



MINUTES OF ORDINARY COUNCIL MEETING HELD 21 AUGUST 2007

I hereby certify that the Minutes of the Ordinary Meeting of Council held 21 August 2007 are a true and accurate record of the proceedings contained therein.

Shire President Confirmed

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE OF
WYNDHAM EAST KIMBERLEY HELD ON TUESDAY, 21 AUGUST 2007 AT
KUNUNURRA COUNCIL CHAMBERS, COMMENCING AT 6:00PM**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting opening at 6.01pm

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

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
Cr Jane Parker	Councillor
Mr Peter Stubbs	Chief Executive Officer
Mr Alex Douglas	Executive Manager Engineering and Development Services
Mr Keith Williams	Executive Manager of Town Planning
Ms Fiona Kuiper	Executive Support Officer and Minute Taker
Ms Rebecca Jacob	Executive Support Officer (Community Services) and Minute Taker

APOLOGIES

Nil

LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Nil

3. DECLARATIONS OF INTEREST

• **Financial Interest**

Chief Executive Officer Mr Peter Stubbs declared a Financial Interest in Items 12.2.1, 12.2.3 and 12.2.4 as he is related to a tenderer.

Shire President Cr Michelle Pucci declared a Financial Interest in Item 12.2.7 as she is a business partner of a family member of the proponent.

- **Members Impartiality Interest**

Cr Keith Wright declared an impartiality interest in Item 12.2.8 as he is an adjacent landowner and Item 12.4.6 as he is an Agriculture Protection Board Member.

Chief Executive Officer Mr Peter Stubbs declared an Impartiality Interest in Item 12.4.4 as his son attends Kununurra District High School.

- **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. 7832

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 18 September 2007.

Carried Unanimously 7/0

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

8.1. Confirmation of Minutes of the Ordinary Meeting of Council held on Tuesday 17 July 2007

RECOMMENDATION

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 17 July 2007.

COUNCIL DECISION

Minute No. 7833

Moved: Cr J. Parker Seconded: Cr. M. Middap

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 17 July 2007.

Carried Unanimously 7/0

8.2. Confirmation of Minutes of the Special Meeting of Council held on Tuesday 31 July 2007

RECOMMENDATION

That Council confirm the Minutes of the Special Meeting of Council held on Tuesday 31 July 2007.

COUNCIL DECISION

Minute No. 7834

Moved: Cr K. Wright Seconded: Cr. J. Parker

That Council confirm the Minutes of the Special Meeting of Council held on Tuesday 31 July 2007.

Carried Unanimously 7/0

- 8.3. Confirmation of Minutes of the Special Meeting of Council held on Monday 13 August 2007**

RECOMMENDATION

That Council confirm the Minutes of the Special Meeting of Council held on Monday 13 August 2007.

COUNCIL DECISION

Minute No. 7835

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

That Council confirm the Minutes of the Special Meeting of Council held on Monday 13 August 2007.

Carried Unanimously 7/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Shire president made the following announcements:

I would like to acknowledge the participation of Councillors Ausburn, Parker, Middap, with me and our Town Planner Mr. Keith Williams in this year's Local Government Conference held in Perth over the period 3rd to the 6th August 2007.

While in Perth I was fortunate to be able to meet with the Deputy Premier, Eric Ripper, to discuss matters related to the expansion of the Ord Irrigation Scheme. A framed photograph of the Kununurra Diversion Dam was presented to the Deputy Premier on behalf of Council, as a reminder of the importance of this project to the future of the East Kimberley region. I feel confident that Mr. Ripper is committed to the Ord Stage Two however it is important that as the local Government we remain focused on this project and facilitate and lobby to ensure that Ord Stage Two is realized. I have requested that the CEO and myself arrange to meet with Minister Turnbull in Canberra within the next few months so we can express the benefits of Ord Stage Two from both a Commercial and social aspect. We will seek a commitment for funding to this region to support Ord Stage Two and to importantly ensure that Ord Stage Two does not become a political football game between the State and Federal Government.

