11
<b>ASSESSMENT NO:</b>	4998

### PURPOSE

For Council to consider an amendment to the 2004/05 Fees and Charges for Gym Usage.

### BACKGROUND

Gym usage during the day, particularly on weekdays is very low. Statistics collected for February and March show that only 98 people used the gym in total between the hours of 11.00am and 3.00pm on weekdays. This represents that during these times; only one person is using the gym every two hours, or around 10 patrons per week. (See Figure 1 below for graph on user numbers).

It is proposed that a marketing campaign is conducted to attract people to use the gym during these hours, offering 'half price' gym prices. Currently the casual gym use fee is \$6.50 and monthly membership is \$61.00. However it is proposed to offer casual gym use for \$3.00 and also an 'off peak' one month membership price of \$30.00 on Monday to Fridays between 11.00am and 3.00pm. The discount fees would entitle the user to make use of the gym between the above hours only. Their session finish time must be prior to 3.00pm.

The discount fees would aim to attract new users to the gym, particularly those who are shift workers and can utilise the gym during these hours.

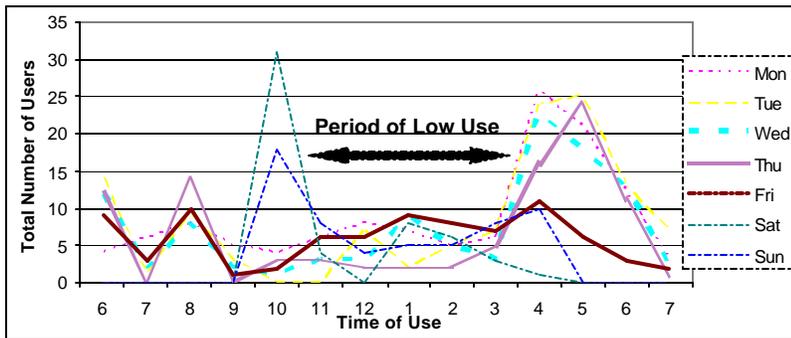


Figure 1. Gymnasium use (total users numbers) for Feb and Mar 2005.

## **STATUTORY IMPLICATIONS**

Local Government Act:

S 6.16 . Imposition of fees and charges

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —  
(a) imposed\* during a financial year; and  
(b) amended\* from time to time during a financial year.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Currently during the hours of 11.00am and 3.00pm on weekdays the income through gym memberships and usage is approximately \$12.50 per day or \$4,562.50 per annum. Currently the budget for Gym Memberships is \$36,000 and Casual use of the Gym is \$12,000. To date income is at \$28,106 and \$12,246 respectively.

It is the author's opinion that with adequate marketing and promotion, user numbers would increase three-fold during these times, therefore increasing the overall annual income during this period of opening hours. There is no extra cost for staffing and/or operating expenses as the gym is open during these hours due to there being at least two full time staff who are on the roster during these times.

Some advertising would be required however the Kununurra Leisure Centre has an advertising budget of \$1,000 and a Promotions budget of \$500, which could partly be utilised to make this offer and other programs widely known to the community.

## **STRATEGIC IMPLICATIONS**

KRA 2 – Community Development

Goal 1 – Recreation and Leisure

Strategy 4 – Reduce ratepayer subsidy of Shire Recreational Facilities by 10%.

## **COMMUNITY CONSULTATION**

No community consultation has occurred.

## **COMMENT**

The Shire has a well equipped and maintained gym, and more use would benefit the community and should be encouraged. Offering discount use during off peak times when the centre is normally open is a tool by which to attract more users to not only the gym, but the overall centre. Although income for gym usage is on target for this financial year, new people entering the centre allows staff the opportunity to promote other services and programs which users may not already be aware of, thus potentially increasing income to other areas of the centre.

User numbers of the centre will continue to be monitored on a monthly basis, and if at any point it is deemed to be no longer successful, the discount usage offer will cease.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Absolute Majority

**RECOMMENDATION**

That Council agrees to amend the current 2004/05 fee and charge for gym usage to incorporate a discount casual use fee of \$3.00 and monthly membership fee of \$30.00 for use between 11.00am and 3.00pm on Mondays and Fridays.

**Minute No 7145**

**Moved by Cr K Wright / Cr J Nelson**

***That Council agrees to amend the current 2004/05 fee and charge for gym usage to incorporate a discount casual use fee of \$3.00 and monthly membership fee of \$30.00 for use between 11.00am and 3.00pm on Mondays and Fridays.***

**CARRIED UNANIMOUSLY (8-0)**

**12.2.3 Payments and Debtors for the period ended 30 April 2005  
(Minute No 7146)**

<b>DATE:</b>	17 May 2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>REPORTING OFFICER:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>FILE NO:</b>	61.23.01
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

To present the listing of Accounts for Payment and Sundry Debtors for the period ended 30 April 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 036245 to 036303	\$	140,966.52
• EFT payments numbered EP6083 to EP6296	\$	616,263.67
• Direct bank debits	\$	223,532.20
<b>Total Payment of Accounts totalling</b>	<b>\$</b>	<b>980,762.39</b>

Total cancelled cheques for the month \$ 0.00

Outstanding Invoices at month end \$ 0.00

**Outstanding over 90 days Sundry Debtors as at month end \$ 34,718.41**

**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 30 April 2005 totalling \$980,762.39 (GST inclusive) be received.
2. That the Outstanding Sundry Debtors' over 90 days as at 30 April 2005 totalling \$34,718.41 be received.

**Minute No 7146**

**Moved by Cr B Barnes / Cr J Nelson**

Cr J Nelson left the room at 6.59

1. ***That the Accounts for payment as at 30 April 2005 totalling \$980,762.39 (GST inclusive) be received.***
3. ***That the Outstanding Sundry Debtors' over 90 days as at 30 April 2005 totalling \$34,718.41 be received.***

**CARRIED UNANIMOUSLY (7-0)**

Cr J Nelson returned to room at 7.01

**LIST OF ACCOUNTS PAID BY COUNCIL SUBMITTED TO THE COUNCIL MEETING ON 17TH MAY 2005**

CHEQUE	EFT	CREDITOR	DETAILS	MUNI	AUTH
36246	1/04/05	KIMBERLEY VET CLINIC	10 X 20ML BOTTLES COVINAN	1098.00	EMEDS
36247		WESTERN POWER CORPORATION	ELECTRICITY ACCOUNTS	17103.45	EMCCS
36248		TELSTRA	BUSINESS TELEPHONE ACCOUNTS	9700.80	EMCCS
36249		CASH - PETTY CASH KUNUNURRA AIRPORT	PETTY CASH REIMBURSEMENT	101.00	EMCCS
36250		BIG ROCK TOYOTA	NEW TOYOTA 4WD DUAL CAB UTILITY	11940.25	EMEDS
36251		AUSTRALIA POST KUNUNURRA	RENEWAL OF POST OFFICE BOX WYNDHAM	13.00	EMCCS
36252		MIDDAP, MAXINE	REFUND INITIAL NOMINATION DEPOSIT	80.00	EMCCS
36253		WA STATE LITERATURE CENTRE	FULL MEMBERSHIP TO WA STATE LITERATURE CENTRE	110.00	EMCCS
36254		SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	1065.00	EMCCS
36255		BISLAND LIBRARY CONSULTANTS	ATHENA CATALOGUING TRAINING COURSE	120.00	EMCCS
36256	8/04/05	WESTERN POWER CORPORATION	ELECTRICITY ACCOUNTS	1729.25	EMCCS
36257		MERCURY FIRESAFETY	GENFO KNAPSACKS	605.00	EMEDS
36258		CSIRO PUBLISHING	HORSE SENSE PUBLICATION (LIBRARY)	78.95	EMCCS
36259		RAECO	BOOK PROCESSING & STATIONERY (LIBRARY)	402.49	EMCCS
36260		CASH - PETTY CASH KUNUNURRA DEPOT	PETTY CASH REIMBURSEMENT	107.49	EMEDS
36261		STATEWIDE OFFICE SUPPLIES	PLASTIC NOMINATION BALLOT BALLS	61.60	EMCCS
36262		LOCK, STOCK & FARRELL LOCKSMITH	MASTER PADLOCKS	942.48	EMEDS
36263		SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	750.00	EMCCS
36264		GLOBALSTAR AUSTRALIA P/L	SATELLITE PHONE ACCOUNT	178.99	EMEDS
36265	15/04/05	CANCELLED CHEQUE	MISPRINT	0.00	EMCCS
36266		ACS SWAN EXPRESS PRINT	STRATEGIC PLAN DOCUMENT BOOKS	1962.90	CEO
36267		CR KENNEDY & CO P/L	REPAIR DIGITAL CAMERA	280.95	EMEDS
36268		OFFICE LINE	TABLES & CHAIRS PACKSADDLE BUSHFIRE BRIGADE	2151.60	EMEDS
36269		FOSSEYS AUSTRALIA P/L (TARGET COUNTRY)	POOL NOODLES LEISURE CENTRE	107.64	EMCCS
36270		TELSTRA	INTERNET & DATA LINE ACCOUNT	336.00	EMCCS
36271		JIM BRADLEY SPEEDBALL CO. PTY LTD	LEATHER SPEEDBALL (LEISURE CENTRE)	140.80	EMCCS
36272		SHAW'S DARWIN TRANSPORT	FREIGHT	49.71	EMCCS
36273		IT VISION	CREATION OF PROPERTY FILES IN SYNERGY	577.50	EMCCS

36274		WESTERN POWER CORPORATION	ELECTRICITY ACCOUNTS	16297.95	EMCCS
36275	22/04/05	BCITF	BCITF LEVY	4776.26	EMCCS
36276		WESTERN POWER CORPORATION	ELECTRICITY ACCOUNTS	1514.75	EMCCS
36277		VALENTINES PIZZA	CATERING VOLUNTEER EXPO WORKSHOP	106.50	EMCCS
36278		CASUARINA FLORIST	FLOWERS	49.00	CEO
36279		JACKSON, RUTH	REFUND GYM MEMBERSHIP	61.00	EMCCS
36280		ORD RIVER TEEBALL ASSOCIATION	BOND REFUND 2004 TEEBALL SEASON	200.00	EMCCS
36281		KUNUNURRA COURIERS	SPRING WATER (AIRPORT)	60.00	EMCCS
36282		TELSTRA	STAFF & BUSINESS PHONES, WYNDHAM/KUNUNURRA DATA LINK	14226.83	EMCCS
36283		KLEENHEAT GAS	HIRE GAS CYLINDERS (LEISURE KIOSK)	51.70	EMCCS
36284		SEARLES MECHANICAL REPAIRS	TRAILER ADAPTOR/CONNECTION	16.80	EMEDS
36285		TOP END TILT TRAY HIRE	TRANSPORT ABANDONED VEHICLE	77.00	EMEDS
36286		MAGIC HAPPENS	FLOWERS	50.00	EMCCS
36287		HALLS CREEK FISHING CLUB	BATTLE OF THE BARRA SPONSORSHIP 2005	750.00	EMCCS
36288		KUNUNURRA PROGRESS ASSOCIATION	FUNDING KUNUNURRA PICTURE GARDENS	1100.00	EMCCS
36289	29/04/05	WESTERN POWER CORPORATION	ELECTRICITY ACCOUNTS	28307.10	EMCCS
36290		CLERK OF COURT	ACCUMULATED CHARGES INFRINGEMENT	70.00	EMCCS
36291		BIGPOND	WEB HOSTING	65.95	EMCCS
36292		THORLEY'S STORE	CLOCKS (WYNDHAM CHILDCARE & POOL)	68.85	EMCCS
36293		ST JOSEPH'S PARENTS & FRIENDS ASSOC.	REFUND HALL HIRE BOND	1000.00	EMCCS
36294		REPEAT PLASTICS (WA)	BOARDWALK/JETTY PLANKING (LILY CREEK BOAT RAMP)	9028.80	EMEDS
36295		TELSTRA	MOBILE PHONE ACCOUNT	1549.26	EMCCS
36296		WATER CORPORATION	WATER USAGE ACCOUNTS	8523.50	EMCCS
36297		DY-MARK (WA) PTY LTD	MARKING PAINT	506.88	EMEDS
36298		CASH - PETTY CASH KUNUNURRA AIRPORT	PETTY CASH REIMBURSEMENT	96.60	EMCCS
36299		RICK SPRY	REIMBURSE TAXI FARES & CAR HIRE EXPENSES	160.00	EMCCS
36300		KUNUNURRA SWIMMING CLUB	FOLDING FRONTIER NEWS	100.00	CEO
36301		DIVERSION GALLERY	REPAIR DAMAGED ART WORKS	168.00	EMEDS
36302		KUNUNURRA BETTA ELECTRICAL & GAS	CD/DVD WIPES (LIBRARY)	9.95	EMCCS
36303		GLOBALSTAR AUSTRALIA P/L	SATELLITE PHONE ACCOUNT	178.99	EMEDS

			<b>TOTAL OF CHEQUES</b>	<b>140966.52</b>	
<b>01/04/05</b>	<b>EP006083</b>	PARDOE - BELL, ALLAN	CONTRACT CLEAN WYNDHAM	885.00	EMEDS
	<b>EP006084</b>	HARRIS, PHILLIP	ANNUAL LEAVE TRAVEL EXPENSES	2600.00	CEO
	<b>EP006085</b>	DE CARPENTERS PTY LTD	CHERRY PICKER HIRE	220.00	EMEDS
	<b>EP006086</b>	STITCHED UP EMBROIDERY SERVICES	SWEK LOGO UNIFORMS	39.60	EMCCS
	<b>EP006087</b>	KIMBERLEY METAL RECYCLERS	SIGNAGE & BACKHOE HIRE KUNUNURRA LANDFILL	1474.00	EMEDS
	<b>EP006088</b>	FERGUSON, HELENA	AQUA AEROBIC CLASSES	110.00	EMEDS
	<b>EP006089</b>	DEPARTMENT OF FISHERIES	SPONSORSHIP FISHWAY CONFERENCE 2005	6600.00	EMCCS
	<b>EP006090</b>	EAST KIMBERLEY PLUMBING	REPAIR SWIM BEACH TOILETS AND PUMP	319.00	EMEDS
	<b>EP006091</b>	JSW HOLDINGS PTY LTD	EXCAVATOR & TIP TRUCK HIRE (SWIM BEACH/WEABER PLAINS RD/LANDFILL)	1947.00	EMEDS
	<b>EP006092</b>	KUNUNURRA SECURITY SERVICE	SECURITY CALLOUTS	132.00	EMEDS
	<b>EP006093</b>	TOP END MOTORS	VEHICLE SERVICING	1041.82	EMEDS
	<b>EP006094</b>	KIMBERLEY MOTORS	FUEL	2323.44	EMEDS
	<b>EP006095</b>	WESTRAC EQUIPMENT PTY LTD	SERVICE GRADER	1643.80	EMEDS
	<b>EP006096</b>	AUST INSTITUTE BUILDING SURVEYORS	PROFESSIONAL JOURNAL SUBSCRIPTION	44.00	EMEDS
	<b>EP006097</b>	WYNDHAM TOURIST INFORMATION CENTRE	WYNDHAM TOURIST INFORMATION SERVICE	476.66	EMCCS
	<b>EP006098</b>	GARRAT, SARAH	AEROBIC CLASSES	340.00	EMCCS
	<b>EP006099</b>	WHELANS	SURVEY KUNUNURRA LANDFILL, BOUNDARY REPEGGING	2040.50	EMEDS
	<b>EP006100</b>	L.G.R.C.E.U	PAYROLL DEDUCTION CONTRIBUTIONS	85.80	EMCCS
	<b>EP006101</b>	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTION CONTRIBUTIONS	397.50	EMCCS
	<b>EP006102</b>	ORD RIVER ELECTRICS	REPAIRS KUNUNURRA OFFICE & 3A DRYANDRA STREET KUNUNURRA	203.50	EMEDS
	<b>EP006103</b>	A.T.O. CHILD SUPPORT AGENCY	PAYROLL DEDUCTION CONTRIBUTIONS	404.52	EMCCS
	<b>EP006104</b>	JAB INDUSTRIES	CLEAN DRAIN WEABER PLAINS ROAD & VEGETATION SWIM BEACH	4488.00	EMEDS
	<b>EP006105</b>	KIMBERLEY COMMUNICATIONS	RELOCATE RADIO'S, PHONE, TRIP METER, BEACONS (NEW VEHICLE)	1086.03	EMEDS
	<b>EP006106</b>	TOLL WEST	FREIGHT	224.53	EMCCS
	<b>EP006107</b>	BEV OZANNE	AEROBICS CLASSES	255.00	EMCCS
	<b>EP006108</b>	BUSH CAMP SURPLUS STORES	UNIFORM SHORTS	165.00	EMEDS

	EP006109	FRANMOR CONSTRUCTIONS PTY LTD	REPAIR CEILING TOURISM HOUSE	2035.00	EMEDS
	EP006110	TROPICAL PEST CONTROL & HEALTH SERVICE	PEST TREATMENT KUNUNURRA ADMINISTRATION & AUTOMATED TOILET	374.00	EMEDS
	EP006111	CABCHARGE	SERVICE FEE	6.00	EMCCS
	EP006112	BEAUREPAIRES	BATTERIES, NEW TYRES, TYRE REPAIR STATIONERY	1000.80	EMEDS
	EP006113	CORPORATE EXPRESS	STATIONERY	1004.28	EMCCS
	EP006114	KUNUNURRA CAR CARE	SUPPLY/FIT WINDSCREEN	352.00	EMCCS
	EP006115	NORTHERN INFORMATION TECHNOLOGY SERVICES	REPAIR POWER SUPPLY TO COMPUTER (LEISURE CENTRE)	98.00	EMCCS
	EP006116	SPORTSWORLD OF WA	ROPE, KAYANO W9.5 (LEISURE CENTRE)	183.48	EMCCS
08/04/05	EP006117	ROGER'S MACHINERY SERVICES	PARTS FOR SPRAY RIG	54.60	EMEDS
	EP006118	HASTED, CATHY	ACCOUNTING SERVICES (EWIN CENTRE)	88.00	EMCCS
	EP006119	BOAB CARPENTRY MAINTENANCE SERVICE	REPAIR LOCKS WYNDHAM CHILDCARE	104.50	EMEDS
	EP006120	EUROPCAR	CAR HIRE C ADAMS	294.91	CEO
	EP006121	COMMANDER AUSTRALIA LIMITED	INTERCOM RENTAL WYNDHAM AIRPORT	30.80	EMCCS
	EP006122	FESA -ESL	ESLLEY	423.77	EMCCS
	EP006123	KIMBERLEY INDUSTRIES METALAND	FABRICATE PLATE (AIRPORT)	52.80	EMCCS
	EP006124	QANTEC MCWILLIAM PTY LTD	ENGINEERING, CONCEPTS/DESIGN, DRAINAGE MASTER PLAN	48147.00	CEO
	EP006125	NETWORK DRAFTING	DRAFTING SERVICES	2392.50	EMEDS
	EP006126	KIMBERLEY METAL RECYCLERS	LANDFILL CONTRACT, INSTALL SHED, REPAIR FENCE, WASTE OIL DISPOSAL	22346.50	CEO
	EP006127	KIMBERLEY MINI DIGGER	HIRE TRENCHER PACKSADDLE BUSHFIRE BRIGADE, TOPSOIL & GRAVEL	816.75	EMEDS
	EP006128	COOLIBAH GAS	BARB EQU AND GAS BOTTLE PACKSADDLE BUSHFIRE BRIGADE	807.00	EMEDS
	EP006129	AUSTRALIAN TAXATION REPORTER P/L	SUBSCRIPTION 2005/06	396.00	EMCCS
	EP006130	KUNUNURRA UNIT STATE EMERGENCY SERVICE	SES OPERATING GRANT 2004/5	6957.50	EMEDS
	EP006131	DELRON CLEANING PTY LTD	GENERAL CLEANING MARCH 05	12665.30	EMEDS
	EP006132	BRANKO BP MOTORS	JERRY CAN, GAS, TORCH (WYNDHAM POOL)	88.30	EMCCS
	EP006133	EAST KIMBERLEY PLUMBING	REPAIR TOILET ADMINISTRATION AND STANDPIPE 16B BEEFWOOD STREET	199.65	EMEDS
	EP006134	KUNUNURRA SECURITY SERVICE	SECURITY CALLOUT	66.00	EMEDS
	EP006135	TNT AUSTRALIA PTY LTD	FREIGHT	161.78	EMCCS

	EP006136	COVENTRYS	BATTERIES, GREASE GUN AND CREDIT NOTE ADJUSTMENT	367.30	EMEDS
	EP006137	TOP END MOTORS	HYDRAULIC OIL, VEHICLE SERVICE	672.60	EMEDS
	EP006138	BLACKWOOD ATKINS PTY LTD	FLURO TUBES & STARTERS (AIRPORT)	74.53	EMCCS
	EP006139	ARGYLE ENGINEERING	INSTALL PILES LILY CREEK RAMP WALKWAY	19108.10	EMEDS
	EP006140	NORSIGN PTY LTD	ROAD TO RECOVERY SIGNS	1584.00	EMEDS
	EP006141	COUNTRY CLUB HOTEL	ACCOMMODATION Y BOLTO	175.00	EMCCS
	EP006142	KUNUNURRA RURAL TRADERS	GAS BOTTLE	43.50	EMCCS
	EP006143	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION PAYMENT	38565.06	EMCCS
	EP006144	AERODROME MANAGEMENT SERVICES	INSPECTIONS, SURVEYS, TRAINING	7788.00	EMCCS
	EP006145	ORD RIVER ELECTRICS	FLURO SHIRTS (DEPOT)	266.20	EMEDS
	EP006146	FISCHER, CYNTHIA	CLEAN TOILETS WYNDHAM	2375.00	EMEDS
	EP006147	KIMBERLEY COMMUNICATIONS	BASE RADIO & RE-DIRECT PA SYSTEM (AIRPORT), RESET 'JJJ' DECODER	914.10	EMCCS
	EP006148	TOLL WEST	FREIGHT	126.31	EMCCS
	EP006149	TRAVELWORLD KUNUNURRA	TRAVEL Y BOLTO, C ADAMS	2556.05	EMCCS
	EP006150	TROPICAL PEST CONTROL & HEALTH SERVICE	WEED CONTROL OVAL & CELEBRITY TREE PARK	440.00	EMEDS
	EP006151	BEAUREPAIRE S	TYRE REPAIR	32.85	EMEDS
	EP006152	STATE LIBRARY OF WESTERN AUSTRALIA	LOST & DAMAGED BOOKS/ITEMS (LIBRARY)	272.50	EMCCS
	EP006153	KUNUNURRA DIESEL SERVICES	PLUG & WIRE JOINERS LARGE PLANT TRAILER	25.00	EMEDS
	EP006154	CORPORATE EXPRESS	STATIONERY	77.22	EMEDS
	EP006155	BOSS FLUID POWER	TOILET TISSUE	786.17	EMEDS
	EP006156	KIMBERLEY FIRST NATIONAL REAL ESTATE	WATER USAGE 20/33 KONKERBERRY DRIVE	20.85	EMCCS
	EP006157	KIMBERLEY BUSINESS MACHINES	PHOTOCOPIER SERVICE AGREEMENT, COLOUR COPYING, STATIONERY	1308.91	EMCCS
	EP006158	SHIRE OF MURRAY	PAYROLL DEDUCTION CONTRIBUTIONS	84.00	EMCCS
12/04/05	EP006159	LESNIE'S P/L	MEAT INSPECTION KIT	289.85	EMEDS
15/04/05	EP006160	WESTERN LOCKSERVICE	MASTER PADLOCKS	681.70	EMEDS
	EP006161	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL GAS & BOTTLE RENTAL	521.41	EMEDS
	EP006162	KIMBERLEY GROUP TRAINING	WAGES TRAINEESHIP	1833.63	EMCCS
	EP006163	S&K KNICKEL GARDENING SERVICES	CONTRACT MOWING & ADDITIONAL WORK	53405.93	CEO
	EP006164	KIMBERLEY WASTE SERVICES	CONTRACT STREET SWEEPING	6593.77	EMEDS
	EP006165	HASTED, CATHY	ACCOUNTING SERVICES (EWIN CENTRE)	319.00	EMCCS
	EP006166	PARDOE - BELL, ALLAN	CONTRACT CLEAN WYNDHAM	885.00	EMCCS

