



## **MINUTES OF ORDINARY COUNCIL MEETING HELD 18 SEPTEMBER 2007**

I hereby certify that the Minutes of the Ordinary Meeting of Council held 18 September 2007 are a true and accurate record of the proceedings contained therein.

*Shire President Confirmed*

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# SHIRE OF WYNDHAM-EAST KIMBERLEY

## MINUTES

### MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18 SEPTEMBER 2007 AT 6:00 PM

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

The Shire President declared the meeting open at 6.02pm.

#### 2. RECORD OF ATTENDANCE

Cr Michele Pucci	Shire President
Cr John Buchanan	Deputy President
Cr Keith Wright	Councillor
Cr Di Ausburn	Councillor
Cr Maxine Middap	Councillor
Cr Roch Devenish-Meares	Councillor
Mr Keith Williams	Executive Manager of Town Planning
Ms Jo-Anne Ellis	Executive Manager Corporate Services
Ms Karyn Apperley	Executive Manager Community Services
Ms Rebecca Jacob	Executive Support Officer (Community Services) and Minute Taker

#### APOLOGIES

Apologies were received from CEO Mr Peter Stubbs

#### LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Leave of absence was previously approved for Cr Jane Parker

#### 3. DECLARATIONS OF INTEREST

- **Financial Interest**

Cr Di Ausburn declared a Financial Interest in Item 12.1.1 as she owns property in the subject area

- **Members Impartiality Interest**

Cr Di Ausburn declared an Impartiality Interest in 12.2.2 as she is a volunteer with Fire and Emergency Services Association (FESA)

- **Proximity Interest**

Nil

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

Nil

**5. PUBLIC QUESTION TIME**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

**COUNCIL DECISION**

**Minute No. 7864**

**Moved: Cr K. Wright**

**Seconded: Cr M. Middap**

***That Cr Roch Devenish-Meares is granted a leave of absence for the Ordinary Council Meeting of Tuesday 16 October 2007.***

**Carried Unanimously 6/0**

**7. PETITIONS**

Nil

**8. CONFIRMATION OF MINUTES**

**8.1. Confirmation of Minutes of the Ordinary Meeting of Council Held on Tuesday 21 August 2007**

**RECOMMENDATION**

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 21 August 2007.

**COUNCIL DECISION**

**Minute No. 7865**

**Moved: Cr D. Ausburn**

**Seconded: Cr M. Middap**

***That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 21 August 2007.***

**Carried Unanimously 6/0**

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

The Shire President made the following announcements.

I would like to congratulate St Joseph's Primary School in Kununurra on achieving their 40 year milestone. Cr Ausburn and I had the privilege of attending the Mass to celebrate that achievement.

I thank Cr Ausburn, who with me participated in the Suicide Prevention workshop held in Kununurra on 24 August 2007. A submission to the public consultation process has been made on behalf of Council.

I thank Cr Buchanan and Cr Ausburn for assisting with the launch of the Australian Safari Rally on Friday 24 August 2007. Special thanks to both of you committed to flagging off over 100 participants.

I would like to acknowledge and congratulate the Miriuwung Gajerrong People on the recent transfer of the lands known as Yardungarrl. This transfer was an initiative under the Ord Final Agreement. Council wishes MG all the best in the future as they work towards improved social and economic outcomes for MG people.

I would like to acknowledge the recent visit of the Northern Taskforce chaired by Senator Bill Heffernan. It would appear from all reports and feedback that the visit was productive and informative. It is expected the first report from the taskforce will be completed by December 2007.

The CEO, myself, Cambridge Gulf Limited, Department for Planning and Infrastructure (DPI) and Kimberley Development Commission (KDC) met on 4 September 2007 to discuss the strategic issues around the Wyndham Port as a way of seeking clarification on the current situation with regards to the port. I arranged for the key stakeholders to come together to determine the role of LG in matters relating to the Wyndham Port.

It was agreed that LG could continue to play an advocacy role in accessing funding to determine and research the needs for the Port area. It was also decided that a small working group including myself, DPI, KDC and Cambridge Gulf would work together to progress and implement a project to review the port and its growth opportunities and potential capital upgrade requirements. KDC has committed some funding to this process and it has been confirmed that DPI will also commit.

The CEO and myself met with Hazel from the Department of Premier and Cabinet. Hazel is leading the Ord Stage Two progress. A number of matters were raised at this meeting including:

- Urgent release of land at Ord West Bank,
- The recent concern from local growers regarding staged release of land,
- Council continued frustration over delays,
- Acknowledgement that the State is committed – with direct line to Minister Ripper,

- A position to be based in Kununurra to support the Ord Stage Two process.

#### **Northern Taskforce Meeting 31 August 2007**

I made a presentation to the taskforce with support from CEO Peter Stubbs and Cr Keith Wright. The focus was on strategic matters including:

- Wyndham Port,
- Heavy haulage route – Kununurra,
- Councils efforts and planning around further land releases – residential, industrial, rural,
- Other potential agriculture land – Ord West Bank and Mintinea,
- Councils strong support to maintain diversity in crops and support for sandalwood and cotton including the current agriculture production.

#### **10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

#### **11. MINUTES OF COUNCIL COMMITTEE MEETINGS**

Nil

## 12. REPORTS

### 12.1. ENGINEERING SERVICES

#### 12.1.1. Proposed Self-Funded Reticulated Sewer Extension Project – Mixed Business Zone, Kununurra

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire Of Wyndham East Kimberley
<b>LOCATION:</b>	Mixed Business Zone, Kununurra
<b>AUTHOR:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>REPORTING OFFICER:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	52.09.11
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider the implementation of a self-funded reticulated sewer extension project within the Mixed Business Zone in Kununurra.

#### **BACKGROUND**

At the July Briefing Session, the Executive Manager Engineering and Development Services outlined a proposal to provide reticulated sewer services to approximately 90 lots within the Mixed Business Zone. The area is bounded by Coolibah Drive, Ivanhoe Road, Bandicoot Drive and Messmate Way.

Further discussions have been held with relevant Shire staff and the methodology to progress the project is presented for consideration in this report.

#### **STATUTORY IMPLICATIONS**

The Water Corporation is the state agency with responsibility for the provision of reticulated sewers within the Kununurra and Wyndham residential areas.

The Corporation has declined to undertake the extension of sewer with the subject area outlined in this report, and has advised that it will consider a financial contribution to the project based on a per lot subsidy, but it will not develop or project manage the project.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Should the project proceed there would be a combination of financial and staff resources required to both determine the viability of the project and if it eventuates, the project supervision.

Indicative estimates are listed as follows: -

Preliminary work: -

- Feasibility and cost estimates - \$7,000
- Staff resources (site survey, preparation and administration of landowner survey) – 3 weeks - \$4,500

Project (incl. financial) management: -

- Civil design and survey - \$70,000
- Sewer extension (up to 2400 metres of new main line) - \$700,000
- Property connections (up to 90 connections) - \$120,000

The project estimates should be used a very basic guide only and assumes that no pump stations are required or alterations to existing utility services eg power, water, or telecommunications. The estimates do not include the cost to individual property owners for plumbing modifications or connections within their lots.

It is not clear at this point as to how the Water Corporation may calculate their contribution relative to the actual cost of the project.

### **STRATEGIC IMPLICATIONS**

There are no specific strategic implications identified in relation to this project.

### **COMMUNITY CONSULTATION**

Nil

### **COMMENT**

Staff consider that for the project to proceed it requires a significant level of support from the land owners/businesses within the anticipated project area. There are an estimated 90 lots potentially to benefit from the project, however the number of land owners is less than that number due to multiple lot ownership. Ideally the level of participation should be 100%, however the minimum level should be no less than 75%.

The area is shown as follows, bounded by the solid black line: -

**Legend**  
Blue lines = Water  
Red lines = Sewer



To allow the land owners/businesses to consider the financial implications it will be necessary to engage a consultant to provide an initial feasibility report and cost estimates. In addition a survey of the properties with respect to existing waste water fixtures and fittings will need to be undertaken by appropriate staff to establish the potential value of the Water Corporation subsidy (up to \$10,000 per lot dependant on the number and type of fixtures and fittings).

Assessment of the staging of the project has not been undertaken, although it would be assumed that the project would be over two years.

Some discussion has been held with respect to funding options to be offered to the landowners, such as Council raising a loan for the project cost and making the repayments by debiting the individual property through a Specified Area Rate. This option is best suited for the situation where the participation rate is low (near the minimum). Alternately the Shire could fund the project (within each discrete year) and raise invoices to the relevant landowners, thus minimising overall cost to the landowners but with some loss of interest income to the Shire.

The preferred option is that the landowners are invoiced the respective amounts prior to construction commencing for that stage and the Shire bears no direct cost (other than the allocation of staff resources).

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

- 1) That Council agree to the development of a self-funded reticulated sewer extension program within the Kununurra Mixed Business Zone in order to allow: -
  - A) the preparation of a feasibility design and cost estimates at an estimated cost of \$7,000 funded by the Shire,
  - B) an information notice being distributed to landowners and businesses within the proposed project area advising of a feasibility assessment process of a reticulated sewer extension program involving property inspections and to gauge the initial level of interest, and
  - C) a site survey to be undertaken by relevant Shire staff of the lots within the proposed project area.
  
- 2) That a report be submitted to the February round of meetings advising of the outcomes of the feasibility design, and site surveys to enable Council to consider the continuation of the project.

## **COUNCIL DECISION**

**Minute No. 7866**

**Moved: Cr R. Devenish-Meares**

**Seconded: Cr D. Ausburn**

Cr D Ausburn's seconding of the motion was subsequently withdrawn as she declared a Financial Interest in Item 12.1.1 due to owning property in the subject area.

Cr D. Ausburn left the meeting at 6.16pm

**Seconded: Cr J. Buchanan**

- 1) *That Council agree to the development of a self-funded reticulated sewer extension program within the Kununurra Mixed Business Zone in order to allow: -*
  - A) the preparation of a feasibility design and cost estimates at an estimated cost of \$7,000 funded by the Shire,*
  - B) an information notice being distributed to landowners and businesses within the proposed project area advising of a feasibility assessment process of a reticulated sewer extension program involving property inspections and to gauge the initial level of interest, and*
  - C) a site survey to be undertaken by relevant Shire staff of the lots within the proposed project area.*
  
- 2) *That a report be submitted to the February round of meetings advising of the outcomes of the feasibility design, and site surveys to enable Council to consider the continuation of the project.*

**Carried Unanimously 5/0**

Cr D. Ausburn returned to the meeting at 6.20pm. Shire President Cr M. Pucci advised Cr D. Ausburn of the outcome of this item.

### 12.1.2. Proposed Policy – Cattle Grids

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Various
<b>AUTHOR:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>REPORTING OFFICER:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	60.02.01
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

The purpose of this report is for Council to consider a draft policy for Cattle Grids.

#### **BACKGROUND**

The draft policy has been considered on two occasions being the May 2007 and September 2007 Council Briefing Sessions.

#### **STATUTORY IMPLICATIONS**

The Shire is obligated to provide a safe local road network. The construction and maintenance of cattle grids combines the requirements of a safe road surface for motorists and a functioning grid for the effective management of cattle at pastoral station boundaries and within pastoral properties.

#### **POLICY IMPLICATIONS**

New Policy

#### **FINANCIAL IMPLICATIONS**

At present the Shire does not identify the construction and maintenance of cattle grids as a separate line item within the budget framework. The purpose of the report is to set out responsibilities of the Shire and pastoral properties.

The estimated replacement value of existing grids is \$392,000 (average of \$28,000 per grid). Annual maintenance of grids is yet to be quantified however the expectation that an annual allocation of \$50,000 for construction/re-construction and maintenance is considered realistic.

#### **STRATEGIC IMPLICATIONS**

No specific strategic implications apply.

#### **COMMUNITY CONSULTATION**

Whilst no detailed consultation has taken place the need to develop a policy is seen as essential to deal with the present situation of uncertainty.

## **COMMENT**

Following a request from Carlton Hill Station to inspect a cattle grid on the Parry Creek Road and a review of our Policies it would appear that consideration should be given to how and when cattle grids are to be considered, constructed and maintained.

Following similar experiences with the Shire of East Pilbara it became quite clear that in the case of public roads irrespective of who had installed the grid, the upkeep in respect of motorist safety was clearly with the local government.

With regard to responsibility for construction, the approach was taken that grids located at boundaries (between properties) or at road intersections, the Shire would meet the full cost. Grids located within the boundaries of individual pastoral properties are a management issue for the owner/lessee and would be constructed at the cost of the owner/lessee to an approved standard.

Redundant grids can be an ongoing issue for maintenance grading or providing unnecessary traffic hazards. The proposed policy deals with the process of advice, notification and removal.

A survey of the location, number and condition of cattle grids has been undertaken. Some station access roads have not been assessed at this time; however this does not compromise the consideration of the proposed Policy.

<b>Road</b>	<b>Grids</b>	<b>Gates</b>
Duncan Rd	4	-
Cave Springs Rd	3	-
Carlton Hill Rd	1	-
Parry Creek Rd	6	4
King River Rd	2 proposed by DEC	-
Ellenbrae Access Rd	1	-
Mt Elizabeth Access Rd	-	3
Kalumburu Rd	2	-
Drysdale River Station Access Rd	1	1
Doongan Station Access Rd	-	1
Theda Station Access Rd	-	1
<b>Totals</b>	<b>18 (+2)</b>	<b>10</b>

Gates on local roads will be the subject of a separate report in the coming months.

The estimated cost of a two-lane (9 metre) grid, installed is approximately \$28,000.

A number of the grids (4) on Parry Creek Rd are considered redundant due to them being poorly maintained or having non-existent fence lines. The salvaged steel grid sections could be utilised for some maintenance on other grids. Use of the materials on new grids would not be advisable. The estimated replacement cost of the existing (non-redundant) grids totals approximately \$392,000. Given the visual inspections undertaken and the period of construction, the majority would be needing replacement or major refurbishment over a nominal 10 year period.

The proposed policy is presented for discussion and review as required.

<b>POLICY No:</b>	<b>E13</b>
<b>DIVISION:</b>	<b>Engineering</b>
<b>SUBJECT:</b>	<b>Cattle Grids located on (the Shire of Wyndham East Kimberley) Public Road Network</b>
<b>REPORTING OFFICER:</b>	<b>Executive Manager Engineering and Development Services</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995</b>

**OBJECTIVE**

To outline the standards and responsibility for the installation and maintenance of cattle grids located on public roads (as listed on the Shire of Wyndham East Kimberley Road Inventory).

**POLICY**

**1. Construction Standard**

Cattle grids located on public roads will be constructed to the following standard:

<i>Minimum Width:</i>	• <i>Tourist Access Roads</i>	<i>4.5 metres (single lane)</i>
	• <i>All other roads</i>	<i>9.0 metres</i>
<i>Minimum Length:</i>	<i>All roads</i>	<i>2.0 metres</i>
<i>Typical clear opening between bars:</i>	<i>125mm</i>	
<i>Engineering standard:</i>	<i>Capable of triple road train stock trucks</i>	
<i>Clearance Markers:</i>	<i>900mm x 450mm</i>	<i>Mounted on wing frames</i>
<i>Advisory Signs:</i>	<i>750mm x 750mm</i>	<i>Located 75 - 100 metres from Grid</i>
<i>Drainage:</i>	<i>The floor of the grid channel is to be 100mm above the adjoining ground level</i>	
<i>Approach Ramp Gradient:</i>	<i>Maximum gradient to be 1:40</i>	
<i>Aprons:</i>	<i>2.5 metre long concrete, or 15 metre long bitumen seal apron</i>	
<i>Grid Panel connection</i>	<i>The grid panels are to be constructed as lift out sections weighing less than 1.5 tonne each, bolted to the grid channel</i>	

## **2. Responsibility for Installation Costs**

### *2.1 Boundary Grids between Pastoral Properties*

Where a cattle grid is located on the boundary between pastoral properties, the Shire of Wyndham East Kimberley will be responsible for the cost of installation and maintenance of the grid.

### *2.2 Internal Grids*

All existing internal grids installed prior to (adoption date of policy) will be deemed to have complied with the requirements of this policy except where structural adequacy may be inadequate. The Shire of Wyndham East Kimberley will be responsible for the progressive upgrading of any grid deemed by the Shire of Wyndham East Kimberley to be below the minimum structural standard.

Where a pastoral owner/station manager intends to install a new grid, it will be the responsibility of that person to advise the Shire of Wyndham East Kimberley of the proposed grid. Following site investigation and issue of approval by the Shire of Wyndham East Kimberley, installation will be required to meet the construction standard as detailed in this policy and all costs met by the applicant.

Ongoing maintenance will be the responsibility of the Shire of Wyndham East Kimberley.

### *2.3 Fenced Highways and Main Roads*

Where a pastoral owner/station manager negotiates with Main Roads WA for the provision of fencing of the road reserve, any grids required on intersecting local roads will be the responsibility of the pastoral property and/or Main Roads WA.

## **3. Removal of Redundant Grids**

The function of a cattle grid is primarily to allow the uninterrupted flow of traffic through a fence line whilst controlling stock movement. Where a pastoral owner/station manager does not maintain an internal fence line abutting a grid for a period no less than 6 months, the intended removal of the grid/s is to be made in writing to the pastoral owner/station manager giving a minimum of 60 days notice of the intention to remove the nominated grid/s.

Following the issue of the notice, where the pastoral owner/station manager notifies the Shire that the fence line is to be reinstated within an agreed timeframe, no further action will be taken until the agreed timeframe has elapsed. Where no action has been taken a further notice will be issued at the end of the agreed timeframe giving 30 days notice of the intention to remove the grid/s following which the grid will be removed and road reinstated.

The cost of removal and associated repairs to the road will be borne by the Shire of Wyndham East Kimberley.

## **4. Program Timing**

The Shire of Wyndham East Kimberley will determine the timing and priority of the maintenance and/or upgrading of grids as outlined in this policy in consideration of all other budgeting priorities on an annual basis.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

1) That Council adopt the proposed Policy E13 - Cattle Grids as follows;-

<b>POLICY No:</b>	<b>E13</b>
<b>DIVISION:</b>	<b>Engineering</b>
<b>SUBJECT:</b>	<b>Cattle Grids located on (the Shire of Wyndham East Kimberley) Public Road Network</b>
<b>REPORTING OFFICER:</b>	<b>Executive Manager Engineering and Development Services</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995</b>

## **OBJECTIVE**

To outline the standards and responsibility for the installation and maintenance of cattle grids located on public roads (as listed on the Shire of Wyndham East Kimberley Road Inventory).

## **POLICY**

### **1. Construction Standard**

Cattle grids located on public roads will be constructed to the following standard:

<i>Minimum Width:</i>	<i>• Tourist Access Roads</i>	<i>4.5 metres (single lane)</i>
	<i>• All other roads</i>	<i>9.0 metres</i>
<i>Minimum Length:</i>	<i>All roads</i>	<i>2.0 metres</i>
<i>Typical clear opening between bars:</i>	<i>125mm</i>	
<i>Engineering standard:</i>	<i>Capable of triple road train stock trucks</i>	
<i>Clearance Markers:</i>	<i>900mm x 450mm</i>	<i>Mounted on wing frames</i>
<i>Advisory Signs:</i>	<i>750mm x 750mm</i>	<i>Located 75 - 100 metres from Grid</i>

<i>Drainage:</i>	<i>The floor of the grid channel is to be 100mm above the adjoining ground level</i>	
<i>Approach Ramp Gradient:</i>	<i>Maximum gradient to be 1:40</i>	
<i>Aprons:</i>	<i>2.5 metre long concrete, or 15 metre long bitumen seal apron</i>	
<i>Grid Panel connection</i>	<i>The grid panels are to be constructed as lift out sections weighing less than 1.5 tonne each, bolted to the grid channel</i>	

## **2. Responsibility for Installation Costs**

### *2.1 Boundary Grids between Pastoral Properties*

Where a cattle grid is located on the boundary between pastoral properties, the Shire of Wyndham East Kimberley will be responsible for the cost of installation and maintenance of the grid.

### *2.2 Internal Grids*

All existing internal grids installed prior to (adoption date of policy) will be deemed to have complied with the requirements of this policy except where structural adequacy may be inadequate. The Shire of Wyndham East Kimberley will be responsible for the progressive upgrading of any grid deemed by the Shire of Wyndham East Kimberley to be below the minimum structural standard.

Where a pastoral owner/station manager intends to install a new grid, it will be the responsibility of that person to advise the Shire of Wyndham East Kimberley of the proposed grid. Following site investigation and issue of approval by the Shire of Wyndham East Kimberley, installation will be required to meet the construction standard as detailed in this policy and all costs met by the applicant.

Ongoing maintenance will be the responsibility of the Shire of Wyndham East Kimberley.

### *2.3 Fenced Highways and Main Roads*

Where a pastoral owner/station manager negotiates with Main Roads WA for the provision of fencing of the road reserve, any grids required on intersecting local roads will be the responsibility of the pastoral property and/or Main Roads WA.

## **3. Removal of Redundant Grids**

The function of a cattle grid is primarily to allow the uninterrupted flow of traffic through a fence line whilst controlling stock movement. Where a pastoral owner/station manager does not maintain an internal fence line abutting a grid for a period no less than 6 months, the intended removal of the grid/s is to be made in writing to the pastoral owner/station manager giving a minimum of 60 days notice of the intention to remove the nominated grid/s.

Following the issue of the notice, where the pastoral owner/station manager notifies the Shire that the fence line is to be reinstated within an agreed timeframe, no further action will be taken until the agreed timeframe has elapsed. Where no action has been taken a further notice will be issued at the end of the agreed timeframe giving

30 days notice of the intention to remove the grid/s following which the grid will be removed and road reinstated.

The cost of removal and associated repairs to the road will be borne by the Shire of Wyndham East Kimberley.

**4. Program Timing**

The Shire of Wyndham East Kimberley will determine the timing and priority of the maintenance and/or upgrading of grids as outlined in this policy in consideration of all other budgeting priorities on an annual basis.

- 2) That the policy be circulated to pastoral station owners and the procedure for identifying and removing redundant cattle grids be commenced as soon as practical.

**COUNCIL DECISION**

**Minute No. 7867**

**Moved: Cr K. Wright      Seconded: Cr M. Middap**

- 1) ***That Council adopt the proposed Policy E13 - Cattle Grids as follows;-***

<b>POLICY No:</b>	<b>E13</b>
<b>DIVISION:</b>	<b>Engineering</b>
<b>SUBJECT:</b>	<b>Cattle Grids located on (the Shire of Wyndham East Kimberley) Public Road Network</b>
<b>REPORTING OFFICER:</b>	<b>Executive Manager Engineering and Development Services</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995</b>

**OBJECTIVE**

***To outline the standards and responsibility for the installation and maintenance of cattle grids located on public roads (as listed on the Shire of Wyndham East Kimberley Road Inventory).***

**POLICY**

***1. Construction Standard***

***Cattle grids located on public roads will be constructed to the following standard:***

<b>Minimum Width:</b>	<b>• Tourist Access Roads</b>	<b>4.5 metres (single lane)</b>
	<b>• All other roads</b>	<b>9.0 metres</b>

<b>Minimum Length:</b>	<b>All roads</b>	<b>2.0 metres</b>
<b>Typical clear opening between bars:</b>	<b>125mm</b>	
<b>Engineering standard:</b>	<b>Capable of triple road train stock trucks</b>	
<b>Clearance Markers:</b>	<b>900mm x 450mm</b>	<b>Mounted on wing frames</b>
<b>Advisory Signs:</b>	<b>750mm x 750mm</b>	<b>Located 75 - 100 metres from Grid</b>
<b>Drainage:</b>	<b>The floor of the grid channel is to be 100mm above the adjoining ground level</b>	
<b>Approach Ramp Gradient:</b>	<b>Maximum gradient to be 1:40</b>	
<b>Aprons:</b>	<b>2.5 metre long concrete, or 15 metre long bitumen seal apron</b>	
<b>Grid Panel connection</b>	<b>The grid panels are to be constructed as lift out sections weighing less than 1.5 tonne each, bolted to the grid channel</b>	

## **2. Responsibility for Installation Costs**

### **2.1 Boundary Grids between Pastoral Properties**

**Where a cattle grid is located on the boundary between pastoral properties, the Shire of Wyndham East Kimberley will be responsible for the cost of installation and maintenance of the grid.**

### **2.2 Internal Grids**

**All existing internal grids installed prior to (adoption date of policy) will be deemed to have complied with the requirements of this policy except where structural adequacy may be inadequate. The Shire of Wyndham East Kimberley will be responsible for the progressive upgrading of any grid deemed by the Shire of Wyndham East Kimberley to be below the minimum structural standard.**

**Where a pastoral owner/station manager intends to install a new grid, it will be the responsibility of that person to advise the Shire of Wyndham East Kimberley of the proposed grid. Following site investigation and issue of approval by the Shire of Wyndham East Kimberley, installation will be required to meet the construction standard as detailed in this policy and all costs met by the applicant.**

**Ongoing maintenance will be the responsibility of the Shire of Wyndham East Kimberley.**

### **2.3 Fenced Highways and Main Roads**

**Where a pastoral owner/station manager negotiates with Main Roads WA for the provision of fencing of the road reserve, any grids required on intersecting local roads will be the responsibility of the pastoral property and/or Main Roads WA.**

### **3. Removal of Redundant Grids**

**The function of a cattle grid is primarily to allow the uninterrupted flow of traffic through a fence line whilst controlling stock movement. Where a pastoral owner/station manager does not maintain an internal fence line abutting a grid for a period no less than 6 months, the intended removal of the grid/s is to be made in writing to the pastoral owner/station manager giving a minimum of 60 days notice of the intention to remove the nominated grid/s.**

**Following the issue of the notice, where the pastoral owner/station manager notifies the Shire that the fence line is to be reinstated within an agreed timeframe, no further action will be taken until the agreed timeframe has elapsed. Where no action has been taken a further notice will be issued at the end of the agreed timeframe giving 30 days notice of the intention to remove the grid/s following which the grid will be removed and road reinstated.**

**The cost of removal and associated repairs to the road will be borne by the Shire of Wyndham East Kimberley.**

### **4. Program Timing**

**The Shire of Wyndham East Kimberley will determine the timing and priority of the maintenance and/or upgrading of grids as outlined in this policy in consideration of all other budgeting priorities on an annual basis.**

- 2) That the policy be circulated to pastoral station owners and the procedure for identifying and removing redundant cattle grids be commenced as soon as practical.**

**Carried Unanimously 6/0**

Cr K. Wright requested that it be noted that the Officer had done a good job in developing this policy.

### 12.1.3. T04 07/08 Disposal of Abandoned Vehicles

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Wyndham
<b>AUTHOR:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>REPORTING OFFICER:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	66.56.04
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider the tenders received for the purchase of five (5) abandoned vehicles currently in the possession of the Shire of Wyndham East Kimberley at the Kununurra Works Depot.

#### **BACKGROUND**

Pursuant to Section 3.40A of the Local Government Act 1995, the Shire has publicly invited for the disposal of 5 abandoned vehicles.

#### **STATUTORY IMPLICATIONS**

The provisions of the Local Government (Functions and General) Regulations 1996 have been met.

#### **POLICY IMPLICATIONS**

There are no specific policies relating to this report.

#### **FINANCIAL IMPLICATIONS**

An anticipated income of \$1350 (net of GST) will be realised if the Managers' Recommendation is endorsed by Council.

#### **STRATEGIC IMPLICATIONS**

Not applicable

#### **COMMENT**

Three Valid Tenders were received, however of the five vehicles, offers were only received on three of the vehicles. Offer details are listed in the following table:

	<b>Mazda E1800 Van</b>	<b>Ford Falcon Gli Sedan</b>	<b>Ford Falcon GL Station Wagon</b>	<b>Hyundai Excel Spirit Sedan</b>	<b>Holden Premier Station Wagon</b>	<b>GST Exc</b>	<b>GST</b>	<b>Total</b>
<b>Name</b>	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>(5)</b>			
<b>David Tate</b>	0	0	0	0	\$80	\$80	\$8	\$88
<b>Rodney Fisher</b>	0	\$500	0	0	\$350	\$850	\$85	\$935
<b>Richard Hamilton</b>	0	0	\$500	0	0	\$500	\$50	\$550

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

- 1) That Council accept the Tender from Rodney Fisher of 5 Dorrigo Street Wyndham for Vehicles (2) & (5) for \$500 (net of GST) and \$ 350 (net of GST) respectively and the Tender from Mr Richard Hamilton of PO Box 23 Wyndham for Vehicle (3) for \$500 (net of GST), be accepted as the most advantageous to Council.
- 2) That the Vehicles (1) and (4) be transferred to the Kununurra Landfill Site.

### **COUNCIL DECISION**

**Minute No. 7868**

**Moved: Cr K. Wright      Seconded: Cr M. Middap**

- 1) ***That Council accept the Tender from Rodney Fisher of 5 Dorrigo Street Wyndham for Vehicles (2) & (5) for \$500 (net of GST) and \$ 350 (net of GST) respectively and the Tender from Mr Richard Hamilton of PO Box 23 Wyndham for Vehicle (3) for \$500 (net of GST), be accepted as the most advantageous to Council.***
- 2) ***That the Vehicles (1) and (4) be transferred to the Kununurra Landfill Site.***

**Carried Unanimously 6/0**

#### 12.1.4. Celebrity Tree Park / Lily Creek Lagoon Interpretative Shelter

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Celebrity Tree Park/Lily Creek
<b>AUTHOR:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>REPORTING OFFICER:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	50.10.19
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

The purpose of this report is to re-present to Council the proposed location of an Interpretative Shelter to overlook Lily Creek Lagoon.