Following the briefing elected members received from Tropical Forestry Services (TFS) on the future of the Sandalwood industry in the East Kimberley region, I raised with the Deputy Premier the need to the Forest Products Commission to sell 30 of their mature Sandalwood trees to TFS, for oil testing to assist accelerate processing plans for Sandalwood oil in the region.

On behalf of Council I acknowledge Bazmark Productions and in particular Mr. Baz Luhrman and David Ngoombujarra for their participation on the tree planting ceremony at Celebrity Tree Park to commemorate the filming of the movie *Australia* in the East Kimberley region. I would like to especially thank Fiona Kuiper for her wonderful organisation of this event.

On Thursday 16th August the CEO and I met with the Miriuwung Gajerrong Corporation Board and provided a briefing on some of the major initiatives our Local Government was working towards. This developing relationship will facilitate cooperation between our two organizations.

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

Nil

12. REPORTS

12.1. ENGINEERING SERVICES

12.1.1. Vehicle Quotation – Wyndham Administration Office Pool Vehicle

DATE:	21/08/07
PROPONENT:	SWEK
LOCATION:	Wyndham
AUTHOR:	Alex Douglas, Executive Manager Engineering and Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Development Services
FILE NO:	66.41.07
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the purchase of a small vehicle for use by the Wyndham Administration staff, and as required by Wyndham based Councillors.

BACKGROUND

Through the budget consideration process the availability of a pool vehicle for the Wyndham office was seen as desirable and in general discussion the option to consider a diesel engined small vehicle was also discussed.

Argyle Motors were requested to provide quotations on three model options for a Holden Astra. The bases of seeking the quotations from the local dealer for a specific vehicle were based on recent history of tenders, preference for a locally supported (serviced) vehicle, the option of a diesel motor and no trade vehicle involved.

STATUTORY IMPLICATIONS

Local government in Western Australia has access to the State Tender Board supply contracts, and vehicles are included. Where a vehicle is a new purchase without trade in, the process is simplified as it is obligatory for any WA based dealership to supply a vehicle to a local government under that pricing structure.

POLICY IMPLICATIONS

There are no specific policies relating to this report.

FINANCIAL IMPLICATIONS

An allocation of \$27,000 (net of GST) was included in the adopted 2007-08 Budget for the purchase of a vehicle for use by the Wyndham office staff, and as required for meeting attendance in Kununurra by Wyndham Councillors.

STRATEGIC IMPLICATIONS

Not applicable

COMMENT

The quotations received are summarised as follows: -

Holden Astra Automatic 5dr Hatchback with 1.9L Turbo Diesel (CDTi): \$26,309.86

Holden Astra Manual 5dr Hatchback with 1.9L Turbo Diesel (CDTi): \$25,116.68

Holden Astra Manual 5dr Hatchback with 1.8L Petrol engine (CD): \$18,753.05

Whilst the number of diesel engined small vehicles remains small, there is growing market support for these vehicles based on economy, reliability and longevity, which should translate into good resale value. Given an anticipated changeover period of three years, it is reasonable to predict that the demand for diesel engined small vehicles will have increased and therefore the recommendation is for the diesel option.

It is generally acknowledged that turbo diesel engines and automatic transmissions are the best combination to allow the engine to maintain higher revs while accelerating, and on that basis the automatic option is recommended. If Council was not of a similar view, the diesel engined Manual model would be the alternate preference by staff.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the quotation as submitted by Argyle Motors for the supply, delivery and licensing of a Holden Astra 5dr Automatic Hatch CDTi for the net cost of \$26,309.86 (net of GST), be accepted as the most advantageous to Council.

COUNCIL DECISION

Minute No. 7836

Moved: Cr M. Middap

Seconded: Cr J. Parker

That Council accept the quotation as submitted by Argyle Motors for the supply, delivery and licensing of a Holden Astra 5dr Manual Hatch CDTi for the net cost of \$25116.68 (net of GST), be accepted as the most advantageous to Council.

Carried: 4/3

Cr K. Wright requested the votes be recorded.