	EP006167	KIMBERLEY INDUSTRIES METALAND	ANGLE IRON LARGE PLANT TRAILER	61.30	EMEDS
	EP006168	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES	174.90	EMEDS
	EP006169	NETWORK DRAFTING	DRAFTING SERVICES	2475.00	EMEDS
	EP006170	OFFICE NATIONAL KUNUNURRA	STICKERS, LAMINATOR	298.95	EMCCS
	EP006171	KIMBERLEY OUTBACK CRAFTS	MATERIAL FOR CYCLONE FLAGS	20.80	EMCCS
	EP006172	KINGS CROWN INSTRUMENTATION & ELECTRICAL	REPAIR LIGHTING 16 KIMBERLEY STREET WYNDHAM	142.60	EMEDS
	EP006173	FRONTIER FENCING	FENCE REPAIR EWIN CENTRE & 24 LEICHARDT STREET	555.50	EMEDS
	EP006174	FRONTIER POST & NEWS	POSTAGE & NEWSPAPERS (WYNDHAM)	77.85	EMCCS
	EP006175	BRANKO BP MOTORS	REPAIR SLASHER, VEHICLE SERVICE, FILTER, OIL, BLADES, REPAIR KIT	1370.08	EMEDS
	EP006176	JSW HOLDINGS PTY LTD	CONCRETE LILY CREEK BOAT RAMP, REPLACE FOOTPATH COTTONTREE AV	24577.30	CEO
	EP006177	KUNUNURRA SECURITY SERVICE	SECURITY LEASE WYNDHAM & KUNUNURRA	350.81	EMEDS
	EP006178	TNT AUSTRALIA PTY LTD	FREIGHT	24.67	EMCCS
	EP006179	AUSTRALIA POST, ACCOUNTS RECEIVABLE TEAM	POSTAGE	1318.64	EMCCS
	EP006180	VALUER GENERAL'S OFFICE	VALUATIONS	871.75	EMCCS
	EP006181	WYNDHAM TOWN HOTEL	CATERING COUNCIL MEETING	210.00	CEO
	EP006182	KC'S BOBCAT & TRUCK HIRE	EARTHWORKS PACKSADDLE BUSHFIRE BRIGADE	1100.00	EMEDS
	EP006183	WA LIBRARY SUPPLIES	CABINETS, CHAIRS, RACKS, GLOBE, DYMO LABELLER (WYNDHAM LIBRARY)	2042.04	EMCCS
	EP006184	TELFORD INDUSTRIES	POOL CHEMICALS (LEISURE)	342.10	EMCCS
	EP006185	ALLIGATOR AIRWAYS PTY LTD	CHARTER FLIGHT KALUMBURU	940.00	EMEDS
	EP006186	THE ROYAL LIFE SAVING SOCIETY AUST	POOL OPERATIONS COURSE	4740.00	EMCCS
	EP006187	WYNDHAM SUPERMARKET	CONSUMABLES (WYNDHAM)	84.13	EMCCS
	EP006188	KING SOUND RESORT HOTEL	ACCOMMODATION M PUCCI, B JOHNSON, C ADAMS	824.50	CEO
	EP006189	KUNUNURRA RURAL TRADERS	HARDWARE SUPPLIES	212.85	EMEDS
	EP006190	KUNUNURRA FIBREGLASS	RESURFACE POOL SLIDES (LEISURE)	2601.50	EMCCS
	EP006191	KIMBERLEY	INSTALL VEHICLE	704.00	EMEDS

		COMMUNICATIONS	RADIO'S, PHONES, TRIP METER		
	EP006192	TOLL WEST	FREIGHT	1489.72	EMCCS
	EP006193	TRAVELWORLD KUNUNURRA	TRAVEL BOLTO FAMILY	1055.40	EMCCS
	EP006194	TUCKERBOX/RETRAVISION	CONSUMABLES, VACUUM CLEANER, WHITE GOODS (PACKSADDLE BFB)	4232.91	EMCCS
	EP006195	BEV OZANNE	AEROBIC CLASSES	180.00	EMCCS
	EP006196	MUNNERS PTY LTD	GAS BOTTLES (LEISURE)	54.00	EMCCS
	EP006197	KIMBERLEY STEEL	PLATES WITH CHAIN CLEATS (SWIM BEACH TOILETS)	20.00	EMEDS
	EP006198	KIMBERLEY KOOL REFRIGERATION	REPAIR WATER COOLERS (LEISURE)	715.00	EMCCS
	EP006199	BEAUREPAIRES	TYRE REPAIR	263.20	EMEDS
	EP006200	FERTEIS, ELAINE	AEROBIC CLASSES	50.00	EMCCS
	EP006201	KUNUNURRA DIESEL SERVICES	HYDRAULIC INSTALLMENTS WY11160	1274.10	EMEDS
	EP006202	NORTHERN INFORMATION TECHNOLOGY SERVICES	INSTALL SHARP PHOTOCOPIER/PRINTER	231.00	EMCCS
	EP006203	SPORTSWORLD OF WA	ITEMS FOR SALE (LEISURE CENTRE)	252.45	EMCCS
	EP006204	INSTITUTE OF PUBLIC WORKS ENGINEERING AUST	IPWEA MEMBERSHIP FEES 2005	495.00	EMEDS
	EP006205	KIMBERLEY BUSINESS MACHINES	PHOTOCOPIER SERVICE AGREEMENT	524.10	EMCCS
	EP006206	FARMERS FRUIT & VEG - MART	CATERING POOL MANAGERS COURSE	192.50	EMCCS
22/04/05	EP006207	WESTERN LOCKSERVICE	SECURITY KEYS	134.75	EMEDS
	EP006208	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL BOTTLE RENTAL	154.30	EMEDS
	EP006209	KIMBERLEY GROUP TRAINING	TRAINEESHIP WAGES	1584.50	EMCCS
	EP006210	ROGER'S MACHINERY SERVICES	TRACTOR OIL (AIRPORT)	91.70	EMCCS
	EP006211	KIMBERLEY WASTE SERVICES	CONTRACT REFUSE COLLECTION, SWEEPING, CLEAN DRAINAGE PITS	73561.98	CEO
	EP006212	KIMBERLEY INDUSTRIES METALAND	PIPE & CAPS (SIGN POSTS)	783.42	EMEDS
	EP006213	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES	1608.05	EMEDS
	EP006214	QANTEC MCWILLIAM PTY LTD	DRAINAGE MASTER PLAN, DESIGN KONKERBERRY DVE WIDENING	22149.60	EMEDS
	EP006215	KP PUMPS & IRRIGATION	POOL CLEANER PUMP & PUMP REPAIR (LEISURE)	873.22	EMCCS
	EP006216	WORKING RELATIONSHIPS	COUNSELLING SERVICES	220.00	EMCCS
	EP006217	OFFICE NATIONAL KUNUNURRA	DIGITAL PHOTOCOPIER/PRINTER, PAPER	4484.90	EMCCS
	EP006218	FERGUSON, HELENA	AQUA AEROBIC CLASSES	379.50	EMCCS
	EP006219	REMOTE ACCOUNTING SERVICES	ACCOUNTING SERVICES	5972.13	EMCCS
	EP006220	BRANKO BP MOTORS	SILICONE (AIRPORT)	8.10	EMCCS

	<b>EP006221</b>	EAST KIMBERLEY PLUMBING	REPAIRS SWIM BEACH, AUTO TOILET, LEISURE CENTRE, WYNDHAM POOL	915.91	EMEDS
	<b>EP006222</b>	KIMBERLEY STOCK-OLIVER	SHOTGUN UNDER & OVER/TARGET LOADS (AIRPORT), WILLOW ESKY	1440.75	EMCCS
	<b>EP006223</b>	ORD RIVER DIST CO-OP	HELICOR PIPE & BAND	1035.10	EMEDS
	<b>EP006224</b>	GUERINONI & SON	CLEAR DEBRIS LAKE ARGYLE ROAD (STORM DAMAGE)	1402.50	EMEDS
	<b>EP006225</b>	TNT AUSTRALIA PTY LTD	FREIGHT	97.04	EMEDS
	<b>EP006226</b>	SLINGAIR PTY LTD	AIRFREIGHT	287.00	EMCCS
	<b>EP006227</b>	JORRITSMA H & CO	PLUMBING FITTINGS, ANIMAL DRINKING TROUGHS, RAINWATER PIT	486.95	EMEDS
	<b>EP006228</b>	TOP END MOTORS	VEHICLE SERVICING & REPAIRS	652.61	EMEDS
	<b>EP006229</b>	SHELF SUPPLY	WORKBOOTS, DOG FOOD	300.00	EMEDS
	<b>EP006230</b>	TELFORD INDUSTRIES	POOL CHEMICALS (LEISURE)	554.40	EMCCS
	<b>EP006231</b>	WYNDHAM TOURIST INFORMATION CENTRE	TOURIST INFORMATION WYNDHAM	476.66	EMCCS
	<b>EP006232</b>	AIRPORT LIGHTING SPECIALISTS	LAMPS (AIRPORT)	252.89	EMCCS
	<b>EP006233</b>	THE ROYAL LIFE SAVING SOCIETY AUST	POOL LIFEGUARD COURSES & REGISTRAT ION, UNIFORM SHORTS	1755.25	EMCCS
	<b>EP006234</b>	WYNDHAM SUPERMARKET	CONSUMABLES (WYNDHAM POOL)	8.49	EMCCS
	<b>EP006235</b>	KUNUNURRA DISTRICT HIGH SCHOOL	TELSTRA/COMPUTER COSTS (LIBRARY), SPONSORSHIP	1376.07	EMCCS
	<b>EP006236</b>	NORSIGN PTY LTD	KIMBERLEY CUP 05 BRACKETS, BOLTS, WASHERS	825.00	EMEDS
	<b>EP006237</b>	ALLGEAR MOTORCYCLE & SMALL ENGINE CENTRE	SERVICE MOWERS & BRUSHCUTTER (AIRPORT)	412.75	EMCCS
	<b>EP006238</b>	AUSTRALIAN FUEL DISTRIBUTORS	FUEL	14532.08	EMEDS
	<b>EP006239</b>	ARGYLE IRRIGATION PTY LTD	POLY PIPE WYNDHAM FORESHORE	2428.80	EMEDS
	<b>EP006240</b>	JASON SIGNMAKERS PTY LTD	SIGNAGE	264.00	EMEDS
	<b>EP006241</b>	KUNUNURRA RURAL TRADERS	CHAIN (SWIM BEACH TOILETS)	24.30	EMEDS
	<b>EP006242</b>	COOLIBAH ELECTRICAL MAINTENANCE	REPAIR ERSKIN HILL LIGHTS (AIRPORT)	2267.21	EMCCS
	<b>EP006243</b>	REM	MUSIC (LEISURE CENTRE)	106.00	EMCCS
	<b>EP006244</b>	KIMBERLEY COMMUNICATIONS	RESET 'JJJ' REPEATER	55.00	EMEDS
	<b>EP006245</b>	TRAVELWORLD KUNUNURRA	TRAVEL W BARNES, R SPRY & S SPRY	3177.90	EMCCS
	<b>EP006246</b>	VANDERFIELD MACHINERY PTY LTD	HOSE REEL (PACKSADDLE B FB), FILTERS, BLADES, BELTS,	995.54	EMCCS

			BRUSHES		
	EP006247	KIMBERLEY PROPERTY VALUERS	VALUATIONS	1430.00	EMCCS
	EP006248	CABCHARGE	SERVICE FEE	6.00	EMCCS
	EP006249	STATE LIBRARY OF WESTERN AUSTRALIA	DAMAGED BOOKS/ITEMS (LIBRARY)	7.50	EMCCS
	EP006250	WYNDHAM TELECENTRE	PRINT & INSERT VOLUNTEER NEWS (WYNDHAM)	175.00	EMCCS
	EP006251	AIRSERVICES AUSTRALIA	REPAIR RUNWAY LIGHTS & PAL (WYNDHAM AIRPORT)	3014.00	EMCCS
	EP006252	BOSS FLUID POWER	HAND TOWELS & TOILET TISSUE	1539.90	EMEDS
	EP006253	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING TENDERS, LOCAL LAWS, VACANT POSITION	4302.98	EMCCS
	EP006254	DAVEY TYRE AND BATTERY SERVICE	NEW TYRES	2206.35	EMEDS
	EP006255	NORTHERN INFORMATION TECHNOLOGY SERVICES	DOMAIN REBUILD, UPDATE WEBSITE, RESOLVE EMAIL ISSUES	4686.00	EMCCS
	EP006256	SPORTSWORLD OF WA	ITEMS FOR SALE (LEISURE CENTRE)	304.70	EMCCS
29/04/05	EP006257	G & J TOMKIN	CATAMUL (DEPOT)	1452.00	EMEDS
	EP006258	GREER ASHBY	REIMBURSE AIRFARE ALLOWANCE	2600.00	EMCCS
	EP006259	KIMBERLEY WASTE SERVICES	LITTER COLLECTION	9295.00	EMEDS
	EP006260	PARDOE - BELL, ALLAN	CONTRACT CLEAN WYNDHAM	885.00	EMCCS
	EP006261	CREDIPAC AUSTRALIA	DEBT RECOVERY FEES	3245.16	EMCCS
	EP006262	NORDIG EARTHMOVING	CLEAN SWIM BEACH, FIREBREAKS PACKSADDLE	2582.00	EMEDS
	EP006263	KIMBERLEY INDUSTRIES METALAND	ALUMINIUM CEMETARY PLAQUES	246.72	EMEDS
	EP006264	LAYTON TECHNOLOGY PTY LTD	HELP BOX & AUDIT WIZARD UPGRADES	800.00	EMCCS
	EP006265	NORTHERN AIRPORT SERVICES	KUNUNURRA AIRPORT LOCKUP	418.00	EMCCS
	EP006266	EAST KIMBERLEY PLUMBING	REPAIR TOILETS KUNUNURRA DEPOT	156.86	EMEDS
	EP006267	JSW HOLDINGS PTY LTD	FLOOD REPAIRS KING RIVER RD, CONCRETE & ROCK LAKE ARGLEYE RD	66417.34	EMEDS
	EP006268	KIMBERLEY STOCK-OLIVER	RETICULATION & HARDWARE SUPPLIES	19651.95	EMEDS
	EP006269	GUE RINONI & SON	ROAD SHOULDER REPAIR RIVERFARM RD	228.23	EMEDS
	EP006270	TNT AUSTRALIA PTY LTD	FREIGHT	16.40	EMCCS
	EP006271	TOP END MOTORS	VEHICLE SERVICING	262.68	EMEDS
	EP006272	BLACKWOOD ATKINS PTY LTD	CONDUIT CELEBRITY TREE PARK	269.23	EMEDS
	EP006273	MINTERELLISON	LEGAL FEES	723.03	EMCCS
	EP006274	CROSS KIMBERLEY CONTRACTORS	CLEAR WEEK LILY CREEK FORESHORE	3225.00	EMEDS
	EP006275	KUNUNURRA	REPAIR ENGEL FRIDGE	66.00	EMEDS

		REFRIGERATION			
	EP006276	NORSIGN PTY LTD	SIGNAGE	208.67	EMEDS
	EP006277	THE MANGROVE HOTEL	ACCOMMODATION C ADAMS, M SCOTT	317.40	EMCCS
	EP006278	ALLGEAR MOTORCYCLE & SMALL ENGINE CENTRE	PUMP SHAFT, DRIVE UNIT, HOSE, CAM LOCK, 38MM VIBRATOR	2385.15	EMEDS
	EP006279	THE KIMBERLEY ECHO	ADVERTISING VACANT POSITIONS, ELECTIONS	926.70	EMCCS
	EP006280	ST JOHN AMBULANCE ASS. KNX	SENIOR FIRST AID COURSE	145.00	EMCCS
	EP006281	KUNUNURRA RURAL TRADERS	COUPLING & JOINTS (WYNDHAM)	56.10	EMEDS
	EP006282	ORD RIVER ELECTRICS	REPAIR RETICULATION BOX WHITEGUM PARK	48.40	EMEDS
	EP006283	ORD RIVER CONTRACTING	GRAVEL (PACKSADDLE BUSHFIRE BRIGADE)	266.20	EMEDS
	EP006284	TOLL WEST	FREIGHT	253.85	EMCCS
	EP006285	BEV OZANNE	AEROBIC CLASSES	180.00	EMCCS
	EP006286	BUSH CAMP SURPLUS STORES	UNIFORM TROUSERS	86.00	EMEDS
	EP006287	FRANMOR CONSTRUCTIONS PTY LTD	ADDITIONAL ACCOMMODATION PAVING WYNDHAM POOL	398.42	EMCCS
	EP006288	BEAUREPAIRES	NEW TYRES, ROTATION, BALANCING	509.10	EMEDS
	EP006289	FERTEIS, ELAINE	AEROBICS CLASSES	25.00	EMCCS
	EP006290	DEVENISH, ANNE	REIMBURSE LIBRARY EXPENSES (TOWELS, VIDEO, LABELLING TAPE)	94.33	EMCCS
	EP006291	WA TELECENTRE KUNUNURRA	COLOUR AND BLACK & WHITE PRINTING	29.50	EMCCS
	EP006292	CORPORATE EXPRESS	FOLDING TABLE, TRAINING TABLE, OFFICE CHAIR	948.20	EMCCS
	EP006293	ARGYLE MOTORS	VEHICLE SNORKEL CAP	172.70	EMEDS
	EP006294	SHAWS DARWIN TRANSPORT	FREIGHT	35.31	EMCCS
	EP006295	COATES HIRE OPERATIONS PTY LTD	HIRE LIGHT TOWERS BARRA BASH	670.20	EMEDS
	EP006296	NORTHERN INFORMATION TECHNOLOGY SERVICES	CONTRACT ADSL	119.95	EMCCS
			<b>TOTAL OF EFT PAYMENTS</b>	<b>616263.67</b>	
			<b>TOTAL PAYMENTS</b>	<b>757230.19</b>	
		<b>DIRECT DEBITS - APRIL 2005</b>			
		20/33 KONKERBERRY DRIVE		975.00	
		BANK FEES		216.05	
		MOBIL OIL AUSTRALIA - WYNDHAM AIRPORT FUEL		17131.04	
		MERCHANT FEES		388.01	
		SALARY AND WAGES		159279.40	
		VISA PAYMENT		35.70	
		MESSAGES ON HOLD		507.00	
		TRANSFER TO TRUST ACCOUNT		45000.00	

					223532.20
<b>OUTSTANDING INVOICES AS AT 30TH APRIL 2005</b>					
			<b>TOTAL OUTSTANDING</b>	<b>0.00</b>	
<b>CANCELLED CHEQUES</b>					
			<b>TOTAL CANCELLED CHEQUES</b>	<b>0.00</b>	

**Sundry Debtors as at 30 April 2005**

Sundry Debtor	Amounts Over 90 Days Outstanding	Balance @ 30th April	Debt Collection Status for Debts over 90 Days
BIRD HEATHER	2,303.09	2,303.09	Debt with collection agency - Debtor continuing to pay \$50 per fortnight. Officer to contact credipac to check on last month's payment.
BLUE LIGHT DISCO	310.00	310.00	Investigating Debtor's query of account. Checking hire agreement with leisure Centre Staff. (ongoing)
ROBERT CARROLL	283.11	283.11	Debtor has made part payment. Officer to check why full payment not received & send Final Notice in February. Correspondence returned to sender. Officer sent to debt collector.
CAVANAGH PAUL & NORMA	3,530.00	3,530.00	Officer to proceed as per Debt Collection Policy and reviewing lease requirements.
DEPT OF PLANNING & INFRASTRUCTURE	3,750.82	65,438.81	Officer to contact.
GOLDEN EAGLE AVIATION	434.02	3,031.01	Officer to contact.
JOOROOK NGARNI ABORIGINAL CORP	2,032.65	2,032.65	Debtor has requested in writing that the charges are waived. Item to council
KALUMBURU ABORIGINAL CORP	246.00	246.00	Reminder Notice sent and officer to contact Debtor.
KIMBERLEY COMMUNICATIONS	15.00	15.00	Officer spoke with debtor. Debtor to pay acct.
KIMBERLEY GREEN CONSTRUCTION	40.00	40.00	Debtor has since made part payment of invoice. Officer to follow up on why not full payment. Misunderstanding - will pay.
KUNUNURRA REGION ECONOMIC ABORIGINAL CORP	5,423.00	5,423.00	Debtor has started to make payments. Officer continuing to work with Debtor.
KUNUNURRA SQUASH CLUB	15.75	15.75	Squash club advised of possible error in invoicing. Officer liaising with debtor.
LAKE ARGYLE CARAVAN PARK	10.00	10.00	Reversal of debt done as officer has liaised with debtor and realised that payment had been receipted to debtor 86164 and invoice to this debtor was in error.
LAKESIDE BLINDS & MACHINERY HIRE	175.00	620.00	Reminder Notice sent and officer to contact Debtor.
MCKINLAY BETTY	1,345.85	2,097.18	No more deductions being made through payroll. Debtor to settle shortly.
OASIS AIR	3,693.40	4,704.65	Correspondence sent. Officer to contact.
SOSBY JOHN	130.00	130.00	Officer sent to debt collector.
ST JOSEPHS SCHOOL	150.00	150.00	Will send a letter cancelling the minutes and pay the pro rata amount. Letter sent - awaiting payment.
STARS AT LEISURE	2,851.44	2,851.44	Journal has been done as per council recommendations. Officer to contact Credipac for the difference.
TATCHELL MARTIN	216.16	216.16	Officer sent to debt collector.
WYNDHAM COMMUNITY CLUB	7,763.12	7,763.12	Ozzie Henry has recently taken over management of club and is looking into payments. Officers looking into details of loan.
	<b>34,718.41</b>	<b>101,210.97</b>	

George Hamilton declared an Impartiality Interest in Item 12.2.4 Write Off - Warriu Park Water Usage and left the room at 7.01pm

**12.2.6 Write Off - Warriu Park Water Usage**

**(Minute No 7147)**

<b>DATE:</b>	17 May 2005
<b>PROONENT:</b>	Joorook Ngarni Aboriginal Corporation
<b>LOCATION:</b>	Lot 1308 Koolama Street, Wyndham
<b>ATLAS REFERENCE:</b>	Map 60, F4
<b>AUTHOR:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>REPORTING OFFICER:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>FILE NO:</b>	33.13.04: 01.5263.01
<b>ASSESSMENT NO:</b>	5263

**PURPOSE**

For Council to consider writing off \$2032.65, being water usage at Warriu Park, for the period between August and December 2004, currently invoiced to the Joorook Ngarni Aboriginal Corporation.