#### **BACKGROUND**

The Interpretative Shelter was presented to Council at the 20 March 2007 Council meeting with a resolution for the siting of the shelter. The approved site varied from the staff recommendation.

At the May Briefing Session the Executive Manager Engineering and Development Services presented information that sought to have Council reconsider the siting of the shelter. At the time it was considered appropriate that the interpretative shelter signage be finalised to allow Councillors to be able to review the siting of the shelter in the context of the signage to be provided within it. At the Briefing Session held on 4 September 2007, mock-ups of the artwork were presented to the attending Councillors on-site.

Discussions resulted in two revised siting options, as depicted on the site plan: -



**PROPOSED CAR/TRAILER CARPARK**  
**PROPOSED PUBLIC CONVENIENCES**  
**PROPOSED INTERPRETIVE SHELTER**

**Option One – Shelter to be erected over the water**

The shelter's construction is similar to the 'bird hide' shelter constructed by Dept of Environment and Conservation at Parry Lagoon located east of Wyndham off the Parry Creek Road.

The project has been discussed with the local office of the DEC and there is support for the siting, which extends from the jointly vested foreshore reserve (Reserve.41812) over unallocated crown land (UCL) which overlays that section of the Lagoon. Discussion with Dept of Water (DoW) and Dept of Planning and Infrastructure (DPI) will take place subject to Council's concurrence with the site.

**Option Two – Shelter located north of the Access Gate near the Boat Ramp**

This option allows visitors an outlook to the south over the Lagoon from almost the identical position from which the focal piece of artwork was painted.

**STATUTORY IMPLICATIONS**

Option One will require approvals from DEC for vegetation clearance to erect the shelter and access ramp, and agreement from DoW (Bed and Banks permit) and DPI (access to the UCL).

**POLICY IMPLICATIONS**

No specific Council policies apply.

## **FINANCIAL IMPLICATIONS**

Option One requires a linking footpath from the proposed boat ramp carpark (refer to the relevant report contained in the Agenda), a nominal 20 metre ramp section, and clearing and earthworks for the elevated shelter.

The estimated cost is \$75,000 (excluding the currently funded shelter and artwork)

Funding for Option One would be sought from external agencies (eg Water Corporation).

Option Two requires a concrete slab and connecting footpath to the proposed boat ramp carpark. Funds are already allocated for this purpose.

## **STRATEGIC IMPLICATIONS**

No specific implications are associated with this report.

## **COMMUNITY CONSULTATION**

Community consultation has been with limited groups such as MG Corporation for input to the artwork, and limited discussion with the Rotary Club.

## **COMMENT**

Should Council wish to consider the options discussed by Councillors and as presented in this report a rescinding of the 20 March 2007 resolution is required.

*Minute No. 7637*

*Moved: Cr D. Ausburn*

*Seconded: Cr J. Parker*

*That Council adopt that the site for the interpretive signage be adjacent to the K89 signage.*

*Carried Unanimously: 9/0*

*NOTE: Council decided interpretive signage closer to the Victoria Highway, was more appropriate than the Officer's Recommendation.*

Either of the Options listed in this report would provide a site in keeping with the intent of the interpretative shelter information.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

At least three Councillors to support consideration of a rescission  
Absolute Majority for the decision to rescind the motion  
Simple Majority for Recommendation 3

## **MANAGERS' RECOMMENDATION**

- 1) That Council support consideration of the rescission of Minute No. 7637, 20 March 2007, which reads as follows: -

*"That Council adopt that the site for the interpretive signage be adjacent to the K89 signage."*

Where Council resolves to consider the rescission of Minute No. 7637, the following recommendations apply:

- 2) That Council rescind Minute No. 7637.
- 3) That Council approve the siting of the Interpretative Shelter as detailed in Option One as the preferred option where the shelter is located over the water. Where Option One does not receive required approvals or sufficient external funding is not forthcoming to enable the project to be completed in this financial year, Option Two will be implemented.

**Cr D. Ausburn, Cr M. Middap and Cr R. Devenish-Meares supported the consideration of the rescission of Minute No. 7637, 20 March 2007.**

## **COUNCIL DECISION**

**Minute No. 7869**

**Moved: Cr D. Ausburn**

**Seconded: Cr M. Middap**

***That Council rescind Minute No. 7637.***

***"That Council adopt that the site for the interpretive signage be adjacent to the K89 signage."***

**Carried by Absolute Majority: 5/1**

**Cr K. Wright requested that the votes be recorded**

**For: Cr M. Pucci, Cr J. Buchanan, Cr D. Ausburn, Cr R. Devenish-Meares,  
Cr M. Middap**

**Against: Cr K. Wright**

**COUNCIL DECISION**

Minute No. 7870

Moved: Cr M. Middap

Seconded: Cr D. Ausburn

- 3) *That Council approve the siting of the Interpretative Shelter as detailed in Option One as the preferred option where the shelter is located over the water. Where Option One does not receive required approvals or sufficient external funding is not forthcoming to enable the project to be completed in this financial year, Option Two will be implemented.*

**Carried Unanimously 6/0**

Cr K. Wright requested that it be noted that he considers it unwise to make a decision without full costing being available.

### 12.1.5. Proposed Celebrity Tree Park / Lily Creek Boat Ramp Public Conveniences

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Celebrity Tree Park, Lily Creek Boat Ramp
<b>AUTHOR:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>REPORTING OFFICER:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	01.5266.02
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

The purpose of this report is for Council to agree the siting and construction of a proposed public conveniences building near the boat ramp.

#### **BACKGROUND**

Grant funding has been approved for the construction of public conveniences near the boat ramp.

A schematic layout provided with the funding submission was discussed on site as part of the 4 September 2007 Council Briefing Session. Response from the attending Councillors was supportive for the proposed construction type and layout, with siting being preferred to the north of the proposed boat ramp carpark, and within the road reserve rather than within the Park.

#### **STATUTORY IMPLICATIONS**

The proposed building is funded from state government funds associated with boating facilities, and the location of the public conveniences should be sited near to the boat ramp.

The preferred siting is within the gazetted road reserve and will include the positioning of the aerated septic tank/treatment system.

#### **POLICY IMPLICATIONS**

No specific Council policies apply.

#### **FINANCIAL IMPLICATIONS**

The adopted Budget includes Council funding of \$60,000, with \$30,000 provided from state government funds giving a total project cost of \$90,000.

#### **STRATEGIC IMPLICATIONS**

No specific strategic implications apply.

## **COMMUNITY CONSULTATION**

Whilst no detailed consultation has taken place the need to develop public conveniences near the boat ramp has been identified for some time.

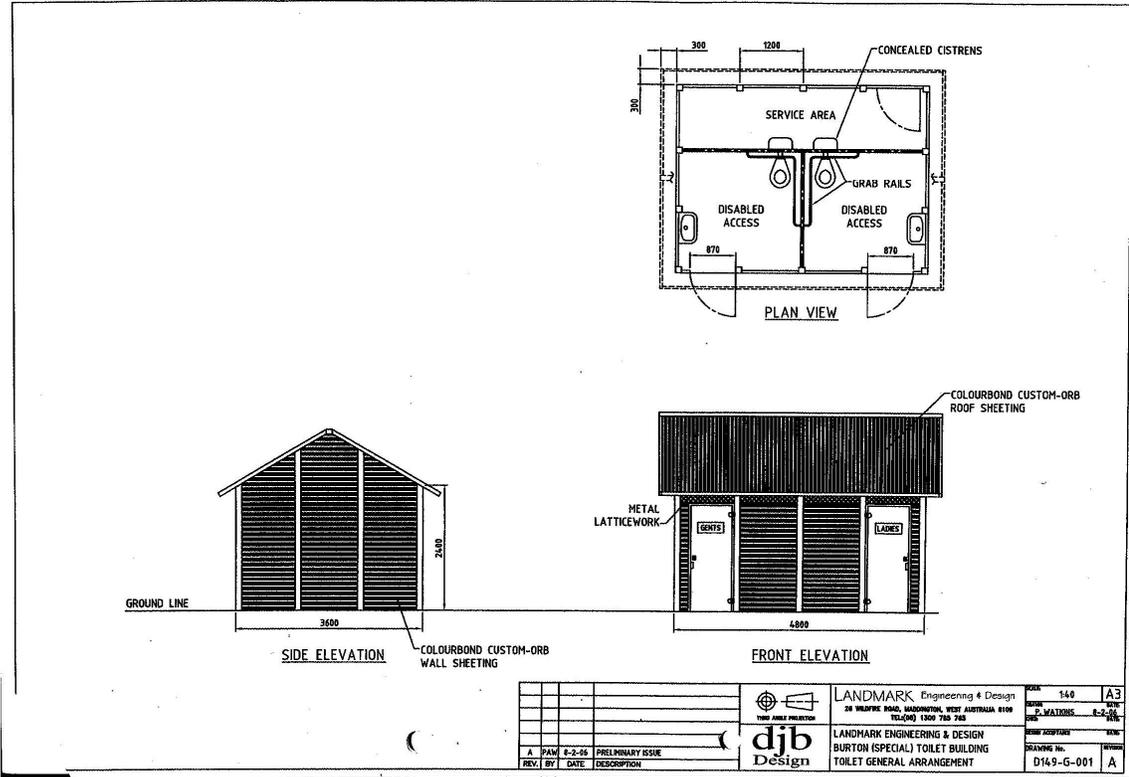
## **COMMENT**

The public conveniences will be sited to the north of the proposed carpark – refer site plan: -



**PROPOSED CAR/TRAILER CARPARK**  
**PROPOSED PUBLIC CONVENIENCES**  
**PROPOSED INTERPRETIVE SHELTER**

Current levels of building activity have led staff to recommend a kit style building, with a sample layout as follows: -





### **EXAMPLE OF TWO CUBICLE ABLUTION BLOCKS**

The funding application was made on the basis of a single building comprising two (2) cubicles designed for disabled access. Preliminary estimates were obtained from Landmark Engineering and Design based in Maddington, WA. As a kit only, the cost is \$35,000 (+ GST). Water supply, installation of effluent treatment system, concrete slab, erection, connecting path/s, reinstatement, solar power for lighting etc will absorb a large portion of the balance of the funds.

Once siting has been agreed the costs can be refined and it may be a consideration to add another cubicle.

Siting was seen as crucial with the main considerations being: -

- Minimal disturbance of existing trees on the Park,
- Siting of the effluent treatment tanks,
- Reasonable distance from/to the boat ramp,
- Close proximity to the proposed car park,
- Colour schemes.

The location as shown on the site plan is considered to have addressed the listed considerations.

Subject to consideration of the report and availability of materials and contractors, it is proposed to construct the building and associated works prior to March 2008.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple

**MANAGERS' RECOMMENDATION**

That Council approve the siting and construction of the proposed public conveniences to service the Celebrity Tree park/Lily Creek Boat Ramp as detailed in the report.

**COUNCIL DECISION**

**Minute No. 7871**

**Moved: Cr D. Ausburn**

**Seconded: Cr R. Devenish-Meares**

***That Council approve the siting and construction of the proposed public conveniences to service the Celebrity Tree park/Lily Creek Boat Ramp as detailed in the report.***

**Carried Unanimously 6/0**

### 12.1.6 Proposed Lily Creek Boat Ramp Carpark

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Celebrity Tree Park, Lily Creek Boat Ramp
<b>AUTHOR:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>REPORTING OFFICER:</b>	Alex Douglas, Executive Manager Engineering and Development Services
<b>FILE NO:</b>	21.10.256
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

The purpose of this report is to inform Council of the draft carpark design for the Lily Creek Boat Ramp.

#### **BACKGROUND**

Grant funding has been approved for the construction of a formalised car and trailer parking facility near the boat ramp.

A schematic layout provided with the funding submission was discussed on site as part of the 4 September Briefing Session. Response from the attending Councillors was supportive, with a number of related issues being discussed – refer COMMENT section.

#### **STATUTORY IMPLICATIONS**

The proposed carpark is funded from state government funds associated with boating facilities, and the constructed carpark must remain consistent with the application.

The carpark is to be constructed within a gazetted road reserve and does not require approval of government agencies.

#### **POLICY IMPLICATIONS**

No specific Council policies apply.

#### **FINANCIAL IMPLICATIONS**

The adopted Budget includes matching municipal funding of \$75,000 giving a total project cost of \$150,000.

#### **STRATEGIC IMPLICATIONS**

No specific strategic implications apply.

#### **COMMUNITY CONSULTATION**

Whilst no detailed consultation has taken place there is a need to develop formal parking facilities and address wet season scouring issues near the boat ramp.

## **COMMENT**

The carpark will provide formalised parking for 14 car and trailer combinations, together with an unhitching embayment and re-aligned approach to the boat ramp – refer site plan Drg No:21.10.256/01: -



### **PROPOSED CAR/TRAILER CARPARK** **PROPOSED PUBLIC CONVENIENCES** **PROPOSED INTERPRETIVE SHELTER**

Discussion on site included reference to short term bus parking, and siting of proposed public conveniences (refer to a separate report included in this Agenda).

It was acknowledged that the number of bays being constructed would not meet demand and the grassed 'informal' area on the west side of the road reserve would continue to provide parking. The development of formalised parking for single vehicles was discussed and the agreed view was that the proposed carpark would not prejudice future carpark development as it needed to be more centrally positioned along the frontage of the carpark north of the proposed boat ramp carpark.

Short term bus parking was considered and would be permitted as a drop-off/pick-up area within the unhitching embayment as an interim arrangement prior to construction of the Commercial Boating Facility.

Subject to the adoption of the Officer's Recommendation the design of the carpark would be finalised and the project planned for construction following the Wet Season.

## **ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**MANAGERS' RECOMMENDATION**

That Council approve the construction of the proposed Lily Creek Boat Ramp Carpark as detailed in Drawing No. 21.10.256/01.

**COUNCIL DECISION**

**Minute No. 7872**

**Moved: Cr J. Buchanan**

**Seconded: Cr R. Devenish-Meares**

***That Council approve the construction of the proposed Lily Creek Boat Ramp Carpark as detailed in Drawing No. 21.10.256/01.***

**Carried Unanimously 6/0**

## 12.2. DEVELOPMENT SERVICES

### 12.2.1. Proposed First Homebuyers Land Allocations

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Lakeside Estate Subdivisions
<b>AUTHOR:</b>	Keith Williams, Executive Manager Town Planning
<b>REPORTING OFFICER:</b>	Keith Williams, Executive Manager Town Planning
<b>FILE NO:</b>	43.04.02
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider a request to the Minister and LandCorp for the allocation of specific lots in future LandCorp land release for first homebuyers.

#### **BACKGROUND**

For the latest land release in Kununurra, LandCorp undertook a ballot for individual lots. This is considered by the management team as evidence that demand outstrips supply, and the results from the ballot process support this argument:

Stage 3 Ballot Statistics:

- 350 registration packs distributed
- 103 ballot applications
- 84 qualified ballots
- 23 lots available

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Nil

#### **COMMENT**

First homeowners cannot compete in this market climate with nearly 4 times as many applications as lots available.

In Exmouth LandCorp run a ballot on a preferenced system designed to ensure people working and living in Exmouth have preference. It is recommended that a

ballot could be structured to provide a preference to first homebuyers in Kununurra [similar provisions could be enacted when land is released in Wyndham]. In this case a set percentage of lots could be allocated specifically for first homebuyers, and the ballot designed to provide lots for first homebuyers.

Such a ballot could be structured as follows:

- Percentage of lots allocated to first homebuyers
- Allocated lots can be dispersed within subdivision
- LandCorp ballot registration forms can include provisions for registering as a first homebuyer ie only applicants eligible for grant can qualify

EG: Stage 4 Lakeside

- Stage 4 = 57 lots - approximately 7 - 10 will be set aside for grouped dwellings and government agencies
- @ 10% = 5 lots = 5 allocated to first homebuyers
- If 3 applicants qualify for first homebuyers ballot, they simply choose a lot
- If 10 applicants qualify for first homebuyers ballot, then this draw occurs first
- Unsuccessful applicants would then go into draw for remainder of lots, giving them a second chance
- The second draw would consist of 45 lots

This system will encourage permanent residency in Kununurra, and hopefully will provide affordability for first homebuyers.

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

That Council recommend to LandCorp that any future ballots for residential land releases in the Shire of Wyndham East Kimberley should include the following provisions:

- 20% of all lots offered to the public shall be allocated to first homebuyers,
- A separate ballot shall be undertaken for first homebuyers prior to a second ballot for the remaining lots,
- A participant in the ballot will be considered a first homebuyer only if they are eligible for the Commonwealth Government's first homebuyers grant,
- Should a greater number of participants qualify for the first homebuyers ballot than lots available, then all unsuccessful qualified participants shall be entered into the ballot for the remainder of the lots,
- Should a lesser number of participants qualify for the first homebuyers ballot than lots available, then the lots allocated for first homebuyers but not taken up shall be balloted in the second ballot.

## **COUNCIL DECISION**

**Minute No. 7873**

**Moved: Cr J. Buchanan**

**Seconded: Cr D. Ausburn**

***That Council recommend to LandCorp that any future ballots for residential land releases in the Shire of Wyndham East Kimberley should include the following provisions:***

- ***20% of all lots offered to the public shall be allocated to first homebuyers,***
- ***A separate ballot shall be undertaken for first homebuyers prior to a second ballot for the remaining lots,***
- ***A participant in the ballot will be considered a first homebuyer only if they are eligible for the Commonwealth Government's first homebuyers grant,***
- ***Should a greater number of participants qualify for the first homebuyers ballot than lots available, then all unsuccessful qualified participants shall be entered into the ballot for the remainder of the lots,***
- ***Should a lesser number of participants qualify for the first homebuyers ballot than lots available, then the lots allocated for first homebuyers but not taken up shall be balloted in the second ballot.***

**Carried Unanimously 6/0**

## 12.2.2. Proposed FESA Emergency Services Centre Project Management

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Fire and Emergency Services Authority
<b>LOCATION:</b>	Reserve
<b>AUTHOR:</b>	Keith Williams, Executive Manager Town Planning
<b>REPORTING OFFICER:</b>	Keith Williams, Executive Manager Town Planning
<b>FILE NO:</b>	43.04.09
<b>ASSESSMENT NO:</b>	NA

### **PURPOSE**

For Council to re-consider a request from the Fire and Emergency Services Authority [FESA] to project manage the tender for design and construction of the proposed Kununurra Emergency Services Centre.

### **BACKGROUND**

Council has resolved to undertake a land swap with FESA and the Department of Health to facilitate the development of the Kununurra Emergency Services Centre.

Surveying of the proposed land swap has been completed, and transfer will take place once reserve vesting has been changed. The Shire of Wyndham East Kimberley will receive one freehold lot, and two smaller reserves through the swap. Transfers are expected to occur within a month.

FESA approached the Shire to project manage the design and construction of the proposed emergency Services Centre in January, and in March the Council agreed to undertake project management.

### **STATUTORY IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

The role of project management will cost Council in the form of significant officer time and resources. Council officers do not have charge out rates, and no specific time frame is predicted.

As part of the proposed land swap with FESA and Department of Health, Council will obtain land located within the town centre that will be able to be developed and or sold. This land, given its zoning and mostly freehold nature, is estimated to be worth more than the land Council has agreed to swap.

Again, no comparative data is available, and the exact cost or benefit to Council is likely to be intangible.

### **STRATEGIC IMPLICATIONS**

The proposed FESA Kununurra Emergency Services Centre will provide modern facilities for fire brigades and emergency services volunteers, and will also facilitate redevelopment of prime town centre land.

### **COMMENT**

While FESA local crews support the project management of the proposed facility and Council has experience with similar projects, the management team is concerned that difficulties with staffing and existing workloads will lead to unacceptable delays with the project.

While officers support the principal of undertaking project management to improve efficiencies and ensure local experience and knowledge provides expedient outcomes, this is likely to cause additional workloads on sections of the Shire that are currently at full capacity. Additionally, the Department of Housing and Works has agreed to waive management fees for undertaking the project management, and accordingly the financial advantages of Council undertaking the project management are negated.

Given the constraints on Council in the current economic climate and that project management for a State Government agency is not a core responsibility of Council, and that Council's priority is its own core strategic goals, it is recommended that Council rescind the previous resolution agreeing to project manage the design and construction of the Kununurra Co-located Emergency Services Centre.

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

At least three Councillors to support consideration of a rescission  
Absolute Majority for the decision to rescind the motion  
Simple Majority for Recommendation 3

### **MANAGERS' RECOMMENDATION**

1. That Council support the consideration of the rescission of Minute No. 7645, 20 March 2007 which reads as follows:

*That Council agrees to project manage the design and construction of the Kununurra Emergency Services Centre on behalf of FESA, subject to the following modifications to the terms proposed:*

1. *Removal of the term that reads:*
  - *Upon completion, take possession of No 12 Agate Way and No 129 Coolibah Drive, Kununurra as a part of a land exchange agreement between FESA, the Health Department and the Shire.*

2. *That Council require written indemnity from FESA for any cost and time overruns associated with management and construction of the project.*

Where Council resolves to consider the rescission of Minute No. 7645, the following recommendations apply:

2. That Council rescind Minute No. 7645.
3. That Council advise the Fire and Emergency Services Authority that it declines to project manage the design and construction of the Kununurra Emergency Services Centre on behalf of FESA because of the capacity constraints of the Shire given the range of projects it is already committed to.

**Cr K. Wright, Cr M. Middap and Cr J. Buchanan supported the consideration of the rescission of Minute No. 7645, 20 March 2007.**

### **COUNCIL DECISION**

**Minute No. 7874**

**Moved: Cr K. Wright                      Seconded: Cr R. Devenish-Meares**

***That Council rescind Minute No. 7645.***

***'That Council agrees to project manage the design and construction of the Kununurra Emergency Services Centre on behalf of FESA, subject to the following modifications to the terms proposed:***

1. ***Removal of the term that reads:***
  - ***Upon completion, take possession of No 12 Agate Way and No 129 Coolibah Drive, Kununurra as a part of a land exchange agreement between FESA, the Health Department and the Shire.***
2. ***That Council require written indemnity from FESA for any cost and time overruns associated with management and construction of the project.'***

**Carried by Absolute Majority 6/0**

### **COUNCIL DECISION**

**Minute No. 7875**

**Moved: Cr K. Wright                      Seconded: Cr M. Middap**

***That Council advise the Fire and Emergency Services Authority that it declines to project manage the design and construction of the Kununurra Emergency Services Centre on behalf of FESA because of the capacity constraints of the Shire given the range of projects it is already committed to.***

**Carried Unanimously 6/0**



### 12.2.3. Proposed Road Name - Curlew Way

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	B McKenney
<b>LOCATION:</b>	Lots 12 & 13, off Egret Close
<b>AUTHOR:</b>	Keith Williams, Executive Manager Town Planning
<b>REPORTING OFFICER:</b>	Keith Williams, Executive Manager Town Planning
<b>FILE NO:</b>	43.04.02
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider a request from the land owner for the naming of a new street off Egret Close as Curlew Way.

#### **BACKGROUND**

A subdivision for the subject land was approved in 2007. The proponent for the subdivision has now requested that Council consider the name Curlew Way for the name of the road.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

A street sign will be required to be placed at the intersection of Egret Close and the subject Street.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **COMMENT**

The Street is required to be named and subdivision clearances are imminent. Curlew Way is the name suggested by the proponent. This name is consistent with Council's practice of naming streets in rural areas after birds [eg Jabiru, Whimbrel, Egret].

It is suggested that the name is modified to Curlew Close, given that the street is a Cul De Sac.

#### **ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**MANAGERS' RECOMMENDATION**

That Council advise the geographic names committee of LandGate that its preferred name for the street is Curlew Close, as per the plan at attachment 1.

**COUNCIL DECISION**

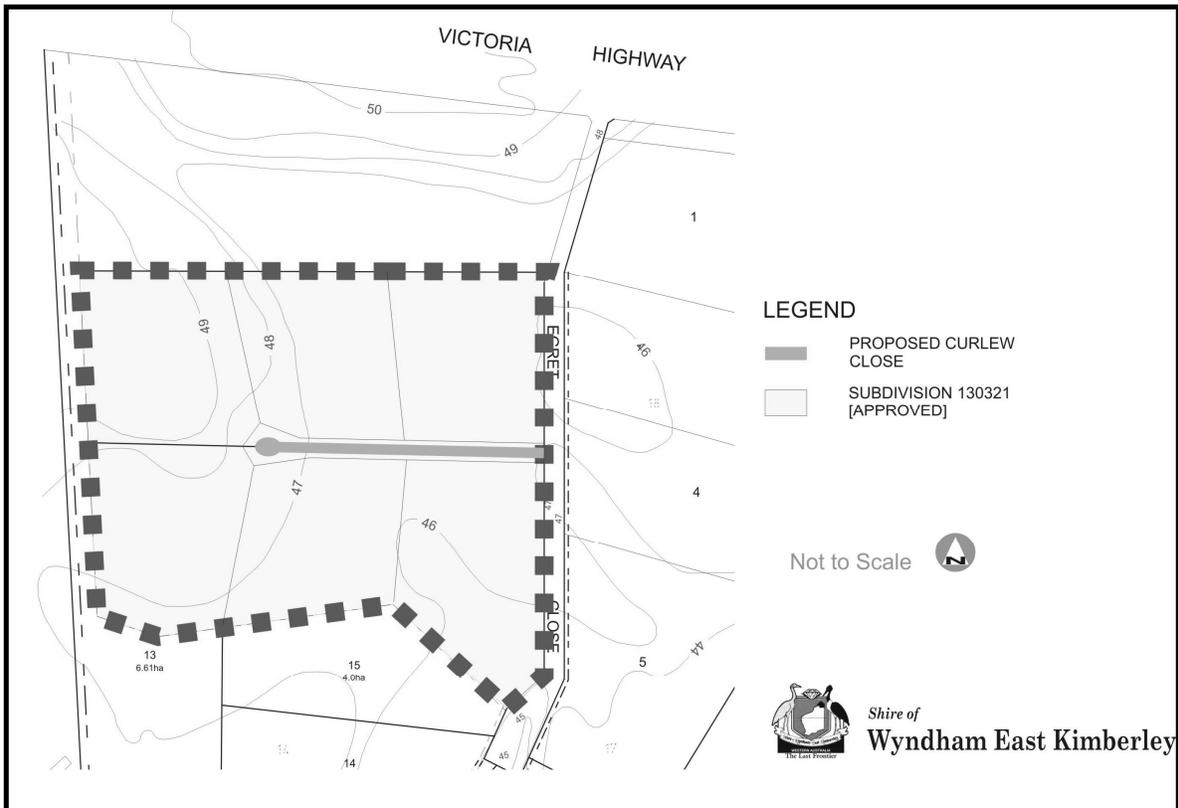
**Minute No. 7876**

**Moved: Cr K. Wright      Seconded: Cr R. Devenish-Meares**

*That Council advise the geographic names committee of LandGate that its preferred name for the street is Curlew Court, as per the plan at attachment 1.*

**Carried Unanimously 6/0**

**ATTACHMENT 1: CURLEW CLOSE**



#### 12.2.4. Proposed Road Names - Lakeside Stages 3 & 4

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	LandCorp
<b>LOCATION:</b>	Lakeside Estate
<b>AUTHOR:</b>	Keith Williams, Executive Manager Town Planning
<b>REPORTING OFFICER:</b>	Keith Williams, Executive Manager Town Planning
<b>FILE NO:</b>	43.04.02
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider a request from LandCorp for the naming of new streets within the Lakeside Estate subdivisions.

#### **BACKGROUND**

Subdivision approvals for Stages 3 & 4 of the Lakeside Park subdivisions have been granted. The proponent has submitted suggested names for Streets within these areas for consideration by Council.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Street signage to be erected at the cost of the proponent.

#### **STRATEGIC IMPLICATIONS**

Nil

#### **COMMENT**

The following names have been submitted for streets within the current and next stages of the Lakeside Park subdivisions:

Stage 3:

- Corkwood Street
- Coolaman Court

Stage 4:

- Quondong Way
- Box Street

- Rush Street
- Mimosa Link

These names reflect the practice of Council in naming streets after vegetation within the town site area, and are recommended for approval.

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

That Council:

1. Advise the geographic names committee of LandGate that the preferred names for Lakeside Park Stage 3 are Corkwood Street and Coolaman Court, as per the plan at attachment 1.
2. Advise the geographic names committee of LandGate that the preferred names for Lakeside Park Stage 4 are Qondong Way, Box Street, Rush Street and Mimosa Link, as per the plan at attachment 2.