For: Cr M. Middap, Cr J. Parker, Cr D. Ausburn, Cr M. Pucci

Against: Cr K. Wright, Cr J. Buchanan, Cr R. Devenish-Meaes

Note: Council believed in the remote environment a manual vehicle was preferable in the event of towing requirements.

12.1.2. Councillor Representation on North Kimberley Land Conservation District (LCDC) and Bush Fires Advisory Committee (BFAC)

DATE:	21/08/07
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Alex Douglas – Executive Manager Engineering and Development Services
REPORTING OFFICER:	Alex Douglas – Executive Manager Engineering and Development Services
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to select its delegate to replace ex Councillor Grahame Green on the North Kimberley LCDC, and Ex Councillors Barnes and Green on the BFAC.

BACKGROUND

At the Council Meeting held on 17 October 2006, Council considered its representation on a number of committees. Ex Cr Green was elected to the position on the LCDC. A meeting is planned for mid-September 2007 at Drysdale River Station. For Council to be represented at an elected member level a replacement is required.

The LCDC meets twice per year and attendance at the meetings generally involves between two and three days away (allowing for travel time). The meetings typically are a morning (half day) meeting.

At the same Council Meeting, Ex Councillors Barnes and Green were elected to the BFAC together with Cr Devenish-Meaes.

It is proposed to hold a BFAC meeting in the near future and replacement of two of the three representatives would be timely.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMENT

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

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the following representation on Committees:

Councillor Representation on Committees		
	Committee Name	Representative/s
1	North Kimberley Land Conservation District Council (LCDC).	<i>Vacant</i>
2	Bush Fire Advisory Committee (BFAC)	1. <i>Vacant</i> 2. <i>Vacant</i> 3. <i>Cr R Devenish-Meares</i>

COUNCIL DECISION

Minute No: 7837

Moved: Cr R. Devenish-Meares

Seconded: Cr J. Parker

That Council adopt the following representation on Committees:

Councillor Representation on Committees		
	Committee Name	Representative/s
1	<i>North Kimberley Land Conservation District Council (LCDC).</i>	<i>Cr M. Middap</i>
2	<i>Bush Fire Advisory Committee (BFAC)</i>	<i>1. Cr D. Ausburn 2. Cr R Devenish-Meares</i>

Carried Unanimously 7/0

12.1.3.Tender T01 07/08 – Cleaning Contract – Shire Facilities, Kununurra and Wyndham

DATE:	21/08/07
PROPONENT:	SWEK
LOCATION:	Kununurra and Wyndham
AUTHOR:	Alex Douglas, Executive Manager Engineering and Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Development Services
FILE NO:	66.56.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the tender submissions for the cleaning of Shire facilities in Kununurra and Wyndham.

BACKGROUND

Tenders were invited for the following services: -

- Airports - East Kimberley Regional Airport
- Administration Centres – Kununurra and Wyndham
- Recreation Facilities – Kununurra Leisure Centre and Wyndham Recreation Centre
- Depots – Kununurra Depot Offices
- Public Conveniences – Kununurra and Wyndham

Tenders closed at 2PM on Thursday 16 August 2007.

STATUTORY IMPLICATIONS

The tenders were prepared and advertised in accordance with the provisions of the Local Government (General and Functions) Regulations 1996.

POLICY IMPLICATIONS

There are no specific policies relating to this report.

FINANCIAL IMPLICATIONS

The financial implications associated with this report are listed below. The adopted Budget includes estimates for the cleaning costs of the relevant facilities. With the increased costs of cleaning it is anticipated that some minor budget variations will be necessary through the normal Budget Review process.

NOTE: ✓ indicates current contractor.