**BACKGROUND**

Warriu Park is a focal point in Wyndham, promoting indigenous art and culture. Over time this park has become a major tourist attraction in Wyndham, due to its location and the current interest in Australia's Indigenous heritage.

The land on which the park is located, Reserve 29443, is currently vested in the Shire of Wyndham East Kimberley. At the December 2003, Ordinary Council Meeting, Council resolved:

**Minute No. 6571**

***Moved Cr I Thorley/M Pucci***

***That Council advise Joorook Ngarni Aboriginal Corporation and the Department for Planning and Infrastructure that the Shire of Wyndham - East Kimberley wishes to surrender its Management Order over Reserve 29443, Lot 1308 Koolama Street Wyndham, and vest the Reserve with Balangarra Aboriginal Corporation, in accordance with the requirements of Section 56 of the Land Administration Act 1997, on the proviso that the Reserve remain for the purposes of recreation.***

***Carried Unanimously (8-0)"***

This transfer is currently with the Department of Planning And Infrastructure. Currently Joorook Ngarni Aboriginal Corporation is maintaining the Park on Council's behalf.

On the 21 February 2005, Joorook Ngarni wrote to Council (attached) requesting, that due to a reduction in funding, that Council consider writing off the water usage for August to December 2004, totalling \$2,032.65.

### **STATUTORY IMPLICATIONS**

Local Government Act 1995

12. Power to defer, grant discounts, waive or write off debts

(1) Subject to subsection (2) and any other written law, a local government may:

(a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money;

(b) waive or grant concessions in relation to any amount of money; or

(c) write off any amount of money, which is owed to the local government.

\* *Absolute majority required.*

(2) Subsection (1) (a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

### **POLICY IMPLICATIONS**

Sundry Debt Collection Policy – F15

### **FINANCIAL IMPLICATIONS**

Should Council resolve to write off this debt, it is recommended that the write off be charged to the Shire's Community Development Program effectively showing the write off as a donation from Council.

### **STRATEGIC IMPLICATIONS**

There are no direct strategic implications regarding this item.

### **COMMENT**

Council has endeavoured to maintain a good and productive relationship with the various indigenous communities and organisations within the Shire. The development of Warri Park is a demonstration of this productive relationship, while creating an added tourist attraction to the Wyndham town site.

Council and Joorook Ngarni are committed to empowering the local residents whilst improving the aesthetics of the Wyndham area. Council's assistance in helping Joorook Ngarni to maintain Warri Park will help the whole Wyndham community, for a relatively small cost. The purpose of the Community Development Program is to assist community groups with support, which is what Joorook Ngarni has requested. Warri Park is still principally a Shire asset, and Joorook Ngarni is only requesting temporary assistance to maintain this asset. There is no indication that this support will be ongoing or permanent.

### **ATTACHMENTS**

Letter from Joorook Ngarni Aboriginal Corporation, 21 February 2005.

## **VOTING REQUIREMENT**

Absolute Majority

## **RECOMMENDATIONS**

That Council write off Joorook Ngarni Aboriginal Corporation's debt of \$2032.65 to Account 11701999, Community Development Program.

### **Minute No 7147**

**Moved by Cr J Nelson / Cr J Buchanan**

**That Council write off Joorook Ngarni Aboriginal Corporation's debt of \$2032.65 to Account 11701999, Community Development Program.**

**CARRIED BY ABSOLUTE MAJORITY (7-0)**

Cr George Hamilton returned to room at 7.03pm



## JOOROOK NGARNI ABORIGINAL CORPORATION

PO BOX 209, WYNDHAM, WA, 6740

Ph: (08) 9161 1300

(08) 9161 1133

Fax: (08) 9161 1118

email: admin.joorook@bigpond.com

Councillor Barbara Johnson JP  
The Shire President  
Shire of Wyndham – East Kimberley

21 Feb 2005

**For Information**

Councillor Ivan Thorley  
The Vice President  
Shire of Wyndham-East Kimberley

Councillor Coral Gore-Birch

Chris Adams  
SWEK Chief Executive Officer

Doc No.	049197
Date	25 FEB 2005
Officer	NLS
Response	KL
File	33-13-04

Dear Barbara

As you are aware Warriu Park attracts over 30,000 persons who visit Wyndham mainly in the dry season. Reg Birch and Robert Potts [CEO Joorook] addressed the Shire Council late last year and gave an overview on Joorook Ngarni's activities in Wyndham, particularly Warriu Park.

Warriu Park has incurred a water usage account of \$2032.65 per the attached account for August – December 2004. Joorook is requesting Shire financial support to meet this account. The appearance of Warriu Park during the dry season is important and complements the imagery of the DreamTime figures. The water pump that the Park has used in the past is unserviceable and replacement funds are not available. The land title for Warriu Park is also currently held by SWEK.

Joorook Ngarni's funding comes primarily from DEWR based upon CDEP activities undertaken by Joorook and which includes Warriu Park. The 2004/5 funding has placed severe limitations on Joorook. Joorook's own cash income can barely meet recurring income and until Joorook can sell the Tuckerbox store site in Wyndham this scenario will continue. The sale of Tuckerbox appears to be hampered by the perceived limited economic development of Wyndham over the next few years by lending agencies. This apparently extends to houses as one story heard was that lending agencies would provide loans to purchase a house in Kununurra but not Wyndham – where housing prices are much lower.

The Shire's support would be appreciated in this instance. The 2005 tourist season is only a short time away. Efforts by the Warriu Park team led by Reg Birch have created this significant increase in Park visitors over recent years and continuing to maintain the Park's appearance is important.

Yours sincerely

Graeme Trust  
Chairperson  
Joorook Ngarni Aboriginal Corporation

Encl

Ordinary Council  
17/05/2005 MINUTES 100



**SHIRE OF WYNDHAM EAST KIMBERLEY**  
**"THE LAST FRONTIER"**  
 ALL COMMUNICATIONS TO BE ADDRESSED TO THE CHIEF EXECUTIVE OFFICER  
 PO BOX 614 KUNUNURRA WA 6743  
 PHONE: (08) 9168 1677 FAX: (08) 9168 1798  
 EMAIL: mail@thelastfrontier.com.au

**INVOICE / STATEMENT**

JOOROOK NGARNI ABORIGINAL CORP  
 PO BOX 209  
 WYNDHAM WA 6740

INDEBITOR No. 82758

ISSUE DATE 24/01/05

24/01/05

MESSAGE No. 300

DATE	INVOICE No.	CHARGE CODE	DESCRIPTION	AMOUNT
24/01/05	8401	11	WATER USAGE WARRIU PARK AUG - DEC 04	2032.65
Quantity 1.00				
Tax Invoice ABN 35647145756				
GST DOES NOT APPLY TO THIS ACCOUNT				
<b>TOTAL PAYABLE</b>				<b>2032.65</b>

AGED ANALYSIS				
120 DAYS & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT

E. & O. E.

POSTAL REMITTANCES: NO RECEIPT WILL BE ISSUED UNLESS -

(1) THIS BOX IS TICKED  AND (2) THE NOTICE IS RETURNED INTACT WITH REMITTANCE.

IF NO RECEIPT IS REQUIRED RETAIN TOP PORTION FOR YOUR RECORDS AND RETURN LOWER PORTION WITH REMITTANCE.

**OFFICE COPY ONLY**  
 OFFICIAL RECEIPT MUST BEAR IMPRINT OF CASH REGISTER TO BE VALID

**SHIRE OF WYNDHAM EAST KIMBERLEY** CASH/CHEQUE  
 PO BOX 614 KUNUNURRA WA 6743

NAME	INVOICE No.	AMOUNT	INVOICE No.	AMOUNT
JOOROOK NGARNI ABORIGINAL CORP	8401	2032.65		

82758

**TOTAL PAYABLE** 2032.65

E. & O. E.



Account Enquiries 13 13 85

### Water Usage Account

053 SHIRE OF WYNDHAM-EAST KIMBERLEY  
PO BOX 614  
KUNUNURRA WA 6743

Issue Date 5 January 2005

Account Number 90 07576 65 2

Please Pay \$2 034.75

Payment Due By 2 Feb 2005

Account for PARK AT 1308L DOONGAN ST WYNDHAM LOT 1308 RES 2004

PROCESSED

11 JAN 2005	Opening Balance	+	New Charges	=	Total
	\$0.00		\$2 034.75		\$2 034.75

Water Usage Charges From 18 August 2004 to 14 December 2004

CREDITOR NAME \_\_\_\_\_

CREDITOR NO 94216

BL / CC 11503200

- TO BE INVOICED TO JOOROOK NGNAANI (\$2032.65)

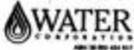
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COMP CHK'D \_\_\_\_\_ REC'D \_\_\_\_\_

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No GST applies to this account.

SEE BACK FOR IMPORTANT INFORMATION



### Payment Slip

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Please Pay \$2 034.75

Payment Due By 2 February 2005

Payment Difficulties?  
If you are having difficulty paying this account, please call 13 13 85.

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### 12.3. CHIEF EXECUTIVE OFFICER

#### 12.3.1 Members of Council Policy Review

(Minute No 7148)

<b>DATE:</b>	17 May 2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	John Gault, Executive Support Officer
<b>REPORTING OFFICER:</b>	Chris Adams, Chief Executive Officer
<b>FILE NO:</b>	60.02.01
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider the revisions of the Members of Council Policies.

#### **BACKGROUND**

Council has not revised its Members of Council Policies in over 3 years. At the April briefing session revisions were discussed with the agreement that it be presented to the next Meeting of Council.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995.

#### **POLICY IMPLICATIONS**

All Members of Council Policies.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

KRA 5 – Governance  
Goal 5 – Legislation

Strategy 2 – Contribute to the development of State and Federal Legislative and Policy amendments that may impact on Shire residents.

#### **COMMUNITY CONSULTATION**

Not applicable.

## **COMMENT**

It is the Officers' recommendation that the revised Members of Council Policies will provide a standard for new Councillors and ensure less confusion over policies that are no longer relevant.

## **ATTACHMENTS**

Members of Council Policies.

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

1. That Council repeal the following Members of Council Policies

<b>Policy No</b>	<b>Policy Name</b>	<b>Reason for change</b>
MC2	Mins & Agendas	This policy is covered under the Local Government Act 1995
MC4 MC9	Meeting procedure Freedom of Information Statement	This is an Administrative Procedure Same policy as MC7 Freedom of Information Statement
MC10	Meeting Fees & Reimbursement of Expenses	To be covered as part of MC5 Elected Members Entitlements
MC11	Mobiles Phones in Council Meetings	Should be made as an announcement at the beginning of the Council Meeting
MC12	Submission of Items for Council Consideration	This policy is an Administrative Procedure

2. That Council modify the following Members of Council Policies

<b>Policy No</b>	<b>Policy Name</b>	<b>Changes</b>	<b>Reason</b>
MC1	Code of Conduct	Remove reference to Staff	Covered under the Local Government Act 1995
MC5	Elected Member Entitlements	Provision of Information Technology	Change in IT Structure

Matthew Scott left the room at 7.05pm

Matthew Scott returned to room at 7.07pm

**Minute No 7148**

**Moved by Cr J Nelson / Cr Maxine Middap**

**1. That Council repeal the following Members of Council Policies**

<b>Policy No</b>	<b>Policy Name</b>	<b>Reason for change</b>
<b>MC2</b>	<b>Minutes &amp; Agendas</b>	<b>This policy is covered under the Local Government Act 1995</b>
<b>MC4</b>	<b>Meeting procedure</b>	<b>This is an Administrative Procedure</b>
<b>MC9</b>	<b>Freedom of Information Statement</b>	<b>Same policy as MC7 Freedom of Information Statement</b>
<b>MC10</b>	<b>Meeting Fees &amp; Reimbursement of Expenses</b>	<b>To be covered as part of MC5 Elected Members Entitlements</b>
<b>MC11</b>	<b>Mobiles Phones in Council Meetings</b>	<b>Should be made as an announcement at the beginning of the Council Meeting</b>
<b>MC12</b>	<b>Submission of Items for Council Consideration</b>	<b>This policy is an Administrative Procedure</b>

**2. That Council modify the following Members of Council Policies**

<b>Policy No</b>	<b>Policy Name</b>	<b>Changes</b>	<b>Reason</b>
<b>MC1</b>	<b>Code of Conduct</b>	<b>Remove reference to Staff</b>	<b>Covered under the Local Government Act 1995</b>
<b>MC3</b>	<b>Conference Attendance</b>	<b>Shire President to authorise any Councillor conferences</b>	<b>To allow Audit trail</b>
<b>MC5</b>	<b>Elected Member Entitlements</b>	<b>Provision of Information Technology Inclusion of Payment of Travel expenses to Ordinary and Special Council Meetings as well as other listed Meetings</b>	<b>Change in IT Structure It is appropriate to reimburse for these expenses</b>

**CARRIED UNANIMOUSLY (8-0)**

**POLICY No:**

**MC1**

**DIVISION:**

**Human Resources / Members of Council**

**SUBJECT:**

**Code of Conduct**

**REPORTING OFFICER:**

**Chief Executive Officer**

**ENABLING LEGISLATION:**

**Local Government Act 1995 Section 5.103 Schedule 9.3  
Clause 22**

Deleted: ¶

**OBJECTIVE:**

To prescribe an approved behaviour standard for Councillors to follow.

**POLICY:**

**Code of Conduct for Elected Members**

**1. Conflict and Disclosure of Interest**

1.1 Conflict of Interest

- a) Members will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- b) Members will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- c) Members will lodge written notice with the Chief Executive officer describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- d) Members who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.

1.2 Pecuniary Interest

Members will adopt the principles of disclosure of interest as contained within the Local Government Act.

1.3 Disclosure of Interest Affecting Impartiality

- a) Members will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.
- b) Whenever disclosure is required, recommendation in this Code, or otherwise seems appropriate, it will be made promptly, fully and in writing within the register provided.

**2. Personal Benefit**

2.1 Use of Confidential Information

Members will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

2.2 Intellectual Property

The title to Intellectual Property in all duties relating to contacts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

2.3 Improper or Undue Influence

Members will not take advantage of their position to improperly influence other members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

2.4 Gifts or Bribery

- a) Members will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit (other than gifts of a token kind, or moderate acts of hospitality) for themselves or for any other person or body, relating to their status with the Local Government of their performance of any duty or work which touches or concerns the Local Government.
- b) If any gift, reward or benefit is offered (other than gifts of a token kind, or moderate acts of hospitality), disclosure will be made in a prompt and full manner and in writing in the appropriate register.

**3. Conduct of Members and Staff**

3.1 Personal Behaviour

- a) Members will;
  - i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
  - ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
  - iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interest of the Local Government and the community;
  - iv) make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
  - v) always act in accordance with their obligation of fidelity to the Local Government.
- b) Members will represent and promote the interests of the Local Government, recognising their special duty to their own constituents.

3.2 Honesty and Integrity

Members will;

- i) observe the highest standards of honesty and integrity, and avoid conduct which might suggest and departure from these standards;
- ii) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- iii) be frank and honest in their official dealing with each other.

3.3 Performance of Duties

- a) Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

3.4 Compliance with Lawful Orders

- a) Members will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the property of any such order being taken up with the superior of the person who gave the order and, if resolution can not be achieved, with the Chief Executive Officer.
- b) Members will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

3.5 Administration and management Practices

Members will ensure compliance with proper and reasonable administrative practices and conduct and professional and responsible management practices.

3.56 Corporate Obligations

i) As a representative of the Community members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Members should acknowledge that;

- as a member of the Council there is respect for the decision making process of the Council which are based on a decision of the majority of the Council;
- Information of a confidential nature ought not be communicated until it is no longer treated as confidential;
- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

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3.67 Relationships between Members and Staff

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Members and Staff have a mutual respect and co-operate with each other to achieve the Council's corporation goals and implement the Council's strategies.

To achieve that position Members need to;

- accept that their role is a leadership, not a management or administrative one,
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspirations on their professional competence and credibility.

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3.87 Appointments to Committees

As part of their representatives role Members are often asked to represent the Council on external organisations. It is important that Members;

- clearly understand the basis of their appointment and
- provide regular reports on the activities of the organisation.

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**4. Dealing with Council Property**

4.1 Use of Local Government Resources

Members will;

- i) be scrupulously honest in their use of Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- ii) use Local Government 's resources entrusted to them effectively and economically in the course of their duties and
- iii) not use Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment) unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

4.2 Travelling and Sustenance Expenses

Members and staff will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provision of the Local Government Act.

4.3 Access to Information

- i) Members will ensure that information will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

**ADOPTED: 17/07/1997**  
**REVIEWED:**  
**AMENDED:**

POLICY NO:	MC2
DIVISION:	Members of Council
SUBJECT:	Council Meetings and Information Availability
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995 Section 5.41

**OBJECTIVE**

To set a timeframe and location which enables Councillors, staff and the public equitable access to agenda and minutes and to determine the time and location of council meetings.

**POLICY**

The following dates, times and locations shall apply to Council meetings:

	Hard copies available to Council.	10am – on the Thursday prior to the meeting.
	Hard copies available to minute and agenda reports	10am – on the Thursday prior to the meeting.
	Electronic copy may be viewed on website.	4pm – on the Friday prior to each Council meeting.
<b>LATE ITEMS REPORT</b>	Brief Report available to Councillors and Public.	4pm - Friday prior to Council Meeting.
<b>COUNCIL MEETING</b>	Rotating between Wyndham and Kununurra meeting to meeting.	6pm every third Tuesday.
<b>SPECIAL MEETINGS</b>	As determined.	Minutes available within ten working days of the meeting.
<b>MINUTES</b>	Hard copies available to Councillors and Public	4pm – five working days following the meeting.
	Electronic copy may be viewed on the website	4pm – five working days following the meeting.

Ordinary meetings of Council will be held as follows:

- Rotating meeting to meeting between Wyndham and Kununurra.
- Briefing Session to commence at 4.00pm – 5.00pm.
- Meal break to commence at 5.00pm.
- Meeting to commence at 6.00pm.

**Policy to be Deleted**

**ADOPTED:** 15/08/2002  
**REVIEWED:**  
**AMENDED:**

<b>POLICY NO:</b>	MC4
<b>DIVISION:</b>	Members of Council
<b>SUBJECT:</b>	Meeting Procedures
<b>REPORTING OFFICER:</b>	Chief Executive Officer
<b>ENABLING LEGISLATION:</b>	Local Government Act 1995

## OBJECTIVE

To ensure the smooth conduct of Council meetings whilst encouraging meaningful and worthwhile debate and appropriate community involvement.

## POLICY

**The proceedings of all Council meetings are to be governed by this policy.**

### 1. CALLING AND CONVENING MEETINGS

#### 1.1 Ordinary Meetings

Ordinary meetings are held every three weeks on a Tuesday at 6.00pm, except if determined otherwise by Council. Meeting locations are to rotate between the Wyndham office and the Kununurra office on a meeting by meeting basis.

#### 1.2 Special Council Meetings

These may be called by the President or at least one third of the Councillors (three).

### 2. BUSINESS AT MEETINGS

#### 2.1 Public & Confidential Matters

All Council meetings, including meetings of Council committees, are open to the public unless it is resolved to close the meeting while a confidential matter is discussed. If such a decision is made, the decision and the reason for it must be recorded in the minutes.

- For a matter to be termed confidential it must comply with the requirements of S5.23 (2) of the Local Government Act 1995.

#### 2.2 Presiding at Council Meetings

The President will preside at all Council meetings at which he/she is present and able to preside.

If the President is not present or is unable to preside, the Deputy-President will automatically take the chair. If he/she is also not present or able to preside, the Councillors will choose a chair from amongst themselves.

No member who has disclosed an interest in a matter is able to preside while that matter is dealt with.

## 2.3 Quorum

- No business can be transacted unless a quorum is present.
- The quorum for Council meetings is five (5) members.
- A member who has declared an interest in a matter is not counted for quorum purposes while that matter is dealt with.
- If a quorum is not established within 30 minutes of the fixed meeting time the meeting will be adjourned.
- If at any point during the meeting the quorum should lapse, (with the exception of a matter relating to the declaration of an interest) the person presiding is to suspend the meeting for five (5) minutes. If at the end of five (5) minutes a quorum is still not present the meeting is to be adjourned.
- A quorum for a committee is half the members of the committee.

## 2.4 Conducting Business

### 2.4.1 Order of Business

Agendas for special meetings will follow the same format as ordinary meetings to the extent that the headings are relevant to the business to be transacted.

Order of business at ordinary Council meetings shall adhere to the following order as far as is practicable and unless the Council resolves otherwise:

- Declaration of Opening and Announcement of Visitors
- Record of Attendance/Apologies & Approved Leave of Absence
- Declaration of Interests (Financial, Members Impartiality and Proximity, to be provided in writing to the Chief Executive Officer (CEO) prior to the meetings commencement)
- Response to Public Questions Taken on Notice
- Public Question Time
- Applications by Members for Leave of Absence
- Confirmation of Minutes
- Announcements by the Presiding Person Without Discussion
- Petitions/Deputations/Presentations/Submissions
- Reports of Committees
- Officers Reports
- Elected Members Motions of Which Notice has been Given
- New Business of an Urgent Nature

- Meeting Closure

#### **2.4.2 Ordinary Meetings**

Only business shown on the agenda will be discussed except where the Council resolves by absolute majority to hear urgent business.

#### **2.4.3 Special Meetings**

Only business specified in the notice of the purpose of the meeting will be discussed.

### **3. THE BUSINESS TO BE CONDUCTED**

#### **3.1 Apologies and Leave of Absence**

Leave of absence may be granted to a member by resolution of Council. Leave cannot be granted for more than six (6) consecutive ordinary meetings.

#### **3.2 Public Question Time**

A minimum of 15 minutes will be allocated to questions from the public. If there are not sufficient questions or statements to fill the allocated time the person presiding will allow only one item. If there are more questions and statements than can be dealt with within the fifteen minutes allotted, the person presiding will determine whether to extend public question time.

During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation. Mobile telephones may not be used.

#### **3.3 Confirmation of Minutes**

Minutes of all Council meetings are to be submitted to the next ordinary Council meeting for confirmation. No discussion regarding the minutes will take place other than as to their accuracy. The Chairperson must sign and date the minutes to certify confirmation.

#### **3.4 Announcements by the Presiding Person without Discussion**

The person presiding may make any announcements on any matters that he/she considers of interest or concern to Council. No discussion will take place.

#### **3.5 Reports by Officers of Council**

The CEO will ensure that reports are prepared on all matters being dealt with which require a decision by Council. Such reports will contain an explanation of the matter in question and a recommendation to Council.