### **COUNCIL DECISION**

**Minute No. 7877**

**Moved: Cr K. Wright**

**Seconded: Cr M. Middap**

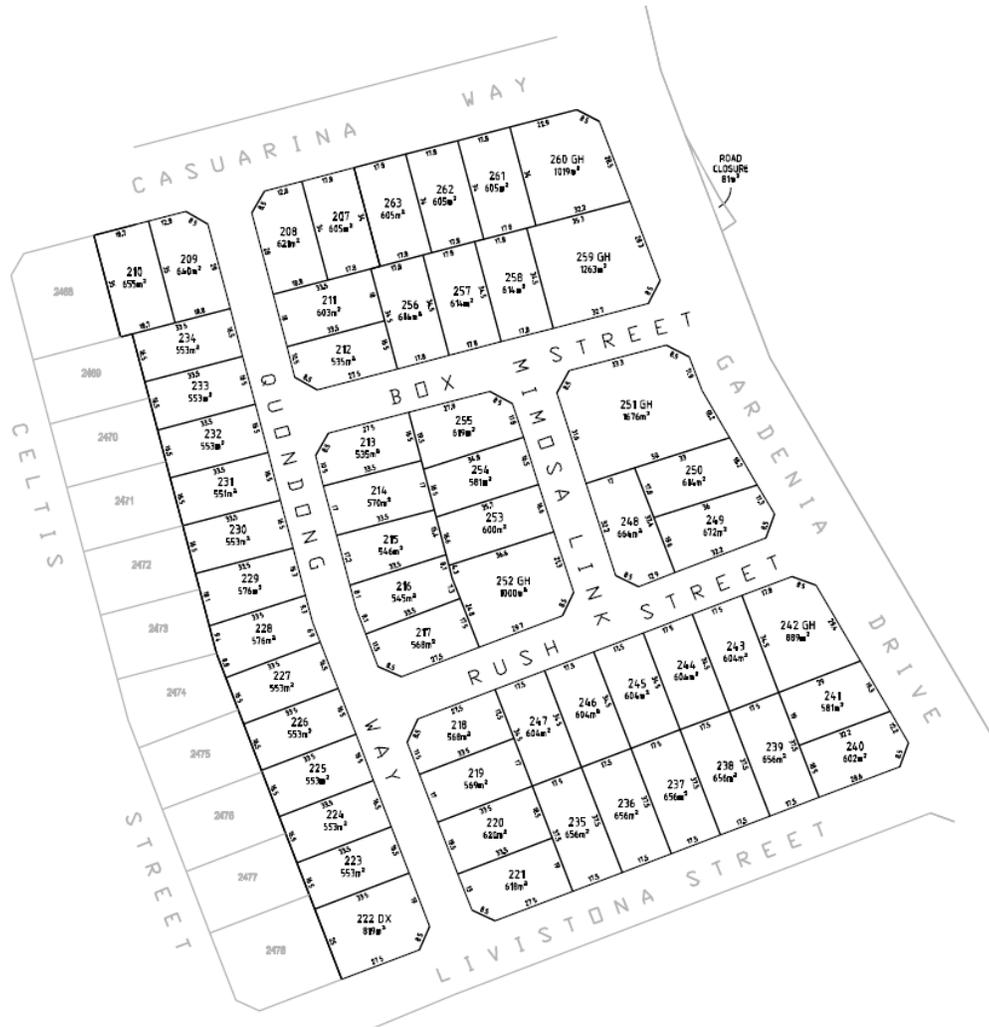
***That Council:***

1. ***Advise the geographic names committee of LandGate that the preferred names for Lakeside Park Stage 3 are Quondong Street and Corkwood Court.***
2. ***Defer advice regarding the preferred names for Lakeside Stage 4 to the next Council meeting.***

**Carried Unanimously 6/0**



**ATTACHMENT 2: STAGE 4 STREET NAMES**



### 12.2.5. Municipal Heritage Review

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Keith Williams, Executive Manager Town Planning
<b>REPORTING OFFICER:</b>	Keith Williams, Executive Manager Town Planning
<b>FILE NO:</b>	43.01.08
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider initial consultation for the review of the Municipal Heritage Inventory.

#### **BACKGROUND**

Council has allocated funding for the review of the Municipal Heritage Inventory for the last 3 years, however, the review was never completed due to other priority tasks.

A review has now been undertaken by SMEC Australia and the draft has been submitted for consideration.

A Local Government Heritage Inventory (LGHI) is a record of places and areas within the local government area that, in the opinion of the local government, are of cultural heritage significance for the local government district. Its purpose is to provide a cultural and historic record of the local government district and to assist with the achievement of heritage conservation objectives. In accordance with the provisions of the *Heritage of Western Australia Act 1990* (the Act) LGHI's are required to be prepared and regularly reviewed and updated.

The *Shire of Wyndham-East Kimberley Municipal Heritage Inventory* (O'Brien Planning Consultants, 1997) was prepared in 1997 (MHI). Municipal Heritage Inventories are now referred to as Local Government Heritage Inventories. These documents are to be viewed as open ended documents - new places may be added, existing places may be removed; the information pertaining to existing places on the Inventory will need to be updated as the use of a building or area changes, its condition is improved or declines and so forth.

The Shire of Wyndham-East Kimberley Local Government Heritage Inventory 2007 builds on the extensive work and community consultation already undertaken in the compilation of the original MHI.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The budget allocation for the LGHI is \$10 000. The review by SMEC has incurred costs of \$7 000. Advertising costs are yet to be incurred, and additional costs may be incurred as a result of any modifications required as part of the consultation process.

## **STRATEGIC IMPLICATIONS**

Nil

## **COMMENT**

The draft LGHI builds on the 1997 review. The draft requires review prior to public consultation, and given that officers may not have the desired historical knowledge, it is proposed that the document is reviewed by the historical societies of Wyndham and Kununurra, as well as by the Chamber of Commerce and Industry. Consultation is proposed to occur over one month, to allow an appropriate review timeframe.

At the conclusion of this referral period the document will be revised after consideration of the comment from these organisations by Council.

A formal public consultation process will occur after this period, and further consideration by Council will also follow this process.

## **ATTACHMENTS**

The draft LGHI has been distributed to Councillors at the briefing session.

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

That Council refer, on a confidential basis, the draft Shire of Wyndham East Kimberley Local Government Heritage Inventory to the respective historical societies of Wyndham and Kununurra and the Kununurra Chamber of Commerce and Industry for initial feedback, with comment to be received by 2 November 2007.

## **COUNCIL DECISION**

**Minute No. 7878**

**Moved: Cr K. Wright**

**Seconded: Cr J. Buchanan**

***That Council refer the draft Shire of Wyndham East Kimberley Local Government Heritage Inventory to the respective historical societies of Wyndham and Kununurra for initial feedback, with comment to be received by 10 January 2008.***

**Carried Unanimously 6/0**

## 12.2.6. Town Planning Scheme No 7 - Proposed Amendment 25 - Casuarina Way

<b>DATE:</b>	21 August 2007
<b>PROPONENT:</b>	P Manner, P Woodhead and S King
<b>LOCATION:</b>	Lots 1833, 1834, 1835 Casuarina Way
<b>AUTHOR:</b>	Keith Williams, Executive Manager Town Planning
<b>REPORTING OFFICER:</b>	Keith Williams, Executive Manager Town Planning
<b>FILE NO:</b>	43.31.25
<b>ASSESSMENT NO:</b>	N/A

### **PURPOSE**

For Council to consider the initiation of an amendment to Shire of Wyndham East Kimberley Town Planning Scheme No 7 - Kununurra and Environs for the rezoning of lots 1833, 1834 & 1835 Casuarina Way.

### **BACKGROUND**

Correspondence was received by the applicants consultant, and stated the purpose of the amendment:

*The amendment proposes to rezone the land from "Residential R15" to Residential "R15/30" in order to facilitate its redevelopment of the land to the higher density. The dual coding is proposed because firstly, it is consistent with zoning nearby and secondly, it allows Council a degree of control over the quality and form of future development.*

### **SITE LOCATION**

The owners of the lots are P. Manners, P. Woodhead and S. King. The subject land comprises lots 1833, 1834 & 1835 Casuarina Way, Kununurra which total 2663m<sup>2</sup> in size and have a combined street frontage of 70m. The lots are located on the southern side of the road approximately 20m east of the Bossea Street intersection.

The land is within the Lakeside locality which is a residential area south east of the Kununurra town centre west of Victoria Highway. All three lots are developed with single residential dwellings and associated outbuildings.

Adjoining land use to the south, east and west of the subject land is residential. Surrounding residential land is predominantly zoned Residential R15 which allows single residential development only. There are pockets of land nearby however which have the dual coding of either R15/R50 or R15/30. There is an existing grouped dwelling development approximately 80m east of the subject land on the northern side of Casuarina Way and another area of dual coded land at the end of Palm Court just west of the subject land that is still undeveloped.

Land opposite the subject site on the northern side of Casuarina Way is reserved under the Scheme as Foreshore Reserve, known as Lily Creek.



### **PROPOSED LAND USE / DEVELOPMENT**

The amendment proposes to rezone land that is currently zoned Residential R15 to Residential R25. The amendment will potentially facilitate the redevelopment of the land with a maximum of 8 dwellings.

Development of all three lots is unlikely to occur as soon as the amendment is finalised, and is likely to take some years, given the substantial dwellings already constructed on the site. The application states:

*The applicable lot areas for residential zoned land is set by the Residential Design Codes of WA (R-Codes). With respect to land coded R30, the R-Codes specify a minimum lot area of 270m<sup>2</sup> and an average lot area of 300m<sup>2</sup>. This means that an area of land 2663m<sup>2</sup> in size has a maximum potential for 8 lots.*

*As the land is already developed with single residences, redevelopment will only be realised when demolition of the existing housing stock becomes feasible. At that time Council will assess any application for development in light of any current and appropriate policy.*

### **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. Upon receipt of an assessment from the Environmental

Protection Authority, Council must advertise the amendment for a period of 42 days by the following means:

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

## **PLANNING FRAMEWORK**

### Town Planning and Development Act

The amendment is required to be undertaken in accordance with the provisions of the Planning and Development Act 2005 [the Act].

Council must initiate the amendment in accordance with the provisions of the Act. Accordingly, the amendment documentation and the resolution of this agenda item are set out to conform with the Act.

### Local Planning Strategy

Councils adopted Local Planning Strategy [LPS] designates the area as Residential and states that there is both a housing shortage and a dearth of appropriate housing types to adequately meet demographics because single dwellings are the predominant housing style. The LPS further states that this inadequacy has resulted in a relatively significant number of ad-hoc and informal housing developments within the mixed business and light industrial zones.

The LPS suggests ways and means of overcoming the housing shortage and lack of choice with the following recommendations:

- Up-coding residential densities to slightly higher densities where lot sizes allow;
- Encouraging a variety of housing forms that promote climate sensitivity and sustainability;
- Providing for infill development opportunities where they do not conflict with prevailing densities and amenity; and
- Modifying provisions and R-Coding in the Scheme to provide more flexibility in the creation of housing styles and type.

Notwithstanding this, the LPS also states that densities within existing parts of Lakeside should remain at R15, with areas of higher densities to be determined by structure planning of new subdivisional areas.

### Town Planning Scheme No 7

The Scheme does not currently allow for the redevelopment of the lots. The amendment has been proposed by the applicants to allow for the development of grouped housing in the form of duplexes on the lots.

## **FINANCIAL IMPLICATIONS**

An initiation fee of \$500 is payable on initiation of the amendment by Council. Advertising will not proceed until this fee has been paid.

## **CONCLUSION**

The applicants consultant argues that the rezoning will be beneficial to the town as follows:

*The LPS sets out clearly that there is a housing shortage within Kununurra and that there is insufficient housing choice which has resulted in some ad-hoc development in inappropriate areas. Higher density coding facilitates development of one, two and three bedroom villas and units which are more applicable, desirable and affordable for single individuals, couples or the young in general. The infill development that will be facilitated by approval of this scheme amendment will in part, help address these issues.*

*Ideally, higher density development should be located close to amenities, facilities and public open space particularly to offset the lack of private open space within the development itself. The land the subject of this request is located within the townsite within proximity of the services and facilities in Kununurra and the public open space of the Lily Creek foreshore and as such, it is well positioned to accommodate the higher density.*

*The development that will occur on the land will be neither out of character or context in the Lakeside locality which already has pockets of dual coding and grouped dwelling developments. Further, Council and its staff have adequate control and tools in the form of the R-Codes to assess development applications and ensure appropriate standards of design and amenity area met.*

Although the LPS states that existing Lakeside subdivisions are preferred to be Residential R15 and that future stages will define higher densities for this part of town, there is merit in the applicants argument, and it is considered that an appropriate response is to initiate the amendment in order that documents can be drafted, and for advertising to commence.

It should be noted that once advertising has finished, the proposal is required under the Act to be put to Council for consideration of the submissions received, and a formal resolution is required even if no submissions are received.

## **ATTACHMENTS**

The letter submitted by the applicant was included in the September Briefing session, and is also available on request.

## **VOTING REQUIREMENT**

Absolute Majority

## **MANAGERS' RECOMMENDATION**

That Council:

- A Pursuant to Section 75 of the Planning and Development Act 2005 [as amended] amend the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 - Kununurra and Environs, by:

1. Rezoning Lots 1833, 1834 & 1835 CASUARINA WAY, KUNUNURRA "Residential R15" to Residential "R15/30", and
  2. Amending the Scheme Maps accordingly.
- B Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation when submitted;
- C Forward the Town Planning Scheme amendment to the Environmental Protection Authority requesting the level of assessment for the amendment be set pursuant to Section 48A of the Environment Protection Act 1986 [as amended]; and
- D Upon receipt of the level of assessment from the Environmental Protection Authority, advertise the amendment for a period of 42 days by an advertisement in the Kimberley Echo, erection of a notice in the Shire Offices and the posting of notices to affected parties.

It was noted by Councillors that an Absolute Majority was not required for this decision.

### **COUNCIL DECISION**

**Minute No. 7879**

**Moved: Cr K. Wright      Seconded: Cr R. Devenish-Meares**

***That Council:***

**A      *Pursuant to Section 75 of the Planning and Development Act 2005 [as amended] amend the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 - Kununurra and Environs, by:***

- 1.      Rezoning Lots 1833, 1834 & 1835 CASUARINA WAY, KUNUNURRA "Residential R15" to Residential "R15/30", and***
- 2.      Amending the Scheme Maps accordingly.***

**B      *Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation when submitted;***

**C      *Forward the Town Planning Scheme amendment to the Environmental Protection Authority requesting the level of assessment for the amendment be set pursuant to Section 48A of the Environment Protection Act 1986 [as amended]; and***

**D      *Upon receipt of the level of assessment from the Environmental Protection Authority, advertise the amendment for a period of 42 days by an advertisement in the Kimberley Echo, erection of a notice in the Shire Offices and the posting of notices to affected parties.***

**Tied vote 3/3**

**Motion passed with the casting vote from the Chair.**

**Cr K. Wright requested the votes be recorded**

**For: Cr J. Buchanan, Cr D. Ausburn, Cr R. Devenish-Meares**

**Against: Cr M. Pucci, Cr K. Wright, Cr M. Middap**

## 12.3. CORPORATE SERVICES

### 12.3.1. Monthly Financial Report

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Amanda Trengove, Manager Financial Services
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to note and accept the Monthly Financial Report for July 2007.

#### **BACKGROUND**

Council is required to adopt Monthly Financial Reports, the minimum requirement, as stated in the Local Government (Financial Management) Regulations 1996, is to prepare a "Financial Activity Statement Report". Options were put to the Audit Committee in October 2006 to determine what was to be presented to Council. At this meeting, the Committee decided to present to Council every month the following information:

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

#### **STATUTORY IMPLICATIONS**

Local Government (Financial Management) Regulations 1996 (as amended)  
34. Financial activity statement report — s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month in the following detail:
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
  - (b) budget estimates to the end of the month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - (e) the net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing:
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
  - (b) an explanation of each of the material variances referred to in sub regulation (1) (d);  
and
  - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown:
- (a) according to nature and type classification;
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity and the accompanying documents referred to in sub regulation (2) are to be:
- (a) presented to the council:
    - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
    - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.
- (6) In this regulation:

“committed assets” means revenue unspent but set aside under the annual budget for a specific purpose;  
“restricted assets” has the same meaning as in AAS 27.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

Nil

**COMMENT**

The July 2007 Monthly Financial Report will be provided as a separate attachment to this agenda prior to the Council Meeting.

**ATTACHMENTS**

Refer Separate Attachment to Agenda  
Monthly Financial Report – Part A - Financial Statement Activity Report

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council note and accept the Monthly Financial Reports for month end of July 2007.

**COUNCIL DECISION**

**Minute No. 7880**

**Moved: Cr K. Wright      Seconded: Cr M. Middap**

***That Council note and accept the Monthly Financial Reports for month end of July 2007.***

**Carried Unanimously 6/0**

### 12.3.2. List of Accounts Paid Under Delegation 18

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Gill Old, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	60.14.03
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To present the listing of accounts paid under delegated authority in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

#### **BACKGROUND**

Delegation 18 – Payment of Creditors was adopted by Council on 17 July 2007. This delegation gives authority to make payments from the Municipal Fund or Trust Fund to the Chief Executive Officer. There is a sub delegation to the Executive Manager Corporate Services, Manager Financial Services and Financial Officers.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 5.42  
Local Government (Financial Management) Regulations 1996 – Regulations 12 and 13

#### **POLICY IMPLICATIONS**

Delegation 18 – Payment of Creditors

#### **FINANCIAL IMPLICATIONS**

Ongoing management of Council funds by providing Council with sufficient information to monitor and review payments made.

#### **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.*

#### **COMMUNITY CONSULTATION**

N/A

## **COMMENT**

In accordance with statutory requirements and delegated authority, each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled each month showing: the payee's name, amount of payment, date of payment and sufficient information to identify the transaction. The list is to be presented to Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

## **ATTACHMENTS**

The List of Accounts Paid Under Delegation 18 will be provided as a separate attachment to this agenda prior to the Council Meeting.

Refer Separate Attachment to Agenda  
Monthly Financial Report – Part B - List of Accounts Paid Under Delegation 18.

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council notes and receives the listing of payments approved under Delegation 18 - Payment of Creditors, being:

- Municipal cheques 037930 - 037978 (10 August – 7 September 2007) \$428,525.45
- EFT101115 to EFT101305 (10 August - 7 September 2007) \$984,976.18
- Payroll (1 August to 31 August 2007) \$279,700.19
- Direct bank debits (1 August to 31 August 2007) \$ 40,542.90
- Total** **\$1,733,744.72**

## **COUNCIL DECISION**

**Minute No. 7881**

**Moved: Cr K. Wright      Seconded: Cr R. Devenish-Meares**

***That Council notes and receives the listing of payments approved under Delegation 18 - Payment of Creditors, being:***

- ***Municipal cheques 037930 - 037978 (10 August – 7 September 2007)*** \$428,525.45
- ***EFT101115 to EFT101305 (10 August - 7 September 2007)*** \$984,976.18
- ***Payroll (1 August to 31 August 2007)*** \$279,700.19
- ***Direct bank debits (1 August to 31 August 2007)*** \$40,542.90
- Total** **\$1,733,744.72**

**Carried Unanimously 6/0**

### 12.3.3. 90 Day Aged Debtors Listing

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Gill Old, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	60.14.03
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To present the listing of Aged Debtors with balances outstanding for 90 days or longer.

#### **BACKGROUND**

Council has traditionally received a listing of 90 Day Sundry Debtors on a monthly basis.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **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.*

#### **COMMUNITY CONSULTATION**

N/A

#### **COMMENT**

The listing of 90 Day Sundry Debtors will be provided as a separate attachment to this agenda prior to the Council Meeting.

## **ATTACHMENTS**

Refer Separate Attachment to Agenda  
Monthly Financial Report – Part C - List of 90 Day Sundry Debtors.

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council note and receive the listing of 90 Day Sundry Debtors as at 31 August 2007 totalling \$89094.69 (GST inclusive).

## **COUNCIL DECISION**

**Minute No. 7882**

**Moved: Cr K. Wright                      Seconded: Cr J. Buchanan**

*That Council request the officers write to Credipac and query the status of those debtors listed as 'Debtor with Credipac' or 'Sent to Credipac' with an explanation provided at next Council meeting if the answer is forthcoming from Credipac.*

**Carried Unanimously 6/0**

## **COUNCIL DECISION**

**Minute No. 7883**

**Moved: Cr K. Wright                      Seconded: Cr R. Devenish-Meares**

*That Council note and receive the listing of 90 Day Sundry Debtors as at 31 August 2007 totalling \$89094.69 (GST inclusive).*

**Carried Unanimously 6/0**

## 12.4. COMMUNITY SERVICES

### 12.4.1. Kununurra Leisure Centre Operational Policy and Guidelines

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Kununurra
<b>AUTHOR:</b>	Jesse Mortensen, Manager Recreation and Leisure
<b>REPORTING OFFICER:</b>	Karyn Apperley, Executive Manager Community Services
<b>FILE NO:</b>	36.03.01
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To present the draft Kununurra Leisure Centre Operational Policy and Guidelines for adoption by Council.

#### **BACKGROUND**

Management of the Kununurra Leisure Centre is undergoing several improvements and the creation of a policy document for the management and operations of the centre is an important step in the Centre's ongoing improvement.

The draft policy was presented to Council at its Briefing Session on 4 September 2007.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

This policy is consistent with all relevant policies relating to Shire Recreation Facilities.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

This policy maximises the Shires ability to progress the management of the Kununurra Leisure Centre towards an industry leader in sport and recreation service provision.

#### **COMMUNITY CONSULTATION**

Relevant stakeholders have been involved in the creation of this document, including current commercial enterprises with activities at the Kununurra Leisure Centre.

## **COMMENT**

The aims of the policy, as outlined for consideration are:

- To provide the Shire with clear objectives for the Kununurra Leisure Centre that promotes community usage to meet a wide range of user needs.
- To assist in the effective management and development of the Kununurra Leisure Centre.
- To ensure that community users are provided with clear guidelines to promote community involvement and equitable use of the facility.

Key areas of focus include opening hours, service provision, cost effective management, alcohol usage and commercial enterprises.

The adoption of the policy by Council will assist in strengthening the operations of the Kununurra Leisure Centre.

The proposed policy is presented for discussion and review below:-

<b>POLICY No:</b>	<b>R5</b>
<b>DIVISION:</b>	<b>Community Services</b>
<b>SUBJECT:</b>	<b>Kununurra Leisure Centre Optional Policy and Guidelines</b>
<b>REPORTING OFFICER:</b>	<b>Executive Manager Community Services</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995</b>

### **1. PURPOSE**

The purpose of this policy is to provide efficient, fair and equitable management protocols of the Kununurra Leisure Centre and to increase opportunities for the pursuit of health and fitness and public use of facilities.

### **2. DEFINITIONS AND KEY CONCEPTS (GUIDING PRINCIPLES)**

#### **2.1 DIVERSITY, QUALITY AND DESIGN**

The Leisure Centre and its programs and activities should be designed to meet health and fitness goals for the community and provide a diverse range of opportunities for both land and aquatic based recreation.

Design, layout and facilities should be of high quality and provide for safe and enjoyable use by all sectors of the community.

## **2.2 MANAGEMENT AND MAINTENANCE**

Management and maintenance should meet community and legislative requirements within budget constraints and in accordance with agreed priorities

Adequate funding and skills in leisure and aquatic centre management are necessary to achieve a successful facility that meets community needs.

## **2.3 ACCESS AND EQUITY**

The Leisure Centre should provide good access to facilities, settings and activities for the whole of the community including people with limited mobility and disabilities and people from culturally and linguistically diverse backgrounds.

Orientation and information signs should be provided to help residents and visitors locate the Leisure Centre and further understand the features and services of the facility.

The hours of operation, the opportunities provided by the leisure centre and the benefits of health, fitness and recreation should be widely promoted and be customer focused.

## **3. BACKGROUND**

The Kununurra Leisure Centre is a multi use facility that has benefits for a wide range of users. In order to assist in the provision of equitable access to the centre this policy will assist the Shire of Wyndham East Kimberley to take a leadership role in the provision of an appropriate and high quality facility and associated surfaces, programs and activities that meets established and future community needs.

## **4. POLICY OBJECTIVES**

- 4.1** To provide the Shire with clear objectives for the Leisure Centre that promote community usage to meet a wide range of user needs.
- 4.2** To assist in the effective management and development of the Kununurra Leisure Centre.
- 4.3** To ensure that community users are provided with clear guidelines to promote community involvement and equitable use of the facility.

## **5. VISION AND KEY GOALS**

- 5.1** The Shire will provide a leisure facility that is clean, safe, well supervised in a pleasant setting for relaxing and pursuing health and fitness benefits.
- 5.2** The Leisure Centre will have up to date facilities and equipment and will benefit from a planned and coordinated management and development approach.

- 5.3 Residents and visitors using the Leisure Centre will be provided with opportunities for both informal recreation and organised sport and fitness services and activities.
- 5.4 The needs of people with disabilities and people from culturally and linguistically diverse backgrounds will be included in program development and service delivery and access will be carefully planned to meet a wide range of needs.
- 5.5 The Shire will coordinate, facilitate or advocate for a range of programs to assist residents to attend and enjoy the leisure centre.

## **6. POLICY STATEMENT**

The Shire of Wyndham East Kimberley will provide a fitness, leisure and aquatic facility that is managed as cost effectively as possible whilst providing access on a fair and equitable basis. Its key concepts are the promotion of health, fitness and a healthy lifestyle through service provision and the standardisation of the bookings system based on user agreements, fees and charges and conditions of hire or membership.

This policy has 3 attached schedules:

- Schedule 1: Guidelines for User Bookings – Leisure Centre
- Schedule 2: Guidelines for User Bookings – Swimming Pool
- Schedule 3: Liquor Application Request

In addition, the relevant Fees and Charges for the Kununurra Leisure Centre are listed in the Shire of Wyndham East Kimberley's annually adopted Schedule of Fees and Charges. The Schedule of Fees and Charges is available from the Shire Offices or may be viewed at the Kununurra Leisure Centre.

## **7. HOURS OF OPERATION**

Hours of operation will be determined to maximise the effective utilisation of facilities and provide a diverse range of programs and services for all community members.

Any use outside of the nominated operating hours will be charged at the out of hours rate and based on available staffing and resources. Refer to the Shire's Schedule of Fees and Charges for applicable rates.

## **8. OUT OF HOURS OPENING**

If the swimming pool or leisure centre area is hired out of regular opening hours, by any user, hire will include supervision by Shire staff in accordance with aquatic or relevant facility regulations

## **9. BOOKINGS**

Bookings of the facility or any part will be allocated for general public use of the main swimming pool and gymnasium at all times except when the centre is closed for exclusive hire.

Refer to Schedules 1 and 2: User Booking Guidelines for hire conditions.

**10. ALCOHOL, DRUGS AND SMOKING**

Kununurra Leisure Centre is a smoke free area and no smoking will be permitted within the leisure centre or aquatic facility.

Alcohol may be permitted for special events only provided a permit has been obtained from the Shire of Wyndham East Kimberley and where necessary from the Department of Racing, Gaming and Liquor (refer schedule 3: Liquor Application Request). It is the responsibility of the organising party/hirer to ensure intoxication does not occur and that responsible service of alcohol guidelines are followed. Anyone deemed to be intoxicated will be removed from the centre and management reserves the right to end any special event where safety is at risk due to intoxication. Due to public safety requirements alcohol will not be permitted at events where swimming is an activity.

**11. COMMERCIAL ENTERPRISES AND COACHING**

The Shire of Wyndham East Kimberley shall make available for lease two areas for commercial enterprises. These two areas are a kiosk and an office area. Leases will be available for three year periods and will be advertised in accordance with the Local Government Act 1995.

Commercial enterprises without a designated area, such as personal trainers, will still be deemed to be commercial enterprises. Personal Trainers and Fitness Instructors deemed to be commercial enterprises must seek permission from the Shire of Wyndham East Kimberley to conduct commercial activity on the premises. Commercial Enterprises will not be eligible for standard patron memberships and will be subject to specific charges upon negotiation. The Shire of Wyndham East Kimberley reserves the right to determine who is operating as a commercial enterprise

**12. PATRON CONDUCT**

Patrons must at all time conduct themselves with care and respect for the safety of themselves and other patrons and staff and follow all policies and procedures present in this document.

## **SCHEDULE 1: USER BOOKINGS GUIDELINES – LEISURE CENTRE**

1. All groups must have in place their own Public Liability policy of insurance covering their legal liabilities as “occupiers” of Shire facilities. (For private functions this will be at the discretion of the Manager Recreation and Leisure).
2. All groups must, at the time of booking, provide a copy of their Certificate of Currency to the Manager Recreation and Leisure (or delegate) by way of proof that insurance cover is valid. A booking will not be confirmed until a copy of the public liability insurance is presented to the Leisure Centre.
3. Bookings are to be confirmed (with exact times etc.) and paid in full at least 14 days prior to the function. Where 14 days notice is not possible booking approval will be at the discretion of the Manager Recreation and Leisure.
4. A bond must be paid in advance and in accordance with the current schedule of fees. This bond shall be returned as soon as possible after the function should there be no damage or additional expenses incurred.
5. If the function is cancelled within 48 hours a fee of 50% of the quoted hire charge may result to cover loss of other potential hire fees and staff time for booking arrangements.
6. Due to increased facility usage, setting up and cleaning times should be included in your booking and must be approved by Leisure Centre staff.
7. No smoking or drinking is permitted in the foyer area. It is recommended that this be policed, as bond moneys will be withheld to cover any damage to the foyer area.
8. A bar may be set up within the hall area. Appropriate floor protection (i.e. Tarpaulin) must be used to prevent damage to the floor. Approval is granted for the consumption of alcohol, provided the appropriate license is obtained.
9. Any damage discovered prior to your booking should be reported to Leisure Centre staff. This will ensure that your group is not responsible and your bond is not jeopardised.
10. Under no circumstances is the stage light set-up to be adjusted in any way.
11. A Leisure Centre staff member must be present at all times during the function and may enforce the rules and regulations of the centre at any time.

### **CLEANING REQUIREMENTS**

1. Cleaning products and equipment are not provided. All mops, brooms, etc are to be provided by the hirer.
2. Remove all Rubbish to the bins provided
3. Wipe down all tables, chairs and other used surfaces, stack and return all chairs and tables to the storeroom.
4. All decorations including balloons must be removed. Also note we do not allow helium filled balloons in the sports hall.
5. Mop all floors where food and drink has been served. Food and drink is not normally permitted in the sports hall. If you use this area for the consumption of any food or drink (other than water) you may be required to employ a contract cleaner to clean the sports hall floor. (See the listings in the telephone directory for a quote.) The centre uses K & M Allclean. It is recommended that the hirer contact the cleaning company and arranges for the extra cleaning that is required and that proof of the cleaning arrangements is provided to the Leisure Centre Staff.
6. All cleaning must be completed immediately after your function.