Facility	Delron Cleaning Pty Ltd	K & M Allclean	Allan Pardoe-Bell	06/07 Amount	Variance lowest tender from present amount
East Kimberley Regional Airport	63,461.82 ✓	59,931.60	-	53,106.26	+ 12.9%
Knx Admin	32,358.88	24,128.00 ✓	-	21,940.00	+ 10%
Wyn Admin	32990.72	-	17,120.00 ✓	13,244.00	+ 29.3%
KLC	56,599.26	38,554.75 ✓		35,994.00	+ 7.1%
Wyn Rec Ctr	5,638.36	-	2,080.00 ✓	1,924.00	+ 8.1%
Peter Reid Hall - Wyn	19,821.36	-	9,360.00 ✓	8,256.00	+ 13.4%
Knx Depot	5,102.10 ✓	2501.20	-	2172.00	+ 15.2%
Knx Public Conveniences	52,946.88	18,191.65 ✓	-	16,054.00	+ 13.3%
Wyn Public Conveniences	Information withheld from public record – see NOTE below	-	-	32,598.00	n/a

NOTE: A tender submission was received from Delron Cleaning Pty Ltd for the cleaning of Wyndham Public Conveniences. The tendered amount was substantially higher than the present total, and it is recommended that the tenders be re-advertised for this service. On this basis the tendered amount has been removed from the summary table.

The tender documents allowed for the splitting of the cleaning contract, and in particular allowing for Wyndham facilities based on the previous (current) contract arrangements where a contractor was engaged for the public convenience cleaning, and another for the office cleaning due to the particular preferences of the available contractors.

A tender submission from the current Wyndham public conveniences contractor has not been received and anecdotal evidence is that the contractor is away from Wyndham at present. The contractor was aware of the approximate timing of the tender as written confirmation of continuance of the expired contract cleaning had been received.

The tender documentation includes provision for additional cleaning to allow for occasional ad hoc cleaning requirements. The provision for the East Kimberley Regional Airport is the most 'volatile' in determining an accurate annual expenditure as the seasonal changes in scheduling of RPT services is still unknown with yet to be established jet services. On this basis the tender documentation made certain provisions for the basis of tendering, although it is likely that the actual cleaning contract value over a 12 month period may be higher than that shown above.

STRATEGIC IMPLICATIONS

Not applicable

COMMENT

Performance issues have been raised at different times with all the present contractors and whilst it would be ideal that this did not occur, one of the contributing factors has been consistency of contract management. Arrangements have been put in place to have the contracts supervised by a single person undertaking random inspections in liaison with the appropriate site manager. This should provide consistency of performance assessment and allow contract administration to be more uniform.

The tender documentation included the following evaluation criteria and weighting: -

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

Due to the limited comparative options (maximum of two tender submissions for each of the various classes of facilities) an evaluation matrix was not considered necessary based on the known performance of each of the tenderers.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. accept the tender as submitted by K & M Allclean for the schedule of rates, totalling \$59,931.60 per annum for the provision of cleaning services at East Kimberley Regional Airport as the most advantageous to Council;
2. accept the tender as submitted by K & M Allclean for the schedule of rates, totalling \$65,183.95 per annum for the provision of cleaning services at Kununurra Administration Office, Kununurra Leisure Centre and Kununurra Depot Office as the most advantageous to Council;
3. accept the tender as submitted by K & M Allclean for the schedule of rates, totalling \$18,191.65 per annum for the provision of cleaning services of Kununurra Public Conveniences as the most advantageous to Council;

4. accept the tender as submitted by Allan Pardoe-Bell for the schedule of rates, totalling \$28,560.00 per annum for the provision of cleaning services at Wyndham Administration Office, Wyndham Recreation Centre Office and Peter Reid Memorial Hall as the most advantageous to Council;
5. re-advertise tenders for the provision of cleaning services for Wyndham Public Conveniences and that the present contractor be invited to continue the provision of that service until 30 September 2007.