Any report on a matter that the CEO considers should be dealt with at a closed meeting will contain an explanation of why confidentiality is recommended. If Council resolves to deal with the matter in this way, the report may be deferred until immediately before the end of the meeting when the public will be asked to leave.

If a staff member preparing a report, or contributing to the preparation of a report, has an interest in a matter the subject of the report, the staff member will disclose the nature of the interest. If a report contains or refers to advice from a person under a contract for services with the Shire, and that person has an interest in a matter the subject of the report, the nature of that person's interest will be disclosed in the report.

### **3.6 Motions on Notice**

A member may raise any matter, which relates to the good government of the district, providing he or she gives notice of the motion to the CEO for distribution to other members.

Such notice will be given at least three (3) clear days prior to the date of the meeting to enable distribution to other members and availability to the public prior to the meeting.

Proposed motions should provide the following information:

- Purpose of the motion;
- Background to the motion;
- Any additional comments the member may wish to make; and
- The motion itself in the form of a recommendation.

Subject to availability, the Chief Executive Officer will provide assistance to elected members in drafting Notices of Motion on request.

### **3.7 New Business of an Urgent Nature**

In cases of extreme urgency or other special circumstances, matters may, by absolute majority decision of the members present and able to vote, be raised without notice and decided by the meeting at an ordinary meeting of Council. Urgent matters additional to those provided on the agenda may not be raised at a special meeting of council.

## **4. DISCLOSURE OF INTEREST**

### **4.1 How to Disclose**

A member who has a financial or proximity interest in any matter that is to be discussed at a meeting of Council or a Committee must disclose the nature of that interest if the member will be in attendance at the meeting.

Disclosure must be:

- In a written notice to the CEO before the meeting; or
- At the meeting immediately before the matter is discussed.

#### **4.2 Announce Disclosure before Discussion**

If a member has given written notice of an interest to the CEO before the meeting, the CEO must forward this notice to the person presiding at the meeting. The person presiding is to bring the notice and its contents to the attention of the meeting before the matter is discussed.

The names of members, who have made or have announced their intention to make interest disclosures, and the details of the interest will be recorded.

#### **4.3 Employees & Interest**

An employee of Council who has an interest in any matter in respect of which the employee is providing advice or a report directly to Council must disclose the nature of the interest when giving the advice or report. If Council is the beneficiary of the interest, the employee must also disclose the extent of the interest.

A person in this context includes any person who, under a contract for services with the Shire, provides advice or a report on a matter. Disclosing the extent of an interest includes disclosing the value and amount of the interest.

#### **4.4 Conflict of Interest under Code of Conduct**

Council's Code of Conduct provides that a member or an employee must disclose an interest in any matter which:

- is to be discussed at a Council or Committee meeting attended by him/her; and
- could lead to a reasonable belief that the impartiality of a member or the employee could be adversely affected.

Disclosures must be made before the matter is discussed and are to be recorded in the minutes.

## **5. PROCESSING BUSINESS AT A MEETING**

### **5.1 Bringing Matters Forward for Debate**

All matters requiring the resolution of Council will be brought forward as a:

- motion moved by a Council member, and
- seconded by another member, unless the Act requires additional support to be demonstrated prior to debate.

### **5.2 Recommended Motions**

The recommendations in reports by officers will be drafted as motions recommended for adoption.

### **5.3 Moving Recommendations**

The person presiding will then invite members to move the recommendations in the reports, in the order they appear in the agenda.

Members:

- (i) will indicate the report recommendation they are moving by quoting the report number;
- (ii) may move recommendations individually; or
- (iii) may move a number of recommendations in numerical sequence up to any recommendation which has been identified as subject to an interest disclosure, or on which Members have indicated they would like to debate.

### **5.4 Recommendations Identified for Interest Disclosure**

Before the recommendation of a report that has been identified as subject to an interest disclosure is moved:

- (i) the person presiding will bring the contents of any written notice of an interest regarding that report to the attention of the meeting;
- (ii) any member who has an interest in the report, which is not yet disclosed, will disclose the nature of the interest;
- (iii) any member who has disclosed an interest will leave the room while the matter is dealt with unless the members present decide (or the Minister has decided) otherwise, in accordance with the requirements of the Local Government Act 1995.

## 5.5 Clarification of Reports

Members may request that:

- (i) Officers or committee members explain or clarify reports prior to, or during, any discussion of a recommended motion; and
- (ii) Staff members disclose the extent of any interest that has been disclosed in a report.

## 5.6 Seconding the Motion

Once a recommendation, or a group of recommendations, has been moved the person presiding will call for a member to second the motion.

## 5.7 No Opposition

The person presiding will ask the meeting if any member opposes the motion. If it is not opposed the motion will be declared carried without debate and recorded as being carried unanimously.

## 5.8 Opposition to the Motion

If there is opposition to a motion the person presiding will (in the following order):

- (i) invite the mover of the motion to speak to the motion;
- (ii) invite the seconder of the motion to speak to the motion;
- (iii) invite any member opposing the motion to speak to the motion;
- (iv) allow other members who wish to speak for or against the motion to speak.

## 5.9 Person Presiding to Control Debate

### 5.9.1 Fair and Reasonable

The person presiding will ensure that points of view on a motion are given a fair and reasonable opportunity to be expressed and debated. However, he/she is not obliged to permit every member to speak on a motion nor to permit members to speak for excessive periods of time.

### 5.9.2 General Rule

The general rule will be:

- (i) each member permitted to speak will have three (3) minutes to present his/her case;
- (ii) the person presiding will determine when he or she believes that a motion has been given a fair and reasonable opportunity to be debated;

- (iii) all decisions of the person presiding will be final except if a motion of dissent with a ruling is moved by a member, such a motion will be put to the meeting without a seconder and without debate;
- (iv) the decision of the majority of members present will be final; and
- (v) the person presiding will follow the meetings ruling.

## **5.10 Amending a Motion**

### **5.10.1 Amendments to a motion**

- may be moved at the conclusion of any speech on the motion;
- cannot negate the meaning of the substantive motion; and
- must be seconded.

### **5.10.2 Seconding the Amendment**

An amendment must be seconded. Once seconded, the amendment becomes the motion before the meeting and the person presiding will follow the same process used when dealing with a motion; except if the mover of the substantive motion speaks on the amendment, in which case he/she then loses the right of reply on the substantive motion.

### **5.11 Amendment not Adopted**

If an amendment is proposed and not adopted, the debate returns to the substantive motion.

### **5.12 Amendment Accepted**

If an amendment is adopted:

- the amended motion is the motion before the meeting; and
- the person presiding will follow the same process used when dealing with a motion.

### **5.13 Reasons for Decision**

If an amended motion is adopted instead of an officer recommendation and the change from the recommendation is significant, the person presiding will:

- summarise the meetings reasons for coming to that decision; and
- request the meeting to confirm the reasons for the decision for the purposes of recording in the minutes.

### **5.14 Right of Reply**

When the person presiding believes there has been sufficient debate on a motion:

- he/she will invite the mover of the motion to exercise his/her right of reply; and
- the mover can respond to any matter raised in debate but cannot introduce any new arguments.

### 5.15 Putting to the Vote

Once the mover of the motion has exercised or chosen not to exercise the right of reply, the person presiding will put the motion to the vote.

### 5.16 All Members Should Vote

All members present should vote unless they cannot participate because of an interest disclosure.

### 5.17 Determining the Vote

The person presiding can ask members to indicate their position on a motion as often as he/she believes is necessary to determine what the vote is. The outcome of the vote will be determined by a simple majority unless the decision requires an absolute or 75% majority.

### 5.18 Other Options

A recommended motion may be:

- adopted;
- referred back to the administration for further report;
- amended;
- not adopted;
- replaced by an alternative motion.

### 5.19 Referring Back

Before a motion to refer a recommendation back to a committee or the administration is debated, the person presiding will request that an officer provide advice on the implications of delaying the matter.

### 5.20 Not Adopted

If a motion is not adopted it is negated. If a committee or officer recommendation is negated in this way the person presiding will:

- summarise the meetings reasons for coming to that decision; and
- request that the meeting confirms those reasons for recording in the minutes.

### 5.21 Proposing an Alternative Motion

If a recommendation is not adopted an alternative motion may be moved. In these circumstances the minutes will show the officer recommendation, the alternative motion and the reasons for the variation as summarised by the Presiding Person.

## 6. MOTIONS ON NOTICE

Motions on notice will be dealt with in the same way as a committee or officer report. They must be provided in writing three (3) days prior to the meeting and may be accompanied by an officer report in the usual format.

## 7. NEW BUSINESS OF AN URGENT NATURE

If a matter of urgent business is raised:

- the person presiding will seek a mover and a seconder to accept the business as urgent;
- the motion will be put to the meeting without debate;
- the decision of the absolute majority of members present will be final; and
- the motion will be dealt with in the same way as a committee or officer recommendation.

## 8. RULES OF DEBATE

### 8.1 Official Title to be Used

During meetings, speakers should address others by using their accepted title. For example: President, Deputy President, Councillor, or in the case of staff by their position title.

### 8.2 Order of Speaker

If two or more members indicate they wish to speak at the same time, the Chairperson will decide who may speak first.

### 8.3 Members not to Interrupt

- A member must not make any noise or disturbance or converse in a loud manner while any other member is addressing a meeting.
- A member must not interrupt or speak out of turn during a meeting, other than to raise a point of order, make a personal explanation or move a procedural motion
- A member may not use a mobile telephone during any Council or Committee meeting.

**8.4 Chairperson May Participate in Discussion**

The Chairperson may discuss any motion before the meeting, provided that he/she addresses the meeting before the right of reply is exercised. The Chairperson must exercise a deliberate vote and if the votes are tied may exercise a second, casting vote.

**8.5 Chairperson to be Heard without Interruption**

If the Chairperson wishes to speak during a debate, all other members must be silent so that the Chairperson may be heard without interruption.

**8.6 Members not to Reflect Adversely on Resolution of Council**

A member shall not reflect adversely upon the resolution of the Council or a committee except on a motion that the resolution be revoked.

**8.7 Members not to Reflect Adversely on other Members or Officers**

A member shall not reflect adversely upon the character or actions of another member or an officer of the Shire nor impute any motive to a member or an officer.

**8.8 Members to Apologise if Adversely Reflect**

Any member who, in the opinion of the Chairperson, uses offensive language or expressions may be requested by the Chairperson to withdraw his statement and formally apologise.

If the member refuses or fails to comply, the Chairperson may refuse to hear any further comment from the member on the business currently being discussed. The Chairperson may then call upon the next speaker.

**8.9 Relevance to Debate**

Members must ensure that any comments or remarks made are relevant to the business or motion under discussion.

**8.10 Chairperson to Draw Attention of Meeting to Unbecoming Behaviour**

The Chairperson may draw the meetings attention to matters of continued irrelevance, tedious repetition, unbecoming language and breaches of order or decorum on the part of a member, and may direct the member, if speaking, to stop speaking.

## 9. ORDER

### 9.1 Point of Order

9.1.1 A member may bring to the Chairpersons attention, any breach of this meeting procedure by stating the grounds for the breach and the name of the member concerned.

9.1.2 A member expressing a difference of opinion with, or contradicting, a speaker shall not be recognised as raising a point of order.

9.1.3 The Chairperson shall decide all questions of order or practice. The decision is final and must be accepted by the meeting without discussion or argument unless a different ruling is resolved by majority.

9.1.4 A motion, amendment or other business deemed out of order shall not be further discussed and need not be subject of a resolution.

9.1.5 Where anything said or done by a member is deemed out of order, the Chairperson may require the member to make an explanation, retraction or apology.

### 9.2 Preservation of Order

The Chairpersons role is to preserve order and he may call any member to order when he/she believes it necessary.

#### 9.2.1 Order of Members

If a member persists in any conduct, which the Chairperson decides, is out of order, or the member refuses to explain, retract or apologise as requested by the Chairperson, the Chairperson may direct the member not to take part in the proceedings of the meeting other than to record the members vote. The member must comply with this direction.

#### 9.2.2 Order of the Public

Any member of the public observing a meeting of Council is to extend due courtesy and respect to the Council and the processes under which they operate and must take direction from the person presiding whenever called upon to do so.

No person observing a meeting is to create a disturbance at a meeting by interrupting, or interfering with the proceedings, whether by expressing approval or dissent, conversing with members or other observers or by any other means.

### 9.3 Serious Disorder

The Chairperson may adjourn a Council meeting for fifteen minutes if he/she believes business cannot be effectively continued. Once reassembled, the Council will decide, without debate, whether to continue with business.

If, having once adjourned the meeting, the Chairperson again believes that the business of the Council cannot be effectively continued, the meeting may be closed or adjourned by the Chairperson.

### 9.4 Interpretation

Where a situation arises where no provision or insufficient provision is made in this Policy, the Chairperson shall determine the procedure to be observed. He/she may use the procedure of the Western Australian Parliament as a guide.

## 10. MINUTES

### 10.1 Contents of Minutes

The minutes of all Council meetings will contain:

- i) The name of the person presiding.
- ii) The time the meeting was opened.
- iii) The names of all elected members and officers present.
- iv) The name of any elected member who enters or leaves the meeting during its course, and the time and point during the meeting that this occurred.
- v) A record of any apologies, members on leave of absence, and the granting of leave of absence.
- vi) A record of any questions asked at public meetings and the responses given.
- vii) A record of the confirmation of minutes, minutes of previous meetings and details of any alterations to the minutes.
- viii) A record of any announcements by the person presiding.
- ix) Any interest disclosures including the extent:
  - of any interest when that has also been disclosed; and
  - of any participation in the meeting that a person with an interest was permitted.
- x) A record of all reports presented to Council.
- xi) Details of motions:
  - (a) each motion moved;
  - (b) the names of the members who moved and seconded it;
  - (c) the kind of majority a vote was carried by, if it was required to be carried by an absolute or 75% majority;
  - (d) the reasons for any decision made that is significantly different from any recommendation made by a committee or an officer;
  - (e) the way in which a member, or all members voted on a motion, if a member requested this;

- (f) a record of any decision to close a meeting while a confidential matter was discussed, and the reason for that decision.
- xii) If a meeting was adjourned:-
  - the time of the adjournment;
  - the names of the members present when it was adjourned;
  - the reason for the adjournment; and
- xiii) The time of the closure of a meeting.

## **11. PROCEDURAL MOTIONS**

### **11.1 Permissible Procedural Motions**

In addition to proposing a properly worded amendment to a substantive motion, it is permissible for a member to move the following procedural motions:

- (i) that the motion be put;
- (ii) that the Council meet behind closed doors, if the meeting or part of the meeting to which the motion relates is a matter in respect of which the meeting may be closed to members of the public under section 5.23 of the Act;
- (iii) that the matter be referred back to Committee/Officers; and
- (iv) that the ruling of the presiding person be disagreed with.

### **11.2 No Debate on Procedural Motions**

Once moved and seconded, there shall be no debate on procedural motions except that the mover of a motion to refer a matter back to a Committee or officer may speak for up to three (3) minutes detailing the reasons for the proposed motion. The presiding person shall put the motion to the Council immediately.

### **11.3 Procedural Motions - Closed Debate - Who May Move**

During the course of any motion a member may move a procedural motion, which, provided it is seconded, shall be dealt with immediately.

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment at the time a procedural motion is raised may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

#### **11.4 Procedural Motions and Right of Reply**

The mover of the substantive motion or amendment under discussion where a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment occurs retains the right of reply and is the only member who may speak after a decision has been made to close that debate. The general rules of right of reply remain. (See S5.14)

### **12. EFFECT OF PROCEDURAL MOTIONS**

#### **12.1 Motion be Put - Effect of Motion**

The motion "that the motion be put", if carried during discussion of a substantive motion without amendment, causes the person presiding to offer the right of reply and then immediately put the matter under consideration without further debate. This motion, if carried during discussion of an amendment, causes the person presiding to put the amendment to the vote without further debate. This motion, if lost, causes debate to continue.

#### **12.2 Council to Meet Behind Closed Doors - Effect of Motion**

Council may meet behind closed doors in accordance with the requirements of S5.23 of the Local Government Act 1995. This motion, if carried, causes all members of the public to leave the room.

While behind closed doors the matter may be discussed but no decision made. Upon the public again being admitted to the meeting the person presiding, is to put the recommendation to the Council and take the vote in public.

A person who is a Council member, or an employee is not to publish, or make public any of the discussion taking place on a matter discussed behind closed doors, but this prohibition does not extend to the actual decision made as a result of such discussion and other information properly recorded in the minutes.

#### **12.3 That the Matter be Referred Back To Committee/Officers – Effect of Motion**

A Member may at the conclusion of the speech of any other member, on a matter before Council, move without notice that the question be referred back to Committee or Officers.

On any such motion being moved and seconded, the mover shall speak for no more than three (3) minutes detailing the reasons for seeking to refer the question back to Committee or Officers.

**12.4 That the Ruling of the Presiding Member be Disagreed With – Effect of Motion**

This motion, having been carried, will cause the ruling of the person presiding, to be reversed and for the meeting to proceed accordingly.

Where the presiding person has given a ruling in strict accordance with the Act, this motion may not be moved.

Where the person presiding has adjourned the meeting in accordance with clause 15.2 of these Standing Orders, this motion may not be moved.

**13. REVOKING OR CHANGING A DECISION**

**13.1 Motion to Revoke or Change**

Any motion to revoke or change a decision already made must be supported by at least one third of the number of members (3) except if there has been a second attempt to revoke or change the decision within the previous 2 months, in which case it must be supported by the majority of members (5).

**13.2 Decision to revoke or change**

Any decision to revoke or change a decision already made must be made by an absolute majority except if the decision was required to be made by a 75% majority, in which case it must be made by a majority of seven (7) members.

**14. ADJOURNED MEETINGS**

**14.1 When a Meeting will be Adjourned**

A meeting will be adjourned if:

- (a) there is a failure to establish a quorum within 30 minutes of the fixed time of the meeting;
- (b) the quorum has lapsed during a meeting and is still not present after a five (5) minute suspension of the meeting; and
- (c) the meeting agrees to an adjournment.

**14.2 Resumption**

The meeting can be adjourned to the next ordinary meeting or to another time. If it is adjourned to another time the notice provisions for a special meeting will apply.

An adjourned meeting will resume at the point it was adjourned.

**15. ROLE OF THE CEO**

The CEO may interrupt the person presiding at any stage to draw attention to a breach of this policy or any other Council policy and of any legislative requirement. The CEO may draw the Council's attention to any matter before Council or proposed motion, which, in the view of the CEO, may be contrary to other legislation.

**Policy to be Deleted**

**ADOPTED:** 15/08/2002  
**REVIEWED:**  
**AMENDED:**

<b>POLICY NO:</b>	<b>MC5</b>
<b>DIVISION:</b>	<b>Members of Council</b>
<b>SUBJECT:</b>	<b>Elected Member Entitlements</b>
<b>REPORTING OFFICER:</b>	<b>Chief Executive Officer</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995</b>

### **OBJECTIVE**

To establish the Council's policy in regard to expenses incurred by Councillors and other representatives in the course of representing the community in cases other than that determined by the Local Government Act 1995.

### **POLICY**

#### **Meeting Fees**

Councillors will receive an annual allowance to cover attendance at meetings. This fee will be set as part of the annual budget each year.

The Shire President will receive an additional annual allowance, which will be set as part of the annual budget each year.

#### **Travelling Expenses**

All Councillors and Council appointed delegates (who are not Council Members) will be paid the Local Government Officers' Award rate per kilometre for all travelling expenses incurred in attending the following:

- (a) Annual meeting of electors
- (b) Officially called civic receptions
- (c) Council inspection tours
- (d) Special meetings of electors
- (e) General meetings of electors
- (f) Council authorised meetings with Government agencies
- (g) Other Council called meetings of Councillors and staff
- (h) Where a Council vehicle is not available;
- (i) Committee Meetings; and
- (j) Official meetings as delegates of Council.

The distance is to be calculated on their normal place of abode within the District to the meeting venue. Payment is made on the production of a log in a form to be determined by the Chief Executive Officer. All claims for payment must be received no later than 15 August of the next financial year.

In the event of any dispute arising from a claim, the Chief Executive Officer shall discuss the matter with the Shire President in order to resolve the dispute.

### **Telecommunications**

For the purposes of Section 5.98(2) (a) of the Local Government Act 1995 and Local Government (Administration) Regulation No.32 and 34A, Council will provide each elected member with an annual Telecommunications Allowance to cover all related telecommunications costs including use of modem, fax, mobile and hard wired telephone and supplies for fax machine.

### **Elected Member Insurance**

Council will provide Personal Accident/Travel insurance for Councillors of \$200,000. This will cover Elected Members and their spouses whilst carrying out authorised business of Council or official duties.

### **Provision of Information Technology**

Upon election to office all Councillors will be supplied with a dedicated individual council email address.

Councillors will also receive an Information Technology (IT) allowance, subject to budget considerations and regulations, which will reimburse Councillors the cost of maintaining/upgrading appropriate hardware/software facilities/applications to gain access to this dedicated Council Email address.

When Councillors utilise their dedicated Council email address, though not subject to, guidance should be sourced from the Shire's Information Technology Policy IT 1 Email Facilities, with regards to content and use of the email address.

**ADOPTED: 15/08/2002**

**REVIEWED:**

**AMENDED:**

<b>POLICY No:</b>	<b>MC9</b>
<b>DIVISION:</b>	<b>Members of Council</b>
<b>SUBJECT:</b>	<b>Freedom of Information Statement</b>
<b>REPORTING OFFICER:</b>	<b>Director Finance &amp; Administration</b>
<b>ENABLING LEGISLATION:</b>	<b>Freedom of Information Act 1992 Part 5 Section 94</b>

**OBJECTIVE:**

To make readily available to the public at least in accordance with the Freedom of Information Act information sought as soon as practicable.

**POLICY:**

Council will provide a general right of access to documents and records of Council in accordance with the provisions of the Freedom of Information Act 1992, The Local Government Act 1995 Section 5.94 and the Local Government Administration Regulations 1996 and the guidelines in this policy.

**Guidelines:**

1. Chief Executive Officer's delegate the role of "FOI Coordinator" and the role of "Decision Maker" in his/her jurisdiction to make decisions regarding access to information.
2. Chief Executive Officer is delegated as the "Internal Review Officer" appointed to review an application should the applicant be dissatisfied with the result of their application.
3. Procedures for determining access, exemptions, personal information and review and the preparation of information statements shall be in accordance with the Freedom of Information implementation guidelines prepared by the Office of the Information Commissioner.
4. Council shall apply fees and charges applicable under the Act and as published in the Government gazette from time to time.

A copy of the Information Statement is available from the Director of Finance and Administration.

**ADOPTED:** 17/07/1997

**REVIEWED:**

**AMENDED:**

<b>POLICY No:</b>	<b>MC10</b>
<b>DIVISION</b>	<b>Members of Council</b>
<b>SUBJECT:</b>	<b>Meeting Fees and Reimbursement of Expenses.</b>
<b>REPORTING OFFICER</b>	<b>Director Finance &amp; Administration</b>
<b>ENABLING LEGISLATION</b>	<b>Local Government Act 1995 Section 5.98(1); Administration Regulations 1996 Regulation 31</b>

**OBJECTIVE:**

Compliance with Local Government Act.