## **LIQUOR GUIDELINES**

Alcohol may only be taken onto the premises if the following applications have been made and approval granted.

1. If alcohol is going to be consumed on a BYO basis the hirer must apply in writing and complete Schedule 3: Liquor Application request to the CEO, Shire of Wyndham East Kimberley, PO Box 614, Kununurra WA 6743. Approval is subject to the discretion of the CEO.
2. Applicants who intend to sell alcohol either directly or indirect (included in the price of a ticket, etc) must gain permission from the CEO and then apply for an Occasional Liquor License from the Department of Racing, Gaming and Liquor (Liquor Licensing Division.) If approval is granted a copy of the Occasional License and any conditions contained therein must be forwarded to the Leisure Centre at least one week prior to the function.

## **SCHEDULE 2: USER BOOKINGS GUIDELINES – SWIMMING POOL**

1. All groups must have in place their own Public Liability policy of insurance covering their legal liabilities as “occupiers” of Shire facilities. (For Private functions this will be at the discretion of the Manager Recreation and Leisure).
2. All groups should, at the time of booking, provide a copy of their Certificate of Currency to the Manager Recreation and Leisure (or delegate) by way of proof that insurance has been taken out.
3. Bookings are to be confirmed (with exact times etc.) and paid in full at least 14 days prior to the function. Where 14 days notice is not possible booking approval will be at the discretion of the Manager Recreation and Leisure.
4. A bond must be paid in advance and in accordance with the current schedule of fees and charges. This bond shall be returned as soon as possible after the function should there be no damage or additional expenses incurred.
5. Should the function be cancelled within 48 hours of the function, a fee of 50% of quoted hire charge may result.
6. Due to an increasing recreation program, setting up and cleaning times should be included in your booking and must be approved by Leisure Centre staff.
7. Any damage discovered prior to your booking should be reported to Leisure Centre staff. This will ensure that your group is not responsible and your bond is not jeopardised.
8. It is the hirer’s responsibility to police who enters the pool grounds and to control guests, ensuring they abide by the rules of the centre.
9. All music is to be turned off no later than 11.30 pm.
10. Drinking or eating in the pool or on the pool edge is strictly prohibited.
11. Leisure Centre staff member must be present at all times of the function and may enforce the rules and regulations of the centre at any time.
12. The maximum number of people permitted in the pool area at one time is 300.

### **CLEANING REQUIREMENTS**

1. Cleaning products and equipment are not provided. All mops, brooms, scourers etc are to be provided by the hirer.
2. Remove all Rubbish to the bins provided
3. Wipe down all tables, chairs and other used surfaces.
4. Stack and return all chairs and tables to the storeroom.
5. All decorations including balloons must be removed.
6. All cleaning must be completed immediately after your function.

### **LIQUOR GUIDELINES**

Alcohol may only be taken onto the premises if the following applications have been made and approval granted.

1. If alcohol is going to be brought on a BYO basis the hirer must apply in writing and complete Schedule 3: Liquor Application Request to the CEO, Shire of Wyndham East Kimberley, PO Box 614, Kununurra WA 6743. Approval is subject to the discretion of the CEO.
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3. No glass beverage containers are to be used on the facility.
4. Due to public safety requirements alcohol will not be permitted at events where swimming is an activity.

### SCHEDULE 3: LIQUOR APPLICATION REQUEST

Dear CEO Shire of Wyndham East Kimberley,

I, \_\_\_\_\_ as a representative of \_\_\_\_\_  
Organisation

Request permission to have alcohol at the \_\_\_\_\_  
Facility

Our function is planned for the \_\_\_\_\_ 200\_\_\_\_ and will be held between the hours of  
Day Month Year

Alcohol will be (please circle) BYO, Sold or Provided

We expect \_\_\_\_\_ number of guests

Security will be provided by \_\_\_\_\_

#### Liquor Guidelines

Alcohol may only be taken onto the premises if the following applications have been made and approval granted.

1. No glass beverages to be used (only refers to swimming centre events).
2. If alcohol is going to be brought on a BYO basis the hirer must apply in writing to the CEO, shire of Wyndham East Kimberley, PO Box 614, Kununurra WA 6743. Approval is subject to the discretion of the CEO
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4. Free potable water is to be made available to all attendees of the event.
5. The event coordinator ensures compliance with responsible serving of alcohol guidelines.

Submission Date: \_\_\_\_\_

Applicant's signature: \_\_\_\_\_

Approved by:

\_\_\_\_\_  
NAME Position

Signature: \_\_\_\_\_

Approved Date: \_\_\_\_\_

**PLEASE RETURN TO LEISURE CENTRE ASAP**

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council adopt Policy R5 Kununurra Leisure Centre Operational Policy and Guidelines as follows:-

<b>POLICY No:</b>	<b>R5</b>
<b>DIVISION:</b>	<b>Community Services</b>
<b>SUBJECT:</b>	<b>Kununurra Leisure Centre Optional Policy and Guidelines</b>
<b>REPORTING OFFICER:</b>	<b>Executive Manager Community Services</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995</b>

### **1. PURPOSE**

The purpose of this policy is to provide efficient, fair and equitable management protocols of the Kununurra Leisure Centre and to increase opportunities for the pursuit of health and fitness and public use of facilities.

### **2. DEFINITIONS AND KEY CONCEPTS (GUIDING PRINCIPLES)**

#### **2.1 DIVERSITY, QUALITY AND DESIGN**

The Leisure Centre and its programs and activities should be designed to meet health and fitness goals for the community and provide a diverse range of opportunities for both land and aquatic based recreation.

Design, layout and facilities should be of high quality and provide for safe and enjoyable use by all sectors of the community.

#### **2.2 MANAGEMENT AND MAINTENANCE**

Management and maintenance should meet community and legislative requirements within budget constraints and in accordance with agreed priorities

Adequate funding and skills in leisure and aquatic centre management are necessary to achieve a successful facility that meets community needs.

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The Leisure Centre should provide good access to facilities, settings and activities for the whole of the community including people with limited mobility and disabilities and people from culturally and linguistically diverse backgrounds.

Orientation and information signs should be provided to help residents and visitors locate the Leisure Centre and further understand the features and services of the facility.

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## **3. BACKGROUND**

The Kununurra Leisure Centre is a multi use facility that has benefits for a wide range of users. In order to assist in the provision of equitable access to the centre this policy will assist the Shire of Wyndham East Kimberley to take a leadership role in the provision of an appropriate and high quality facility and associated surfaces, programs and activities that meets established and future community needs.

## **4. POLICY OBJECTIVES**

- 4.1** To provide the Shire with clear objectives for the Leisure Centre that promote community usage to meet a wide range of user needs.
- 4.2** To assist in the effective management and development of the Kununurra Leisure Centre.
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- 5.1** The Shire will provide a leisure facility that is clean, safe, well supervised in a pleasant setting for relaxing and pursuing health and fitness benefits.
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## **6. POLICY STATEMENT**

The Shire of Wyndham East Kimberley will provide a fitness, leisure and aquatic facility that is managed as cost effectively as possible whilst providing access on a fair and equitable basis. Its key concepts are the promotion of health, fitness and a healthy lifestyle through service provision and the standardisation of the bookings system based on user agreements, fees and charges and conditions of hire or membership.

This policy has 3 attached schedules:

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Alcohol may be permitted for special events only provided a permit has been obtained from the Shire of Wyndham East Kimberley and where necessary

from the Department of Racing, Gaming and Liquor (refer Schedule 3: Liquor Application Request). It is the responsibility of the organising party/hirer to ensure intoxication does not occur and that responsible service of alcohol guidelines are followed. Anyone deemed to be intoxicated will be removed from the centre and management reserves the right to end any special event where safety is at risk due to intoxication. Due to public safety requirements alcohol will not be permitted at events where swimming is an activity.

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#### **12. PATRON CONDUCT**

Patrons must at all time conduct themselves with care and respect for the safety of themselves and other patrons and staff and follow all policies and procedures present in this document.

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3. Bookings are to be confirmed (with exact times etc.) and paid in full at least 14 days prior to the function. Where 14 days notice is not possible booking approval will be at the discretion of the Manager Recreation and Leisure.
4. A bond must be paid in advance and in accordance with the current schedule of fees. This bond shall be returned as soon as possible after the function should there be no damage or additional expenses incurred.
5. If the function is cancelled within 48 hours a fee of 50% of the quoted hire charge may result to cover loss of other potential hire fees and staff time for booking arrangements.
6. Due to increased facility usage, setting up and cleaning times should be included in your booking and must be approved by Leisure Centre staff.
7. No smoking or drinking is permitted in the foyer area. It is recommended that this be policed, as bond moneys will be withheld to cover any damage to the foyer area.
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9. Any damage discovered prior to your booking should be reported to Leisure Centre staff. This will ensure that your group is not responsible and your bond is not jeopardised.
10. Under no circumstances is the stage light set-up to be adjusted in any way.
11. A Leisure Centre staff member must be present at all times during the function and may enforce the rules and regulations of the centre at any time.

### **CLEANING REQUIREMENTS**

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2. Remove all Rubbish to the bins provided
3. Wipe down all tables, chairs and other used surfaces, stack and return all chairs and tables to the storeroom.
4. All decorations including balloons must be removed. Also note we do not allow helium filled balloons in the sports hall.
5. Mop all floors where food and drink has been served. Food and drink is not normally permitted in the sports hall. If you use this area for the consumption of any food or drink (other than water) you may be required to employ a contract cleaner to clean the sports hall floor. (See the listings in the telephone directory for a quote.) The centre uses K & M Allclean. It is recommended that the hirer contact the cleaning company and arranges for the extra cleaning that is required and that proof of the cleaning arrangements is provided to the Leisure Centre Staff.
6. All cleaning must be completed immediately after your function.

## **LIQUOR GUIDELINES**

Alcohol may only be taken onto the premises if the following applications have been made and approval granted.

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## **SCHEDULE 2: USER BOOKINGS GUIDELINES – SWIMMING POOL**

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4. A bond must be paid in advance and in accordance with the current schedule of fees and charges. This bond shall be returned as soon as possible after the function should there be no damage or additional expenses incurred.
5. Should the function be cancelled within 48 hours of the function, a fee of 50% of quoted hire charge may result.
6. Due to an increasing recreation program, setting up and cleaning times should be included in your booking and must be approved by Leisure Centre staff.
7. Any damage discovered prior to your booking should be reported to Leisure Centre staff. This will ensure that your group is not responsible and your bond is not jeopardised.
8. It is the hirer’s responsibility to police who enters the pool grounds and to control guests, ensuring they abide by the rules of the centre.
9. All music is to be turned off no later than 11.30 pm.
10. Drinking or eating in the pool or on the pool edge is strictly prohibited.
11. Leisure Centre staff member must be present at all times of the function and may enforce the rules and regulations of the centre at any time.
12. The maximum number of people permitted in the pool area at one time is 300.

### **CLEANING REQUIREMENTS**

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3. No glass beverage containers are to be used on the facility.
4. Due to public safety requirements alcohol will not be permitted at events where swimming is an activity.

### SCHEDULE 3: LIQUOR APPLICATION REQUEST

Dear CEO Shire of Wyndham East Kimberley,

I, \_\_\_\_\_ as a representative of \_\_\_\_\_  
Organisation

Request permission to have alcohol at the \_\_\_\_\_  
Facility

Our function is planned for the \_\_\_\_\_ 200\_\_\_\_ and will be held between the hours of  
Day Month Year

\_\_\_\_\_

Alcohol will be (please circle) BYO, Sold or Provided

We expect \_\_\_\_\_ number of guests

Security will be provided by \_\_\_\_\_

#### Liquor Guidelines

Alcohol may only be taken onto the premises if the following applications have been made and approval granted.

1. No glass beverages to be used (only refers to swimming centre events).
2. If alcohol is going to be brought on a BYO basis the hirer must apply in writing to the CEO, shire of Wyndham East Kimberley, PO Box 614, Kununurra WA 6743. Approval is subject to the discretion of the CEO
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4. Free potable water is to be made available to all attendees of the event.
5. The event coordinator ensures compliance with responsible serving of alcohol guidelines.

Submission Date: \_\_\_\_\_

Applicant's signature: \_\_\_\_\_

-----

Approved by:

\_\_\_\_\_  
NAME Position

Signature: \_\_\_\_\_

Approved Date: \_\_\_\_\_

**PLEASE RETURN TO LEISURE CENTRE ASAP**

## **COUNCIL DECISION**

Minute No. 7884

Moved: Cr K. Wright

Seconded: Cr R. Devenish-Meares

*That Council adopt Policy R5 Kununurra Leisure Centre Operational Policy and Guidelines as follows:-*

<b>POLICY No:</b>	<b>R5</b>
<b>DIVISION:</b>	<b>Community Services</b>
<b>SUBJECT:</b>	<b>Kununurra Leisure Centre Optional Policy and Guidelines</b>
<b>REPORTING OFFICER:</b>	<b>Executive Manager Community Services</b>
<b>ENABLING LEGISLATION:</b>	<b>Local Government Act 1995</b>

### **1. PURPOSE**

*The purpose of this policy is to provide efficient, fair and equitable management protocols of the Kununurra Leisure Centre and to increase opportunities for the pursuit of health and fitness and public use of facilities.*

### **2. DEFINITIONS AND KEY CONCEPTS (GUIDING PRINCIPLES)**

#### **2.1 DIVERSITY, QUALITY AND DESIGN**

*The Leisure Centre and its programs and activities should be designed to meet health and fitness goals for the community and provide a diverse range of opportunities for both land and aquatic based recreation.*

*Design, layout and facilities should be of high quality and provide for safe and enjoyable use by all sectors of the community.*

#### **2.2 MANAGEMENT AND MAINTENANCE**

*Management and maintenance should meet community and legislative requirements within budget constraints and in accordance with agreed priorities*

*Adequate funding and skills in leisure and aquatic centre management are necessary to achieve a successful facility that meets community needs.*

#### **2.3 ACCESS AND EQUITY**

*The Leisure Centre should provide good access to facilities, settings and activities for the whole of the community including*

*people with limited mobility and disabilities and people from culturally and linguistically diverse backgrounds.*

*Orientation and information signs should be provided to help residents and visitors locate the Leisure Centre and further understand the features and services of the facility.*

*The hours of operation, the opportunities provided by the leisure centre and the benefits of health, fitness and recreation should be widely promoted and be customer focused.*

### **3. BACKGROUND**

*The Kununurra Leisure Centre is a multi use facility that has benefits for a wide range of users. In order to assist in the provision of equitable access to the centre this policy will assist the Shire of Wyndham East Kimberley to take a leadership role in the provision of an appropriate and high quality facility and associated surfaces, programs and activities that meets established and future community needs.*

### **4. POLICY OBJECTIVES**

*4.1 To provide the Shire with clear objectives for the Leisure Centre that promote community usage to meet a wide range of user needs.*

*4.2 To assist in the effective management and development of the Kununurra Leisure Centre.*

*4.3 To ensure that community users are provided with clear guidelines to promote community involvement and equitable use of the facility.*

### **5. VISION AND KEY GOALS**

*5.1 The Shire will provide a leisure facility that is clean, safe, well supervised in a pleasant setting for relaxing and pursuing health and fitness benefits.*

*5.2 The Leisure Centre will have up to date facilities and equipment and will benefit from a planned and coordinated management and development approach.*

*5.3 Residents and visitors using the Leisure Centre will be provided with opportunities for both informal recreation and organised sport and fitness services and activities.*

*5.4 The needs of people with disabilities and people from culturally and linguistically diverse backgrounds will be included in program development and service delivery and access will be carefully planned to meet a wide range of needs.*

*5.5 The Shire will coordinate, facilitate or advocate for a range of programs to assist residents to attend and enjoy the leisure centre.*

**6. POLICY STATEMENT**

*The Shire of Wyndham East Kimberley will provide a fitness, leisure and aquatic facility that is managed as cost effectively as possible whilst providing access on a fair and equitable basis. Its key concepts are the promotion of health, fitness and a healthy lifestyle through service provision and the standardisation of the bookings system based on user agreements, fees and charges and conditions of hire or membership.*

*This policy has 3 attached schedules:*

*Schedule 1: Guidelines for User Bookings – Leisure Centre*

*Schedule 2: Guidelines for User Bookings – Swimming Pool*

*Schedule 3: Liquor Application Request*

*In addition, the relevant Fees and Charges for the Kununurra Leisure Centre are listed in the Shire of Wyndham East Kimberley's annually adopted Schedule of Fees and Charges. The Schedule of Fees and Charges is available from the Shire Offices or may be viewed at the Kununurra Leisure Centre.*

**7. HOURS OF OPERATION**

*Hours of operation will be determined to maximise the effective utilisation of facilities and provide a diverse range of programs and services for all community members.*

*Any use outside of the nominated operating hours will be charged at the out of hours rate and based on available staffing and resources. Refer to the Shire's Schedule of Fees and Charges for applicable rates.*

**8. OUT OF HOURS OPENING**

*If the swimming pool or leisure centre area is hired out of regular opening hours, by any user, hire will include supervision by Shire staff in accordance with aquatic or relevant facility regulations*

**9. BOOKINGS**

*Bookings of the facility or any part will be allocated for general public use of the main swimming pool and gymnasium at all times except when the centre is closed for exclusive hire.*

*Refer to Schedules 1 and 2: User Booking Guidelines for hire conditions.*

**10. ALCOHOL, DRUGS AND SMOKING**

*Kununurra Leisure Centre is a smoke free area and no smoking will be permitted within the leisure centre or aquatic facility.*

*Alcohol may be permitted for special events only provided a permit has been obtained from the Shire of Wyndham East Kimberley and where*

*necessary from the Department of Racing, Gaming and Liquor (refer Schedule 3: Liquor Application Request). It is the responsibility of the organising party/hirer to ensure intoxication does not occur and that responsible service of alcohol guidelines are followed. Anyone deemed to be intoxicated will be removed from the centre and management reserves the right to end any special event where safety is at risk due to intoxication. Due to public safety requirements alcohol will not be permitted at events where swimming is an activity.*

**11. COMMERCIAL ENTERPRISES AND COACHING**

*The Shire of Wyndham East Kimberley shall make available for lease two areas for commercial enterprises. These two areas are a kiosk and an office area. Leases will be available for three year periods and will be advertised in accordance with the Local Government Act 1995.*

*Commercial enterprises without a designated area, such as personal trainers, will still be deemed to be commercial enterprises. Personal Trainers and Fitness Instructors deemed to be commercial enterprises must seek permission from the Shire of Wyndham East Kimberley to conduct commercial activity on the premises. Commercial Enterprises will not be eligible for standard patron memberships and will be subject to specific charges upon negotiation. The Shire of Wyndham East Kimberley reserves the right to determine who is operating as a commercial enterprise*

**12. PATRON CONDUCT**

*Patrons must at all time conduct themselves with care and respect for the safety of themselves and other patrons and staff and follow all policies and procedures present in this document.*

## **SCHEDULE 1: USER BOOKINGS GUIDELINES – LEISURE CENTRE**

- 1. All groups must have in place their own Public Liability policy of insurance covering their legal liabilities as “occupiers” of Shire facilities. (For private functions this will be at the discretion of the Manager Recreation and Leisure).**
- 2. All groups must, at the time of booking, provide a copy of their Certificate of Currency to the Manager Recreation and Leisure (or delegate) by way of proof that insurance cover is valid. A booking will not be confirmed until a copy of the public liability insurance is presented to the Leisure Centre.**
- 3. Bookings are to be confirmed (with exact times etc.) and paid in full at least 14 days prior to the function. Where 14 days notice is not possible booking approval will be at the discretion of the Manager Recreation and Leisure.**
- 4. A bond must be paid in advance and in accordance with the current schedule of fees. This bond shall be returned as soon as possible after the function should there be no damage or additional expenses incurred.**
- 5. If the function is cancelled within 48 hours a fee of 50% of the quoted hire charge may result to cover loss of other potential hire fees and staff time for booking arrangements.**
- 6. Due to increased facility usage, setting up and cleaning times should be included in your booking and must be approved by Leisure Centre staff.**
- 7. No smoking or drinking is permitted in the foyer area. It is recommended that this be policed, as bond moneys will be withheld to cover any damage to the foyer area.**
- 8. A bar may be set up within the hall area. Appropriate floor protection (i.e. Tarpaulin) must be used to prevent damage to the floor. Approval is granted for the consumption of alcohol, provided the appropriate license is obtained.**
- 9. Any damage discovered prior to your booking should be reported to Leisure Centre staff. This will ensure that your group is not responsible and your bond is not jeopardised.**
- 10. Under no circumstances is the stage light set-up to be adjusted in any way.**
- 11. A Leisure Centre staff member must be present at all times during the function and may enforce the rules and regulations of the centre at any time.**

### **CLEANING REQUIREMENTS**

- 1. Cleaning products and equipment are not provided. All mops, brooms, etc are to be provided by the hirer.**
- 2. Remove all Rubbish to the bins provided**
- 3. Wipe down all tables, chairs and other used surfaces, stack and return all chairs and tables to the storeroom.**
- 4. All decorations including balloons must be removed. Also note we do not allow helium filled balloons in the sports hall.**
- 5. Mop all floors where food and drink has been served. Food and drink is not normally permitted in the sports hall. If you use this area for the consumption of any food or drink (other than water) you may be required to employ a contract cleaner to clean the sports hall floor.**

*(See the listings in the telephone directory for a quote.) The centre uses K & M Allclean. It is recommended that the hirer contact the cleaning company and arranges for the extra cleaning that is required and that proof of the cleaning arrangements is provided to the Leisure Centre Staff.*

6. *All cleaning must be completed immediately after your function.*

#### **LIQUOR GUIDELINES**

*Alcohol may only be taken onto the premises if the following applications have been made and approval granted.*

1. *If alcohol is going to be consumed on a BYO basis the hirer must apply in writing and complete Schedule 3: Liquor Application request to the CEO, Shire of Wyndham East Kimberley, PO Box 614, Kununurra WA 6743. Approval is subject to the discretion of the CEO.*
2. *Applicants who intend to sell alcohol either directly or indirect (included in the price of a ticket, etc) must gain permission from the CEO and then apply for an Occasional Liquor License from the Department of Racing, Gaming and Liquor (Liquor Licensing Division.) If approval is granted a copy of the Occasional License and any conditions contained therein must be forwarded to the Leisure Centre at least one week prior to the function.*

## **SCHEDULE 2: USER BOOKINGS GUIDELINES – SWIMMING POOL**

- 1. All groups must have in place their own Public Liability policy of insurance covering their legal liabilities as “occupiers” of Shire facilities. (For Private functions this will be at the discretion of the Manager Recreation and Leisure).**
- 2. All groups should, at the time of booking, provide a copy of their Certificate of Currency to the Manager Recreation and Leisure (or delegate) by way of proof that insurance has been taken out.**
- 3. Bookings are to be confirmed (with exact times etc.) and paid in full at least 14 days prior to the function. Where 14 days notice is not possible booking approval will be at the discretion of the Manager Recreation and Leisure.**
- 4. A bond must be paid in advance and in accordance with the current schedule of fees and charges. This bond shall be returned as soon as possible after the function should there be no damage or additional expenses incurred.**
- 5. Should the function be cancelled within 48 hours of the function, a fee of 50% of quoted hire charge may result.**
- 6. Due to an increasing recreation program, setting up and cleaning times should be included in your booking and must be approved by Leisure Centre staff.**
- 7. Any damage discovered prior to your booking should be reported to Leisure Centre staff. This will ensure that your group is not responsible and your bond is not jeopardised.**
- 8. It is the hirer’s responsibility to police who enters the pool grounds and to control guests, ensuring they abide by the rules of the centre.**
- 9. All music is to be turned off no later than 11.30 pm.**
- 10. Drinking or eating in the pool or on the pool edge is strictly prohibited.**
- 11. Leisure Centre staff member must be present at all times of the function and may enforce the rules and regulations of the centre at any time.**
- 12. The maximum number of people permitted in the pool area at one time is 300.**

### **CLEANING REQUIREMENTS**

- 1. Cleaning products and equipment are not provided. All mops, brooms, scourers etc are to be provided by the hirer.**
- 2. Remove all Rubbish to the bins provided**
- 3. Wipe down all tables, chairs and other used surfaces.**
- 4. Stack and return all chairs and tables to the storeroom.**
- 5. All decorations including balloons must be removed.**
- 6. All cleaning must be completed immediately after your function.**

### **LIQUOR GUIDELINES**

**Alcohol may only be taken onto the premises if the following applications have been made and approval granted.**

- 1. If alcohol is going to be brought on a BYO basis the hirer must apply in writing and complete Schedule 3: Liquor Application Request to the CEO, Shire of Wyndham East Kimberley, PO Box 614, Kununurra WA 6743. Approval is subject to the discretion of the CEO.**

- 2. Applicants who intend to sell alcohol either direct or indirect (included in the price of a ticket, etc) must gain permission from the CEO then apply for an Occasional Liquor License from the Department of Racing, Gaming and Liquor (Liquor Licensing Division.) If approval is granted a copy of the Occasional License and any conditions contained therein must be forwarded to the Leisure Centre at least one week prior to the function.**
- 3. No glass beverage containers are to be used on the facility.**
- 4. Due to public safety requirements alcohol will not be permitted at events where swimming is an activity.**

### SCHEDULE 3: LIQUOR APPLICATION REQUEST

Dear CEO Shire of Wyndham East Kimberley,

I, \_\_\_\_\_ as a representative of \_\_\_\_\_  
Organisation would like to

Request permission to have alcohol at the \_\_\_\_\_  
Facility.

Our function is planned for the \_\_\_\_\_ 200\_\_\_\_ and will be held between the hours of  
Day Month Year

\_\_\_\_\_

Alcohol will be (please circle) *BYO, Sold or Provided*

We expect \_\_\_\_\_ number of guests

Security will be provided by \_\_\_\_\_

#### Liquor Guidelines

Alcohol may only be taken onto the premises if the following applications have been made and approval granted.

6. No glass beverages to be used (only refers to swimming centre events).
7. If alcohol is going to be brought on a BYO basis the hirer must apply in writing to the CEO, shire of Wyndham East Kimberley, PO Box 614, Kununurra WA 6743. Approval is subject to the discretion of the CEO
8. Applicants who intend to sell alcohol either direct or indirect (included in the price of the ticket etc) must gain permission from the CEO. Then apply for an Occasional Liquor License from the Department of Racing, Gaming and Liquor (Liquor Licensing Division). If approval is granted a copy of the Occasional License and any conditions contained therein must be forward to the Leisure Centre as least one week prior to the function.
9. Free potable water is to be made available to all attendees of the event.
10. The event coordinator ensures compliance with responsible serving of alcohol guidelines.

Submission Date: \_\_\_\_\_

Applicant's signature: \_\_\_\_\_

-----  
Approved by: \_\_\_\_\_

\_\_\_\_\_  
NAME Position

Signature: \_\_\_\_\_

Approved Date: \_\_\_\_\_

**PLEASE RETURN TO LEISURE CENTRE ASAP**

**Carried Unanimously 6/0**

**Cr K. Wright commended the officer on the development of the policy.**

## 12.5. CHIEF EXECUTIVE OFFICER

### 12.5.1. Bush Fire Mitigation

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Peter Stubbs, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	32.08.02
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider requesting State and Commonwealth Government support to address inequitable funding arrangements for the Bushfire Mitigation Programme.

#### **BACKGROUND**

The following background notes are an extract from the Bush Fire Mitigation Programme website.

'The Bushfire Mitigation Programme is a national programme aimed at identifying and addressing bushfire mitigation risk priorities across the nation.

In September 2004, the Prime Minister announced the allocation of \$15 million for a Bushfire Mitigation Programme, over three years, for the construction, maintenance and signage of fire trail networks to assist local communities to better prepare for bushfires. Building on the success of the initial 3 years, on 27 April 2007, the Prime Minister extended the Bushfire Mitigation Programme for another 4 years until 30 June 2011 with \$20 million in Australian Government funding, available nationally.

The programme aims to create effective fire trail networks and increased options available in implementing bushfire hazard reduction to protect communities and their social, cultural, environmental and economic assets.

The specific objective of the programme enhances the effectiveness of fire trail networks and as a result increase the:

- safety of fire fighting personnel involved in a fire suppression effort;
- rapidity with which fire suppression agencies are able to access a fire; and
- type of resources that can safely be made available to a fire suppression effort.

The programme is administered by the Australian Government Department of Transport and Regional Services.

## **STATUTORY IMPLICATIONS**

Local Government has responsibilities for bush fire management under the Emergency Services Legislation 2000 and Bushfire Act 1954.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

There are no specific financial implications related to the recommendation.

## **STRATEGIC IMPLICATIONS**

The issue relates to the financial sustainability of Local Government and its ability to make a meaningful contribution to bush fire management.

## **COMMUNITY CONSULTATION**

Nil

## **COMMENT**

The Shire of Wyndham East Kimberley submitted a grant application for the 2007-08 funding round with a closing date of 31 July 2007. The focus of the grant was to gain funding to assist improve fire protection of the Wyndham peninsula to link with the need for fire mitigation for the preservation of life, property, and conservation of species like the Gouldian Finch.

The Shire grant was assessed to meet the criteria and was supported at the State assessment. However, in that process it became apparent that the Programme provides dollar for dollar funding to projects submitted by State Government but, only one third funding for projects submitted by Local Government.