COUNCIL DECISION

Minute No: 7838

Moved: Cr D. Ausburn

Seconded: Cr J. Parker

1. ***accept the tender as submitted by K & M Allclean for the schedule of rates, totalling \$59,931.60 per annum for the provision of cleaning services at East Kimberley Regional Airport as the most advantageous to Council;***
2. ***accept the tender as submitted by K & M Allclean for the schedule of rates, totalling \$65,183.95 per annum for the provision of cleaning services at Kununurra Administration Office, Kununurra Leisure Centre and Kununurra Depot Office as the most advantageous to Council;***
3. ***accept the tender as submitted by K & M Allclean for the schedule of rates, totalling \$18,191.65 per annum for the provision of cleaning services of Kununurra Public Conveniences as the most advantageous to Council;***
4. ***accept the tender as submitted by Allan Pardoe-Bell for the schedule of rates, totalling \$28,560.00 per annum for the provision of cleaning services at Wyndham Administration Office, Wyndham Recreation Centre Office and Peter Reid Memorial Hall as the most advantageous to Council. The tender specification is to include all internal areas of the Wyndham Recreation Centre.***
5. ***re-advertise tenders for the provision of cleaning services for Wyndham Public Conveniences and that the present contractor be invited to continue the provision of that service until 30 September 2007***

Carried Unanimously: 7/0

12.2. DEVELOPMENT SERVICES

12.2.1. Tender Submissions - Tender T13 06/07 - Lot 2451 Konkerberry Drive

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham EK
LOCATION:	Lot 2451 Konkerberry Drive Kununurra
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.04.08
ASSESSMENT NO:	1818

Chief Executive Officer Mr Peter Stubbs left the meeting at 6.24pm.

PURPOSE

For Council to select a preferred tenderer for Lot 2451 Konkerberry Drive Kununurra.

BACKGROUND

Council will receive title to Lot 2451 Konkerberry Drive Kununurra shortly, and, in accordance with Council's obligation to use all proceeds from the sale of this land for the new Child Care Centre on Chestnut Avenue, resolved to sell the land. The tender process has now been completed with six tenders being submitted for the purchase of the subject land.

SITE LOCATION

Lot 2451 Konkerberry Drive is located within the town centre of Kununurra. The site contains the old Ewin Centre child care facility, which is currently leased on a short term basis.

PROPOSED LAND USE / DEVELOPMENT

The sale of the land will allow for the re-development of the land for office, retail and residential purposes. Existing structures will be removed as part of the re-development.

FINANCIAL IMPLICATIONS

Income of \$1 125 000 exclusive of GST will be paid to Council. The terms of the free-holding of this land requires this income to be used for the development costs associated with the Kununurra Child Care Centre on Chestnut Avenue.

PLANNING ASSESSMENT

Local Planning Strategy

The proposed land uses are consistent with Council's endorsed LPS, which allocates the land for town centre purposes.

Town Planning Scheme No 7

The land is located within the Town Centre zone. The development as proposed by the tenders is consistent with this zoning.

CONSULTATION

Advertising occurred as part of the amendment process, and also occurred as part of the Parks Plan adopted in 2004. Significantly, the sale of the land was included in a comprehensive marketing strategy, which included extensive media advertising.

CONCLUSION / COMMENT

Each of the tenders were assessed in accordance with the selection criteria for this property as determined by Council, and were assessed with a tabulated pro-forma provided by WALGA:

Design & Development	10%
Demonstrated Ability	5%
Timeframes for Development	5%
Price	80%

Each of the criteria was assessed in accordance with the following scale, which is consistent with the WALGA assessment scale:

Rating Scale:

- 10 = Outstanding offer, greatly exceeds criterion
- 8 = Very good offer, exceeds criterion
- 6 = Good offer, no deficiencies, meets criterion
- 4 = Fair offer, few deficiencies, almost meets criterion
- 2 = Marginal offer, some deficiencies, partly meets criterion
- 0 = Inadequate offer, many deficiencies, does not meet criterion

For the assessment of the tender price, the best price was always awarded the highest score, and the other tender prices were then assessed against this score. Six tenders were received from the following tenderers:

- Ri-con Contractors
- Rewards Group
- New Geography
- Osmotherly, Granville and Morris
- Heritage Pioneer and C & P Atwell
- Sulcon Pty Ltd

Tendered prices ranged from \$650 000 (inc GST) to \$1 237 500 (inc GST).

ATTACHMENTS

A table showing the assessment process, including the tender criteria, has been circulated under Confidential Cover to Council's Elected Members.

VOTING REQUIREMENT

Simple Majority.