**Policy to be Deleted**

**POLICY:**

1. That Councilors receive an attendance fee of \$100 for attending Council meetings and \$25 for the attendance of committee meetings;
2. Council will reimburse the cost of telephone and facsimile and computer line rental, child care expenses and travel costs as prescribed by regulation.

**ADOPTED:** 17/07/1997

**REVIEWED:**

**AMENDED:**

<b>POLICY No:</b>	MC11
<b>DIVISION:</b>	Members of Council
<b>SUBJECT:</b>	Mobile Phones in Council and Committee Meetings
<b>REPORTING OFFICER:</b>	Chief Executive Officer
<b>ENABLING LEGISLATION:</b>	

**OBJECTIVE:**

To minimise meeting disruption.

**POLICY:**

Mobile phones should be turned off or used during Council Meetings.

**Policy to be Deleted**

**ADOPTED:** 17/07/1997

**REVIEWED:**

**AMENDED:**

<b>POLICY No:</b>	<b>MC12</b>
<b>DIVISION:</b>	<b>Members of Council</b>
<b>SUBJECT:</b>	<b>Submission of Items for Council Consideration</b>
<b>REPORTING OFFICER:</b>	<b>Director Finance &amp; Administration</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995 Section 5.5</b>

**OBJECTIVE:**

To limit delays in the decision making process of Council particularly in terms of development approvals.

**POLICY:**

**Agenda Closing Time for Public:**

1st Thursday of each Month 11.00am

Letters, applications and submissions will be fully researched, reports compiled and recommendations submitted in the Council agenda papers.

**All items contained in the Council Agenda provide Councillors with an appropriate amount of time to undertake research and community consultation.**

**Late Items Closing Time for Public:**

Noon - 2nd Friday of each month.

All letters, applications and submissions will be given limited research and consideration and be submitted to Council by way of a brief report and recommendation.

**All Late Items particularly those of a complex nature or of a large scale may be deferred to the next ordinary meeting of Council if Council considers insufficient time exists for research and community consultation to be undertaken.**

**Other Items**

Any items submitted for Council consultation after noon on the 2nd Friday of each month will be given very limited research and submitted to Council without report.

It is unlikely that items of any complexity or scale would be dealt with by Council in this instance given the lateness of their submission.

**ADOPTED: 17/07/1997**

**REVIEWED:**

**AMENDED:**

### 12.3.2 Communications Policy

(Minute No 7149)

<b>DATE:</b>	17 May 2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	John Gault, Executive Support Officer
<b>REPORTING OFFICER:</b>	Chris Adams, Chief Executive Officer
<b>FILE NO:</b>	60.02.01
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider the adoption of the proposed Communications Policy.

#### **BACKGROUND**

Council has not previously had a Policy that governs communications by Staff and Councillors. The proposed Policy will more clearly define protocols and procedures for various types of communications including advertising, Public Relations, television/radio interviews and public meeting presentations.

#### **STATUTORY IMPLICATIONS**

The Local Government Act 1995 provides that the role of the Shire President is to speak on behalf of the Local Government and accordingly, the Shire President is the official spokesperson for the Council.

#### **POLICY IMPLICATIONS**

There is currently no Policy for communications by Staff and Councillors.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

KRA 5 – Governance  
Goal 5 – Legislation

Strategy 2 – Contribute to the development of State and Federal Legislative and Policy amendments that may impact on Shire residents.

#### **COMMUNITY CONSULTATION**

Not applicable.

**COMMENT**

A Policy for Communications by Staff and Councillors will provide a standard for communications and ensure that there is some method of control to ensure that Council's views are accurately presented.

**ATTACHMENTS**

Proposed Communications Policy .

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council adopt the proposed MC13 Communications Policy.

***Minute No 7149***

***Moved Cr K Wright/J Nelson***

***That Council adopt the proposed MC13 Communications Policy.***

***CARRIED UNANIMOUSLY (8-0)***

<b>POLICY No:</b>	<b>MC13</b>
<b>DIVISION:</b>	<b>Members of Council</b>
<b>SUBJECT:</b>	<b>Public Relations Policy</b>
<b>REPORTING OFFICER:</b>	<b>Chief Executive Officer</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995 Section 5.5</b>

**OBJECTIVE:**

To establish procedures and protocols for various types of communications by Councillors and staff

**POLICY:**

**Advertising :**

All advertisements and public notices must be authorised by the CEO or an Executive Manager.

**Public Relations:**

All Press Releases must be authorised by the CEO or the Shire President.

Councillors shall not make contact with or provide comment on Council related matters to the media regarding Council matters without prior consent from the Shire President.

**Television or Radio Interviews:**

All Television or Radio Interviews by Staff must have prior approval from the CEO.

All Television or Radio Interviews by Councillors must have prior written approval from the Shire President.

**Outgoing Correspondence:**

All correspondence to State or Federal Parliamentarians by Staff or Councillors must be signed by the CEO or Shire President.

All correspondence written by staff must be signed by the Manager or Executive Manager of the Department with the following exceptions:

- Staff may sign operational letters with approval of their Manager or Supervisor.

Council's standard response time to incoming correspondence is seven (7) days.

**Public Meeting:**

All Shire based presentations made at a public/ community meetings must be approved by the Executive Manager prior to the meeting.

**ADOPTED: 17/05/2005**

**REVIEWED:**

**AMENDED:**

### 12.3.3 Balanced Scorecard

(Minute No 7150)

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	John Gault, Executive Support Officer
<b>REPORTING OFFICER:</b>	Chris Adams, Chief Executive Officer
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To provide Council with a simple snapshot of organisational performance and trends over time on key organisational issues.

#### **BACKGROUND**

Council's Strategic Plan indicates a desire to regularly monitor the performance of the organisation via introducing simple measures that provide data on the status of the Shires operations

A common performance management/measurement tool that is being used by both government and non-government agencies to achieve this type of outcome is the 'Balanced Scorecard' technique. The Balanced Scorecard is a management system that enables an organisation to measure key actions that are imperative for business performance. This data is used to improve service and organisational culture.

Traditional performance measures tend to focus only on financial results. This approach ignores the reality that it is performance in other areas, such as customer service, human resource management/employee satisfaction and service performance that actually deliver the outcomes that the customer wants. If used well, the Balanced Scorecard approach can link departmental and personal targets to the overall organisational objectives. In this way the organisation moves in a single, focused and managed direction.

It is proposed to present the Balanced Scorecard to Council in the form of monthly report. The monthly measures would be displayed in all Shire work areas so that staff are aware of the current level of performance.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications of developing a Balanced Scorecard approach. An organisation focus on key issues is likely to bring about improved financial performance as well as improved outcomes for the general community.

## **STRATEGIC IMPLICATIONS**

The Shires Strategic includes the following Strategy within the Governance KRA that is relevant to this matter:

### ***Strategy***

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

## **COMMENT**

Focusing organisation attention on key areas is clearly a way of achieving better productivity and outcomes for the community. The measures that have been proposed include a mixture of service monitoring measures as well as areas whereby improvements can be made.

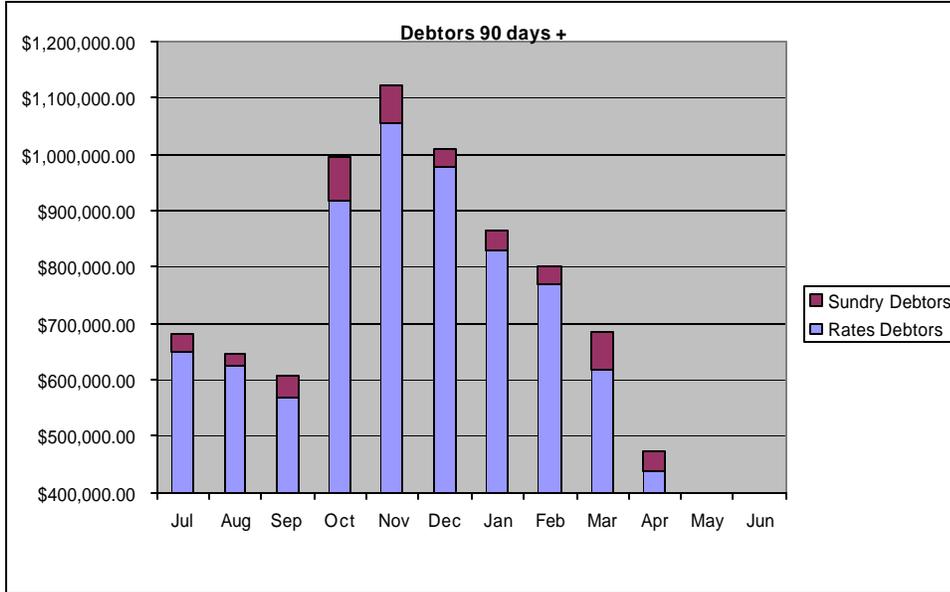
A review of the data which has been presented to Council was conducted in March 2004 and it was decided to retain the current Balanced Scorecard measures as presented in this report and incorporate Strategic Plan Management, Natural Resource Efficiency, Staff Turnover and Internal Risk Management measures if possible in the future. Information for these new measures is not available as yet as procedures for collecting this information are still being developed.

## **Results:**

### **Debtors**

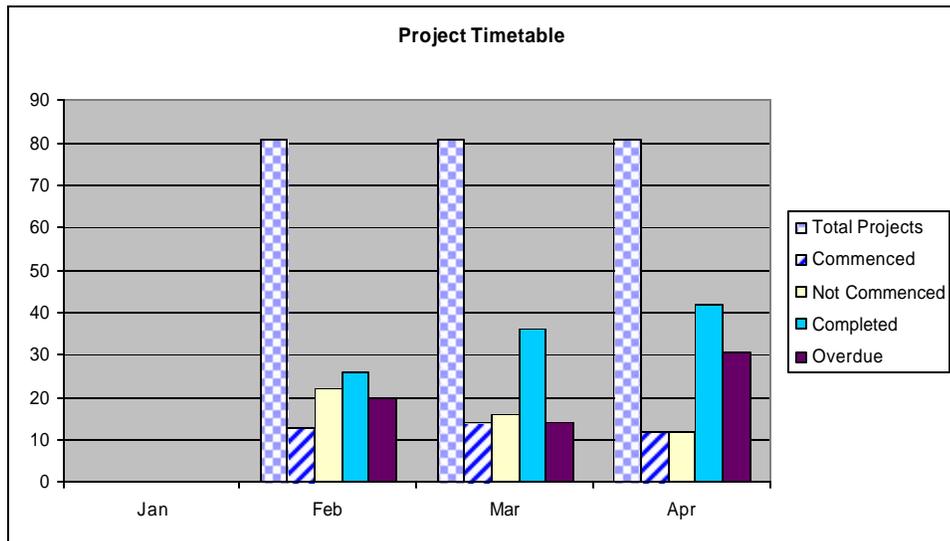
Sundry Debtors have decreased significantly in the past month. Rates Debt is also down and is currently under

\$450,000



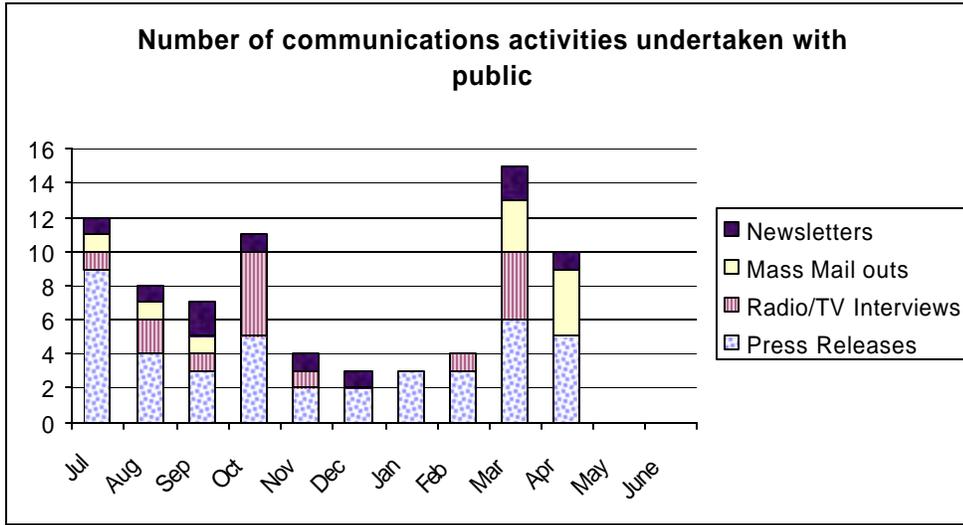
**Project Management:**

From the 81 projects on the 2004/05 Project Timetable, 42 are now completed with 12 overdue. 3 project are due for completion in May, 6 Projects are awaiting contractors, 1 project was slowed down due to a laptop being stolen (loss of data) 12 projects have not been commenced as yet. Data from January is unavailable due to staff changeovers.



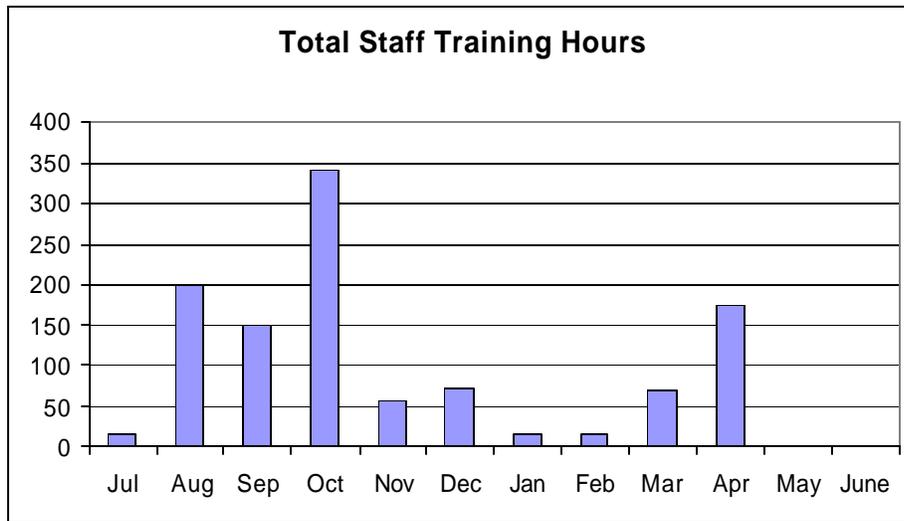
**Communication Activities:**

Mass mail out were high for April with the 05/06 Strategic plan going out to community groups along with regular mail outs.



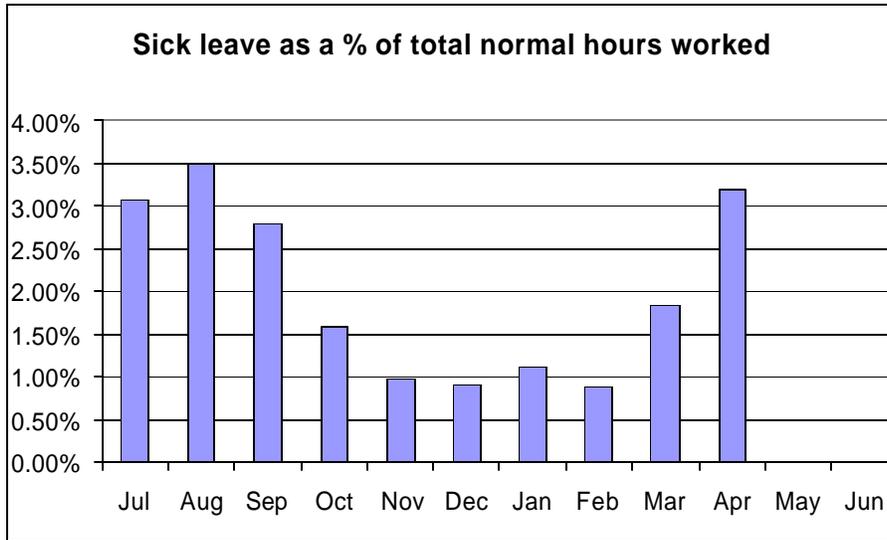
**Staff Training:**

Total Staff training hours increased significantly in April due to the training being undertaken in playground safety and management.



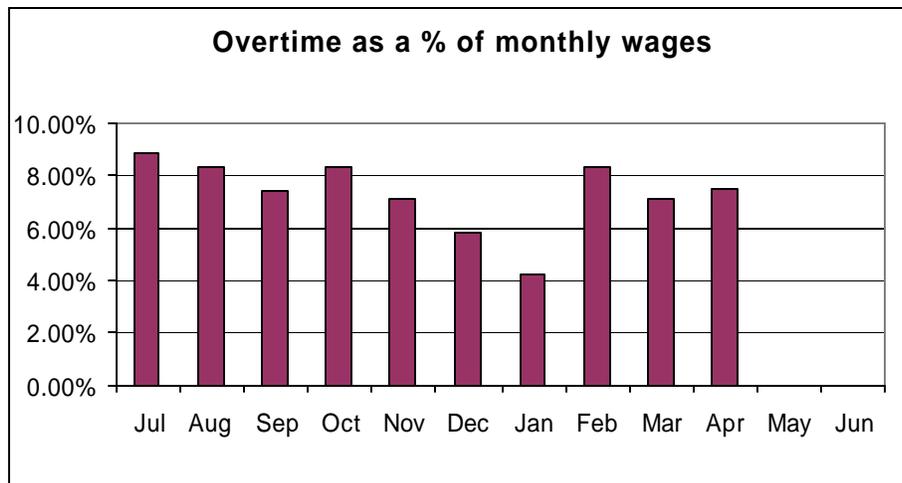
**Sick Leave:**

Organisational sick leave has increased to just over 3.2% for the month of April.



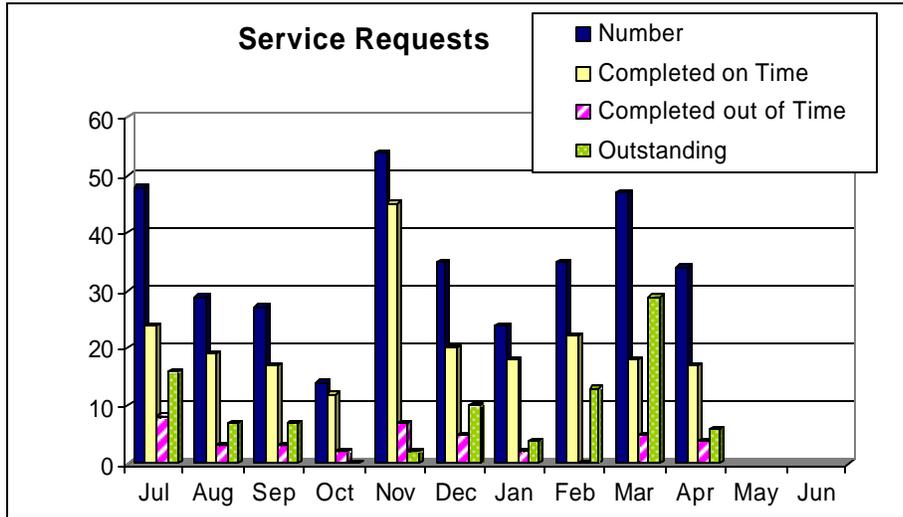
**Overtime:**

Overtime as a percentage of monthly wages for April was at 7.15%.



**Service Requests:**

The number of service requests submitted for the month of April is lower than the previous month. Very few service requests received are now outstanding.



**ATTACHMENTS**

Project Timetable 2004/05 – April.

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council:

1. Adopt the Balanced Scorecard measures as presented in this report.
2. Note the April 2005 Balanced Scorecard Results

***Minute No 7150***

***Moved Cr B Barnes/J Nelson***

***That Council:***

1. ***Adopt the Balanced Scorecard measures as presented in this report.***
2. ***Note the April 2005 Balanced Scorecard Results***

**CARRIED UNANIMOUSLY (8-0)**

**Capital Maintenance Program**

29 Boobiulla	Retic/garden Upgrade	\$ 2,500.00	EDS	BSI	Mar-05	Apr-05	Complete	Reallocated Budget	in
	Pergola Replacement	\$ 10,000.00	EDS	BSI	Oct-04	Oct-04	Complete	Reallocated Budget	in
3a Dryandra	Termite	\$ 2,500.00	EDS	BSI	Mar-05	Apr-05	Not Commenced		
	Awning/Verandah to B2 & B3	\$ 4,500.00	EDS	BSI	Oct-04	Oct-04	Complete		
23 Boobiulla Way	Retic/garden Upgrade	\$ 2,500.00	EDS	BSI	Apr-05	May-05	Not Commenced		
	Garden Shed	\$ 5,000.00	EDS	BSI	Oct-04	Oct-04	Overdue	Construction issues	
6 Eugenia Street	Investigate moisture damage to internal wall	\$ 5,000.00	EDS	BSI	Oct-04	Dec-04	Complete		
3b Dryandra	Termite	\$ 2,500.00	EDS	BSI	Apr-05	Apr-05	Not Commenced		
	Awning/Verandah to B2 & B3	\$ 4,500.00	EDS	BSI	Oct-04	Oct-04	Complete		
KNX Airport House	Floor Coverings Replacement	\$ 4,000.00	EDS	BSI	Dec-04	Dec-04	Complete		
264 Riverfig	Painting and Misc. Structural Maintenance	\$ 7,000.00	EDS	BSI	?	?	Complete	Reallocated Budget	in
Wyndham Child Care Centre	Misc. painting, structural repairs, replacement air-conditioners	\$ 10,000.00	EDS	BSI	Mar-05	Apr-05	Complete	Reallocated Budget	in
Ewin Child Care Centre	Misc. painting, structural repairs, replacement air-conditioners	\$ 12,000.00	EDS	BSI	Nov-04	Nov-04	Complete	Budget reallocation	
	"Crim Safe" enclosure to existing flywire to back verandah	\$ 25,000.00	EDS	BSI	Nov-04	Nov-04	Complete	Budget reallocation	
	Roof replacement (trans. From 03/04)	\$ 20,000.00	EDS	BSI	Sep-04	Oct-04	Complete	Budget reallocation	