Local Government is therefore being disadvantaged by this policy in comparison to State funding. It is recommended that Council refer the matter to the Kimberley Zone for Local Government given its state-wide implications for Local Government and request State and Commonwealth Governments take action to address this inequity.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

That Council:

1. Request the State Minister for Fire and Emergency Services and the Minister for Local Government approach the Commonwealth Government to provide

equity in funding arrangements between State and Local Government submissions under the Bush Fire Mitigation Programme.

2. Refer this Item and recommendations to the Kimberley Zone for Local Government given its wide relevance to Local Governments in Western Australia.

### **COUNCIL DECISION**

**Minute No. 7885**

**Moved: Cr K. Wright**

**Seconded: Cr R. Devenish-Meares**

***That Council:***

- 1. Request the State Minister for Fire and Emergency Services and the Minister for Local Government approach the Commonwealth Government to provide equity in funding arrangements between State and Local Government submissions under the Bush Fire Mitigation Programme.***
- 2. Refer this Item and recommendations to the Kimberley Zone for Local Government given its wide relevance to Local Governments in Western Australia.***

**Carried Unanimously 6/0**

### 12.5.2. Rates Exemption Request by MG Corporation

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Miriuwung Gajerrong Corporation
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Peter Stubbs, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	01.0097.04
<b>ASSESSMENT NO:</b>	A0097

#### **PURPOSE**

For Council to consider an application for rates exemption of the Miriuwung Gajerrong Corporation (MG Corporation) owned property at Lot 3000 Bandicoot Drive Kununurra, on the basis of the Corporation being an approved Charitable Purposes organisation by the Australian Taxation Office and land being not currently being used for commercial purposes.

#### **BACKGROUND**

1. Lot 3000 Bandicoot Drive, Kununurra (Lot 3000) was transferred from the State Government to the MG Corporation on freehold title through an agreement as part of the Ord Final Agreement.
2. The Lot is currently not used.
3. MG Corporation is evaluating development options for the Lot and has verbally indicated that a Development Application to Council for the Lot may be submitted within the next few months.
4. MG Corporation have indicated that any development on that Lot is likely to have components of both commercial and charitable use.
5. The issue of rateability of Lot 3000 was discussed by elected members at their Briefing Session held on 8 May 2007. It was suggested at that Briefing Session that the Shire President and CEO meet with MG Corporation to consider how best to progress the rateability issue. That meeting has occurred.
6. The Shire President and CEO meet with Ms Julie Melbourne, Acting General Manager of MG Corporation and Mr Ian Rutherford, Economic Development Manager for MG Corporation on Monday 21 May 2007 to seek progression of this issue. That meeting resulted in Ms Melbourne and Mr Rutherford agreeing to attend the elected member Briefing Session on 5 June 2007 to consider the matter further. That did not happen due the MG Corp having other priorities and the MG Corp was invited to attend a subsequent Briefing Session. Again that did not happen due to other priorities for MG Corp.

7. The issue of rateability of aboriginal owned land and the charitable purpose status of organisation is a matter considered at the Western Australian Local Government Association State Councils meeting on 6 June 2007. The resolution of the State Council was:

**RESOLUTION 216.3/2007**

*That:*

1. *the Association request the support of the Minister for Local Government to either:*
  - a) *amendments to the Charitable Organisations section of the Local Government Act 1995 to eliminate exemptions for overt commercial business activities of charitable organisations; or*
  - b) *establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes these type of organisations should not pay Local Government rates;*
2. *as this matter has Statewide implications, and the potential to erode Local Government's rate base, WALGA contribute 1/3 funding up to \$20,000.00 towards the Shire of Derby West Kimberley's legal appeal costs; and*
3. *the funding be allocated from the Association's Reserves.*

**STATUTORY IMPLICATIONS**

**6.26 . Rateable land**

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land —
  - (a) land which is the property of the Crown and —
    - (i) is being used or held for a public purpose; or
    - (ii) is unoccupied, except —
      - (I) where any person is, under paragraph (e) of the definition of "owner" in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 hectares or a miscellaneous licence held under that Act; or
      - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of "owner" in section 1.4 occupies or makes use of the land;
  - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government;
  - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government;
  - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood;

- (e) land used exclusively by a religious body as a school for the religious instruction of children;
- (f) land used exclusively as a non-government school within the meaning of the School Education Act 1999 ;
- (g) land used exclusively for charitable purposes;
- (h) land vested in trustees for agricultural or horticultural show purposes;
- (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the *Financial Administration and Audit Act 1985* ) by that company and used solely for the storage of grain where that company has agreed in writing to make a contribution to the local government;
- (j) land which is exempt from rates under any other written law; and
- (k) land which is declared by the Minister to be exempt from rates.

(3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that company or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.

(4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.

(5) Notice of any declaration made under subsection (4) is to be published in the *Gazette* .

(6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

[Section 6.26 amended by No. 36 of 1999 s.247.]

#### **6.47. Concessions**

Subject to the *Rates and Charges (Rebates and Deferrals) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive\* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

\* *Absolute majority required.*

#### **69A. Circumstances where concessions under section 6.47 may not be granted — s. 6.48**

A local government is not to exercise a power to grant a concession in relation to a rate or service charge under section 6.47 of the Act in circumstances where the concession is based on whether or not, or the extent to which, the land in respect of which the rate or service charge is imposed is occupied by a person who owns the land.

[Regulation 69A inserted in Gazette 7 Jan 2005 p. 72.]

#### **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

No rates were payable on Lot 3000 while it was owned by the State Government.

Rates were raised for 2006/07 and 2007/08.

The current amount owing on Lot 3000 is \$5,121.29 consisting of \$2,622.97 rates arrears, \$2,277.67 current rates, \$80.20 interest and \$140.45 Emergency Services Levy.

Should the property be developed at a value of, say, \$5 million it would be reasonable to assume an increased GRV of \$40,000 - \$50,000 and therefore rates of \$4000 - \$6000.

## **STRATEGIC IMPLICATIONS**

The Corporation is likely to become a major landholder in the region through the provisions of the Ord Final Agreement. How the Corporation chooses to use its lands will have an increasing influence on the region's development.

It is therefore important that Council develops and maintains a good relationship with the Corporation.

## **COMMENT**

Councillors would be mindful of the Supreme Court action being taken by the Shire of Derby West Kimberley in relation to a rate exemption claim by the Yungora Association (Noonkanbah Pastoral Lease). That case is still pending with the Court judgement being reserved, possibly until the end of 2007.

How rateability of Lot 3000 is managed may have precedent ramifications for future lands that MG Corporation own.

Section 6.26 (2) (g) relates to the use of the land not the charitable taxation status of the ratepayer. In this instance the land is clearly not being used exclusively for charitable purposes and further there is an intention to commercially develop the property. It is therefore concluded that the land is rateable under section 6.26 of the Local Government Act 1995.

However, having consideration of the sentiment of the Ord Final Agreement to progressively provide an economic base of the Corporation to subsequently progress social issues it may be appropriate to consider waiving the rates on Lot 3000 under Section 6.47 of the Local Government Act 1995 until its future use changes, or it is redeveloped. At that time it is recommended rateability be reassessed. Any redevelopment of Lot 3000 is likely to take at least 12 months and the nature of any redevelopment would influence rateability considerations.

It is further recommended that MG Corporation and Council seek to define rateability of land the Corporation may own into the future through collaborative means. That takes into account both the needs of the Corporation in terms of its start up/establishment phase, charitable taxation status, and the needs of the Council and community in terms of its community service provision through rates.

## **ATTACHMENTS**

Map

## **VOTING REQUIREMENT**

Simple Majority – Recommendations One and Three

Absolute Majority – Recommendation Two

## **MANAGERS' RECOMMENDATION**

1. That Council inform MG Corporation that their property is rateable under Section 6.26 of the Local Government Act 1995 and that Section 6.26 (2) (g) "land used exclusively for charitable purposes" is not applicable to Lot 3000 Bandicoot Drive, Kununurra.
2. That Council, without prejudice, and in accordance with Section 6.47 of the Local Government Act 1995 agrees to waive the rates and interest charges for 2006/07 and 2007/08 on Lot 3000 Bandicoot Drive, Kununurra due to the current non-commercial usage of the lot.
3. That Council enter into discussion with MG Corporation with a view to develop an agreement that may enable a rating arrangement that reflects the sentiment of the Ord Final Agreement to progressively provide an economic base of the Corporation to subsequently progress social issues, and the needs of Council with regard to community service provision AND this agreement be presented to Council at its May 2008 Council meeting.

## **COUNCIL DECISION**

**Minute No. 7886**

**Moved: Cr R. Devenish-Meares    Seconded: Cr K. Wright**

- 1. That Council inform MG Corporation that their property is rateable under Section 6.26 of the Local Government Act 1995 and that Section 6.26 (2) (g) "land used exclusively for charitable purposes" is not applicable to Lot 3000 Bandicoot Drive, Kununurra.***
- 2. That Council enter into discussion with MG Corporation with a view to develop an agreement that may enable a rating arrangement that reflects the sentiment of the Ord Final Agreement to progressively provide an economic base of the Corporation to subsequently progress social issues, and the needs of Council with regard to community service provision AND this agreement be presented to Council at its May 2008 Council meeting.***

**Lost 0/6**

**Foreshadowed motion moved by Cr M. Middap**

- 1. That Council inform MG Corporation that their property is rateable under Section 6.26 of the Local Government Act 1995 and that Section 6.26 (2) (g) "land used exclusively for charitable purposes" is not applicable to Lot 3000 Bandicoot Drive, Kununurra.***

**COUNCIL DECISION**

**Minute No. 7887**

**Moved: Cr M. Middap      Seconded: Cr K. Wright**

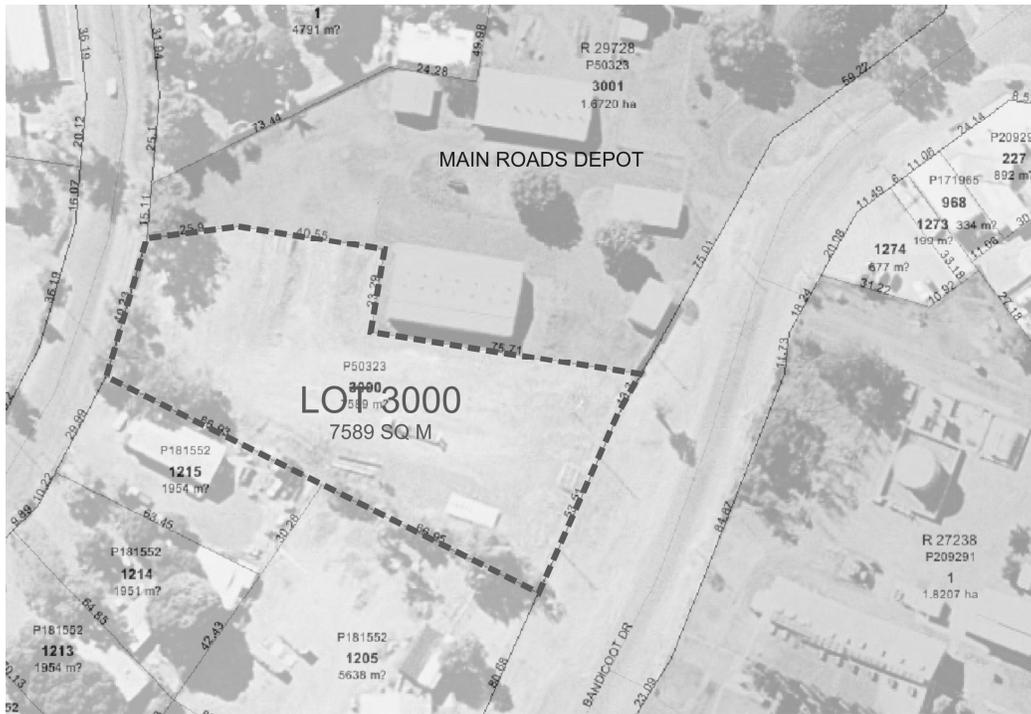
- 1. That Council inform MG Corporation that their property is rateable under Section 6.26 of the Local Government Act 1995 and that Section 6.26 (2) (g) "land used exclusively for charitable purposes" is not applicable to Lot 3000 Bandicoot Drive, Kununurra.***

**Tied vote 3/3**

**Motion passed with the casting vote from the Chair.**

**Note: Council believed that by waiving the rates a precedent would be set.**

**Attachment – Map**



### 12.5.3. Australia's North West Tourism Workshop and Annual General Meeting

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Broome, Western Australia
<b>AUTHOR:</b>	Peter Stubbs, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	40.19.02
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to give consideration to its representation at the Australia's North West Tourism Workshop and Annual General Meeting in Broome on Thursday 4 October 2007.

#### **BACKGROUND**

Australia's North West will hold a Tourism Workshop and its Annual General Meeting in Broome on Thursday 4 October 2007. The workshop will comprise presentations by guest speakers from Tourism Australia, Tourism Western Australia and Australian Tourism Export Council (WA Branch). The Annual General Meeting will follow the workshop.

Council has allocated \$135,000 in the 2007/08 Budget to support a range of strategies and investments to assist promote, brand and market our region. These include:

\$60,000	Investment for developing a 10 year East Kimberley Marketing Plan to build and promote the brand of our region
\$35,000	Support to the Kununurra Visitor Centre Board
\$10,000	Support to Australia's Northwest for regional Kimberley marketing
\$10,000	Support for the 2008 Guest Town display for Wyndham & Kununurra at the Perth Royal Show
\$10,000	Support for the Ord Valley Muster events (Plus \$10,000 in-kind support)
\$5,000	Support for the International Sandalwood Conference to be held in Kununurra in May 2008
\$5,000	Support to host Kimberley Economic Forum in August 2008

In addition, Council supports Australia's North West and the tourism sector through rent of East Kimberley house, which is a \$70,000 annual contribution.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Council would incur the cost of one return airfare to Broome and one night's accommodation. There are no registration costs for the workshop or Annual General Meeting.

**STRATEGIC IMPLICATIONS**

Raise the profile, investment and visitation rates to the East Kimberley Region

**COMMUNITY CONSULTATION**

Nil

**COMMENT**

Given Council's financial commitment to the support of the tourism sector and Australia's North West's role in Kimberley Tourism, it is considered beneficial and appropriate that council be represented.

**ATTACHMENTS**

Tourism Workshop and Annual General Meeting

**VOTING REQUIREMENT**

Simple Majority

**MANAGERS' RECOMMENDATION**

That Council nominate ..... to be its representative at Australia's North West Tourism Workshop and Annual General Meeting in Broome on Thursday 4 October 2007, given its support of the tourism sector and Australia's North West in particular.

**COUNCIL DECISION**

<p><b>Minute No. 7888</b></p> <p><b>Moved: Cr R. Devenish-Meares    Seconded: Cr K. Wright</b></p> <p><i>That Council nominate Cr Buchanan to be its representative at Australia's North West Tourism Workshop and Annual General Meeting in Broome on Thursday 4 October 2007, given its support of the tourism sector and Australia's North West in particular.</i></p> <p style="text-align: right;"><b>Carried Unanimously 6/0</b></p>
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**12.5.4. Western Australian Local Government Association (WALGA)  
State Council Agenda Item on The Bilateral Agreement For  
Indigenous Affairs**

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Peter Stubbs, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Karyn Apperley, Executive Manager Community Services
<b>FILE NO:</b>	60.02.04
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

For Council to consider the Western Australian Local Government Association (WALGA) State Council Agenda Item on the Bilateral Agreement for Indigenous Affairs.

**BACKGROUND**

Council last formally considered the Bilateral Agreement at its Ordinary Council meeting on 21 November 2006 and made the following resolutions:

*Minute No 7573*

- 1. That given the Bilateral Agreement on Indigenous Affairs by the Commonwealth & State Governments Council recommend to the Kimberley Country Zone that it allocate funding (~ \$4,000) to prepare a submission to the Connecting Local Governments fund seeking to evaluate the potential benefits & issues for delivery of municipal services to Kimberley indigenous communities through a Regional Council model under the Local Government Act 1995.*
- 2. That given the potential implications for Local Government in Kimberley region emanating from the Bilateral Agreement on Indigenous Affairs the Zone request the Commonwealth & State Governments to include the Kimberley Zone Local Government President on all intergovernmental bodies established to progress & review the Bilateral Agreement.*
- 3. That given the Intergovernmental Agreement on Cost Shifting, the Council express its extreme dissatisfaction with the lack of consultation with and involvement of Local Government in the Bilateral Agreement development and implementation to the Prime Minister and the Premier, as the signatories to the Bilateral Agreement.*

*Carried Unanimously: 7/0*

WALGA staff have made the following comments in their Agenda Item to the WALGA State Council:

1. "The State and Commonwealth have established **six** intergovernmental groups, which are accountable to a State Co-ordination Group consisting of

- the State Government Director Generals, to undertake the planning and consultation around implementation of the Bi-lateral (Attachment 1).”
2. “The Association has representation on the Sustainable Environmental Health and Infrastructure Group (SEHISOG) whose role is essentially to streamline the delivery of housing, essential and municipal services to remote communities (Attachment 2). This will include the development of the terms of transfer, funding, timeframes and administrative arrangements.”
  3. “The second group is the Governance and Leadership Senior Officer Group. The Groups role is to assist Government Indigenous communities and Local Government to develop a framework and specific indicatives to improve governance and leaders in WA. (Attachment 3) This will include identifying organizations to improve the governance capacity and management of infrastructure in Indigenous communities to ensure effective service delivery, to improve skills and resources.”
  4. “On 4 May 2007, the Western Australian Government established a taskforce to develop options for normalising the provision of essential services (water, waste water, energy, and access and internal roads) to Indigenous communities (which is similar to the SEHISOG’s terms of reference)”
  5. “The Director General of the Department of Housing and Works chairs the taskforce, and the other members include the Under Treasury, the Directors General of the Department of Indigenous Affairs, the Coordinator of the Office of Energy, the Commissioner of Main Roads, and senior representatives from Horizon Power and the Water Corporation. As well as dealing with essential service delivery, the Taskforce will also address the municipal service element of the Sustainable Environmental Health and Infrastructure key outcome area. The Association was extended an invitation to join the Taskforce and attended the last meeting in early September. *The Taskforce is required to report on its progress to Cabinet by 30 September 2007.*”

The WALGA State Council will be considering the following recommendations at its next meeting:

1. That the establishment of the Bilateral Agreement on Indigenous Affairs Policy Forum be endorsed.
2. Expressions of interest be sought from interested Local Governments to establish an initial membership for the Policy Forum:
  - a. the Policy Forum will determine the terms of reference and governing framework; and
  - b. an establishment meeting of the Policy Forum be facilitated by the Association in October 2007.
3. The Association seeks Commonwealth/State Government funding to undertake a audit and gap analysis of Western Australian Local Government and Indigenous Communities services infrastructure, and resources to determine the level of funding required to meet the Bilateral outcomes.

### **STATUTORY IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The Bilateral Agreement has the potential to impose significant but unidentified costs across the Local Government sector where Indigenous communities are present

## **STRATEGIC IMPLICATIONS**

Nil

## **COMMUNITY CONSULTATION**

Nil

## **COMMENT**

WALGA itself has identified that there are at least six intergovernmental groups with responsibilities to report on and drive the progress of the Bilateral Agreement.

In addition, WALGA has noted that on 4 May 2007, the Western Australian Government established a taskforce to develop options for normalising the provision of essential services (water, waste water, energy, and access and internal roads) to Indigenous communities and that the terms of reference of this Taskforce are similar to the existing Sustainable Environmental Health and Infrastructure Groups terms of reference.

Given these Committee processes already in existence, Managers at this Shire have concerns about establishing further forums and processes around the Bilateral issues. The issue is drowning in process, and from what we are able to determine very little progress has been made since Council considered these issues in November 2006. Feedback from these Committees to Local Government is almost non-existent.

The lack of progress on advancing the intent of the Bilateral Agreement would indicate, as this Council advised the State and Commonwealth Governments nearly a year ago, that normalising services to Indigenous communities by June 2008 will not happen.

Notwithstanding the above comments, it is in Council's and the region's interest for it to be involved in the Bilateral process to try and input and steer it for the best outcome. It is considered this is best done by having the Kimberley Zone endorse a regional Local Government representative to any Indigenous Affairs Policy Forum. If this is agreed to by Council and the Zone then the issue of cost ought to be considered. Local Government is not a signatory to the Bilateral Agreement and was not consulted in its preparation. The predicament about advancing the Bilateral Agreement is not one that Local Government has caused or contributed to. It is therefore considered reasonable and in good faith that the costs of Local Government participation in the Bilateral process should be borne equally by the State and Commonwealth Governments. Both Governments should expect nothing less, if they expect Local Government to operate on sustainable principles.

An alternative approach Council might want to consider is the opposite, by recommending to WALGA and the Kimberley Zone that Local Government withdraw from all communications on the Bilateral Agreement, until such time as:

- the State and Commonwealth Governments agree that Local Government involvement will be no cost to it,
- that Minutes of all meetings from the above Committees are made available to WALGA so that it can understand what has transpired to date,
- firm written commitments are given to WALGA that full and protected funding going forward is provided to Local Governments for any services it delivers to Indigenous communities. Reliance on the wording of the Bilateral Agreement in this respect is considered inadequate.

### **ATTACHMENTS**

State Council Agenda Item on Bilateral Agreement on Indigenous Affairs

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

1. That Council advises the Kimberley Local Government Zone State Council representative, Councillor Graeme Campbell, that it supports the recommendations to the State Council of the Western Australian Local Government Association
  - 1.1 That the establishment of the Bilateral Agreement on Indigenous Affairs Policy Forum be endorsed
  - 1.2 Expressions of interest be sought from interested Local Governments to establish an initial membership for the Policy Forum:
    - a) the Policy Forum will determine the terms of reference and governing framework; and
    - b) an establishment meeting of the Policy Forum be facilitated by the Association in October 2007.
  - 1.3 The Association seeks Commonwealth/State Government funding to undertake an audit and gap analysis of Western Australian Local Government and Indigenous Communities services infrastructure, and resources to determine the level of funding required to meet the Bilateral outcomes.

on the basis that full costs associated with Local Government involvement in all matters related to the Bilateral Agreement processes and implementation are met by the State and or Commonwealth Government.

2. That Council nominates its Shire President to the Kimberley Zone for consideration as the region's representative on the Indigenous Affairs Policy Forum in relation to the Bilateral Agreement.
3. That Council request the Kimberley Zone State Council delegate to move a motion at State Council requesting State and Commonwealth Government to rationalise the duplicitous committee structures in relation to the service provision to Aboriginal Communities as evidenced in the background of this report.

## **COUNCIL DECISION**

**Minute No. 7889**

**Moved: Cr R. Devenish-Meares    Seconded: Cr D. Ausburn**

- 1. That Council advises the Kimberley Local Government Zone State Council representative, Councillor Graeme Campbell, that it supports the recommendations to the State Council of the Western Australian Local Government Association**
  - 1.1 That the establishment of the Bilateral Agreement on Indigenous Affairs Policy Forum be endorsed**
  - 1.2 Expressions of interest be sought from interested Local Governments to establish an initial membership for the Policy Forum:**
    - c) the Policy Forum will determine the terms of reference and governing framework; and**
    - d) an establishment meeting of the Policy Forum be facilitated by the Association in October 2007.**
  - 1.3 The Association seeks Commonwealth/State Government funding to undertake an audit and gap analysis of Western Australian Local Government and Indigenous Communities services infrastructure, and resources to determine the level of funding required to meet the Bilateral outcomes.**

**on the basis that full costs associated with Local Government involvement in all matters related to the Bilateral Agreement processes and implementation are met by the State and or Commonwealth Government.**
- 2. That Council nominates its Shire President to the Kimberley Zone for consideration as the region's representative on the Indigenous Affairs Policy Forum in relation to the Bilateral Agreement.**
- 3. That Council request the Kimberley Zone State Council delegate to move a motion at State Council requesting State and Commonwealth Government to rationalise the duplicitous committee structures in relation to the service provision to Aboriginal Communities as evidenced in the background of this report.**

**Carried Unanimously 6/0**

**Attachment 1: State Council Agenda Item on Bilateral Agreement on Indigenous Affairs**

- 4.1 Bilateral Agreement on Indigenous Affairs Policy Forum (005-032-03-0003 JH) (Appendices Page 1 & 4)  
*By Jodie Holbrook, Policy Manager Community*

**Recommendation**

4. **That the establishment of the Bilateral Agreement on Indigenous Affairs Policy Forum be endorsed**
5. **Expressions of interest be sought from interested Local Governments to establish an initial membership for the Policy Forum:**
  - a. **the Policy Forum will determine the terms of reference and governing framework; and**
  - b. **an establishment meeting of the Policy Forum be facilitated by the Association in October 2007.**
6. **The Association seeks Commonwealth/State Government funding to undertake a audit and gap analysis of Western Australian Local Government and Indigenous Communities services infrastructure, and resources to determine the level of funding required to meet the Bilateral outcomes.**

**In Brief**

- The Bilateral Agreement on Indigenous Affairs was signed by the State of Western Australian and the Commonwealth of Australia in July 2006.
- Local Government was not a signatory. The Agreement establishes an agreed framework and priorities for intergovernmental cooperation and effort in Indigenous Affairs.
- WALGA held a Forum on the Bilateral Agreement and the role of Local Government as part of the Local Government Convention in August 2007. An agreed outcome was the development of an Indigenous Policy Forum.

**Relevance to Strategic / Business Plan**

Key Result Area & Objective

Strong Representation	Effectively engage our members Improve the effectiveness of the Association's representational structure
Effective Leadership	Identify and evaluate emerging issues, trends and responses Unify membership to achieve the options best suited to Local Government's interests
Positive Profile	Foster effective networks

**Policy Implications**

The establishment of the Bilateral Agreement on Indigenous Affairs Policy Forum will help inform the development of Local Government policy position.

## **Budgetary Implications**

There may be some minor budgetary implications in establishing the Policy Forum including travel and accommodation for representatives. All administrative costs will be borne by WALGA.

## **Background**

The Bilateral Agreement on Indigenous Affairs was signed by the State of Western Australia and the Commonwealth of Australia in July 2006. Local Government was not a signatory. The Agreement establishes an agreed framework and priorities for intergovernmental cooperation in Indigenous Affairs. The Agreement has six key outcomes areas:

- Law and Order and safe places for people.
- Skills, Jobs and Opportunities.
- Health and Strong people.
- Sustainable Environmental Health and Infrastructure.
- Land Sea and Culture.
- Strong Leadership and Governance.

The purpose of the agreement is to improve and streamline government services to Indigenous people by having one level of government primarily responsible for delivery of a service or, where jurisdictions have overlapping responsibilities, for services to be delivered in accordance with an agreed, coherent approach. (Bilateral Agreement: 2006)

Local Government, despite ongoing requests, was not party to the Western Australian Bi-lateral negotiations. The State Department of Local Government and Regional Development represented Local Government at all discussions. The Association continues to protest at the lack of Local Government representation and a commitment was given by the Minister for Indigenous Affairs for the Association to represent Local Government on the Intergovernmental groups.

The Bi-lateral will not impact all Local Governments in Western Australia, only those Local Governments that contain remote and town based Aboriginal communities. Due to the location of the communities the impact will be greatest on Councils in the Kimberley, Pilbara, Gascoyne, Midwest and Goldfields-Esperance region of the State.

The Bi-lateral states that Local Government should be responsible for services to Aboriginal communities that they would normally provide to comparable non-Indigenous communities. This has implications across all functional areas of Local Government.

Current Commonwealth funding for municipal services, which includes power, water and sewerage operation and maintenance, waste disposal, road and aerodrome maintenance and environmental health activities, landscaping and dog control, along with housing, infrastructure and essential services, is pooled with the State funds through the Agreement for the Provision of Housing, Infrastructure and Essential Services for Indigenous People in Western Australia. This agreement, based on agreed planning, funding arrangements and reporting, expires in June 2008. It is anticipated that new arrangements framed by the bi-lateral will replace this.

The Bi-lateral has acknowledged that the increased involvement of Local Governments will require the development of mechanisms to augment the revenue of Local Government. It articulates that the proposed transfer will involve the development and trialing of new models and approaches to service delivery. The Shire of Halls Creek was identified as the trial site with parties commencing work on the possible transfer of municipal services funding to the Shire for the Aboriginal communities of Balgo, Ringers Soak, Billiluna and Mulan.

The State and Commonwealth have established six intergovernmental groups, which are accountable to a State Co-ordination Group consisting of the State Government Director Generals, to undertake the planning and consultation around implementation of the Bi-lateral (Attachment 1).

The Association has representation on the Sustainable Environmental Health and Infrastructure Group (SEHISOG) whose role is essentially to streamline the delivery of housing, essential and municipal services to remote communities (Attachment 2). This will include the development of the terms of transfer, funding, timeframes and administrative arrangements.

The SEHISOG has developed a discussion paper (included in the appendices) for Local Government and Indigenous Communities consideration. The paper outlines the Bilateral Agreement and how it impacts on Local Government in Western Australia and the various funding implications. The paper is out for comments until 2 November 2007. The Association is seeking member feedback and will develop an interim response on behalf of Local Government.

The feedback on the paper will inform the development of a cabinet submission on the State's position regarding the potential transfer of responsibility to the State for delivery of municipal services to Indigenous communities, and the role of Local Government.

The second group is the Governance and Leadership Senior Officer Group. The Groups role is to assist Government Indigenous communities and Local Government to develop a framework and specific indicatives to improve governance and leaders in WA. (Attachment 3) This will include identifying organizations to improve the governance capacity and management of infrastructure in Indigenous communities to ensure effective service delivery, to improve skills and resources.