MANAGER'S RECOMMENDATION

That Council accept the tender as submitted by Osmotherly, Granville and Morris for Tender T13 06/07 for the purchase of Lot 2451 Konkerberry Drive Kununurra for the sum of \$1 237 500 including GST, being the most advantageous to Council.

COUNCIL DECISION

Minute No: 7839

Moved: Cr D. Ausburn

Seconded: Cr J. Parker

That Council accept the tender as submitted by Osmotherly, Granville and Morris for Tender T13 06/07 for the purchase of Lot 2451 Konkerberry Drive Kununurra for the sum of \$1 237 500 including GST, being the most advantageous to Council.

Carried Unanimously: 7/0

12.2.2. Tender Submissions - Tender T12 06/07 - Lot 100 Riverfig Avenue

DATE:	21 August 2007
PROPONENT:	SWEK
LOCATION:	Lot 100 Riverfig Avenue Kununurra
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.04.08
ASSESSMENT NO:	5486

PURPOSE

For Council to select a preferred tenderer for Lot 100 Riverfig Avenue Kununurra.

BACKGROUND

Council obtained title to Lot 100 Riverfig Avenue Kununurra, and, in accordance with Council's adopted Parks Plan, resolved to sell the parkland. The Tender process has now been completed with four tenders being submitted for the purchase of the subject land.

SITE LOCATION

Lot 100 Riverfig Avenue is located within the town centre of Kununurra. The site is vacant and consists of parkland and a play area. The land is flat.

PROPOSED LAND USE / DEVELOPMENT

The sale of the land will allow for the development of the land for office, retail and residential purposes.

FINANCIAL IMPLICATIONS

Income of \$900 000 exclusive of GST will be paid to Council. The terms of the free-holding of this land requires this income to be used for the development of other parks in accordance with Councils' Parks Plan.

PLANNING ASSESSMENT

Local Planning Strategy

The proposed land uses are consistent with the endorsed LPS, which allocates the land for town centre purposes.

Town Planning Scheme No 7

The land is located within the Town Centre zone. The development as proposed by the tenders is consistent with the zoning.

CONSULTATION

Advertising occurred as part of the amendment process, and also occurred as part of the Parks Plan adopted in 2004. Significantly, the sale of the land was included in a comprehensive marketing strategy, which included extensive media advertising.

CONCLUSION / COMMENT

Each of the tenders were assessed in accordance with the selection criteria for this property determined by Council, and were assessed with a tabulated pro-forma as provided by WALGA:

Design & Development	10%
Demonstrated Ability	5%
Timeframes for Development	5%
Price	80%

Each of the criteria was assessed in accordance with the following scale, which is consistent with the WALGA assessment scale:

Rating Scale:

- 10 = Outstanding offer, greatly exceeds criterion
- 8 = Very good offer, exceeds criterion
- 6 = Good offer, no deficiencies, meets criterion
- 4 = Fair offer, few deficiencies, almost meets criterion
- 2 = Marginal offer, some deficiencies, partly meets criterion
- 0 = Inadequate offer, many deficiencies, does not meet criterion

For the assessment of the tender price, the best price was always awarded the highest score, and the other tender prices were then assessed against this score. Four tenders were received from the following tenderers:

- Ri-con Contractors
- Kimberley Property Ventures
- Duley, Wilkinson and Loersch
- Sulcon Pty Ltd

Tendered prices ranged from \$775 000 (inc GST) to \$990 000 (inc GST).

ATTACHMENTS

A table showing the assessment process, including the tender criteria, has been circulated under Confidential Cover to Council's Elected Members.

VOTING REQUIREMENT

Simple Majority.

MANAGER'S RECOMMENDATION

That Council accept the tender as submitted by Ri-Con Contractors Pty Ltd for Tender T12 06/07 for the purchase of Lot 100 Riverfig Avenue for the sum of \$990 000.00 including GST, being the most advantageous to Council.

COUNCIL DECISION

Minute No: 7840

Moved: Cr J. Buchanan

Seconded: Cr R. Devenish-Meares

That Council accept the tender as submitted by Ri-Con Contractors Pty Ltd for Tender T12 06/07 for the purchase of Lot 100 Riverfig Avenue for the sum of \$990 000.00 including GST, being the most advantageous to Council.