	Termite Prevention	\$ 5,000.00	EDS	BSI	Sep-04	Oct-04	Complete Budget reallocation
Pindan Child Care Centre	Misc. painting, structural repairs	\$ 6,000.00	EDS	BSI	Mar-05	Apr-05	Complete Reallocated in Budget
	Replacement Air-conditioners	\$ 10,000.00	EDS	BSI	Nov-04	Nov-04	Complete
Swim Beach Ablutions	Misc. painting, structural repairs	\$ 5,000.00	EDS	BSI	Apr-05	Apr-05	Commenced Vandalism hindering painting
Peter Reid Memorial Hall	Misc. Painting, Structural Repairs	\$ 15,000.00	EDS	BSI	Aug-04	Nov-04	Complete Budget reallocation
	Termite Treatment	\$ 5,000.00	EDS	BSI	Apr-05	Apr-05	Not Commenced
East Kimberley Tourism House	Misc. Painting, Structural Repairs	\$ 5,000.00	EDS	BSI	Mar-05	Apr-05	Complete
Historical Society	Misc. Painting, Structural Repairs	\$ 5,000.00	EDS	BSI	Apr-05	May-05	Complete Budget reallocation
Wyndham Shire Office	Misc. Painting, Structural Repairs	\$ 15,000.00	EDS	BSI	Apr-05	May-05	Complete
<b>Capital Works Program</b>							
	Reticulation of Celebrity Tree Park	\$ 40,000.00	EDS	MTS	Sep-04	Jan-05	Complete
	Development Plan - Lily Creek	\$ 10,000.00	EDS	XEDS	Sep-04	Dec-04	Overdue New XMEDS, P1 issues
	Environmental Management Policies	\$ 5,000.00	EDS	TP	Oct-04	Mar-05	Complete Budget reallocation
	Heritage Register	\$ 10,000.00	EDS	TP	Oct-04	Mar-05	Overdue Documents drafted
	Construct Car Parking at Shire Offices and Leisure Centre	\$ 35,000.00	EDS	MTS	Aug-04	Mar-05	Overdue survey complete awaiting contractors
	Lily Creek Development	\$ 25,000.00	EDS	XEDS	Jan-05	Apr-05	Commenced
	Park Furniture	\$ 10,000.00	EDS	MTS	Feb-05	Apr-05	Commenced Furniture to be ordered
	Parks Strategy Implementation	\$ 150,000.00	EDS	XEDS/MCS	Oct-04	Jun-05	Commenced

Plant Replacement	\$ 205,562.00	EDS	MTS	Sep-04	Jun-05	Commenced
Relocation of Dog Pound	\$ 25,000.00	EDS	MTS	Sep-04	Dec-04	Complete
Repairs to Footpaths and Kerbing	\$ 55,000.00	EDS	MTS	Sep-04	Feb-04	Overdue to be completed in May 05
Roman Data Collection	\$ 20,000.00	EDS	MTS	Oct-04	Dec-04	Overdue Data lost, back to RAW data
Stormwater Mgt. Plan	\$ 60,000.00	EDS	MTS	Nov-04	Feb-04	Overdue to be completed in May 05
Streetlight Upgrade	\$ 60,000.00	EDS	MTS	Sep-04	Feb-05	Complete
Town Centre Reticulation	\$ 15,000.00	EDS	MTS	Feb-05	Mar-05	Complete
Tyre Recycling	\$ 20,000.00	EDS	MTS	Nov-04	Nov-04	Overdue to be completed in May 05
Weaber Plains Drainage	\$ 26,000.00	EDS	MTS	Mar-05	Apr-05	Complete
<b>Resealing Program</b>	\$ 211,000.00	EDS	MTS	Oct-04	May-05	
Hugo Astula						Not Commenced
Dulverton						Not Commenced
Messmate Service Road						Not Commenced
Farm Roads						Not Commenced
Lake Argyle Road						Not Commenced
<b>Resheeting Program</b>	\$ 290,000.00	EDS	MTS	See Below	See Below	See Below
Duncan Road		EDS	MTS	Aug-04	Aug-04	Complete
Cave Springs Road		EDS	MTS	Sep-04	Sep-04	Complete

Parry Creek Road	EDS	MTS	Sep-04	Oct-04	Complete
Carlton Hill Road	EDS	MTS	Apr-05	Apr-05	Complete
King River Road	EDS	MTS	May -05	May -05	Not Commenced
Bull Run Road	EDS	MTS	May -05	May -05	Not Commenced

**Road Projects**

Weaber Plains Road	\$ 251,786.00	EDS	MTS	Apr-05	Apr-05	Commenced survey complete
Konkerberry Drive	\$ 329,000.00	EDS	MTS	Feb-05	Apr-05	Commenced Tender May 05
Coolibah Drive	\$ 120,000.00	EDS	MTS	?	?	Commenced Optic Cable hold up
Packsaddle Road	\$ 259,000.00	EDS	MTS	Jul-04	Sep-04	Complete
Streetscape - Kununurra and Wyndham	\$ 164,000.00	EDS	MTS	Dec-04	Apr-05	Commenced 30 June complete

### 12.3.4 Common Seal

(Minute No 7151)

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	John Gault, Executive Support Officer
<b>REPORTING OFFICER:</b>	Chris Adams, Chief Executive Officer
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to receive report on the application of the Shire of Wyndham East Kimberley Common Seal from the period 19 April 2005– 17 May 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:

- Strata Approval Lot 2268 Coolibah Drive. Four residential units
- Purchase of Lot 112 Hibiscus Drive – Kimberley Property Settlements

#### **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 19 April 2005- 17 May 2005.

***Minute No 7151***

***Moved Cr J Nelson/K Wright***

***That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 19 April 2005 - 17 May 2005.***

**CARRIED UNANIMOUSLY (8-0)**

### 12.3.5 Delegated Authority Report

(Minute No 7152)

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	John Gault, Executive Support Officer
<b>REPORTING OFFICER:</b>	Chris Adams, Chief Executive Officer
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To report to Council on the use of Delegated Authority by Officers from 01/04/05– 30/04/05.

#### **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 01/04/05 – 30/04/05 for endorsement by Council.

**ATTACHMENTS**

Delegated Authority Report

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council receive the Delegated Authority Report for the period 01/04/05 - 30/04/05.

***MINUTE NO 7152***

***Moved Cr K Wright/B Barnes***

***That Council receive the Delegated Authority Report for the period 01/04/05 - 30/04/05.***

***CARRIED UNANIMOUSLY (8-0)***

**Delegated Authority from Chief Executive Officer**

Property offer acceptances

57 Riverfig - \$200 by A Trengove and P McLean

33 Koojarra - \$75000 by T Trust A D'anna

11 Kwinana St - \$87,000 by D & J Carter

**Delegated Authority from Executive Manager Corporate and Community Services**

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Nil

**Delegated Authority from Executive Manager Engineering and Development Services**

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Two septic tank approvals

**BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY 01/04/2005 – 30/04/2005**

LIC#	DATE	OWNER	ADDRESS	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	LOT AREA	FLOOR AREA	ROOF CLAD	WALL CLAD	EST. VALUE
031/ 2005	04/04/05	STEVEN BEDFORD	PO BOX 512 KUNUNURRA	RH CLARKE CONSTRUCTIO N	LOT 22 (16) MANGALOO STREET	DOUBLE CARPORT	ADD	0.0911	43	STEEL	N/A	\$8,000.00
032/ 2005 AE	04/04/05	AROHA & SCOTT HEWITT	PO BOX 1737 KUNUNURRA	EXISTING	LOT 41 (3) KURRAJONG STREET KUNUNURRA	EXISTING STRUCTURES - HOUSE & INFILL, 2 X SHEDS & SHADE SAILS	EXIST	0.0911		EXIST	EXIST	NIL
033/ 2005	05/04/05	SHIRE OF WYNDHAM EAST KIMBERLEY	PO BOX 614 KUNUNURRA	COLIN WILKINSON DEVELOPMENT S PTY TLD	RESERVE 41812 LAKEVIEW DRIVE KUNUNURRA	STAGE AMPHITHEATR E & CHANGEROOM S	NEW		190	STEEL	STEEL/ BLOCK	\$100,000.00
034/ 2005	05/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	17 EMERALD TERRACE WEST PERTH	KGC ENTERPRISES PTY LTD	WOOLAH (DOON DOON) COMMUNITY LOC 703 J3114/953 CL14/1975 GREAT NORTHERN HIGHWAY	DUPLEX COMMUNITY LOT 44	NEW	38717 7	230	STEEL	STEEL	\$278,960.00
035/ 2005	06/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	17 EMERALD TERRACE WEST PERTH	KGC ENTERPRISES PTY LTD	WUGGUBUN COMMUNITY RESERVE 1602 GREAT NORTHERN HIGHWAY	DUPLEX - A & B	NEW	258.64 37	230	STEEL	STEEL	\$272,886.00
036/ 2005	06/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	17 EMERALD TERRACE WEST PERTH	KGC ENTERPRISES PTY LTD	WUGGUBUN COMMUNITY RESERVE 1602 GREAT NORTHERN HIGHWAY	DUPLEX - C & D	NEW	258.64 37	230	STEEL	STEEL	\$272,886.00
037/ 2005	07/04/05	DEPARTMENT OF HOUSING & WORKS - ABORIGINAL	99 PLAIN STREET EAST PERTH	KGC ENTERPRISES PTY LTD	GOOSE HILL COMMUNITY LOT 481 PARRY	DWELLING	NEW	25.315 6	235	STEEL	STEEL	\$258,500.00

		HOUSING			CREEK ROAD								
038/2005	08/04/05	IAN TRUST & BEVERLEY RUSS	PO BOX 581 KUNUNURRA	IAN TRUST & BEVERLEY RUSS	LOT 1068 (9) WOOLLYBUT PLACE KUNUNURRA	SWIMMING POOL & SHADE SAIL	NEW	0.0832	28	SHADE CLOTH	FIBRE GLASS	\$23,000.00	
039/2005	08/04/05	DEPARTMENT OF HOUSING & WORKS - ABORIGINAL HOUSING	99 PLAIN STREET EAST PERTH	KGC ENTERPRISES PTY LTD	GOOSE HILL COMMUNITY LOT 481 PARRY CREEK ROAD	DWELLING RENOVATION	NEW	25.3156	180	STEEL	EXISTING	\$132,000.00	
040/2005	11/04/05	CHERYL & KEVIN LIPSCOMBE	PO BOX 714 KUNUNURRA	DARREN FULCHER	LOT 37 (4) CAJUPUT STREET KUNUNURRA	BATHROOM RENOVATION & EXTENSION	ADD	0.0911	EXIST	EXIST	EXISTING	\$11,250.00	
041/2005	11/04/05	PHIL FLICK & KYM SLYNN	PO BOX 1364 KUNUNURRA	PHIL FLICK & KYM SLYNN	KING LOC 452 CROSSING FALLS ROAD KUNUNURRA	NON-HABITABLE RURAL SHED	NEW	1.5757	345	STEEL	STEEL	\$35,000.00	
042/2005	11/04/05	ASHLEY & TAMARA CUMMINGS	PO BOX 407 KUNUNURRA	ASHLEY & TAMARA CUMMINGS	LOT 301 (3) POINCETTIA WAY KUNUNURRA	EXTENSION TO EXISTING CARETAKERS & CARPORT	NEW	0.1680	183	STEEL	STEEL	\$50,000.00	
043/2005	13/04/05	BOTHKAMP AUSTRALIA PTY LTD	PO BOX 623 KUNUNURRA	KGC ENTERPRISES PTY LTD	LOT 561 & 562 BANKSIA STREET KUNUNURRA	EXTENSION TO EXISTING SHOP/ OFFICE	ADD	0.0182	10	EXIST	BLOCK / GLASS	\$56,541.00	
044/2005	14/04/05	PAUL, FRANCIÉ, ROBERT & NORMA WAINWRIGHT	PO BOX 537 KUNUNURRA	PAUL, FRANCIÉ, ROBERT & NORMA WAINWRIGHT	LOT 1559 (30) POINCETTIA WAY KUNUNURRA	FACTORY /SHED	NEW	0.2316	432	STEEL	STEEL	\$45,000.00	
045/2005	16/04/05	IAN & ALMA PETHERICK	PO BOX 383 KUNUNURRA	DARREN FULCHER	LOT 92 (45) BANDICOOT DRIVE KUNUNURRA	FACTORY OFFICE / (2 UNITS)	NEW	0.1931	360	STEEL	STEEL	\$100,000.00	
046/2005	16/04/05	BOZANA & LAZO DOSLOV	C/- KIMBERLEY FIRST NATIONAL PO BOX 1366 KUNUNURRA	KUNUNURRA RURAL TRADERS	LOT 951 (31) POINCIANA STREET KUNUNURRA	BULK GAS TANK / FILLING STATION	NEW	0.6409	52	N/A	N/A	\$8,500.00	

047/ 2005	17/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	17 EMERALD TERRACE WEST PERTH	KGC ENTERPRISES PTY LTD	GUDA GUDA COMMUNITY LOT 1728 & 6568 RESERVE 25238 GREAT NORTHERN HIGHWAY WYNDHAM	DWELLING	NEW	22.176 9	243	STEEL	STEEL	\$258,500.00
048/ 2005	17/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	17 EMERALD TERRACE WEST PERTH	KGC ENTERPRISES PTY LTD	GUDA GUDA COMMUNITY LOT 1728 & 6568 RESERVE 25238 GREAT NORTHERN HIGHWAY WYNDHAM	DUPLEX	NEW	22.176 9	230	STEEL	STEEL	\$293,863.00
049/ 2005 AE	18/04/05	MARK PHILLIPS & SUSAN WILLIAMS	PO BOX 1873 KUNUNURRA	EXISTING	LOT 109 (18) NUTWOOD CRESCENT KUNUNURRA	ACKNOWLEDG E EXISTING	EXIST		EXIST	EXIST	EXIST	\$0.00
050/ 2005AE	28/04/05	KATRINA NISSSEN	PO BOX 1287 KUNUNURRA	EXISTING	LOT 1776 (53) CASUARINA WAY KUNUNURRA LOC 695 RESERVE 41312	ACKNOWLEDG E EXISTING	EXIST		EXIST	EXIST	EXIST	\$0.00
051/ 2005	28/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	PO BOX 939 KUNUNURRA	COLIN WILKINSON DEVELOPMENT S PTY TLD	VICTORIA HIGHWAY "MOLLY SPRINGS"	DWELLING - COMMUNITY LOT 10	NEW	470.00	206	STEEL	STEEL	\$325,180.00
052/ 2005	28/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	PO BOX 939 KUNUNURRA	COLIN WILKINSON DEVELOPMENT S PTY TLD	LOC 695 RESERVE 41312 VICTORIA HIGHWAY "MOLLY SPRINGS"	DWELLING - COMMUNITY LOT 10A	NEW	470.00	206	STEEL	STEEL	\$325,180.00
053/ 2005	28/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	PO BOX 939 KUNUNURRA	COLIN WILKINSON DEVELOPMENT S PTY TLD	LOC 695 RESERVE 41312 VICTORIA HIGHWAY "MOLLY SPRINGS"	UPGRADE - LOT 1 DWELLING	ADD	470.00	138	STEEL	STEEL	\$63,523.00

054/ 2005	28/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	PO BOX 939 KUNUNURRA	COLIN WILKINSON DEVELOPMENT S PTY TLD	LOC 695 RESERVE 41312 VICTORIA HIGHWAY "MOLLY SPRINGS" LOC 695 RESERVE 41312 VICTORIA HIGHWAY "MOLLY SPRINGS"	UPGRADE - LOT 2 DWELLING	ADD	470.00	138	STEEL	STEEL	\$63,523.00
055/ 2005	29/04/05	ABORIGINAL LANDS TRUST/ DEPT HOUSING & WORKS	PO BOX 939 KUNUNURRA	COLIN WILKINSON DEVELOPMENT S PTY TLD	LOC 695 RESERVE 41312 VICTORIA HIGHWAY "MOLLY SPRINGS"	KITCHEN ADDITION & UPGRADE - LOT 4 DWELLING	ADD	470.00	16	STEEL	STEEL	\$102,439.00

**SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY 01/04/2005 – 30/04/2005.**

License No.	Date	Assess No.	Lot No.	Street Address	Applicant Name	Type	Fee	Receipt No	Planning Approval / Delegation
03/2005	13/04/05	#2148	2446	Coolibah Drive, Kununurra	Ord Valley Muster/ Air North Sponsorship	Temporary Banner Sign	Nil	N/A	N/A exempt sign

**THERE WERE NO DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY 01/04/2005 – 30/04/2005.**

Delegated Authority for Town Planner

TOWN PLANNING - DELEGATIONS APRIL 2005

DEVELOPMENT APPLICATIONS APPROVED BY CEO / EMEDS UNDER DELEGATED AUTHORITY

Application Number	Date Received	Applicant	Owner	Property Address		Proposed Dev't	Assess't Number	Approval Number / OCM Number	Approval Date
11/05	15-Feb-05	D Hooper	D Hooper	Lot 1 Koolama Street	WYN	Home Occupation	459	Permitted Use. Del No DA 14/05	13-Apr-05
17/05	03-Mar-05	J O'Kenny	J O'Kenny	Lot 2408 Rivergum Ave	KNX	Warehouse	1509	Permitted Use. Del No DA 26/05	30-Apr-05
24/05	10-Mar-05	HB & LS Fulcher	HB & LS Futher	Lot 150 Whimbrel Road	KNX	Single Dwelling - Reduced setbacks	6036	Permitted Use. Del No DA 12/05	19-Apr-05
25/05	16-Mar-05	Kimberley Green Con	PJ & NK Green	Lot 12 Beefwood Street	KNX	Grouped Dwellings	859	Permitted Use. Del No DA 15/05	13-Apr-05
26/05	23-Mar-05	K Coleman	Aboriginal Lands Trust	Guda Guda Community	WYN	Single Dwelling	5174	Permitted Use. Del No DA 17/05	15-Apr-05
27/05	24-Mar-05	Saypet Pty Ltd	Saypet Pty Ltd	Lot 1224 Franjipani Court	KNX	Home Occupation	890	Incidental Use. Del No DA 24/05	29-Apr-05
29/05	31-Mar-05	OTEK Australia	Shire of Wyndham East Kimberley	Lot 1204 Victoria Highway	KNX	Radar Tower	2212	Revised Application Del No DA 28/05	27-Apr-05
32/05	11-Apr-05	Bothkamp Pty Ltd	Bothkamp Pty Ltd	Lot 561& 562 Banksia Street	KNX	Shopfront Façade	1027	Permitted Use. Del No DA 13/05	13-Apr-05
33/05	23-Mar-05	K Coleman	Aboriginal Lands Trust	Guda Guda Community	WYN	Duplex Dwelling	5174	Permitted Use. Del No DA 18/05	15-Apr-05
34/05	13-Apr-05	Kimberley Consulting	Fallwood Pty Ltd	Lot 40 Bandicoot Drive	KNX	Industrial Shed	5885	Revised Application Del No DA 25/05	29-Apr-05
37/05	14-Apr-05	C Done	C Done	Location 519 Research Station Road	KNX	Shed extension	53	Revised Application Del No DA 27/05	30-Apr-05

38/05	21-Apr-05	S Wise	S Wse	Lot 1908 Sandalwood Street	KNX	Home Occupation Computer Servicing	1717	Incidental Use. Del No DA 19/05	21-Apr-05
40/05	23-Mar-05	K Coleman	Aboriginal Lands Trust	Loc 690 Mud Springs Community	KNX	Single Dwelling	6270	Permitted Use. Del No DA 20/05	22-Apr-05
41/05	23-Mar-05	K Coleman	Department for Planning & Infrastructure	Loc 718 Bell Springs Community	KNX	Single Dwellings X 2	2271	Permitted Use. Del No DA 21/05	22-Apr-05

### **Bush Fire Permits Issued**

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5 Permits issued

**12.3.6 Councillor Representation on Committees(Minute No 7153, 7154, 7155, 7156, 7157, 7158)**

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	SWEK
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	Chris Adams, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Chris Adams, Chief Executive Officer
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

For Council to select its delegates to various committees.

**BACKGROUND**

Council is involved with a large number of community committees. Some of these committees have been established as formal committees of Council. With the 2003 elections now completed and new the new Council team established, it is an appropriate time to review Councils representatives on various committees.

***Committees of Council***

Council currently has two operational committees that have been established under the Local Government Act. Council has the ability to delegate powers to these Committees and, on occasions, has used this power to give the committees the responsibility to make decisions on behalf of the Council. Minutes of these formal committees are included in the subsequent Council agenda.

Tabled below is a list of the committees along with their purpose and current representation.

<b>Committee Name</b>	<b>Purpose/Status</b>	<b>Incumbent Representative/s</b>	<b>Proposed Representative/s</b>
Audit Committee	No committee currently established. Is a requirement under the Local Government Audit Regulations to have such a committee.	Cr Wright Cr Johnson Cr Buchanan	
Staff Housing Committee	Planning and future direction relating to staff housing.	Cr Nelson Cr Wright Cr Buchanan	

### Committee Delegates

In addition to committees established by Council, there are several Council working groups and community operated groups that include Council representation.

Committee Name	Purpose/Status	Incumbent Representative/s	Proposed Representative/s
Aboriginal Liaison Committee	Meets monthly with the KLC and Traditional Owners discuss indigenous issues within the Shire	Cr Pucci Cr Gore-Birch Cr Buchanan	
Kununurra Community Library Committee	Review and monitor school community library agreement	Cr Wright Cr Gore Birch	
North Kimberley Land Care District Council (LCDC).	Provide input into Land Care issues	Cr Nelson	
Halls Creek Land Care District Council (LCDC)	Provide input into Land Care issues	No Representative	
WALGA Kimberley Zone Council Delegates (2 required)	Provide input into WALGA Zone meetings and issues of regional significance	Cr Johnson Cr Pucci	
East Kimberley Visitor Centre	Contribute to development and management of Tourism in the East Kimberley.	Staff Representative – Manager Community Services	
Australian Airport Owners Association	Represent the Shire at National Airport Meetings	Cr Barnes	
Kimberley Regional Road Funding Group	Identify priority road projects for Kimberley region.	Cr Wright	
Kununurra/Wyndham Townscape Committee Working Group	Council working group to oversee the implementation of the Townscape Plans	Cr Wright Cr Thorley	
Wyndham Port Advisory Committee	Represent the Shire on Wyndham Port issues	Cr Thorley	
Bush Fire Advisory Committee	Committee to coordinate and address Bush Fire issues.	Cr Barnes	
Kimberley Area Consultative Committee	Progress community training and development within Kimberley.	Cr Pucci	
Ewin Centre Committee	Assist with management and development of the centre	Cr Buchanan Cr Nelson	

Local Planning Strategy	Input/Control over the development of the SWEK Local Planning Strategy	Cr Wright Cr Thorley Cr Buchanan	
Community Bank	Steering committee to oversee the establishment of the proposed community bank in Kununurra, Wyndham and Halls Creek.	Cr Buchanan	
CEO Review Panel	Panel to select and performance appraise the CEO.		

#### New Committees

Kimberley Archives	Regional Group to review the feasibility of establishing a centralised historical archives centre for the Kimberley.	Nil	
Stolen Generation Aboriginal Committee – Reference Group	Committee to work on regional reconciliation initiatives.	Nil	
Foreshore Planning Study – Steering Committee	Community committee undertaking planning for the Lake Kununurra Foreshore.		
Community Contributions	Councillor to work with staff to assess community group applications prior to them being sent to Council for deliberation		
Kununurra Hospital Redevelopment Committee	Councillor representative on Project Steering Committee for the \$4.5m upgrade to the Kununurra Hospital		
Wyndham Hospital Redevelopment Committee	Councillor representative on Project Steering Committee for review and development of \$4m worth health services in Wyndham.		
Ord Guard Board	Councillor representative on committee to oversee the development and implementation of the Ord Guard plan (including the Bio-Security levy).		

#### **STATUTORY IMPLICATIONS**

Committees of Council are bound by the rules and regulations of the Local Government Act (1995)

**POLICY IMPLICATIONS**

Council policies in relation to reimbursements of costs incurred while undertaking the role of Councillor are relevant to this matter.