### **Essential Services Taskforce**

On 4 May 2007, the Western Australian Government established a taskforce to develop options for normalising the provision of essential services (water, waste water, energy, and access and internal roads) to Indigenous communities (which is similar to the SEHISOG's terms of reference)

The Director General of the Department of Housing and Works chairs the taskforce, and the other members include the Under Treasury, the Directors General of the Department of Indigenous Affairs, the Coordinator of the Office of Energy, the Commissioner of Main Roads, and senior representatives from Horizon Power and the Water Corporation. As well as dealing with essential service delivery, the Taskforce will also address the municipal service element of the Sustainable Environmental Health and Infrastructure key outcome area. The Association was extended an invitation to join the Taskforce and attended the last meeting in early September. The Taskforce is required to report on its progress to Cabinet by 30 September 2007.

## Comment

The Association continues to express concern at the time frame for the development and implementation of a new service delivery model/arrangement by June 2008, given the required financial modeling and the potential financial and human resource implications on Local Government.

The current approach of State and Commonwealth Government is to engage with individual Councils to progress the Bilateral Agreement. The Association believes this approach is flawed and without appropriate communication and consultation, Local Government will not be in a position to deliver on the Bilateral Agreement by June 2008.

The Local Government representatives who attended the Forum at the Local Government Convention agreed that there needs to be a consolidated communication strategy across all Local Governments and supported the Association's proposal to establish a Policy Forum to address these concerns.

The Association believes there is an urgent need for Local Government to develop a framework for negotiation with the Australian and State Government, particularly in relation to funding and resourcing needs. This could be progressed as a Local /State Partnership on Service delivery to Indigenous Communities under the auspices of the State Local Government Partnership Council. Members of the State Local Government Partnership Council are the Premier, Treasurer, Minister for Local Government and Regional Development, Minister for Planning and Infrastructure, WALGA President, LGMA President and other Ministers as required.

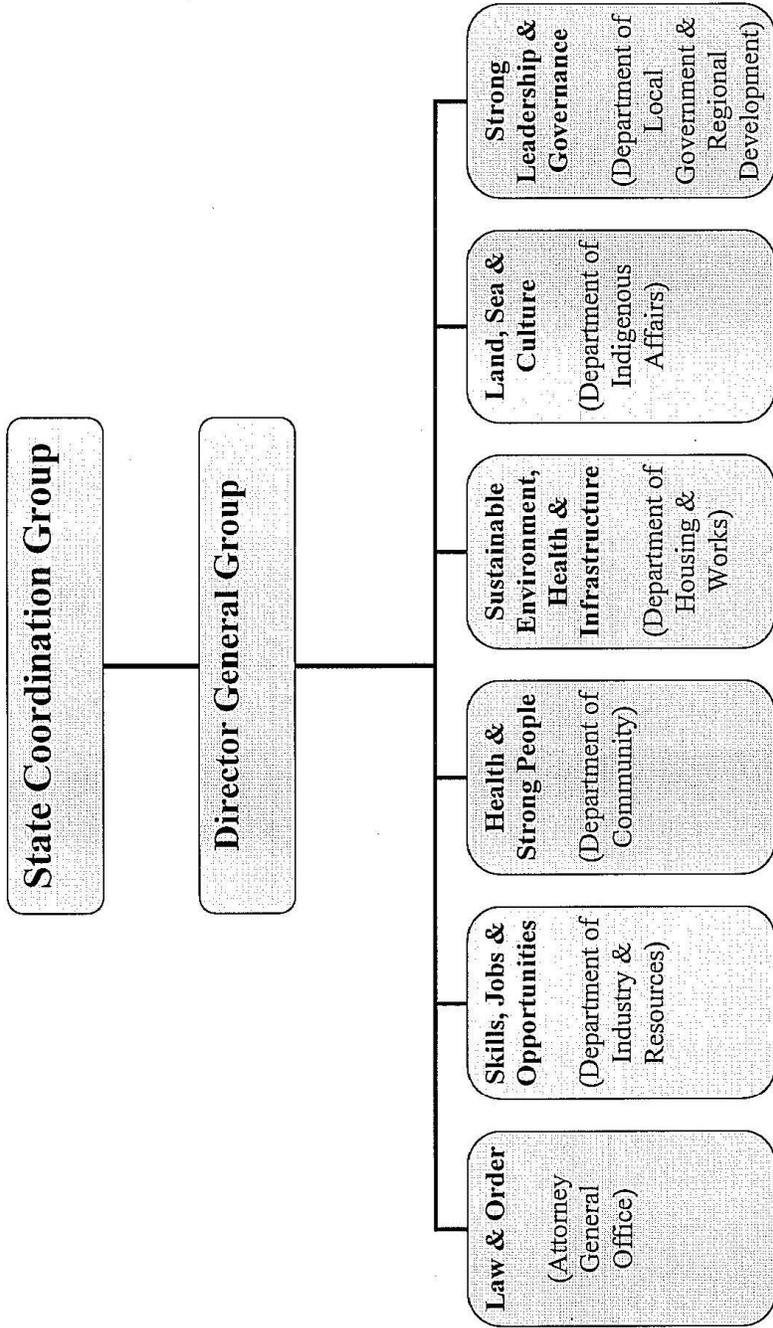
The Association envisage that the role of the Policy Forum would include but not limited to:

- Identifying issues and resourcing implications for Local Government.
- Identifying structural reform implications and experiences of other States and Territories.
- A policy framework that provides leadership to Local Government and supports Council service provision at the local level.
- Explore funding requirements for Local Government.
- Building the capacity of Local Government to understand the needs of Indigenous people within their community.
- Building the capacity of Aboriginal communities to respond to the provision of Local Government services.

Many Local Governments have identified the issues they believe need to be addressed and the Policy Forum will present an opportunity to consolidate these issues. As an example the Pilbara Regional Council have established a policy position in relation to the Bilateral Agreement and one of the key recommendations put forward is the need for the Commonwealth/State Government to undertake an audit and gap analysis of Indigenous communities municipal services infrastructure, equipment practices, and where appropriate funds the upgrading and/or replacement of infrastructure and equipment.

The Association agrees there needs to be an audit undertaken as a matter of urgency to identify the infrastructure and resourcing gaps that exist in order to develop the quantum of funding required by Local Governments which would inform the negotiations between the Commonwealth and State Government.

Refer Item 4.1  
(Attachment 1)



**Sustainable Environmental Health and Infrastructure Seniors Officers Group**

**The Terms of Reference:**

1. establish one level of service delivery (either through the State or Local Governments) for the provision of each of housing, infrastructure, essential and municipal services to all Indigenous communities in Western Australia by 30 June 2008;
2. ensure that the services are at the same standard as the services governments provide to comparable non-Indigenous communities;
3. arrange the progressive transfer of responsibility and agreed levels of funding for municipal services provision to Indigenous communities from the Australian Government to the Western Australian Government, and increase involvement of Local Governments in the delivery of municipal services to Indigenous communities;
4. investigate and apply new models and approaches for the delivery of municipal services to Indigenous communities, including new administrative arrangements. As a starting point, the Group will work with the Shire of Halls Creek and the 'COAG communities' of Balgo, Ringer Soak, Billiluna and Mulan in negotiating for the Shire to deliver municipal services to the communities;
5. oversee the transfer of responsibility for housing and essential services in Aboriginal town-based communities to the Western Australian Government;
6. develop a communications strategy to inform stakeholders of the Group's progress and to provide opportunities for Indigenous people to give advice and feedback on its activities;
7. provide progress reports to the State Coordination Group; and
8. develop a work plan to progress the above and other matters raised in an Issues Paper for the State Coordination Group to endorse.

**WESTERN AUSTRALIAN BILATERAL AGREEMENT ON INDIGENOUS AFFAIRS**

**INDIGENOUS GOVERNANCE AND LEADERSHIP SENIOR OFFICER GROUP**

**DRAFT TERMS OF REFERENCE**

The Commonwealth and Western Australian Governments, through the Bilateral Agreement on Indigenous Affairs, have committed to work together to improve Indigenous leadership and governance capacity in Western Australia.

The Governments recognise that effective Indigenous organisations, communities and leadership are essential ingredients for effective partnerships and agreement making between Governments and Indigenous people.

The Senior Officer Group will consult and work with Indigenous people and other relevant governmental stakeholders, including other relevant Senior Officer Groups under the Bilateral Agreement on Indigenous Affairs, to:

1. Identify organisations responsible for ensuring a rapid response and appropriate levels of support to communities in acute crisis.
2. Examine and identify the need for models of community governance and management that support Indigenous needs and expectations across Western Australia and ensure that Governments meet their responsibilities to provide access to appropriate services and facilities.
3. Improve access to the skills and resources necessary for governance of infrastructure services and effective and efficient service delivery.
4. Work with Indigenous people to identify effective arrangements for engagement that are supported by Indigenous people.
5. Provide progress reports to the State Coordination Group on Indigenous Affairs.

**MEMBERSHIP**

Western Australian Government

The membership of the Group will comprise senior representatives (to be nominated by respective Directors General) from the following Western Australian Government agencies:

Department of Local Government and Regional Development (Chair)  
Department of Housing and Works  
Department of Indigenous Affairs  
Department of Education and Training  
Department of Premier and Cabinet

Commonwealth Government

State Manager or nominee from the  
Department of Families, Community Services and Indigenous Affairs

Local Government

Western Australian Local Government Association

The Group may also include, as required, representation from key stakeholders such as peak Indigenous organisations and other Western Australian and Australian Government agencies.

**THE BILATERAL AGREEMENT ON INDIGENOUS AFFAIRS**  
**ISSUES FOR LOCAL GOVERNMENT: DISCUSSION PAPER**

**SUSTAINABLE ENVIRONMENTAL HEALTH AND INFRASTRUCTURE**  
**SENIOR OFFICER GROUP**

**Summary**

This paper has been prepared by the Sustainable Environmental Health and Infrastructure Senior Officer Group for local government and Indigenous community stakeholders in WA. It outlines the Bilateral Agreement on Indigenous Affairs and how it impacts on local government in WA. It discusses funding implications and raises various issues and seeks feedback. There are approximately 25 local governments in WA with remote Indigenous communities, and it is expected that they would have a direct interest in this paper. This discussion paper has been produced to promote awareness and discussion on the proposals and further negotiations are needed.

**Background to the Bilateral Agreement**

The Commonwealth and Western Australian Governments signed **the Bilateral Agreement on Indigenous Affairs** in July 2006,<sup>1</sup> and agreed to work towards achieving one level of service delivery for the provision of housing, infrastructure, essential and municipal services to all Indigenous communities in Western Australia by 30 June 2008.

*“The purpose of the Agreement is to improve and streamline government services to Indigenous people by having one level of government primarily responsible for delivering a service or, where jurisdictions have overlapping responsibilities, for services to be delivered in accordance with an agreed, coherent approach.”*

The Agreement seeks to regularise these services, such that the Western Australian Government, and local governments, would assume responsibility for the delivery of services to Indigenous communities in a manner consistent with what they would normally provide to town sites.

The Bilateral is consistent with the Council of Australian Government (COAG) National Framework of Principles for Delivering Services to Indigenous Australians. All jurisdictions are committed to achieving better outcomes for Indigenous Australians, improving the delivery of services, building greater opportunities and helping Indigenous families and individuals to become self-sufficient. The national framework of principles for delivering services to Indigenous Australians includes the following:

- *Sharing responsibility*
- *Harnessing the mainstream*
- *Streamlining service delivery*

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<sup>1</sup> See [http://www.dia.wa.gov.au/Publications/Files/Bilateral\\_Agreement.pdf](http://www.dia.wa.gov.au/Publications/Files/Bilateral_Agreement.pdf)

- *Establishing transparency and accountability*
- *Developing a learning framework*
- *Focusing on priority areas*<sup>2</sup>

Although local government is not a signatory to the Bilateral Agreement, both the Commonwealth and Western Australian Governments recognise local government as a key partner in improving services to Indigenous communities. Governments have committed to work with local governments to negotiate future service delivery arrangements. The Agreement acknowledges the need for further negotiations concerning the adequacy of current funding and the augmentation of local government revenue.

The Commonwealth Government Minister for Families, Community Services and Indigenous Affairs, Mal Brough MP, in a speech in December 2006, presented a *Blueprint for Action in Indigenous Affairs*, from which the following is relevant:<sup>3</sup>

*“Our approach will be to facilitate access to all services, rather than establish alternatives. Mainstream providers will no longer be allowed to shirk their responsibilities to the first Australians. This means that they will have to step up to the mark. They will have to adapt their services to suit Indigenous Australians in the same way that they have done for other groups in Australian society... A long term effort is required from all governments. In the end, State and local governments should be providing services in these remote Australian towns in the same way as they do in other places. ... We need to move beyond the fact that because a community is largely Indigenous that state and local governments relinquish their responsibilities for making municipal and other basic services. There is no moral or constitutional basis for that view. “*

Consistent with the Minister’s statement, and the Bilateral Agreement, the Commonwealth is undertaking a number of policy reforms. One objective of these reforms is to ensure that local governments take responsibility for the delivery of municipal type services for Indigenous communities, the same way that other residents in the Shire receive these services.

#### **Sustainable Environmental Health and Infrastructure Senior Officer Group**

A Senior Officer Group (SOG)<sup>4</sup>, whose membership includes Commonwealth and State government officials and a representative from the Western Australian Local Government Association, has been established to progress this key outcome area of the Bilateral Agreement, including coordinating the effort needed between governments to regularise local government services to discrete Indigenous communities.

From the Bilateral Agreement:

*The Governments acknowledge that transfers of responsibility will not result in an overall reduction in effort by either party, and that increased involvement of local government will require the development of mechanisms to augment shires’ revenue.*

<sup>2</sup> (see [http://www.oipc.gov.au/About\\_OIPC/Indigenous\\_Affairs\\_Arrangements/10coag.asp](http://www.oipc.gov.au/About_OIPC/Indigenous_Affairs_Arrangements/10coag.asp))

<sup>3</sup> See [http://www.atsia.gov.au/media/speeches06/05\\_12\\_06.aspx](http://www.atsia.gov.au/media/speeches06/05_12_06.aspx)

<sup>4</sup> The Sustainable Environmental Health and Infrastructure Senior Officer Group. Other SOGs have been created, and the work of the Governance and Leadership SOG may also be relevant to the issue of service normalisation.

The work plan includes the actions required to achieve the desired results under this outcome area of the Bilateral Agreement, with the priority tasks being to:

- reach agreement between the governments on future delivery arrangements for the provision of municipal and essential services to discrete Indigenous communities in Western Australia by 30 June 2008; and
- calculate the costs of any new service delivery arrangements and negotiate the respective funding requirements for each government.

### **Historical background to local government and Indigenous communities**

Before considering the ways forward for transferring Commonwealth responsibility for some Indigenous services to local governments, it is worth examining the context for Indigenous discrete communities' historical exclusion from mainstream local government service delivery. Essentially, up until the early 1970s, the discrete communities were either church missions or native welfare government settlements that were completely excluded from mainstream services. These communities were governed under management orders administered by the State. Following the 1967 referendum there came a policy shift and discrete communities were then politically acknowledged as Commonwealth responsibility and in the 1970s and 1980s under self management policies pursued by the Whitlam, Fraser and Hawke Governments, the management of discrete communities was transferred from government and church to Aboriginal community councils, the majority of which were incorporated under Commonwealth law. For a period the State government's Aboriginal Affairs Planning Authority administered Commonwealth funds to discrete communities. Then the Commonwealth assumed full responsibility and constructed the ATSIC machinery to develop policy, representative structures and administer services through tenders and contracts which prioritised Indigenous self management. Subsequent Commonwealth funding, under three broad programs - CDEP, MUNS and Community Housing and Infrastructure (CHIP) - has maintained the viability of discrete communities and their institutional separation from mainstream services. With the demise of ATSIC, Indigenous self management in terms of service provision has diminished.

Most communities are on Aboriginal Lands Trust land and the State is for the most part the land owner, developer, as well as law and order and health service provider, while the Commonwealth Government has maintained a dominant funding role relating to essential services and housing. The legal definition of ALT land has historically created some difficulties for the State, residents and potential service providers. The State also has a role in negotiating Native Title agreements. The Commonwealth's role includes service funder (MUNS, CHIP), governance (Office of Registrar of Aboriginal Corporations (ORAC)), Native Title (claims, determinations, settlements, ILUA), and social support (Centrelink and FACSIA). Local community organisations operate essential services and administer Commonwealth and State services, and foster cultural and economic progress.

While local governments provide good governance to their district as a whole, they generally have not been a primary stakeholder in service delivery to discrete Indigenous communities. This was due to various reasons, including legislative impediments (application of provisions of the Health Act, land rateability), poor relationships, a perception that this was a Commonwealth responsibility, and for the most part a lack of resources and policy basis to assume such responsibility. The issues of adequacy of resources as well as land tenure and legislative impediments have been perhaps most significant in holding local government back from a more

direct involvement. The framework to progress local government service provision needs to consider these issues.

Current reforms in other jurisdictions are of some relevance. In the Northern Territory, the Government's reform agenda proposes to enlarge local governments to incorporate Indigenous communities that have been operating under separate Indigenous community local government arrangements. In Queensland, following a period of investment in community capacity building, many Aboriginal communities will become Shire Councils under the Queensland Local Government Act.

### **The Commonwealth's Municipal Services Program**

Activities currently funded by the Department of Families, Community Services and Indigenous Affairs (FaCSIA) under its Municipal Services Program (MUNS) are shown in the table below. This funding is provided direct to communities. With the exception of power, water and sewerage operation and maintenance (being State government responsibilities), the remaining activities are routinely the responsibility of local government. These services are essentially what local government is now being asked to consider taking over responsibility for service delivery.

<b>Service</b>	<b>Comment</b>
<b>Power, Water and Sewerage operation and maintenance (High Priority)</b>	Assistance with operational costs and essential routine repairs and maintenance to community water, electricity and sewerage systems in discrete communities. This includes assisting in shortfalls in operational costs of energy supply where communities are making significant efforts to collect revenue from users.
<b>Waste disposal</b>	Supplementary funding for waste removal services and tip maintenance in communities.
<b>Road maintenance</b>	Supplementary assistance for routine and essential maintenance to internal roads and drainage in discrete communities that are clearly not the responsibility of a State or local government body. Access roads on Aboriginal community land, which are clearly not the responsibility of another body, can be considered for supplementary assistance.
<b>Aerodrome maintenance</b>	Supplementary funding for routine and essential maintenance of aerodromes in discrete remote communities.
<b>Environmental health activities</b>	Supplementary assistance for activities and strategies to reduce environmental health risks and related diseases in communities.
<b>Management of infrastructure and municipal services</b>	Fair contribution towards MUNS-related operational costs such as administration costs, running costs of municipal services vehicles, repairs and maintenance to essential community buildings used for the provision of MUNS services.

<b>Landscaping and dust control (Low Priority)</b>	Supplementary assistance for essential and effective landscaping and dust control services in communities including routine management and maintenance of community ovals, parks and playgrounds.
<b>Dog Control (Low Priority)</b>	Supplementary funding for activities to improve the general health of people in the community, improve health of community dogs, reduce hygiene and nuisance problems.
<b>Other municipal services (Low Priority)</b>	Supplementary assistance for other necessary municipal services such as fire prevention, and insurance on selected non fixed assets used specifically to provide municipal services.

Source: FACSlA

In general, the provision of municipal-type services are State and local government responsibilities. However, many remote Indigenous communities presently receive limited or no funding or support from these sources to cover the costs of providing these services. The Commonwealth government, through FaCSIA, provides funding under the MUNS program to ensure Indigenous communities have access to essential municipal services to meet their needs. The total 2006/07 MUNS allocation in Western Australia is \$22.9 million,<sup>5</sup> although only a minor portion of these funds are directed towards local government type services, the majority being directed to essential services. The MUNS assistance from FaCSIA has targeted the highest priority areas such as the provision of water, electricity and sewerage services; with rubbish collection, maintenance of internal roads and aerodromes, and environmental health activities attracting lesser priority within the available program funds. Through SEHISOG parallel discussions are occurring in respect to the future delivery of water, electricity and sewerage services, and elsewhere in government discussions are occurring about future management of housing services.

The term *municipal services* in this context is a misnomer in that the majority of this program funds power and water, and most of the remainder funds the operation of community councils and administration. Those that could be described as local government type services - environmental health, internal roads, sport and recreation and social services, are in many instances actually delivered by the Community Development Employment Projects (CDEP) programme. One of the policy reforms being undertaken by the Commonwealth is the dismantling of CDEP in certain locations with strong labour markets (while it will continue to operate in regional and remote areas with weaker labour markets). The Commonwealth has also indicated that reforms to CDEP will aim to ensure that there is no duplication or substitution of municipal-type activities. This could impact significantly on the delivery of municipal type services given that the CDEP workforce has historically been an important resource to support this activity in many communities.<sup>6</sup>

While a key objective of the reforms is for local governments to take responsibility for the delivery of municipal type services for Indigenous communities, the Commonwealth has indicated that the Agreement is *not* a cost shifting exercise and Commonwealth resources are available to assist local government in taking this role (notionally, part (but not all) of the 2006/07 MUNS allocation in WA of \$22.9 million). As indicated previously, the Agreement acknowledges the need for further

<sup>5</sup> Representing 48.7% of FaCSIA's 2006/07 MUNS program nationwide.

<sup>6</sup> Issues surrounding access to the skills and resources necessary for management of infrastructure services, and appropriate models of community governance, will be addressed by the Governance and Leadership SOG.

negotiations concerning the adequacy of current funding and the augmentation of local government revenue.<sup>7</sup> It would be desirable for the State and Commonwealth to conduct a comprehensive audit of how local government type services are funded and delivered to discrete communities before any new arrangements are formally concluded.

There is currently significant attention being given to the financial sustainability of local government, including major national and state-wide studies and reviews. In this context, any expectation that local government would take on additional service responsibilities without adequate financial support would only increase the current pressure on financial viability. At present there has been no attempt to assess the cost for a local government to provide these services to communities, as this would have to be done in conjunction with assessing standards of service.

### **Funding municipal services**

A key option therefore is for funding currently provided through MUNS to Indigenous communities for municipal-type services to be transferred to local government for the purpose of managing the provision of these services. The current level of funding is likely to be less than what would be required for local government to manage the services, particularly since local government would want to establish appropriate levels of service.

Local governments already receive some funding towards provision of services to Indigenous residents and communities. Although constitutional responsibility for local government rests with the States, the Commonwealth provides significant general purpose funding to local government. This supplements the principal sources of funding for local government, being property rates and user fees and charges, (other grants and loans. For some local governments, particularly many of those in remote areas with indigenous communities, the un-tied grants can be the largest revenue component, and there is limited ability to influence the amount of funds received.

Local government is also entitled to levy a user charge for services such as rubbish collection. At least one local government is receiving *ex-gratia rates* from its Indigenous communities (to the value of about \$40,000, relating to approximately 400 dwellings). There may be the potential for other local governments to obtain some further revenue from Indigenous communities through *ex-gratia rates* as well as possibly user charges (for services such as rubbish collection).

The Commonwealth payments to local government consist of:

- Specific Purpose Payments (such as the Roads to Recovery program) and
- Financial Assistance Grants (FAGs), which are divided into two pools (General Purpose and Local Roads funds). Both of these are untied and together comprise over 80% of total Commonwealth payments to local governments.

The latter are passed to local government through the State and allocated by the WA Local Government Grants Commission (see below).

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<sup>7</sup> This is consistent with the Intergovernmental Agreement between the Australian, State and Territory Governments and the Australian Local Government Association, which includes the principle that where local government is required to provide by Governments to provide a service to the people of Australia, any consequent financial impact is to be considered within the context of the capacity of local government. (See <http://www.lgpmcouncil.gov.au/publications/charter.aspx>)

The State also provides funding towards municipal type services in remote Indigenous communities. For example, the WA Department of Health provides supplementary funding to local governments and to Aboriginal organisations for a network of Environmental Health Officers (EHOs), Aboriginal Environmental Field Support Officers and Aboriginal Environmental Health Workers. These positions provide core environmental health services and surveillance in Indigenous communities.

Some key points concerning funding:

1. In many communities the MUNS Program is currently the major source of funds for services. Even if all of the relevant MUNS funds were made available to local governments, this amount of funding is likely to be insufficient to allow for provision by local government of a standard of service equivalent to that provided in non-Indigenous communities across WA.
2. The precise amount of additional funding required by local governments is currently unknown, and a case-by-case assessment of each community's needs is required.
3. The impact of current and proposed changes to CDEP is also unclear, and has the potential to significantly influence the provision of various services to Indigenous communities.
4. Funding for the future maintenance of community assets (eg. administration offices, visitor accommodation), following changes to the MUNS program in 2006/07, also needs to be considered. If local government is to have a role in maintaining these assets, appropriate supplementary funding will be required.
5. There is also the question of provision of services such as street lighting, sporting facilities, libraries and social services (eg. child care) to Indigenous communities which are not generally covered by MUNS. If local government is to have a role in providing these services, appropriate supplementary funding will be required.

### **Recognition of Indigenous populations in the WA grants allocation methodology**

The WA Local Government Grants Commission (WALGGC) currently takes into account the needs of Indigenous people in its methodology in a number of ways (using the example of an unspecified Shire):

- *Indigenous residents are included in the resident population used in the calculation of many of the expenditure assessments (their dwellings are included also). (For example, Indigenous represent 24% of the population of the unspecified Shire);*
- *Where the Indigenous population in a local government is greater than the State average, an Indigenous factor is recognised in the Governance assessment (generating a \$71,000 allowance for the unspecified Shire).<sup>8</sup>*
- *Indigenous communities are recognised in the 'population dispersion' factor, which takes account of the above average costs of local governments in servicing additional dispersed towns and communities. (eg factor of 1.12 generates a \$432,000 allowance);*
- *The 'socio-economic disadvantage' disability factor is derived from ABS Census information, including percentage indigenous and other data highly*

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<sup>8</sup> Due to Commission methodological influences, this is the indicative rather than the actual funds received by the Shire.

correlated with indigenous disadvantage. (eg factor of 1.05 generates a \$149,000 allowance);

- The 'aboriginal environmental health allowance' recognises the additional costs incurred by local governments in providing environmental health services to remote communities. (eg \$64,000 allowance for the unspecified Shire);
- Indigenous are also factored in on the revenue side, such as in the population used to generate the recreation and culture charges assessment.

In addition, the Commission allocates special project funding (approximately \$1.84M in 2006-07) for improvements to access roads to remote indigenous communities (eg \$154,000 for an access Road in the unspecified Shire). The access roads are also included in the calculation of 'asset preservation need' used as the basis for the allocation of the road grant component (contributing approximately \$75,000 to the unspecified Shire's road grant).<sup>9</sup> They are also included in the calculation of transport needs made for the equalisation component, contributing an estimated \$150,000 to this grant for the unspecified Shire. Overall, it was estimated that the Indigenous population (representing about 24% of the Shire population) generated about 44% of the grant funding received by the Shire.<sup>10</sup>

Clearly, many councils are already receiving significant general purpose funding in recognition of their need to service an Indigenous population. However, it is also recognised that the overall funding available for distribution to councils is less than what is required<sup>11</sup> and financial constraints mean that councils frequently have to provide services in a manner that is available to the entire community rather than in specific communities.

Despite recognition of the needs of Indigenous people being among the six National Principles under the Commonwealth's *Local Government (Financial Assistance) Act 1995*<sup>12</sup> to guide grants commissions in allocating financial assistance to local governments, the Commonwealth funding formula to support local governments to provide services to Indigenous communities remains flawed. This in part reflects the basis on which the financial assistance grants are allocated among the States.<sup>13</sup> States and Territories with large Indigenous populations are not recognised for their higher level of need to provide local government services to indigenous communities. Given the significant need to address Indigenous service delivery, this inequity should be addressed by the Commonwealth.

While the distribution of FAGs among local governments by the WA LGGC is based on formulas which recognise Indigenous disadvantage in several ways, 'horizontal equalisation' is not fully achievable because of the legislative requirement that each local government receive a minimum grant regardless of revenue capacity. This situation leads to considerable inequity in the distribution of FAGs within WA, and ultimately impacts on the capacity of local governments servicing communities in remote regions of the State. The abolition of the 'minimum grant' principle, or a

<sup>9</sup> The access roads also influence the funding received under Roads to Recovery program.

<sup>10</sup> The proportion of funds attributable to the indigenous population varies from shire to shire and in some cases, the percentage of funds could be less than their percentage of the Shire's population.

<sup>11</sup> Based on the Commission's assessments, the available funds in 2006/07 funded approximately 93% of the assessed need (which in itself is based on average level of service required in a local government area, rather than the absolute need).

<sup>12</sup> Principle 5: Aboriginal Peoples and Torres Strait Islanders

Financial assistance shall be allocated to local governments in a way that recognises the needs of Aboriginal peoples and Torres Strait Islanders within their boundaries.

<sup>13</sup> The current formula for determining the State distribution of local government FAGs is specified in Commonwealth legislation and is based on a per capita entitlement of each State and Territory.

reduction in the minimum grant requirement, would generate some additional funds for the least affluent local governments.<sup>14</sup> Some changes in the WALGGC's formulas might also be beneficial.