Carried Unanimously: 7/0

12.2.3. Tender Submissions - Tender T14 06/07 - Lot 1004 Sorghum Place

DATE:	21 August 2007
PROPONENT:	SWEK
LOCATION:	Lot 1004 Sorghum Place Kununurra
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.04.08
ASSESSMENT NO:	5498

Executive Manager of Engineering and Development Mr Alex Douglas left the meeting at 6.27pm.

PURPOSE

For Council to select a preferred tenderer for Lot 1004 Sorghum Place, Kununurra.

BACKGROUND

Council obtained title to Lot 1004 Sorghum Place, and, in accordance with Council's Parks Plan, resolved to sell the parkland. The Tender process has now been completed with five tenders being submitted for the purchase of the subject land.

SITE LOCATION

Lot 1004 Sorghum Place is located approximately 500 metres to the east from the town centre of Kununurra. The site is vacant and consists of bushland and cleared areas. The land is flat.

PROPOSED LAND USE / DEVELOPMENT

The sale of the land will allow for the development of the land for Residential Purposes.

FINANCIAL IMPLICATIONS

Income of \$310 000 exclusive of GST will be paid to Council. The terms of the free-holding of this land requires this income to be used for the development of other parks in accordance with Councils' Parks Plan.

PLANNING ASSESSMENT

Local Planning Strategy

The proposed land uses are consistent with the endorsed LPS, which allocates the land for urban residential purposes.

Town Planning Scheme No 7

The land is located within an existing Residential Area. An amendment to the Scheme to rezone the entire landholding to Residential R30 is nearing completion, and is expected to be signed off by the Minister shortly.

CONSULTATION

Advertising occurred as part of the amendment process, and also occurred as part of the Parks Plan adopted in 2004.

Significantly, the sale of the land was included in a comprehensive marketing strategy, which included signage and media advertising.

CONCLUSION / COMMENT

Each of the tenders were assessed in accordance with the selection criteria determined by Council for this property, and were assessed with a tabulated pro-forma as provided by WALGA:

Design & Development	5%
Demonstrated Ability	5%
Timeframes for Development	5%
Price	85%

Each of the criteria was assessed in accordance with the following scale, which is consistent with the WALGA assessment scale:

Rating Scale:

- 10 = Outstanding offer, greatly exceeds criterion
- 8 = Very good offer, exceeds criterion
- 6 = Good offer, no deficiencies, meets criterion
- 4 = Fair offer, few deficiencies, almost meets criterion
- 2 = Marginal offer, some deficiencies, partly meets criterion
- 0 = Inadequate offer, many deficiencies, does not meet criterion

For the assessment of the tender price, the best price was awarded the highest score, and the other tender prices were then assessed against this score. Five tenders were received from the following tenderers:

- Ri-con Contractors
- Feeward Mac Pty Ltd
- Duley, Wilkinson and Loersch
- Shannon Civil & Wilpro Pty Ltd
- Heritage Pioneer and C & P Atwell

Tendered prices ranged from \$220 000 (inc GST) to \$341 000 (inc GST).

Heritage Pioneer and C&P Atwell have also submitted the best tender for the Greybox Crescent site, however, Heritage Pioneer Development and C&P Atwell has advised in writing that their preference is to undertake one development only, and that their preference is to proceed with the development of Lot 1004 Sorghum Place, and has won this tender by a higher margin than the Greybox Crescent tender. Accordingly it is recommended they be awarded the Sorghum Place tender.

ATTACHMENTS

A table showing the assessment process, including the tender criteria, has been circulated under Confidential Cover to Council's Elected Members.

VOTING REQUIREMENT

Simple Majority.

MANAGER'S RECOMMENDATION

That Council accept the tender as submitted by Heritage Pioneer & C&P Atwell for Tender T14 06/07 for the purchase of Lot 1004 Sorghum Place for the sum of \$341 000.00 including GST, being the most advantageous to Council.