**FINANCIAL IMPLICATIONS**

There are no specific financial implications of selecting Councillor Representatives for various committees.

**STRATEGIC IMPLICATIONS**

Many of the Council committees outlined above are specifically (or implicitly) referred to in the Shire's Strategic Plan

**COMMENT**

For Council to remain 'in touch' with the community it is imperative that Councillors remain involved with key community groups and associations. It is important that Council remain abreast of all key community issues and representation on key community groups, particularly those that align with the Strategic Plan.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Recommendation 1 and 2: Absolute Majority

Recommendation 3 and 4: Simple Majority

**RECOMMENDATION**

That Council:

- 1. Nominate the following Councillors as its representatives on the Audit Committee:

Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_

- 2. Nominate the following Councillors as its representatives on the Staff Housing Committee:

Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_

3. Nominate the following Councillors as delegates to community based committees:

	Committee Name	Representative/s
1	Aboriginal Liaison Committee	
2	Kununurra Community Library Committee	
3	North Kimberley Land Care District Council (LCDC).	
4	Halls Creek Land Care District Council (LCDC)	
5	WALGA Kimberley Zone Council Delegates (2 required)	
6	East Kimberley Visitor Centre	
7	Australian Airport Owners Association	
8	Kimberley Regional Road Funding Group	
9	Kununurra/Wyndham Townscape Committee Working Group	
10	Wyndham Port Advisory Committee	
11	Bush Fire Advisory Committee	
12	Kimberley Area Consultative Committee	
13	Ewin Centre Committee	
14	Local Planning Strategy	
15	Community Bank	
16	CEO Review and Selection Panel	
17	Kimberley Archives	
18	Stolen Generation Aboriginal Committee – Reference Group	
19	Foreshore Planning Study – Steering Committee	
20	Community Contributions	
21	Kununurra Hospital Redevelopment Committee	
22	Wyndham Hospital Redevelopment Committee	
23	Ord Guard Board	
24	Community Safety Plan	

**MINUTE NO 7153**

**Moved Cr J Nelson/Maxine Middap**

**That Council suspend Standing Order 7.5**

**CARRIED UNANIMOUSLY (8-0)**

Standing order 7.5 was suspended at 7.18pm

**MINUTE NO 7154**

**That Council:**

**1. Nominate the following Councillors as its representatives on the Audit Committee:**

**Cr J Buchanan**

**Cr K Wright;**

**Cr M Pucci**

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2. **Nominate the following Councillors as its representatives on the Staff Housing Committee:**

**Cr J Nelson  
Cr J Buchanan  
Cr J Parker  
Cr K Wright**

**MINUTE NO 7155**

**Moved Cr M Middap/J Nelson**

**That Council resume Standing Order 7.5**

**CARRIED UNANIMOUSLY (8-0)**

Council resumed Standing Order 7.5 at 7.21pm

**MINUTE NO 7156**

That Council suspend Standing Order 7.5

**Moved by Cr Maxine Middap/Cr J Nelson**

**CARRIED UNANIMOUSLY ( 8-0)**

Council suspended Standing Order 7.5 at 7.25pm

**MINUTE NO 7157**

**Resume Standing Orders**

**Moved By Cr M Middap / Cr J Nelson**

**CARRIED UNANIMOUSLY (8-0)**

That Council resume Standing Order 7.5 at 7.45

**MINUTE NO 7158**

**Moved Cr K Wright/J Buchanan**

	<b>Committee Name</b>	<b>Representative/s</b>
1	<b>Aboriginal Liaison Committee</b>	<b>Cr J Buchanan , Cr M Pucci, Cr G Hamilton</b>
2	<b>Kununurra Community Library Committee</b>	<b>Cr K Wright</b>
3	<b>North Kimberley Land Care District Council (LCDC).</b>	<b>Cr J Nelson Proxy Cr G Hamilton</b>
4	<b>Halls Creek Land Care District Council (LCDC)</b>	<b>Cr G Hamilton</b>
5	<b>WALGA Kimberley Zone Council Delegates (2 required)</b>	<b>Cr K Wright Cr M Pucci</b>
6	<b>East Kimberley Visitor Centre</b>	<b>Staff - Vaughan Davies</b>
7	<b>Australian Airport Owners Association</b>	<b>Cr B Barnes</b>
8	<b>Kimberley Regional Road Funding Group</b>	<b>Cr K Wright</b>
9	<b>Kununurra/Wyndham Townscape Committee Working Group</b>	<b>Cr K Wright Cr J Parker</b>
10	<b>Wyndham Port Advisory Committee</b>	<b>Cr M. Middap</b>
11	<b>Bush Fire Advisory Committee</b>	<b>Cr B Barnes</b>
12	<b>Kimberley Area Consultative Committee</b>	<b>N/A</b>
13	<b>Ewin Centre Committee</b>	<b>Cr J Buchanan Cr J Nelson</b>
14	<b>Local Planning Strategy</b>	<b>Cr M Middap Cr K Wright Cr J Buchanan</b>
15	<b>Community Bank</b>	<b>Cr J Buchanan</b>
16	<b>CEO Review and Selection Panel</b>	<b>Cr M Pucci Cr K Wright Cr M Middap</b>
17	<b>Kimberley Archives</b>	<b>Cr K Wright</b>
18	<b>Stolen Generation Aboriginal Committee – Reference Group</b>	<b>Cr G Hamilton</b>
19	<b>Foreshore Planning Study– Steering Committee</b>	<b>Cr M Pucci</b>
20	<b>Community Contributions</b>	<b>Cr J Parker</b>
21	<b>Kununurra Hospital Redevelopment Committee</b>	<b>Cr J Buchanan Proxy Cr K Wright</b>
22	<b>Wyndham Hospital Redevelopment Committee</b>	<b>Cr M Middap Proxy Cr J Parker</b>
23	<b>Ord Guard Board</b>	<b>Cr J Buchanan</b>
24	<b>Community Safety Plan</b>	<b>Cr G Hamilton</b>

**CARRIED UNANIMOUSLY (8-0)**

Mr S Chadwick declared a Financial Interest in Item 12.3.7 Vehicle Tenders and left the room at 7.45

Mr M Scott declared a Financial Interest in Item 12.3.7 Vehicle Tenders and left the room at 7.45

### 12.3.7 Vehicle Tenders T12 04/05

(Minute No 7159)

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	SWEK
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	Phil Harris , Manager Technical Services
<b>REPORTING OFFICER:</b>	Chris Adams, Chief Executive Officer
<b>FILE NO:</b>	66.07.04
<b>ASSESSMENT NO:</b>	N/A

#### PURPOSE

For Council to consider Tender T12 04/05 for the Supply and Delivery of two 6 cylinder 4WD Station Wagons.

#### BACKGROUND

Councils annual Plant Replacement Program includes the replacement of two Toyota Prado Station Wagons WY 1 & WY 001.

The vehicles are allocated to the Executive Manager Corporate Services and Executive Manager Engineering & Development Services, forming part of their employment package. The employment contracts include reference to the provision of a 'Late Model Executive Style 4WD Vehicle' for private use of the individuals.

Tenders for the supply and delivery of vehicles were advertised in "The West Australian", "NT News" and "Kimberley Echo" in the February 2005, with tenders closing at 2.00pm on the 23<sup>rd</sup> of March 2005. Tenders were opened in the presence of Councillor Buchanan, Chief Executive Officer, Chris Adams and Engineering & Development Services, Support Officer Rachel Lines.

Four companies, Broome Toyota, Prosser Toyota, Argyle Motors and Big Rock Toyota submitted a total 21 options for Tender T12 04/05. A summary of the bids (including the evaluations) has been placed below.

## 2. Vehicle 1 – Replacement of WY 001 Toyota Prado

Company	Vehicle	Purchase Price \$	Trade Price Ex GST \$	Change Over \$	Vehicle Number
Prosser Toyota	GX Prado 4 Cylinder Turbo Diesel - Manual	45,744.02	30,539.91	15,204.11	1
Prosser Toyota	Landcruiser 100S STD Diesel Manual	47,729.35	30,539.91	17,189.44	2
Prosser Toyota	GLX Prado 4 Cylinder Turbo Diesel Auto	54,281.21	30,539.91	23,741.30	3
Big Rock Toyota	GLX Prado V6 ULP Auto	55,996.83	32,000.00	23,996.83	4
Prosser Toyota	GLX Prado V6 ULP Auto	54,916.28	30,539.91	24,376.37	5
Broome Toyota	GLX Prado 4 Cylinder Manual Turbo Diesel	54,323.69	29,500.00	24,823.69	6
Broome Toyota	Prado V6 GXL Manual ULP	54,595.19	29,500.00	25,095.19	7
Argyle Motors	Nissan Patrol 4.8 Auto ULP	53,139.77	26,000.00	27,139.77	8
Broome Toyota	GLX Prado 4 Cylinder Turbo Diesel Auto	56,694.40	29,500.00	27,194.40	9
Broome Toyota	GLX Prado V6 ULP Auto	57,418.79	29,500.00	27,918.79	10
Argyle Motors	Landcruiser 100S GXL V8 Auto	59,915.26	26,000.00	33,915.26	11

Council's tender documentation called for the provision of a 6 Cylinder 4WD Station Wagon (ULP or Diesel). The vehicles offered varied in price and configuration. There were:

- 4 x four cylinder Turbo Diesels
- 4 x V6 Petrol vehicles
- 1 x V8 Petrol,
- 1 x 6 cylinder petrol vehicle
- 1 x 6 cylinder diesel vehicle.

Council has the ability to accept or reject non-conforming bids. While many of the tender bids do not all strictly conform to the tender requirements, all have been evaluated against the Council endorsed criteria.

Company Name	Vehicle Type	Net Cost	Price 85 %	Tenderer Reliability 10%	Local 5%	Total 100%
Prosser Toyota	GX Prado 4 Cylinder Turbo Diesel - Manual	\$15,204.11	85	10	0	95
Prosser Toyota	Landcruiser 100S STD Diesel Manual	\$17,189.44	75	10	0	85
Prosser Toyota	GLX Prado 4 Cylinder Turbo Diesel Auto	\$23,741.30	54	10	0	64
Big Rock Toyota	GLX Prado V6 ULP Auto	\$23,996.83	54	10	0	64
Prosser Toyota	GLX Prado V6 ULP Auto	\$24,376.37	53	10	0	63
Broome Toyota	GLX Prado 4 Cylinder Manual Turbo Diesel	\$24,823.69	52	10	3	65
Broome Toyota	Prado V6 GXL Manual ULP	\$25,095.19	51	10	3	64
Argyle Motors	Nissan Patrol 4.8 Auto ULP	\$27,139.77	48	10	5	63
Broome Toyota	GLX Prado 4 Cylinder Turbo Diesel Auto	\$27,194.40	48	10	3	61
Broome Toyota	GLX Prado V6 ULP Auto	\$27,918.79	47	10	3	60
Argyle Motors	Landcruiser 100S GXL V8 Auto	\$33,915.26	38	10	5	53

### 3. Vehicle 2 – Replacement of WY 1 Toyota Prado

Company	Vehicle	Purchase Price \$	Trade Price Ex GST \$	Change Over \$	Vehicle Number
Argyle Motors	Adventra V6 ULP Auto	39,095.10	32,500.00	14,095.10	12
Prosser Toyota	GX Prado 4 Cylinder Turbo Diesel Auto	45,534.79	30,539.91	14,994.88	13
Prosser Toyota	Landcruiser 100S 6 Cylinder Diesel Manual	47,701.63	30,539.91	17,161.72	14
Prosser Toyota	GLX Prado 4 Cylinder Turbo Diesel Auto	54,281.21	30,539.91	23,741.30	15
Big Rock Toyota	GLX Prado V6 ULP Auto	55,996.83	32,000.00	23,996.83	16
Prosser Toyota	GLX Prado V6 ULP Auto	54,916.28	30,539.91	24,376.37	17

Broome Toyota	GLX Prado 4 Cylinder Auto Turbo Diesel	56,694.40	29,500.00	27,194.40	18
Broome Toyota	Prado V6 GXL Auto ULP	57,418.79	29,500.00	27,918.79	19
Argyle Motors	Prado GXL Auto ULP	55,073.30	25,000.00	30,073.30	20
Argyle Motors	Landcruiser 100S GXL Turbo Diesel Auto	71,245.47	29,500.00	46,245.47	21

Council's tender documentation called for two only 6 Cylinder 4WD Station Wagons ULP or Diesel. As with the other vehicle there were a range of bids received including:

- 3 x four cylinder turbo diesels
- 5 x V6 Petrol vehicles
- 1 x 6 cylinder turbo Diesel vehicle
- 1 x 6 cylinder diesel vehicle.

Council has the ability to accept or reject non-conforming bids. While many of the tender bids do not all strictly conform to the tender requirements, all have been evaluated against the Council endorsed criteria.

Company Name	Vehicle	Net Cost	Price 85 %	Tenderer Reliability 10%	Local 5%	Total 100%
Argyle Motors	Adventra V6 ULP Auto	\$14,095.10	85	10	5	100
Prosser Toyota	GX Prado 4 Cylinder Turbo Diesel Auto	\$14,994.88	80	10	0	90
Prosser Toyota	Landcruiser 100S 6 Cylinder Diesel Manual	\$17,161.72	70	10	0	80
Prosser Toyota	GLX Prado 4 Cylinder Turbo Diesel Auto	\$23,741.30	50	10	0	60
Big Rock Toyota	GLX Prado V6 ULP Auto	\$23,996.83	50	10	0	60
Prosser Toyota	GLX Prado V6 ULP Auto	\$24,376.37	49	10	0	59
Broome Toyota	GLX Prado 4 Cylinder Auto Turbo Diesel	\$27,194.40	44	10	3	57
Broome Toyota	Prado V6 GXL Auto ULP	\$27,918.79	43	10	3	56
Argyle Motors	Prado GXL Auto ULP	\$30,073.30	40	10	5	55
Argyle Motors	Landcruiser 100S GXL Turbo Diesel Auto	\$46,245.47	26	10	5	41

## **STATUTORY IMPLICATIONS**

Tender Regulations as specified in the Local Government (Functions and General) Regulations 1996 apply to this matter.

## **POLICY IMPLICATIONS**

Shire of Wyndham East Kimberley Policy F5– Supply of Goods and Services is applicable.

## **FINANCIAL IMPLICATIONS**

The net changeover at the tendered rates would result in the expenditure of \$31,370.74 from a budget allocation of \$44,520.

## **STRATEGIC IMPLICATIONS**

Not Applicable

## **COMMENT**

While they are within Council's budget resources, the Toyota Landcruisers that have been tendered are a much less economical vehicle and are not recommended for purchase. While it is the least expensive option, the Holden Adventra is not recommended as its trade-in value is lower and it will not meet the requirements of Council.

The current vehicles (V6 Petrol Toyota Prado's) have proven to be economical and reliable vehicles with reasonable trade-in values. The vehicles recommended are GX Prado 4 Cylinder Turbo Diesel vehicles from Prosser Toyota. These vehicles are considered to be of a similar standard to the current vehicles.

One of the vehicles tendered is a manual and the other is an automatic. Given that these vehicles are used as pool vehicles throughout the working week, it is recommended that both vehicles are purchased as automatics.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council:

- 1.Awards Tender T12 04/05 - Light Vehicle Upgrade to Prosser Toyota to supply one only Toyota Prado GX ,Turbo Diesel 3.0 litre diesel Manual 4WD Station Wagon at a change over price of \$15,204.11, inclusive of a trade in value of \$30,539.91 for WY001. Furthermore, that the CEO be authorised to negotiate with the Prosser Toyota for the provision of this vehicle as an automatic rather than a manual.

2. Awards Tender T12 04/05 - Light Vehicle Upgrade to Prosser Toyota to supply one only Toyota Prado GX ,Turbo Diesel 3.0 litre diesel Automatic 4WD Station Wagon at a change over price of \$14,994.88, inclusive of a trade in value of \$30,539.91 for WY1.

**Minute No 7159**

**Moved Cr J Buchanan/Cr G Hamilton**

**That Council:**

1. **Awards Tender T12 04/05 - Light Vehicle Upgrade to Prosser Toyota to supply one only Toyota Prado GX ,Turbo Diesel 3.0 litre diesel Manual 4WD Station Wagon at a change over price of \$15,204.11, inclusive of a trade in value of \$30,539.91 for WY001. Furthermore, that the CEO be authorised to negotiate with the Prosser Toyota for the provision of this vehicle as an automatic rather than a manual.**
2. **Awards Tender T12 04/05 - Light Vehicle Upgrade to Prosser Toyota to supply one only Toyota Prado GX ,Turbo Diesel 3.0 litre diesel Automatic 4WD Station Wagon at a change over price of \$14,994.88, inclusive of a trade in value of \$30,539.91 for WY1.**

**CARRIED UNANIMOUSLY (8-0)**

Mr M Scott and Mr S Chadwick returned to room at 7.49pm

**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 (MINUTE NOS 7160, 7161, 7162, 7163, 7165)**

***MINUTE NO 7160***

***Moved Cr K Wright/B Barnes***

***That Council consider the following items as Late Items***

***CARRIED UNANIMOUSLY (8-0)***

**15.1 Proposal for the use of grassed area at front of Kununurra Leisure Centre  
(Minute No 7161)**

<b>DATE:</b>	17/05/2005
<b>PROPONENT:</b>	Kununurra Cruises – The BBQ Boat
<b>LOCATION:</b>	Kununurra Leisure Centre
<b>ATLAS REFERENCE:</b>	Map 51 H5
<b>AUTHOR:</b>	Melanie King – Coordinator Recreation Services
<b>REPORTING OFFICER:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>FILE NO:</b>	01.4998.10
<b>ASSESSMENT NO:</b>	4998

**PURPOSE**

For Council to consider a proposal by Kununurra Cruises – The BBQ Boat to use the grassed area in front of the Kununurra Leisure Centre as an Al Fresco dining area.

**BACKGROUND**

Currently, Kununurra Cruises – The BBQ Boat hold a three year lease for what is known as the Kiosk at the Kununurra Leisure Centre. (See attachment for existing lease area). Recently the proponents have approached the Shire regarding the possibility of using the grassed area directly outside the front of the Leisure Centre Building. (See attachment for proposed area of use).

The proposed use of the outdoor area is an Al Fresco eating area is to be set up with tables and chairs to allow people to sit down and dine after purchasing food from the kiosk. Tables would be waited from the kitchen area inside the building. The area would be cordoned off with semi permanent barriers. All furniture and barriers would be removed at the end of each day and stored in the current kiosk and eatery area in the Leisure Centre.

Use of this area by the proponents would be managed via a Deed of Licence with the Shire of Wyndham – East Kimberley which would provide them with use of the area only during the hours of operation of their kiosk business which is set out in their lease.

The proponents are wishing to initially open the outdoor eating area for the tourist season after which they will assess if the idea has been successful, at which time the Deed of Licence can be reviewed.

As tourist season has now commenced, the proponents would like to obtain guidance on whether they can progress with their proposal and would like to go ahead as soon as possible to enable it to operate for the majority of the current tourist season.

## **STATUTORY IMPLICATIONS**

### **Local Government related implications:**

The Local Government Act 1995 states:

#### **3.58. Disposing of property**

(1) In this section:

“dispose” – includes to 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) Except 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 it is, in the opinion of the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender

(3) A local government can dispose of property other than under subsection (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;

However, Regulation 30 of the Local Government (Functions and General) Regulations 1996, Part 6– Miscellaneous states:

#### **Dispositions of property to which section 3.58 of Act does not apply**

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if –

(e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land;

If the Council was to enter into a Deed of Licence arrangement of less than 2 years which did not allow the proponent's exclusive use to this selection of land, the invitation of submissions period as outlined above does not apply.

### **Health Related Implications:**

Shire of Wyndham East Kimberley Activities in Thoroughfares and Public Places and Trading Local Law 2003– Local Government Act 1995

#### ***Division 2 – Outdoor eating facilities on public places***

**5.10 Permit required to conduct Facility** (Facility meaning an outdoor eating facility or establishment on any part of a public place, but does not include such a facility or establishment on private land);

A person shall not establish or conduct a Facility without a permit.

#### **Matters to be considered in determining application**

In determining an application for a permit for the purpose of clause 5.10, the Local government may consider in addition to any other matter it considers relevant, whether or not

- a) The Facility is conducted in conjunction with and as an extension of food premises which abut on the Facility, and whether the applicant is the person conducting such food premises;
- b) Any abutting food premises are registered in accordance with the Health Act 1911 and whether the use of the premises is permitted under the town planning scheme;
- c) The Facility will comply with any local law made under Section 172 of the Health Act 1911;
- d) Users of the Facility will have access to proper and sufficient sanitary and ablutionary conveniences;
- e) The Facility would –
  - (i) obstruct the visibility of clear sight lines at an intersection of thoroughfares of any person; or
  - (ii) impede pedestrian access; and
- f) the tables, chairs and other equipment to be used may obstruct or impede the use of the public place for the purpose of which it was designed.

### **Town Planning related Implications:**

#### Strategic/Structure Plans

The Kununurra Structure Plan, which forms part of the Kununurra – Wyndham Area Development Strategy (KWADS), designates the subject land as being for Town Centre purposes. The proposed use conforms to these objectives.

#### Town Planning Scheme No 7

The Land is located within the Town Centre Zone. Pursuant to Clause 5.10.1 of Town Planning Scheme No 7– Kununurra and Environs, the objectives of the zone area are:

#### 5.10.1 Objectives

- (a) to zone adequate land for the continued development of a main commercial and community facility centre for the town
- (b) to prepare and implement an overall Town Centre Strategy to guide and promote development.
- (c) to apply appropriate development and land use controls to ensure the development is to a satisfactory standard

The proposal involves use of the land only, as no permanent development is proposed. Any future development of the land may require separate approvals.

Under the provisions of Town Planning Scheme No 7 – Kununurra and environs the proposed Al Fresco use is defined as a Restaurant. A Restaurant is a 'P' or Permitted use under the zoning table, and Council can permit the use. The proposed development does not conflict with the objectives of the Scheme.

No specific development requirements are stated for Al Fresco Dining. Given that the café will attract people that are intending to use the Leisure Centre or are within walking distance ie; working within town, it is unlikely that the use will require additional parking bays.

#### Council Policies

The land is located in the Policy Area Precinct 7 – Town Centre. The objective of the Precinct is:

*To maintain and promote the town centre as the centre of shopping and administration activity for the Kimberley region.*

The proposed development conforms to the objectives of Councils Policy.

#### Community Consultation

Town Planning Scheme No 7 (Kununurra and Environs) does not require any statutory community consultation for the proposal.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Currently the proponents are paying \$3,000 per annum (GST exclusive) for the lease on the commercial kitchen /kiosk area within the Leisure Centre. They have proposed that they do not pay an additional amount for the use of the grassed area this season, as there are potential benefits to the Shire by having a Café operating from the Leisure Centre. As mentioned earlier, a usage fee can be renegotiated at the end of the dry season for future use of the proposed area. Perceived benefits are outlined in the Comment section of this report.

If the proponents were to obtain approval for the proposed use, they would be required to pay and Al Fresco dining fee of \$50 per table as per Council's 2004/05 Schedule of Fees and Charges.