Under the *Other Grants Principle*, grant support funding provided to local government should be taken into account by the WA Local Government Grants Commission (LGGC) in allocating financial assistance grants to local government. This means that any additional funding provided to local government could potentially impact on the FAG allocations received by local government. Given the range of services for which the current MUNS funding is directed (sanitation, dog and pest control, internal community roads and aerodromes), the WALGGC has advised that the provision of additional specific funds (i.e. redirected MUNS funds) to a local government would have a nominal or minor impact on the financial assistance grant. This issue has previously been a concern for councils.

To ensure local government capacity to provide services is genuinely enhanced, it is nevertheless desirable that any additional funds provided to local government is quarantined from the FAG allocation process, at least for an initial transition period of say five years. The quarantining of funds could potentially occur through the agreement of Commonwealth and State Ministers for Local Government. Although there are precedents of Commonwealth grants to States being quarantined, there is no precedent for such an action in the local government FAG arrangements. However, the seriousness of the current circumstances suggests such an approach is warranted.

To allow for equalisation of service standards (for both the basic 'MUNS' services and eventually for other services) between Indigenous and non-Indigenous communities, a significant injection of funding to the relevant local governments is necessary. This could be achieved through an increase in the FAGs pool, changes in the FAG funding arrangements and formulas, or preferably, through additional specific purpose grants. Where specific purpose funding to local governments for services to Indigenous communities is provided, appropriate accountability measures should be applied.

### **Progressing the normalisation of local government service provision**

Local government is not a signatory to the Bilateral Agreement, however the Australian and Western Australian Governments recognise local government should be a key partner, and have committed to work with local governments to negotiate future service delivery arrangements. While the Agreement does not bind local governments, and the SOG is unable to mandate local government participation, it is hoped that normalisation of local government services can be progressed through a process of negotiations with local government. Given the complex issues raised in this paper will take significant political leadership to resolve, the timeline (30 June 2008) for achieving the objective of achieving one level of service delivery to all Indigenous communities in Western Australia is at present unrealistic. Unless a fast tracked process is applied, a more realistic timeframe would be for agreement to be reached on the future delivery of services by 30 June 2008, recognising it would take more time to implement new arrangements.

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<sup>14</sup> In the long term, this could be addressed through an appropriate amendment to the Commonwealth legislation, which may involve reducing the minimum grant requirement or establishing a separate pool of funding (consistent with recommendations in the Commonwealth Grants Commission's 2001 Review for separate Per Capita and Relative Needs pools).

The proposed change in service delivery arrangements is an opportunity for local government to engage more fully with Indigenous communities and build relationships, by finding out what services the community wants from its local government and the role that communities and residents want to take. The proposed change is also timely, given proposed amendments to the Health Act which would bind the Crown,<sup>15</sup> and proposed responsibilities under the Food (and Related Matters) Bill 2005 (presently before Parliament awaiting assent).

To provide a basis for progressing the issue, governments have agreed to trial new models and approaches to delivering municipal services to Indigenous communities, commencing with a project involving the Shire of Halls Creek and the Indigenous communities of Balgo, Ringer Soak, Billiluna and Mulan (the Tjurabalan communities). The lessons learned from this project will inform work on other municipal services regularisation projects. This trial builds on the existing strengthening of relations between the local council its indigenous communities, including the 2004 amendment to ward boundaries to give increased representation and greater recognition to the community of interest within the Tjurabalan area.

Under the auspices of Local Government Managers Australia, a Local Government - Indigenous Communities Conference is being organised in Perth for December 2007. This Conference will bring together the key stakeholders and examine what is happening under the Bilateral Agreement. By focusing on the key issues, there can be a better understanding of roles and responsibilities, and local government will have an information basis to consider their future role in servicing indigenous communities. The Senior Officers Group supports the proposed conference, as it is timely and would inform and assist in progressing the Bilateral. In the meantime, this Discussion Paper has been produced to promote awareness and further discussion.

### **Key issues**

Local governments are likely to see the move to the delivery of municipal type services to Indigenous communities as a significant development in their operational focus. It will raise many significant issues which will warrant further consideration. It is likely that there would need to be a service agreement negotiated between the Commonwealth (FaCSIA) and local government, and this would need to include provisions for long term funding.

Ultimately, given their governance framework, management skills and operational experience, local government is well placed to manage the building and maintenance of infrastructure. Local government would be able to determine the most appropriate means of service provision within the communities, and explore opportunities to build capacity and businesses within communities. It is expected that local governments would engage with Indigenous communities on service standards and the community's capacity and interest in being part of the service delivery arrangements. There should be no assumptions about the role and capability of Indigenous residents without engagement with them. Communities are likely to have an interest in their potential role in delivering services, as well as the key issues in community governance generally.

A regional approach to service delivery via a regional local government would be worth considering, and it is understood that a Regional Council model<sup>16</sup> is the

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<sup>15</sup> A Consultation Draft on the proposed Health Act is expected to be released at the end of September 2007.

<sup>16</sup> Under the *Local Government Act 1995*, Section 3.61 allows for two or more local governments, with the Minister's approval, to establish a regional local government, for any purpose consistent with the Act or any other Act.

preferred thinking among some local governments. It may provide the most cost effective model for delivering services across large geographical regions, enabling savings in administration costs by having single contracts that cover large areas, and reducing the duplication that previously existed in the administration of such services. There are also issues of services which elsewhere are routinely local government services but which are presently outside the scope of the present MUNS funding. This includes street lighting, libraries, swimming pools and other sporting facilities. At present, these services are funded by other sources, including local sources and State government funding, or are not provided at all to the communities. By taking over municipal services, local government may be concerned that they would be under increased pressure to provide additional services to communities. This issue would have to be dealt with by local government if and when it arises.<sup>17</sup>

There are many issues which require further consideration by governments and communities, including how the normalisation of local government services should be progressed and how the cessation of CDEP in some locations may impact on potential service delivery arrangements.

### **Way Forward**

Given that the Bilateral Agreement acknowledges an increased involvement of local government in accepting the responsibility for municipal service provision in discrete indigenous communities, resolving the issues associated with resourcing will be fundamental.

Some key conclusions include

1. The current sources of funding available to local government are likely to be insufficient to extend the provision of municipal services to indigenous communities.
2. Consistent with the Bilateral Agreement's commitment to develop mechanisms to augment the revenue of local governments, a basis for providing supplementary funding (with appropriate accountability mechanisms) to local government to provide municipal services to indigenous communities needs to be negotiated.
3. The supplementary funding provided to local government should be quarantined from inclusion in the financial assistance grant assessments undertaken by the WA Local Government Grants Commission.
4. Options for funding community audits to determine the quantum of additional funding required by local government to provide municipal services to indigenous communities should be examined.

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<sup>17</sup> A related issue is the question of community administration. At present, MUNS funding has been used to fund community governance in many communities (eg salaries for CEOs, development workers etc). MUNS has also provided funds for administration costs such as the payment of utilities, insurances, accounting and audit fees, postage, motor vehicles etc. In some communities this has comprised 80 per cent of the total MUNS budget. Some communities have indicated that this governance funding enables them to carry out basic functions as police liaison, Centrelink liaison, family mediation, basic law and order, security in the health centre, community planning and representation and administration for community buildings. Many of these activities are clearly the responsibility of other government portfolios and programs – and not a MUNS function. A key part of the reform process will be to work with stakeholders to unpack and analyse what type of outcomes are derived from the MUNS (governance) funding.

5. Impediments (including the minimum grant requirement) in the current FAG arrangements to the adequate resourcing of local government for delivering services to indigenous communities should be addressed.

These are some of the many issues which require further consideration by governments and communities. There will be many other specific issues on services which local governments and communities will also want addressed.

**Feedback on this paper, and comments on related issues, is invited by 2nd of November 2007.**

**Local Government feedback should be directed to the WA Local Government Association, Jodie Holbrook, Policy Manager Community on 9213 2044 or email [jholbrook@walga.asn.au](mailto:jholbrook@walga.asn.au).**

### 12.5.5. October Briefing Session and Proposed Special Meeting

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Peter Stubbs, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Jo Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	60.14.02
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to consider the timing of its scheduled Briefing Session in October 2007 and a possible Special Meeting of Council for Tuesday 23 October 2007 to elect the Shire President and Deputy Shire President following the general Local Government Election on the 20 October 2007.

#### **BACKGROUND**

##### Briefing Session

Council has a scheduled Briefing Session for Tuesday 2 October 2007. Both Cr Pucci and Cr Wright will be attending the Australian Sister Cities Conference at this time and Cr Parker may be absent for personal reasons.

Given the two Councillor vacancies that exist at present and the likely absence of the Councillors above, Council may wish to give consideration to re-scheduling the Briefing Session.

##### Special Council Meeting

The October Ordinary Council meeting is scheduled for Tuesday 16 October. The Local Government election will occur on Saturday 20 October 2007. Candidates elected will need to be sworn in before acting as Councillors shortly after the election. The Declaration of Office as an elected member of Local Government can be legally made before an authorised witness (e.g. JP or CEO of Local Government) at any time after the declaration of an election.

#### **STATUTORY IMPLICATIONS**

LOCAL GOVERNMENT ACT 1995 - SECT 5.4

##### **5.4 . Calling council meetings**

An ordinary or a special meeting of a council is to be held —

- (a) if called for by either —
  - (i) the mayor or president; or
  - (ii) at least  $\frac{1}{3}$  of the councillors,in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- (b) if so decided by the council.

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Councillor sitting fees and travel allowances apply to Special Meetings of Council.

## **STRATEGIC IMPLICATIONS**

It is considered strategically important that Council decides on its Shire President and Deputy Shire President as soon as possible after the election so that leadership channels are established.

## **COMMUNITY CONSULTATION**

Nil

## **COMMENT**

It is recommended that Council re-schedule the Briefing Session for October 2007 to Tuesday 9 October commencing at 4pm. This will allow increased Councillor attendance.

In keeping with the significance of being elected to Local Government, it is proposed that all Declarations of Office be done at a ceremony immediately preceding a Special Meeting of Council to be held on Tuesday 23 October 2007 commencing at 6pm in the Kununurra Council Chambers, with the purpose of the Special Meeting being to elect the Shire President and Deputy Shire President.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER RECOMMENDATIONS**

That Council re-schedule its October 2007 Briefing Session to Tuesday 9 October 2007 commencing at 4pm in the Kununurra Council Chambers, to facilitate elected member participation given the attendance of Cr Pucci and Cr Wright at the Australian Sister Cities Conference on 2 October 2007.

That a Special Meeting of Council be held commencing at 6pm on Tuesday 23 October 2007, in the Kununurra Council Chambers for the purpose of the election of the Shire President and Deputy Shire President.

**COUNCIL DECISION**

**Minute No. 7890**

**Moved: Cr D. Ausburn      Seconded: Cr M. Middap**

***That Council re-schedule its October 2007 Briefing Session to Tuesday 9 October 2007 commencing at 4pm in the Kununurra Council Chambers, to facilitate elected member participation given the attendance of Cr Pucci and Cr Wright at the Australian Sister Cities Conference on 2 October 2007.***

***That a Special Meeting of Council be held commencing at 6pm on Tuesday 23 October 2007, in the Kununurra Council Chambers for the purpose of the election of the Shire President and Deputy Shire President.***

**Carried Unanimously 6/0**

### 12.5.6. Use of Common Seal

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Fiona Kuiper, Executive Support Officer
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<b>FILE NO:</b>	60.14.04
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

For Council to receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from the period 15 August to 10 September 2007.

#### **BACKGROUND**

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

- Town Planning Scheme No 7 Amendment No 19 – 3 copies, including insertion of existing and proposed Residential Planning Codes on the amendment map and modification to the wording on the Final approval page so that the words “Chairperson of the Western Australian Planning Commission” are replaced by the words “Delegated under S.16 of the PD Act 2005”.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995

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

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

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

##### **Strategy 3:**

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

As does Goal 6 – Legislation:

**Strategy 3:**

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

**COMMENT**

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

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 15 August to 10 September 2007.

**COUNCIL DECISION**

**Minute No. 7891**

**Moved: Cr J. Buchanan      Seconded: Cr M. Middap**

***That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 15 August to 10 September 2007.***

**Carried Unanimously 6/0**

### 12.5.7. Delegated Authority Report

<b>DATE:</b>	18 September 2007
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Fiona Kuiper, Executive Support Officer
<b>REPORTING OFFICER:</b>	Jo-Anne Ellis, Executive Manager Corporate Services
<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 for 1 to 31 August 2007.

#### **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 - SECT 5.46

5.46. Register of, and records relevant to, delegations to CEO's and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

#### **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 for endorsement by Council.

**ATTACHMENTS**

Delegated Authority Report

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council receive the Delegated Authority Report for the period 1 to 31 August 2007.

**COUNCIL DECISION**

**Minute No. 7892**

**Moved: Cr D. Ausburn      Seconded: Cr J. Buchanan**

***That Council receive the Delegated Authority Report for the period 1 to 31 August 2007***

**Carried Unanimously 6/0**

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**Attachment: Delegated Authority Report**

**BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY - AUGUST 2007**

LIC#	DATE	OWNER	ADDRESS	BUILDER	BUILDER ADDRESS	BRB / OB NO	LOCATION	DESCRIPTION	NEW/ ADD	LOT AREA	FLOOR AREA	ROOF CLAD	WALL CLAD	EST. VALUE
131/2007	02/08/07	MICHAEL DUNNETT	PO BOX 1366 KUNUNURRA	FRANMOR CONSTRUCTION	PO BOX 702 KUNUNURRA	10803	LOT 103 (34) HIBISCUS DRIVE KUNUNURRA	GARDEN SHED	NEW	0.0870	5	STEEL	STEEL	\$2,200.00
132/2007	02/08/07	GRANT LODGE	PO BOX 2111 KUNUNURRA	OWNER/BUILDER	PO BOX 2111 KUNUNURRA	N/A <\$20K	LOT 482 JABIRU ROAD KUNUNURRA	WORKSHOP/ PACKING SHED	NEW	12.3333	70	STEEL	STEEL	\$15,000.00
133/2007	02/08/07	THOMAS & DOMINIQUE BREIG	PO BOX 1115 KUNUNURRA	OWNER/BUILDER	PO BOX 1115 KUNUNURRA	NO O/B STAT DEC - NO BRB JURISDICTION	LOT 12 EGRET CLOSE KUNUNURRA	SINGLE DWELLING	NEW	12.7023	184	STEEL	STEEL	\$350,000.00
134/2007 AE	15/08/07	A & W FOLEY	PO BOX 2234 KUNUNURRA	EXISTING		N/A	LOT 152 (24) ROSEWOOD AVENUE KUNUNURRA	ACKNOWLEDGE EXISTING STRUCTURES	EXIST	0.1090		EXIST	EXIST	NIL
135/2007	20/08/07	MICHAEL BARON	PO BOX 967 KUNUNURRA	OWNER/BUILDER	PO BOX 967 KUNUNURRA	N/A <\$20K	LOT 1054 (12) WOOLLYBUTT PLACE KUNUNURRA	GARAGE / SHED	NEW	0.0898	24	STEEL	STEEL	\$4,500.00
136/2007	21/08/07	DUNCAN PALMER & RACHEL NELSON	PO BOX 1245 KUNUNURRA	OWNER/BUILDER	PO BOX 1245 KUNUNURRA	N/A <\$20K	LOT 156 (31) LEICHHARDT STREET KUNUNURRA	POOL & SHADE SAIL	NEW	0.1009	16	SHADE CLOTH	FIBRE GLASS	\$18,900.00
137/2007	21/08/07	PINCTADA RESORT PROPERTY	PO BOX 338 DARWIN NT	JAGG PTY LTD	PO BOX 12 NIGHTCLIFF NT 0814	N/A COMMERCIAL NO BRB JURISDICTION	LOT 2387 (20) VICTORIA HIGHWAY KUNUNURRA	POOL PUMP SHED	NEW	2.3175	24	STEEL	BLOCK	\$25,000.00
138/2007	24/08/07	K & J CONTRACTING PTY LTD	PO BOX 1085 KUNUNURRA	KUNUNURRA POOLS & SPAS	PO BOX 1379 KUNUNURRA	N/A <\$20K	LOT 2341 (3) KENTIA WAY KUNUNURRA	POOL & SHADE SAIL	NEW	0.2500	30.34	SHADE CLOTH	FIBRE GLASS	\$15,000.00

139/ 2007	27/09/07	RONALD JOHNSTON & INDIANA LAKE PTY LTD	PO BOX 154 OYSTER BAY NSW 2225	COLIN WILKINSON DEVELOPMENTS PTY LTD	PO BOX 3112 BROOME WA 6725	8925	LOT 2520 CASUARINA WAY KUNUNURRA	SUBDIVISIONAL RETAINING WALLS	NEW	1.0560	N/A	N/A	BLOCK	\$450,000.00
140/ 2007	28/09/07	SUSIE WILLIAMS & MARK PHILLIPS	PO BOX 1873 KUNUNURRA	SUSIE WILLIAMS & MARK PHILLIPS	PO BOX 1873 KUNUNURRA	N/A <\$20K	LOT 109 (18) NUTWOOD CRESCENT KUNUNURRA	POOL & SHADE SAIL	NEW	0.0966	16	SHADE CLOTH	FIBRE GLASS	\$19,500.00
100/ 2007	29/09/07	PJ & T ELLIS	PO BOX 816 KUNUNURRA	PJ & T ELLIS	PO BOX 816 KUNUNURRA	11865	LOT 115 (3) BARDING LOOP KUNUNURRA	SINGLE DWELLING	NEW	0.0666	316	STEEL	STEEL	\$200,000.00

**SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY - AUGUST 2007**

Licence No.	Date	Assess No.	Lot No.	Street Address	Applicant Name	Type	Fee	Receipt No	Planning Approval / Delegation
12/2007	07/08/07	#2860	2371	Junction of Messmate Way & Victoria Highway AND junction of Drivers Road & Victoria Highway	Kununurra Race Club	Temporary Portable signs x 2	Nil	N/A	N/A exempt sign
13/2007	24/08/07	#2148	2446	Coolibah Drive, Kununurra	Kununurra Visitors Centre	Temporary Banner Sign	Nil	N/A	N/A exempt sign
14/2007	24/08/07	#2148	2446	Coolibah Drive, Kununurra	Apex Club of Kununurra Inc	Temporary Banner Sign	Nil	N/A	N/A exempt sign
15/2007	24/08/07	#2148	2446	Coolibah Drive, Kununurra	North West Mental Health	Temporary Banner Sign	Nil	N/A	N/A exempt sign
16/2007	24/08/07	#2148	2446	Coolibah Drive, Kununurra	Kununurra Amateur Theatre Society - Wizard of Oz	Temporary Banner Sign	Nil	N/A	N/A exempt sign

**THERE WERE NO DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY AUGUST 2007.**

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## **12.6. ELECTED MEMBER REPORTS**

Cr R. Devenish-Meares reported that he and Cr J. Buchanan attended the LGMA on 11, 12, 13 September 2007.

Cr D. Ausburn reported her attendance at:  
The Wyndham Art and Craft Show with Cr J. Parker on 29 August 2007,  
The National Simultaneous Storytime on 6 September 2007,  
The FESA Resources Conference on 11 September 2007.

### **COUNCIL DECISION**

**Minute No. 7892**

**Moved: Cr K. Wright      Seconded: Cr R. Devenish-Meares**

***That Council accept the Elected Members Reports.***

**Carried Unanimously 6/0**

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

Nil

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

Nil

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

Nil

**16. MATTERS BEHIND CLOSED DOORS**

Nil

**17. CLOSURE**

With all matters of business complete the Shire President declared the meeting closed at 7.40pm.

## 18. ATTACHMENTS

### Monthly Financial Report



## Shire of Wyndham East Kimberley

### Monthly Financial Report

Presented to Council

18-Sep-07

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Part A - Financial Activity Statement Report	2
Statement of Financial Activity	
Net Current Assets	
Explanation of Material Variances	
Other Supporting Information	
Part B - List of Accounts Paid Under Delegation 18	3
Part C - List of 90 Day Sundry Debtors	8
Part D - Other Reports (as required)	N/A



## Shire of Wyndham East Kimberley

### Statement of Financial Activity Report

For the Period Ended 30 June 2007

Presented to Council

18-Sep-07

Contents	Page
Statement of Financial Activity	1
Net Current Assets	2
Explanation of Material Variances	3
Other Supporting Information	N/A

Council Resolved on 17 July 2007 as part of minute 7785

*That Council direct officers that in lieu of presenting Management Reports for June 2007, Council would accept for review, the 2006/2007 Annual Report upon issue of the audit report.*

Shire of Wyndham East Kimberley  
Rate Setting Statement  
As at 31 July 2007

	2007/08 Budget	YTD Budget 31 July 2007 \$	YTD Actual 31 July 2007 \$	Variance Budget less Actual
<b>Operating</b>				
<b>Recurrent Revenue - Excluding Rates</b>				
Governance	85,050	23,876	14,412	9,464
General Purpose Funding	3,690,170	24,416	4,634	19,783
Law, Order, Public Safety	82,675	10,684	1,675	9,009
Health	142,600	10,497	24,742	(14,245)
Education and Welfare	686,523	4,359	5,423	(1,065)
Housing	825,342	5,558	9,241	(3,683)
Community Amenities	1,510,100	39,962	23,296	16,664
Recreation and Culture	442,400	3,711	33,501	(29,790)
Transport	109,000	-	-	-
Economic Services	141,873	8,389	18,353	(9,965)
Other Property and Services	1,561,304	-	4	(4)
Airport Operations	1,947,351	149,057	180,190	(31,133)
	11,224,388	280,508	315,473	(34,965)
<b>Recurrent Expenditure</b>				
Governance	(838,378)	(35,255)	(27,650)	(7,605)
General Purpose Funding	(293,776)	(5,457)	(299)	(5,158)
Law, Order, Public Safety	(372,021)	(27,482)	(28,541)	1,059
Health	(390,073)	(27,010)	(29,393)	2,384
Education and Welfare	(341,969)	(24,140)	(39,215)	15,075
Housing	(175,308)	(17,365)	(13,756)	(3,609)
Community Amenities	(2,318,871)	(129,592)	(179,439)	49,847
Recreation & Culture	(2,796,266)	(196,633)	(243,097)	46,464
Transport	(2,914,235)	(236,866)	(171,862)	(65,004)
Economic Services	(612,066)	(30,313)	(37,394)	7,081
Other Property and Services	(74,990)	(202,628)	(306,725)	104,097
Airport Operations	(1,780,344)	(149,278)	(137,750)	(11,528)
	(12,908,296)	(1,082,019)	(1,215,123)	133,104
<b>Capital</b>				
Sale of Assets / Land Held for Resale	3,413,000	(60,000)	(52,204)	(7,796)
Capital Grants/Contributions	3,103,080	-	-	-
	6,516,080	(60,000)	(52,204)	(7,796)
<b>Capital Expenditure (by Class)</b>				
Land and Buildings	(1,782,400)	(108,280)	(122,665)	14,385
Infrastructure Assets - Roads	(2,974,200)	(43,915)	(240,621)	196,706
Infrastructure Assets - Other	(2,916,890)	(46,497)	(53,408)	6,911
Plant and Equipment	(944,000)	(62,083)	(52,204)	(9,879)
Furniture and Equipment	(95,000)	(15,000)	(15,398)	398
	(8,712,490)	(275,775)	(484,296)	208,521
<b>Adjustments</b>				
Debtenture Principal Repayments	(174,039)	(56,878)	(56,464)	(414)
Proceeds from New Debtentures	250,000	-	-	-
Community Loans	16,224	-	-	-
Transfers from Reserves	689,155	-	-	-
Transfers to Reserves	(1,263,289)	-	-	-
	(481,949)	(56,878)	(56,464)	(414)
<b>Adjustments and Accruals</b>				
Depreciation	2,704,800	-	-	-
Accruals	-	-	-	-
Profit/Loss on Sale of Assets	(2,964,676)	-	-	-
Opening Funds - (Deficit) Surplus	498,317	498,317	498,317	(498,317)
Closing Funds - (Deficit) Surplus	218,366	(695,846)	(994,802)	-
Amount Raised from Rates	4,342,193	-	(505)	505

**SHIRE OF WYNDHAM EAST KIMBERLEY  
MANAGEMENT REPORT  
01/07/2007 - 31/07/2007**

	G/L	
<b>NET CURRENT ASSETS</b>		
CASH AT BANK	131	\$ (1,316,309)
RESTRICTED CASH	132	\$ 653,212
CASH ON HAND	140-150	\$ 1,500
RATES DEBTORS	151	\$ (106,385)
DEFERED PENSIONERS		\$ (27,890)
SUNDRY DEBTORS	152	\$ 540,795
ANSETT DEBTOR	155	\$ 163,681
PROVISION FOR DEBTS	153	\$ (225,903)
GST RECEIVABLE	163	\$ 145,916
GST PAYABLE	164	\$ (50,780)
BOND	174	\$ (1,769)
ACCRUED INCOME	223	\$ -
PREPAYMENTS	190	\$ -
RATES REFUND CLEARING	191	\$ -
INVENTORIES	162	\$ 22,319
SELF SUPPORTING LOAN		
SUSPENSE		\$ (54,856)
		<u>\$ (256,469)</u>
<b>LESS PAYABLES</b>		
SUNDRY CREDITORS	281	-568061
ESL CONTROL	180-181	\$ 3,234.00
ACCRUED EXPENSES	221	\$ -
SUNDRY CREDITOR ATO/SUPER	261-264-267-268	\$ (123,506.00)
ACCRUED INTEREST ON LOANS	232	\$ -
ACCRUED SALARIES AND WAGES	233	\$ -
RETENTIONS	270-272	\$ -
RATES REFUND	195	\$ -
SUSPENSE		\$ (50,000.00)
		<u>\$ (738,333.00)</u>
<b>NET UNRESTRICTED CASH ASSETS</b>		<u><u>\$ (994,802)</u></u>

**Explanation of Material Variances**

**Other Property and Services** **\$ 104,097.00**

All insurance paid against this schedule in July. To be allocated to other schedules.

August Payroll posted to July in error.

**Transport (Infrastructure - Assets Roads)** **\$ 196,706.00**

Purchase of bitumen for multiple job occurred in July. Jobs to be completed in future months.