No expense would be incurred by Council by allowing use of the proposed area for this purpose.

### **STRATEGIC IMPLICATIONS**

The potential of increased patronage to the Leisure Centre fits within the following Strategy within the Shire of Wyndham East Kimberley Strategic Plan:

KRA 2 - Community Development  
Goal 1 Recreation and Leisure

*Strategy 4– Reduce ratepayer subsidy of Shire Recreational Facilities by 10%*

### **COMMUNITY CONSULTATION**

Community consultation has not been undertaken at this stage.

### **COMMENT**

The Kununurra Leisure Centre kiosk has previously been used for the operation of a café by previous lessees. The grassed area is currently not used for any purpose and if the proposed use was permitted would provide a pleasant and relaxing area for people to meet for coffee or lunches. Currently there are few areas where this is available in Kununurra and a Café at the Leisure Centre would increase

### **ATTACHMENTS**

1. Map indicating existing leased area by proponents
2. Map indicating proposed additional area of use by proponents.

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

That Council:

1. Agrees to proposed use of the grassed area at the front of the Kununurra Leisure Centre as an Al Fresco dining area by Kununurra Cruises providing appropriate permit application process for the use is undertaken, and;
2. Provide the Cheif Executive Officer with delegated authority to negotiate a deed of licence for the use of this area which does not provide for exclusive use of the land by the proponent.

**Minute No 716 1**

**Moved Cr K Wright/J Buchanan**

- 1. Refer item back to Officer to further investigate parking in the area.**
- 2. That this item be presented at the next Briefing Session**

**CARRIED UNANIMOUSLY (8-0)**



**15.2 Late Item - Differential Rate in the Dollar and the Minimum Rate for 2005/06  
(MINUTE NO 7162)**

<b>DATE:</b>	17 May 2005
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>ATLAS REFERENCE:</b>	N/A
<b>AUTHOR:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>REPORTING OFFICER:</b>	Matthew Scott, Executive Manager Corporate and Community Services
<b>FILE NO:</b>	66.22.01
<b>ASSESSMENT NO:</b>	All

**PURPOSE**

Council to endorse and approve the advertisement of proposed Differential Rate in the Dollar and the Minimum Rate for 2005/06

**BACKGROUND**

Before Council can impose Differential Rate in the Dollar, Council must advertise the proposed differential rate for a minimum period of 21 days. The advertising period can occur up to two months prior to adoption of the Budget. This period of advertising allows rate payers the ability to consider the proposed rates in the dollar and make any submissions prior to Council adopting the proposed rate as part of the Budget adoption process. Currently Council is planning to adopt the 2005/06 Budget at a special meeting of Council on the 18 July 2005.

Also, under the Local Government Act, Council must seek permission from the Minister of Local Government to raise the differential rate where the highest differential rate is more than 200% higher than the lowest differential rate.

Though Council has not discussed the 2005/06 rating strategy in depth, Council has adopted the 2005/06 Financial Plan (Minute 7077) which outlines the Council rating strategy for the next 5 years. The only amendment to the proposed rate in the dollar is the inclusion of the Bio Security Levy, as resolved by Council (Minute 7077).

**STATUTORY IMPLICATIONS**

Local Government Act 1995  
6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics.
  - (a) the purpose for which the land is zoned under a town planning scheme in force under the *Town Planning and Development Act 1928*.

- (b) the predominant purpose for which the land is held or used as determined by the local government.
  - (c) whether or not the land is vacant land or
  - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may
- (a) specify the characteristics under subsection (1) which a local government is to use or
  - (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1)
  - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency
  - (b) is to contain
    - (i) details of each rate or minimum payment the local government intends to impose
    - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related

matters within 21 days (or such longer period as is specified in the notice) of the notice and

- (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed and
- (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.

(4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

(5) Where a local government -

- (a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a) or
- (b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),

it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

#### **POLICY IMPLICATIONS**

Council Policy F7 – Significant Accounting Policies

#### **FINANCIAL IMPLICATIONS**

Rates are raised to meet the estimated difference between the costs of services over other revenues. In 2004/05 Council raised \$3.2 million in rates, the following table illustrates the proposed changes to rates in the dollar, based on the Financial Plan and the Bio Security Levy.

	2005/06		2004/05		Increase
	Cents in the \$	Min Rate \$	Cents in the \$	Min Rate \$	
GRV - Townsites	10.2644	550.00	9.8733	550.00	4%
GRV - Other	10.2644	550.00	9.8733	550.00	4%
UV - Rural Agricultural 1	0.6128	750.00	0.5716	750.00	7%
UV - Rural Agricultural 2	0.9819	750.00	0.9158	750.00	7%
UV - Rural Living	1.1478	750.00	1.0703	750.00	7%
UV - Mining	8.3883	750.00	6.7106	750.00	25%
UV - Pastoral	6.7027	750.00	5.9316	750.00	13%

The proposed Rate in the Dollar and Minimum Rate will increase rate revenue by \$250,000, based on current valuations. Of the additional \$250,000, Council has committed \$50,000 to fund the regional Bio Security programs and initiatives of the Kununurra Crop Pest Control

Committee. This levy will be raised proportionally on GRV, Rural Agricultural 1, Rural Agriculture 2 and Rural Living Rates.

Should the Council not endorse and advertise the proposed Rate in the Dollar and Minimum Rate, the Budget process will be stalled.

**STRATEGIC IMPLICATIONS**

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

**COMMENT**

As discussed earlier, the proposed differential rates in the \$ and the Minimum rates are based on the Shire's 5 year Financial Plan and the Bio Security Levy. The Financial Plan's Rates Strategy is based on a report on the Shire's rating levels, from Local Government Consultant, Mr Ray Hadlow, in June 2003. Basically Mr Hadlow concluded that the Shire's Pastoral and Mining rates were significantly below assessed capacity (based on state and regional averages) and needed to be significantly increased to bring back parity (equity) within the rating structure. Last year Council resolved to increase Pastoral and Mining rates by 13% and 25% respectively, to address this issue. Other rates (General, Agricultural 1 & 2, and Rural Living) have been raised by CPI. The basis for this is that, should Council not continue increase rates by at least CPI, inflation will erode the funds available to deliver current services; as costs increase, and revenue remains neutral. CPI is currently at 2.9% for Western Australian for the last 12 months.

In February and March this year Council considered imposing a Bio Security Levy to assist the funding of regional Bio Security programs and initiatives. Council has been requested to raise \$50,000 from property owners as it is believed that outbreaks of agricultural pest and diseases are most likely to occur with the uncontrolled transporting and planting of flora by private residents, as opposed to the agricultural sector. Council, in its April briefing session was presented with several options to introduce this levy. The consensus at the meeting was that the Agricultural Sector (Rural Agricultural 1 & 2 and Rural Living) should fund half these funds and GRV rates should fund the other half. Based on current valuations the below increases in Rates in the dollars have been calculated to effect this proposal:

<b>RATE CATERGORY</b>	<b>Bio Security Cents in \$ of Valuation</b>	<b>Additional Rates Raised</b>
GRV TOWNSITES	0.1048	24,903
GRV OTHER	0.1048	91
UV Rural Agricultural 1	0.0246	14,740
UV Rural Agricultural 2	0.0395	6,554
RURAL RESIDENTIAL	0.0465	3,711
MINING	0	0
PASTORAL	0	0
		<b>\$50,000</b>

Minimum rates, according the 5 year Financial Plan have remained the same as 04/05.

Though these rates in \$ and minimum rates have not been formally debated by Council, the proposed rates are based on previous Council decisions. The act of advertising these rates does not prohibit Council amending these rates or minimums at a later date or at Budget Adoption. The purpose of advertising is to give ratepayers the ability to comment and make a submission prior to the budget being finalised and presented to Council. Any submissions must be presented to Council for consideration prior to the Budget (including rates) being adopted.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATIONS**

(1) Council endorse and arrange to be advertised for 21 days the following proposed Rate in the Dollar and Minimum Rate for 2005/06

	<b>Cents in the \$</b>	<b>Min Rate \$</b>
GRV - Townsites	10.2644	550.00
GRV – Other	10.2644	550.00
UV - Rural Agricultural 1	0.6128	750.00
UV - Rural Agricultural 2	0.9819	750.00
UV - Rural Living	1.1478	750.00
UV – Mining	8.3883	750.00
UV – Pastoral	6.7027	750.00

(2) That the Minister for Local Government's approval be sought for the imposing of differential rates which are more than twice the lowest differential general rate, in accordance with S6.33(3) of the local Government Act, 1995.

**Minute No 7162**

**Moved by Cr K Wright /Cr J Nelson**

- (1) Council endorse and arrange to be advertised for 21 days the following proposed Rate in the Dollar and Minimum Rate for 2005/06**

	<b>Cents in the \$</b>	<b>Min Rate \$</b>
<b>GRV - Townsites</b>	<b>10.2644</b>	<b>550.00</b>
<b>GRV – Other</b>	<b>10.2644</b>	<b>550.00</b>
<b>UV - Rural Agricultural 1</b>	<b>0.6128</b>	<b>750.00</b>
<b>UV - Rural Agricultural 2</b>	<b>0.9819</b>	<b>750.00</b>
<b>UV - Rural Living</b>	<b>1.1478</b>	<b>750.00</b>
<b>UV – Mining</b>	<b>8.3883</b>	<b>750.00</b>
<b>UV – Pastoral</b>	<b>6.7027</b>	<b>750.00</b>

- (2) That the Minister for Local Government's approval be sought for the imposing of differential rates which are more than twice the lowest differential general rate, in accordance with S6.33(3) of the local Government Act, 1995.**

**Carried 5-3**

Meeting adjourned at 7.53pm

Meeting resumed 7.59pm

**15.3 Tender Award T16 04/05**

**(Minute No 7163)**

<b>DATE:</b>	17 May 2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	Konkerberry Drive, Kununurra
<b>ATLAS REFERENCE:</b>	Map 53
<b>AUTHOR:</b>	Phil Harris, Manager Technical Services
<b>REPORTING OFFICER:</b>	Steve Chadwick, Executive Manager Development and Engineering Services
<b>FILE NO:</b>	21.10.01:66.53.16
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

For Council to consider Tender T16 04/05 - Construction of Parking, Konkerberry Drive, Leichardt Street to Tristiana Street

**BACKGROUND**

Council has been engaged in extensive consultation with residents of Kununurra to progress the Central Business District (CBD) Traffic Management and Parking Plans. The Traffic Management and Parking Plans cover the entire CBD, with priorities based on safety, available funding and achievability.

In 2004/2005, Council officers have concentrated implementation efforts on the section of Konkerberry Drive between Leichardt Street and Ebony Street. Funding constraints will allow for the construction of parking between Leichardt Street and Tristiana Street with the road widening extending to Ebony Street.

Tender T16 04/05 addresses the parking component of the Traffic Management and Parking Plan between Leichardt Street and Tristiana Street.

The tender documentation was structured in a manner which provided for additional works on the south end of the project, had the tendered price been within Councils budgetary allowance for the project

Tender documentation for Tender T16 04/05 was forwarded to Council's six preselected contractors under EOI 01 04/05 in early April. Tenders closed at 1400 on Wednesday 4 May 2005 and were opened in the presence of Cr Barbara Johnson, Executive Manager Corporate and Community Services, Mathew Scott and Manager Technical Services, Phil Harris.

Conforming tenders were received from

	Option A	Option B	Option A & B
JSW Holdings Pty Ltd	\$189,275	\$69,543	\$258,818
Plant Hire Services Pty Ltd.	\$212,688	\$69,543	\$280,978

## **STATUTORY IMPLICATIONS**

The Local Government (Functions and General) Regulations 1996

## **POLICY IMPLICATIONS**

Shire of Wyndham East Kimberley Policy F5– Supply of Goods and Services

## **FINANCIAL IMPLICATIONS**

Council has allocated a total of \$160,000 from the Parking Reserve to this project. A further \$44,275 will also be required from the Parking Reserve Fund, which would necessitate Absolute Majority by Council.

## **STRATEGIC IMPLICATIONS**

Key Result Area 1 – Transport

Goals 2– Roads & Drainage:

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

## **COMMENT**

JSW Holdings Pty Ltd, Plant Hire Services and four other contractors were pre selected to tender on Councils road and drainage projects, the tender assessment was based on price and ability to complete the works within the financial year.

The tender submitted by JSW Holdings Pty Ltd has been assessed as providing Council with the greatest value for money. JSW Holdings Pty Ltd has demonstrated the ability to undertake projects of this magnitude for Council on two occasions in the last two years.

Although an allocation of \$160,000 from Council's Parking Reserve Fund was identified in the 2004/2005 Transport Budget, the development of the CBD Traffic Management and Parking Plan, detailed survey and final design has utilised \$15,000 leaving a balance of \$145,000 of the project funding. A resultant shortfall of \$44,275.

Council has two options;

### Option 1

Award the contract to the lowest tenderer, with Council reserving its options within the Schedule of Rates to reduce the value of the works to \$145,000.

### Option 2

For Council to accept the tendered price of \$189,000, utilise the \$145,000 remaining from the 2004/2005 budget and allocate \$44,275 from the Parking Reserve Fund.

Officers recommend that option (2) be considered with the project being funded \$145,000 from 2004/2005 and \$44,275 be utilised from Councils Parking Reserve fund in 2005/2006.

## **ATTACHMENTS**

Attachment 1 – Schedule of Rates

Attachment 2 - Site Drawings to be tabled at meeting

## **VOTING REQUIREMENT**

Absolute Majority

## **RECOMMENDATION**

That Council

- Awards Tender T16 04/05 Construction of Parking, Konkerberry Drive – 'Option A' only, to JSW Holdings Pty Ltd for the for the value \$189,275.00
- Allocate \$44,275 in the 2005/2006 from the Parking Reserve Fund to complete the project.

## **MINUTE NO 7163**

***Moved Cr K Wright/Cr J Nelson***

***That Council***

- ***That Council not accept any Tender relating to T16 04/05***
- ***Complete this project outlined in tender T16 using direct management and complete the maximum work available within budget resources***

**CARRIED UNANIMOUSLY (8-0)**

Explanation

Council felt that current market conditions had led to high pricing on this job and indicated that it could obtain a better result via subcontracting this work and/or using Shire Staff / Resources.

**Attachment 1**

**T16 04/05  
Konkerberry Drive Parking, Leichardt Street to Tristiana Street**

**Schedule of Tenderers Rates**

		PHS	JSW
Item	Description	Amount	Amount
<b>OPTION A</b>			
1	PRELIMINARIES	44,000	16,900
2	EARTHWORKS	24,750	27,525
3	ROAD PAVEMENT	67,858	71,344
4	CONCRETE WORKS	36,880	43,406
5	DRAINAGE STRUCTURES	6,000	7,900
6	DRAINAGE PIPES	2,000	3,600
7	MISCELLANEOUS ITEMS	19,500	11,100
<b>8</b>	<b>CONTINGENCY SUM ALLOW</b>	<b>7,500</b>	<b>7,500</b>
<b>9</b>	<b>TOTAL OPTION A</b>	<b>212,688</b>	<b>189,275</b>
<b>OPTION B - ADDITIONAL WORKS</b>			
1	EARTHWORKS	10,500	15,300
2	ROAD PAVEMENT	28,020	33,969
3	CONCRETE WORKS	11,770	13,094
4	MISCELLANEOUS ITEMS	14,000	3,180
5	CONTINGENCY SUM	4,000	4,000
<b>6</b>	<b>TOTAL OPTION B</b>	<b>68,290</b>	<b>69,543</b>
<b>7</b>	<b>TOTAL OPTION A</b>	<b>212,688</b>	<b>189,275</b>
<b>8</b>	<b>TOTAL OPTIONS A &amp; B</b>	<b>280,978</b>	<b>258,818</b>

**15.4 Tender Award T18 04/05**

**(Minute No 7164)**

<b>DATE:</b>	17 May 2005
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	Konkerberry Drive, Kununurra
<b>ATLAS REFERENCE:</b>	Map 53
<b>AUTHOR:</b>	Phil Harris, Manager Technical Services
<b>REPORTING OFFICER:</b>	Steve Chadwick, Executive Manager Development and Engineering Services
<b>FILE NO:</b>	21.10.01:66.53.18
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

For Council to consider Tender T18 04/05 – Road Widening and Duplication, Konkerberry Drive, Leichardt Street to Ebony Street.

**BACKGROUND**

Council has been engaged in extensive consultation with residents of Kununurra to progress the Central Business District (CBD) Traffic Management and Parking Plans. The Traffic Management and Parking Plans cover the entire CBD, with priorities based on safety, available funding and achievability.

In 2004/2005, Council officers have concentrated implementation efforts on the section of Konkerberry Drive between Leichardt Street and Ebony Street. Funding constraints will allow for the construction of parking between Leichardt Street and Tristiana Street with the road widening extending to Ebony Street.

Tender T18 04/05 addresses the widening and duplication of Konkerberry Drive between Leichardt Street and Ebony Street as a component of the Traffic Management and Parking Plan. This tender also provides for the construction of a round-about at the intersection of Leichardt Street and Konkerberry Drive

The tender documentation was structured in a manner which provided Council with an option to resurface portions of Konkerberry Drive with either Option A or Option B.

Tender documentation for Tender T18 04/05 was forwarded to Council's six preselected contractors under EOI 01 04/05 on 26 April 2005. Tenders closed at 1400 on Wednesday 11 May 2005 and were opened in the presence of Cr Julee Nelson, Chief Executive Officer, Chris Adams and Manager Technical Services, Phil Harris.

Tenders were received from	Option A	Option B	Option A & B
JSW Holdings Pty Ltd	\$568,810	\$3,285**	\$572,095
Plant Hire Services Pty Ltd.	\$408,460	\$205,400	\$613,860

\*\* JSW Holdings were unable to obtain prices for the Asphalt Works as specified in Option B

### **STATUTORY IMPLICATIONS**

The Local Government (Functions and General) Regulations 1996

### **POLICY IMPLICATIONS**

Shire of Wyndham East Kimberley Policy F5– Supply of Goods and Services

### **FINANCIAL IMPLICATIONS**

Council has \$300,000 from Transport - Roads to Recovery funding for this project. Additional Roads to Recovery funding will be available in 2005/2006 to continue road widening and duplication.

A comparison of the rates provided in this tender against other recent tenders indicates a general increase in unit rate; this can be attributed to contractors current commitments and the degree of complexity of working in an area with large volumes of pedestrian and vehicle traffic. At the time of tender preparation officers had applied unit rates from previous projects. The indicative estimate of cost in early March 2005 was in the vicinity of \$320,000.

### **STRATEGIC IMPLICATIONS**

Key Result Area 1 – Transport

Goals 2– Roads & Drainage:

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

### **COMMENT**

Council should note that the current Roads to Recovery funding is required to be expended by 30 June 2005 and will be subject to audit reports being submitted to the Department of Transport and Regional Services in September 2005.

JSW Holdings Pty Ltd, Plant Hire Services and four other contractors were pre selected to tender on Councils road and drainage projects, this tender assessment was based on price and ability to complete the works within the financial year. The unit rates provided in this tender are higher than unit rates provided for similar projects.

The tender documentation was structured to enable Council to consider resurfacing Konkerberry Drive with Asphalt (Option B) to reduce both the project time and disruption to

traffic flow. Unfortunately the cost to mobilise and set up an asphalt plant in Kununurra is unrealistic for relatively small areas. The cost of 2,200m<sup>2</sup> of asphalt was costed at \$220,000 or \$100m<sup>2</sup> and is not being considered in this tender evaluation.

In considering Option A of the tender, officers noted marked differences in the unit rates of the submissions. The Plant Hire Services at \$408,460 is \$160,350 less than the JSW Holdings tender of \$568,810.

The tender submitted by Plant Hire Services has been assessed as providing Council with the greatest value for money. Plant Hire Services has demonstrated the ability to undertake projects

of this magnitude for Council on three occasions in the last two years. Council officers have some concerns that Plant Hire Services has significant other commitments and is not in a position to substantially complete the project prior to the end of the financial year. Given the timeframe for the project both contractors have been requested to provide a project timeframe.

Council is in position to reserve its options within the Schedule of Rates to reduce the value of the works to \$300,000. In this instant, initial assessments indicate this could be achieved by removing the round-about from the scope of works. The construction of a round-about as a single project could attract significant Blackspot funding. As 2005/2006 Blackspot funding has already been allocated Council would not be in a position to access funding until 2006/2007.

#### Option 1

Award to Plant Hire Services, inclusive of the round about construction for \$408,460

Pros - Cheapest alternative

Cons - Contractor may not be able to complete within the timeframe

- Failure to make significant progress this financial year may jeopardise Councils ability to source further Roads to Recovery funding.

#### Option 2

Award the contract to Plant Hire Services, exclusive of the round about. Council officers would need to negotiate with Plant Hire Services utilising the schedule of rates. An indicative reduction of \$100,000 for the round about component may be possible.

Pros - The exclusion of the round about would enable the project to be completed with available funds.

- Additional funding may be sourced through the Blackspot Programme

Cons - The intersection would need to be redesigned or work stopped 30 meters short of the intersection to reduce potential rework.

- A separate contract will result in additional costs to Council.

### Option 3

Award the contract to JSW Holdings, inclusive of the round about construction for \$568,810

- Pros - The work would be significantly completed prior to the end of the financial and comply with the requirements of the Roads to Recovery Programme
- Cons - The project cost is \$160,000 higher than the lowest priced tender.

### Option 4

Award the contract to JSW Holdings, exclusive of the round about. Council officers would need to negotiate with JSW Holdings utilising the schedule of rates. An indication reduction of \$100,000 for the round about component may be possible.

- Pros - The exclusion of the round about would enable the project to be substantially completed within the project timeframe.
- Additional funding may be sourced through the Blackspot Programme
- Cons - The intersection would need to be redesigned or work stopped 30 meters short of the intersection to reduce potential rework.
- A separate contract will result in additional costs to Council
- Additional funding would need to be allocated from 2005/2006 Roads to Recovery

Officers recommend that option (1) be considered with the project being funded \$300,000 from 2004/2005 and \$108,460 be utilised from Roads to Recovery Stage 2 funding in 2005/2006.

## **ATTACHMENTS**

Attachment 1 – Schedule of Rates

Attachment 2 - Site Drawings to be tabled at the meeting

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council

1. Awards Tender T18 04/05 Road Widening and Duplication, Konkerberry Drive. Leichardt Street to Ebony Street, Option A only, to Plant Hire Services for the for the value \$408,460 exc GST

2. Allocate \$108,460 in the 2005/2006 from Roads to Recovery - Stage 2 funding to complete the project.

**MINUTE NO 7164**

**Moved Cr B Barnes/J Nelson**

**That Council**

**1.Awards Tender T18 04/05 Road Widening and Duplication, Konkerberry Drive. Leichardt Street to Ebony Street, Option A only, to Plant Hire Services for the for the value \$408,460 exc GST**

**2. Allocate \$108,460 in the 2005/2006 from Roads to Recovery - Stage 2 funding to complete the project.**

**CARRIED UNANIMOUSLY (8-0)**

**16. MATTERS BEHIND CLOSED DOORS**

Nil

**17. CLOSURE**

The Shire President declared the Meeting closed at 8.16pm