## **Shire of Wyndham East Kimberley**

### **List of Accounts Paid Under Delegation 18**

Presented to Council

18-Sep-07

Municipal Cheques dated 10 August - 7 September 2007

EFT Payments dated 10 August - 7 September 2007

Payroll dated 1 - 31 August 2007

Direct Debits Dated 1 - 31 August 2007

**List of Accounts Paid Under Delegation 18**

List of accounts submitted to Council 18/09/07

Chq/EFT	Date	Name	Description	
<b>MUNICIPAL FUND</b>				
37930	10/08/2007	ARTPROOF	PRINTING FOR KIMBERLEY WRITERS FESTIVAL	2,746.00
37931	10/08/2007	AUSTRALIAN PLASTIC CARD COMPANY	ARTWORK FOR LIBRARY CARDS	101.20
37932	10/08/2007	COMPUTERCORP (OPERATIONS) PTY LTD	HP COMPAQ NX9420 LAPTOPS	15,091.47
37933	10/08/2007	DEPT FOR PLANNING & INFRASTRUCTURE	REGISTRATION WY11719	98.70
37934	10/08/2007	DIGITAL MAPPING SOLUTIONS	MAPINFO - MAPPING SOFTWARE	3,404.50
37935	10/08/2007	HEART FOUNDATION	BE ACTIVE MERCHANDISE	25.00
37936	10/08/2007	HORIZON POWER	ELECTRICITY ACCOUNTS	20,694.50
37937	10/08/2007	JAMIE GAULT	CROSSOVER REIMBURSEMENT	816.75
37938	10/08/2007	NATIONAL CHILDCARE ACCREDITATION COUNCIL	ANNUAL REGISTRATION FEE	162.50
37939	10/08/2007	PMP BITUMEN	CONTRACT PAYMENT	253,070.84
37940	10/08/2007	RAC GROUP ACCOUNTS	RAC VEHICLE MEMBERSHIPS	401.70
37941	10/08/2007	SHIRE OF ROEBOURNE	WARIS FUNDING FOR MUSIC WORKSHOPS	22,000.00
37942	10/08/2007	WESTBOOKS	NEW BOOK FOR WYNDHAM LIBRARY COLLECTION	39.95
37943	10/08/2007	WYNDHAM COMMUNITY CLUB	REFRESHMENTS FOR MARA CONCERT	360.00
37944	10/08/2007	WHAT MANAGEMENT	TWO GHOSTWRITERS PERFORMANCES	3,000.00
37945	17/08/2007	CASH - PETTY CASH KNX AIRPORT	PETTY CASH IMPREST	97.70
37946	17/08/2007	COMMANDER AUSTRALIA LIMITED	COMMANDER RENTAL WYNDHAM OFFICE	590.70
37947	17/08/2007	ELDERS PASTORAL MERCHANDISE	MARKETING COSTS (LAND)	16,318.24
37948	17/08/2007	HORIZON POWER	ELECTRICITY ACCOUNTS	5,711.90
37949	17/08/2007	HORIZON POWER - NON ENERGY	NEW CONNECTION FOR RADIO	300.00
37950	17/08/2007	PROCOPY	GEKO OPEN FOR INVESTMENT PROMOTIONAL DVD	1,054.90
37951	17/08/2007	REST SUPER	SUPERANNUATION CONTRIBUTIONS	56.13
37952	17/08/2007	RICK SPRY	AAA MEETING - ACCOMMODATION AND MEALS	452.50
37953	17/08/2007	SUPA FRESH HOT BREAD SHOP	MEETING CATERING	93.00
37954	17/08/2007	WATER CORPORATION	WATER USAGE	322.00
37955	17/08/2007	WYNDHAM BLUE LIGHT JUNIOR SPORT ASS	HIRE OF BLUE LIGHT EQUIPMENT	50.00
37956	17/08/2007	ARGYLE MOTORS	2007 TOYOTA PRADO (WY12297) EMEDS	20,137.13
37957	24/08/2007	HORIZON POWER	ELECTRICITY ACCOUNTS	446.25
37958	24/08/2007	INSTITUTE OF PUBLIC WORKS ENGINEERING	MEMBERSHIP SUBSCRIPTION FEES	495.00
37959	24/08/2007	KUNUNURRA AMCAL PHARMACY	TOP UP FIRST AID KIT-DEPOT	187.38
37960	24/08/2007	PMP BITUMEN	SPRAY WORK CHILD CARE CENTRE CARPARK	11,612.70
37961	30/08/2007	AUSTRALIA POST.ACCOUNTS RECEIVABLE TEAM	POSTAGE AND STATIONERY PURCHASES JULY	760.77
37962	31/08/2007	COMMISSIONER OF POLICE	RENEWAL OF GUN LICENSES	48.35
37963	31/08/2007	DEPARTMENT FOR PLANNING & INFRASTRUCTURE	SPECIAL SERIES PLATES	130.00
37964	31/08/2007	HUNTER WEILANDS CENTRE AUSTRALIA	TRAINING - K TRIPP	350.00
37965	31/08/2007	KLEENHEAT GAS	WYNDHAM AND KUNUNURRA CONTRACT	242.00
37966	31/08/2007	REST SUPER	SUPERANNUATION CONTRIBUTIONS	147.75
37967	31/08/2007	TIMO DIEDERICHSEN	REIMBURSEMENT FOR HARDWARE	16.70
37968	31/08/2007	TREEMAX LANDPLAN	FABRIC FOR WEABER PLAINS RD GABIONS	5,433.25
37969	05/09/2007	RADIOLOGICAL COUNCIL	APPLICATION LICENSE FOR AN X-RAY MACHINE	664.00
37970	07/09/2007	BROCK SOLID CABINETS	SUPPLY AND INSTALL COUNTERS IN WYNDHAM	20,175.81
37971	07/09/2007	COUNCILLOR MICHELE PUCCI	REIMBURSEMENT TRAVEL EXPENSES	506.19
37972	07/09/2007	CROMMELINS MACHINERY	3 PHASE STATIONARY COMPRESSOR	2,090.00
37973	07/09/2007	HORIZON POWER	ELECTRICITY USAGE	4,482.10
37975	07/09/2007	RICK SPRY	TELSTRA SUBSIDY AUGUST 2007	40.76
37976	07/09/2007	SPECTRUM DISTRIBUTORS	4 CHLORINE PACKAGES FOR JULY	314.06
37977	07/09/2007	TELSTRA	TELEPHONE ACCOUNTS	3,150.92
37978	07/09/2007	WATER CORPORATION	WATER USAGE	10,036.15
			<b>Total of Cheque Payments</b>	<b>428,525.45</b>
Chq/EFT	Date	Name	Description	
EFT101115	10/08/2007	ALLGEAR MOTORCYCLES	2 X ALLOY HEADS FOR WHIPPER SNIPPERS	79.50
EFT101116	10/08/2007	APPERLEY, KARYN	REIMBURSEMENT OF TRAINING EXPENSES	68.50
EFT101117	10/08/2007	ARGYLE MOTORS	VEHICLE SERVICING	1,101.65
EFT101118	10/08/2007	AUST INST OF BUILDING SURVEYORS	TABS SUBSCRIPTION 2007 TO 2008	55.00
EFT101119	10/08/2007	BLACKWOODS ATKINS PTY LTD	GLOBES FOR KUNUNURRA ADMIN	217.03
EFT101120	10/08/2007	BOAB CARPENTRY MAINTENANCE SERVICE	REPAIR WINDOWS AND EAVES 67 KOOJARRA	1,010.51
EFT101121	10/08/2007	COATES HIRE OPERATIONS PTY LTD	HIRE OF WATER FILLED BARRIERS	482.63
EFT101122	10/08/2007	CROCODILE SIGNS	LAMINATE A1 CALENDER	17.16
EFT101123	10/08/2007	DRYSDALE RIVER STATION	ACCOMMODATION, MEALS AND FUEL	684.00
EFT101124	10/08/2007	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES	569.65
EFT101125	10/08/2007	FISCHER, CYNTHIA	CLEANING WYNDHAM TOILETS	2,988.15
EFT101126	10/08/2007	FRANMOR CONSTRUCTIONS PTY LTD	REPLACEMENT GLASS LEISURE CENTRE	420.21
EFT101127	10/08/2007	GARRATT,SARAH	GYM/BOXING CLASSES 26/07-06/08	671.25
EFT101128	10/08/2007	JAMES O'KENNY AUCTIONEER	HIRE OF AMENITIES ROOM FOR JULY 2007	3,300.00
EFT101129	10/08/2007	JASON SIGNMAKERS LTD	4 X 50MT ROLLS OF BARRIER MESH	176.00
EFT101130	10/08/2007	JORRITSMAN H & CO	REPAIR LEAKING TOILETS	81.60
EFT101131	10/08/2007	JSW HOLDINGS PTY LTD	10M X TOPSOIL	396.00
EFT101132	10/08/2007	K & M ALLCLEAN	CLEANING CONTRACT	7,239.39
EFT101133	10/08/2007	KIMBERLEY COMMUNICATIONS	REPAIR FAULT WITH SBS TRANSMISSION	462.00
EFT101134	10/08/2007	KIMBERLEY ECHO ALBANY ADVERTISER	RATES ADVERTISING 21/06/07	164.80
EFT101135	10/08/2007	KIMBERLEY GROUP TRAINING	TRAINEESHIP WAGES	3,649.27
EFT101136	10/08/2007	KIMBERLEY KOOL REFRIGERATION	INSPECT FAULTY ICE MACHINE	88.00
EFT101137	10/08/2007	KIMBERLEY MARKETING	ASSORTED GOODS FOR DISCO	130.58
EFT101138	10/08/2007	KIMBERLEY METAL RECYCLERS	MANAGEMENT OF LANDFILL SITES 01-31/07/07	21,103.50
EFT101139	10/08/2007	KIMBERLEY TREE SERVICES PTY LTD	PRUNE & REMOVE TREES AIRPORT HOUSE	5,136.45
EFT101140	10/08/2007	KUNUNURRA COURIERS	WATER FOR FOYER	34.00
EFT101141	10/08/2007	KUNUNURRA DIESEL SERVICES	VEHICLE SERVICING	2,255.60
EFT101142	10/08/2007	KUNUNURRA DISTRICT HIGH SCHOOL	ROOM HIRE WRITERS FESTIVAL	400.00
EFT101143	10/08/2007	KUNUNURRA NEWSAGENCY	NEWSPAPERS	85.15
EFT101144	10/08/2007	KUNUNURRA POOLS AND SPAS	REPAIR AND PAINT SLIDE	1,980.00
EFT101145	10/08/2007	KUNUNURRA VISITORS CENTRE	ARCHITECTURAL FEES FOR RELOCATION	4,840.00

**List of Accounts Paid Under Delegation 18**

List of accounts submitted to Council 18/09/07			
Chq/EFT	Date	Name	Description
EFT101146	10/08/2007	KUNUNURRA VOLUNTEER FIRE BRIGADE	CLEANING OF KUNUNURRA NETBALL COURTS
EFT101147	10/08/2007	NORBUILT PTY LTD	PROGRESS CLAIM YOUTH CENTRE
EFT101148	10/08/2007	NORTHERN IT SERVICES	REFORMATTING OF BACK UP TAPES
EFT101149	10/08/2007	OFFICE NATIONAL KUNUNURRA	NEW TONER, MINOR REPAIRS TO PHOTO COPIER.
EFT101150	10/08/2007	ORD RIVER CONTRACTING	SHEETING OF CARLTON HILL RD
EFT101151	10/08/2007	ORD RIVER ELECTRICS	ELECTRICAL REPAIRS WHITEGUM PARK
EFT101152	10/08/2007	ORD RIVER MEAT SUPPLY	CATERING FOR BUDGET WORKSHOP
EFT101153	10/08/2007	ORIA ORCHARDS	FLOWERS FOR FOYER
EFT101154	10/08/2007	PARDOE-BELL, ALLAN JOHN	CLEANING - WYNDHAM
EFT101155	10/08/2007	RAECO INTERNATIONAL P/L "DO NOT USE"	CLEAR VIDEO CASSETTE CASE
EFT101156	10/08/2007	RB DESSERT SEED CO	1 X BOX LAWN SEED
EFT101157	10/08/2007	ROGERS MACHINERY SERVICE	CAST AGRI MP PLUS 20LTR
EFT101158	10/08/2007	SHELF SUPPLY	PERSONAL EQUIPMENT BAGS FOR IVANHOE BFB
EFT101159	10/08/2007	ST JOHN AMBULANCE ASS. KNX	SENIOR 1ST AID COURSE - KIM BAKER
EFT101160	10/08/2007	TNT AUSTRALIA PTY LIMITED	WATER SAMPLING
EFT101161	10/08/2007	TONYS PLUMBING & EXCAVATION PTY LTD	REPLACE WATERLINE FROM EXIT PONDS
EFT101162	10/08/2007	TOP END MOTORS	35,000 KM SERVICE WY11486
EFT101163	10/08/2007	TRAVELWORLD KUNUNURRA	AIRFARES LOCAL GOVERNMENT WEEK
EFT101164	10/08/2007	TONY BURNS	COMMUNITY CALENDAR PRODUCTION
EFT101165	10/08/2007	WA LIBRARY SUPPLIES	LIBRARY SUPPLIES
EFT101166	10/08/2007	WYNDHAM SUPERMARKET	FOOD & DRINK FOR CENTRE
EFT101167	10/08/2007	WYNDHAM TOWN HOTEL	CATERING COUNCIL BRIEFING SESSION WYNDHAM
EFT101168	17/08/2007	ALLGEAR MOTORCYCLES	NEW CHAIN FOR CHAINSAW
EFT101169	17/08/2007	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS
EFT101170	17/08/2007	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS
EFT101171	17/08/2007	BOAB CARPENTRY MAINTENANCE SERVICE	WYNDHAM CHILD CARE DOOR REPLACEMENTS
EFT101172	17/08/2007	BRIDGESTONE AUSTRALIA LTD	SUPPLY TYRES WY11633
EFT101173	17/08/2007	BROADCAST AUSTRALIA PTY LTD	POWER RECOVERY
EFT101174	17/08/2007	CABCHARGE	TAXI FARE
EFT101175	17/08/2007	COUNTRY CLUB HOTEL "DO NOT USE"	ACCOMMODATION FOR APPLICANT
EFT101176	17/08/2007	DERRICK STEENSON	ROLL OF BARBED WIRE FOR REC CENTRE FENCE
EFT101177	17/08/2007	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES
EFT101178	17/08/2007	EAST KIMBERLEY PLUMBING	REPAIR TAPS AT PINDAN CENTRE
EFT101179	17/08/2007	JSW HOLDINGS PTY LTD	10M X TOPSOIL CHILD CARE GARDENS
EFT101180	17/08/2007	KIMBERLEY PROPERTY VALUERS	VALUATION EXPENSES LOT 321 LAINE JONES DRIVE
EFT101181	17/08/2007	KIMBERLEY STOCK-OLIVER	SUPPLY RETICULATION FITTINGS
EFT101182	17/08/2007	KIMBERLEY WATER CARTING	HIRE OF WATER TRUCK AND OPERATOR
EFT101183	17/08/2007	KINGS CROWN INSTRUMENTATION & ELECTRICAL	SOLAR BATTERY AND CHIP FOR SOLAR LIGHTS
EFT101184	17/08/2007	KUNUNURRA SECURITY SERVICE	SECURITY GUARDS FOR GHOSTWRITERS CONCERT
EFT101185	17/08/2007	L.G.R.C.E.U	PAYROLL DEDUCTIONS
EFT101186	17/08/2007	LANDGATE	RURAL UV SCHEDULE R2007/7 VALUATIONS
EFT101187	17/08/2007	MCKINLAY, BETTY	TELEPHONE SUBSIDY
EFT101188	17/08/2007	OFFICE NATIONAL KUNUNURRA	3 X PRINTER CARTRIDGES
EFT101189	17/08/2007	ORIA ORCHARDS	WEEKLY DELIVERY WITH FLOWERS
EFT101190	17/08/2007	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS
EFT101191	17/08/2007	THE SMART SECURITY COMPANY	ALARM MONITORING
EFT101192	17/08/2007	TOLL WEST	FREIGHT KUNUNURRA LIBRARY-STATE LIBRARY
EFT101193	17/08/2007	TOP END MOTORS	30 000 KILOMETRE SERVICE WY11590
EFT101194	17/08/2007	TRAVELWORLD KUNUNURRA	AIRFARES LOCAL GOVT WEEK
EFT101195	17/08/2007	TROPICAL PEST CONTROL & HEALTH SERVICE	PEST CONTROL TREATMENT FOR GENERAL PESTS
EFT101196	17/08/2007	TRUE L MUSIC	MUSIC WORKSHOP PROGRAM
EFT101197	17/08/2007	TUCKERBOX/RETRAVISION	REFRESHMENTS FOR CIVIC FUNCTION
EFT101198	17/08/2007	VANDERFIELD MACHINERY PTY LTD	SUPPLY PARTS FOR JD TRACTOR
EFT101199	17/08/2007	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS
EFT101200	17/08/2007	WESTERN AUSTRALIAN TREASURY CORP	LOAN REPAYMENTS
EFT101201	24/08/2007	WYNDHAM SUPERMARKET	SUPPLY 1X 15KG DOG BISCUITS
EFT101202	24/08/2007	BOAB BOOKS	CITIZENSHIP CEREMONY GIFT
EFT101203	24/08/2007	BOAB REFRIGERATION AND AIRCON	SUPPLY 2 X NEW AC COMPRESSORS TO PRH
EFT101204	24/08/2007	BUSH CAMP SURPLUS STORES	1 X WORK BOOTS
EFT101205	24/08/2007	CJ ORD SUGAR PTY LTD	MOLASSES FOR WEERO RD
EFT101206	24/08/2007	COATES HIRE OPERATIONS PTY LTD	FLAT HOSE FOR PUMPING OF TIP HOLE
EFT101207	24/08/2007	CORPORATE EXPRESS	JULY STATIONARY ORDER
EFT101208	24/08/2007	CROCODILE SIGNS	LAMINATE A2 SIZE MAP
EFT101209	24/08/2007	HOMESAT TV EAST KIMBERLEY	FIT NEW PRINTER OUTLET - XMCPS OFFICE
EFT101210	24/08/2007	JASON SIGNMAKERS LTD	1500MM X 150MM EXTUSION SIGNAGE
EFT101211	24/08/2007	JORRITSMA H & CO	2 X CAMLOCK FITTINGS FOR SLIP ON UNIT
EFT101212	24/08/2007	KALUMBURU MISSION	FUEL FOR TRIP TO KALUMBURU IN JULY
EFT101213	24/08/2007	KNICKEL GARDENING SERVICES	GARDENING MAINTENANCE
EFT101214	24/08/2007	KUNUNURRA DIESEL SERVICES	2 X REPLACEMENT TYRES - 10 TONNER - WY11160
EFT101215	24/08/2007	LGIS INSURANCE BROKING	INSURANCE PREMIUMS 2007/2008
EFT101216	24/08/2007	LGIS LIABILITY	MUNICIPAL LIABILITY (50%)
EFT101217	24/08/2007	LGIS WORKCARE	WORKERS COMPENSATION INSURANCE (50%)
EFT101218	24/08/2007	NORTHERN IT SERVICES	IT SUPPORT
EFT101219	24/08/2007	ROGERS MACHINERY SERVICE	PARTS FOR HOWARD HD SLASHER
EFT101220	24/08/2007	SADANIK PTY LTD	UPS (UNINTERRUPTIBLE POWER SUPPLY)
EFT101221	24/08/2007	SEARLES MECHANICAL REPAIRS	20,000KM SERVICE 1CUI-595
EFT101222	24/08/2007	STITCHED UP EMBROIDERY SERVICES	SHIRTS FOR AG SHOW DISPLAY
EFT101223	24/08/2007	STUART CLEGG	MOSQUITO TRAPS
EFT101224	24/08/2007	TOP END TILT TRAY HIRE	RELOCATE ABANDONED VEHICLE
EFT101225	31/08/2007	A1 METAL FABRICATIONS	BLANKET LIFTING ASSEMBLY
EFT101226	31/08/2007	ALLGEAR MOTORCYCLES	REPAIR CHAINSAW AND REPLACE CHAIN.
EFT101227	31/08/2007	ARGYLE MOTORS	BELT
EFT101228	31/08/2007	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS
EFT101229	31/08/2007	AUSFUEL AFD AUSTRALIAN FUEL DISTRIBUTORS	FUEL ACCOUNT

**List of Accounts Paid Under Delegation 18**

List of accounts submitted to Council 18/09/07

Chq/EFT	Date	Name	Description	
EFT101230	31/08/2007	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	194.70
EFT101231	31/08/2007	BEAUREPAINES (KUNUNURRA)	SUPPLY TYRES	1,528.50
EFT101232	31/08/2007	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL GAS BOTTLE RENTAL - JULY 07	203.97
EFT101233	31/08/2007	BOSS FLUID POWER	CONSUMABLE TOILETRIES	2,156.43
EFT101234	31/08/2007	BRANKO BP MOTORS	SERVICE TO NISSAN NAVARA WY.11634	782.60
EFT101235	31/08/2007	BROADCAST AUSTRALIA PTY LTD	POWER RECOVERY GWNR MT ALBANYWYNDHAM	1,446.57
EFT101236	31/08/2007	BUSH CAMP SURPLUS STORES	STAFF UNIFORMS	185.00
EFT101237	31/08/2007	CROCODILE SIGNS	SIGNAGE FOR SALVINIA	245.30
EFT101238	31/08/2007	DAVEY TYRE AND BATTERY SERVICE	2 X NEW TYRES, FITTING & BALANCING - 1CIU595	1,100.68
EFT101239	31/08/2007	DELRON CLEANING PTY LTD	CLEANING OF DEPOT - AUGUST 07	199.10
EFT101240	31/08/2007	DRYSDALE RIVER STATION	ACCOMMODATION, MEALS AND FUEL	527.20
EFT101241	31/08/2007	EAST KIMBERLEY HARDWARE	SCRUBBING BRUSHES FOR GRAFFITI REMOVAL	158.35
EFT101242	31/08/2007	EAST KIMBERLEY PLUMBING	REPAIR TOILETS SWIM BEACH	223.30
EFT101243	31/08/2007	GARRATT, SARAH	FITNESS CLASSES AUGUST	1,327.50
EFT101244	31/08/2007	GAULT, JOHN DOUGLAS	WATER REIMBURSEMENT CLAIM	103.95
EFT101245	31/08/2007	J.M. ROCK & P.S ROCK	QUICK GRANT 2007 PINK RIBBON	550.00
EFT101246	31/08/2007	JASON SIGNMAKERS LTD	4 ROLLS OF BARRIER MESH AND SIGNS	269.30
EFT101247	31/08/2007	JSW HOLDINGS PTY LTD	CONSTRUCT GROIN AT LILY CREEK LAGOON	15,410.12
EFT101248	31/08/2007	KIMBERLEY FIRST NATIONAL REAL ESTATE	BOND 12/33 KONKBERRY DRIVE KUNUNURRA	320.00
EFT101249	31/08/2007	KIMBERLEY GROUP TRAINING	TRAINEESHIP WAGES	841.81
EFT101250	31/08/2007	KIMBERLEY INDUSTRIES METALAND	FENCING	2,373.28
EFT101251	31/08/2007	KIMBERLEY METAL RECYCLERS	CONTRACT 01-31/08/07 TIP	21,103.50
EFT101252	31/08/2007	KINGS CROWN INSTRUMENTATION & ELECTRICAL	ELECTRICAL SERVICES FOR WYNDHAM AIRPORT	812.77
EFT101253	31/08/2007	KUNUNURRA DIESEL SERVICES	REPAIRS WYO CAT GRADER	280.50
EFT101254	31/08/2007	KUNUNURRA REFRIGERATION	QUARTERLY SERVICING OF AIR CONDITIONING	143.00
EFT101255	31/08/2007	KUNUNURRA SECURITY SERVICE	SECURITY PATROLS	2,816.00
EFT101256	31/08/2007	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT101257	31/08/2007	LANDGATE	GRV SCHEDULE G20077 VALUATIONS	138.84
EFT101258	31/08/2007	LANGFORD MACHINERY PTY LTD	REPAIR WORK FOR MASSEY TRACTOR	287.00
EFT101259	31/08/2007	LENNYS LANDSCAPE	REMOVE TREE AT 3 EUCALYPTUS CLOSE	1,315.88
EFT101260	31/08/2007	NORSIGN PTY LTD	SUPPLY OF SIGN EXTRUSION WITH SWEK EMBLEM	71.50
EFT101261	31/08/2007	NORTHERN IT SERVICES	LAPTOP FOR SALARY SACRIFICE	3,499.00
EFT101262	31/08/2007	OFFICE NATIONAL KUNUNURRA	COPY COUNT COST FOR THE MONTH OF JULY 2007	1,931.39
EFT101263	31/08/2007	ORIA ORCHARDS	WEEKLY DELIVERY OF FLOWERS	15.00
EFT101264	31/08/2007	RACHEL WORNES	ELECTRICAL PAYMENT R WORNES 07/08	83.32
EFT101265	31/08/2007	ROGERS MACHINERY SERVICE	PURCHASE OF 2007 KUBOTA M12EX TRACTOR	57,075.70
EFT101266	31/08/2007	SHELF SUPPLY	LEG PROTECTORS FOR WHIPPER SNIPPING	35.00
EFT101267	31/08/2007	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	1,150.10
EFT101268	31/08/2007	STATE LAW PUBLISHER	2 COPIES EMERGENCY MANAGEMENT ACT	31.70
EFT101269	31/08/2007	TOP END MOTORS	VEHICLE SERVICING	1,291.16
EFT101270	31/08/2007	VANDERFIELD MACHINERY PTY LTD	SUPPLY OIL AND REPAIR HYDRAULIC HOSE	854.83
EFT101271	31/08/2007	WA LOCAL GOVERNMENT ASSOCIATION WALGA	WALGA SUBSCRIPTION	17,148.95
EFT101272	31/08/2007	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	16,155.99
EFT101273	31/08/2007	WESTERN LOCKSERVICE	WYNDHAM ADMIN - 4 ACCESS KEYS	79.75
EFT101274	31/08/2007	WUNAN FOUNDATION INC.	SPONSORSHIP EKA AWARD 2007	2,750.00
EFT101275	07/09/2007	ALLGEAR MOTORCYCLES	AIRPORT BLOWER REPAIRS & PARTS	349.10
EFT101276	07/09/2007	APPERLEY, KARYN	ELECTRICITY SUBSIDY AUGUST 2006/2007	90.28
EFT101277	07/09/2007	ARGYLE MOTORS	PURCHASING VEHICLE WY12352	19,622.75
EFT101278	07/09/2007	ATO	BAS JUNE 07	102,979.00
EFT101279	07/09/2007	BEAUREPAINES (KUNUNURRA)	FIT TUBE TO MASSEY TRACTOR AND PATCH TYRE	183.00
EFT101280	07/09/2007	BRANKO BP MOTORS	SUPPLY/FIT PARTS, BLADES FOR SLASHER, REPAIRS	1,913.60
EFT101281	07/09/2007	BRENDAN JOHNS ELECTRICS	ELECTRICAL MAINTENANCE AT KNA AIRPORT	1,598.94
EFT101282	07/09/2007	DAVEY TYRE AND BATTERY SERVICE	18X 2 TYRES FOR PESA VEHICLE	407.38
EFT101283	07/09/2007	DELRON CLEANING PTY LTD	GENERAL CLEANING FOR AUGUST 07- AIRPORT	5,000.07
EFT101284	07/09/2007	DRYSDALE RIVER STATION	MAINTENANCE GRADE - PORT WARRENDER ROAD	13,828.02
EFT101285	07/09/2007	EAST KIMBERLEY HARDWARE	HARDWARE TO FIX BASKETBALL HOOPS	64.00
EFT101286	07/09/2007	EAST KIMBERLEY PLUMBING	CHECK & FIX - URINAL AND TOILETS, DEMONS SIDE	134.75
EFT101287	07/09/2007	FEWSTER, KELLY	GROCERIES FOR KALUMBURU TRIP JULY 07	129.55
EFT101288	07/09/2007	FIONA KUIPER	CATERING: MEETING	92.80
EFT101289	07/09/2007	GAULT, JOHN DOUGLAS	ELECTRICITY SUBSIDY AUGUST 2006/2007	116.04
EFT101290	07/09/2007	IT VISION ITV	REQUISITION MODULE	1,846.02
EFT101291	07/09/2007	JAB INDUSTRIES	WATER TRUCK HIRE FOR ROAD SHEETING	2,340.00
EFT101292	07/09/2007	KIMBERLEY GROUP TRAINING	TRAINEESHIP WAGES	3,466.94
EFT101293	07/09/2007	KIMBERLEY METAL RECYCLERS	DAY RATE LOADER HIRE	574.05
EFT101294	07/09/2007	KIMBERLEY WASTE SERVICES	REFUSE COLLECTION, STREET SWEEPING	47,545.14
EFT101295	07/09/2007	LOCAL GOVERNMENT MANAGERS AUSTRALIA	COUNCILLOR SEMINAR/TRAINING	1,650.00
EFT101296	07/09/2007	NETWORK DRAFTING	DRAFTING	1,897.50
EFT101297	07/09/2007	NORTHERN IT SERVICES	IT SUPPORT	1,813.50
EFT101298	07/09/2007	ORIA ORCHARDS	FLOWERS FOR FOYER	30.00
EFT101299	07/09/2007	PARDOE-BELL, ALLAN JOHN	CLEANING- WYNDHAM	1,952.00
EFT101300	07/09/2007	R KEIR CONTRACTING	GRADER HIRE	19,122.00
EFT101301	07/09/2007	SMEG AUSTRALIA PTY LTD (PERTH)	NATIONAL MUNICIPAL HERITAGE REGISTER REVIEW	7,700.00
EFT101302	07/09/2007	STUBBS, PETER	ELECTRICITY SUBSIDY	300.32
EFT101303	07/09/2007	TNT AUSTRALIA PTY LIMITED	WATER SAMPLING	37.98
EFT101304	07/09/2007	TUCKERBOX/RETRAVISION	TUCKERBOX ACCOUNT JULY	2,210.90
EFT101305	07/09/2007	KNICKEL GARDENING SERVICES	MOWING OF TURFED AREAS JULY 2007	18,881.87
			<b>Total for EFT Payments</b>	<b>984,976.18</b>
PAYROLL	01/06/2007	FORTNIGHTLY PAYROLL		103,479.03
PAYROLL	15/06/2007	FORTNIGHTLY PAYROLL		87,837.25
PAYROLL	17/06/2007	PAYROLL		336.81
PAYROLL	29/06/2007	FORTNIGHTLY PAYROLL		88,047.10
			<b>Total for Payroll Payments</b>	<b>279,700.19</b>

**List of Accounts Paid Under Delegation 18**

**List of accounts submitted to Council 18/09/07**

Chq/EFT	Date	Name	Description	
DIRECT DEBIT		RENT 12/33 KONKERBERRY DRIVE KUNUNURRA		1,473.33
DIRECT DEBIT		BANK FEES		380.45
DIRECT DEBIT		BILL EXPRESS		27.50
DIRECT DEBIT		VISA PAYMENT		8,178.03
DIRECT DEBIT		WESTNET P/L		499.54
DIRECT DEBIT		EXXONMOBIL AVIAT		29,984.05
			<b>Total for Direct Debit Payments</b>	<u>40,542.90</u>
			<b>Total Payments Submitted to Council</b>	<u>1,733,744.72</u>



## **Shire of Wyndham East Kimberley**

### **List of 90 Day Sundry Debtors**

Presented to Council

18-Sep-07

<b>Sundry Debtors as of 31st August 2007</b>			
<b>Sundry Debtor</b>	<b>Amounts Over 90 Days Outstanding</b>	<b>Balance @ 31st August 2007</b>	<b>Debt Collection Status for Debts over 90 Days</b>
ARGYLE KIMBERLEY RESORT	27.50	27.50	Reminder Notice Issued
AIRSERVICES AUSTRALIA	1682.51	4100.74	Reminder Notice Issued
CARTER RON	967.00	967.00	Sent to Credipac
CHADWICK, STEVE	5,949.96	5,949.96	Debtor with Credipac
CGU WORKERS COMPENSATION DEPARTMENT OF CORRECTIVE SERVICE	183.00	183.00	Reminder Notice Issued
	589.66	6,151.46	Final Notice Issued - Debt to Paid in Full by End of
KUNUNURRA JUNIOR FOOTBALL	40.00	495.00	Reminder Notice Issued
NEIL LAVERS	1,130.00	1,130.00	Debtor with Credipac
ORD AIR CHARTER PTY LTD	56,217.73	56,266.99	Debtor with Credipac
ORD RIVER SPORTS CLUB	9,672.69	9,672.69	Monthly Repayments are being made
THE SHELL COMPANY OF AUSTRALIA	150.00	150.00	Reminder Notice Issued
ROWLAND, BARBARA	400.00	400.00	Sent to Credipac
WILSON HILTON	470.00	470.00	Reminder Notice Issued
WYNDHAM COMMUNITY CLUB	2,760.49	3,130.35	Debtor made monthly payment
	80,240.54	89,094.69	