COUNCIL DECISION

Minute No: 7841

Moved: Cr D. Ausburn

Seconded: Cr R. Devenish-Meares

That Council accept the tender as submitted by Heritage Pioneer & C&P Atwell for Tender T14 06/07 for the purchase of Lot 1004 Sorghum Place for the sum of \$341 000.00 including GST, being the most advantageous to Council.

Carried Unanimously: 7/0

12.2.4. Tender Submissions - Tender T15 06/07 - Lot 1039 Greybox Crescent

DATE:	21 August 2007
PROPONENT:	SWEK
LOCATION:	Lot 1039 Greybox Crescent Kununurra
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.04.08
ASSESSMENT NO:	2192

PURPOSE

For Council to select a preferred tenderer for Lot 1039 Greybox Crescent, Kununurra.

BACKGROUND

Council obtained title to Lot 1039 Greybox Crescent and, in accordance with Council's adopted Parks Plan, resolved to sell the parkland. The Tender process has now been completed with four tenders being submitted for the purchase of the subject land.

SITE LOCATION

Lot 1039 Greybox Crescent is located approximately 1000 metres to the east from the town centre of Kununurra. The site is vacant and consists of bushland and cleared areas. The land is flat.

PROPOSED LAND USE / DEVELOPMENT

The sale of the land will allow for the development of the land for Residential Purposes.

FINANCIAL IMPLICATIONS

Income of \$550 000 exclusive of GST will be paid to Council. The terms of the free-holding of this land requires this income to be used for the development of other parks in accordance with Councils' Parks Plan.

PLANNING ASSESSMENT

Local Planning Strategy

The proposed land uses are consistent with the endorsed LPS, which allocates the land for urban residential purposes.

Town Planning Scheme No 7

The land is located within an existing Residential Area. An amendment to the Scheme to rezone the entire landholding to Residential R30 is nearing completion, and is expected to be signed off by the Minister shortly.

CONSULTATION

Advertising occurred as part of the amendment process, and also occurred as part of the Parks Plan adopted in 2004. Significantly, the sale of the land was included in a comprehensive marketing strategy, which included signage and media advertising.

CONCLUSION/COMMENT

Each of the tenders were assessed in accordance with the selection criteria for this property determined by Council, and were assessed with a tabulated pro-forma as provided by WALGA:

Design & Development	5%
Demonstrated Ability	5%
Timeframes for Development	5%
Price	85%

Each of the criteria was assessed in accordance with the following scale, which is consistent with the WALGA assessment scale:

Rating Scale:

10	= Outstanding offer, greatly exceeds criterion
8	= Very good offer, exceeds criterion
6	= Good offer, no deficiencies, meets criterion
4	= Fair offer, few deficiencies, almost meets criterion
2	= Marginal offer, some deficiencies, partly meets criterion
0	= Inadequate offer, many deficiencies, does not meet criterion

For the assessment of the tender price, the best price was always awarded the highest score, and the other tender prices were then assessed against this score. Four tenders were received from the following tenderers:

- Ri-con Contractors
- Feeward Mac Pty Ltd
- Duley, Wilkinson and Loersch
- Heritage Pioneer and C & P Atwell

Tendered prices ranged from \$385 000 (inc GST) to \$627 000 (inc GST).

Although they submitted tenders for three sites, Heritage Pioneer Development and C&P Atwell has advised in writing that their preference is to undertake one development only, and that their preference is to proceed with the development of Lot 1004 Sorghum Place, for which they are the preferred tenderer [they submitted a tender for Konkerberry Drive, however, did not submit a winning tender].

Assuming that Heritage Pioneer Development and C&P Atwell are selected for the Sorghum Place tender, it is recommended that Tender T15 06/07 for the purchase of Lot 1039 Greybox Crescent be awarded to Wilkinson, Duley & Loersch as the second placed tenderer.

Should Heritage Pioneer Development and C&P Atwell not be selected for the Sorghum Place tender, then they would be the best tender for this site, and should be selected accordingly.

It should be noted that the Duley, Wilkinson and Loersch tender has a lower price and a lower score than the tender submitted by Heritage Pioneer Development and C&P Atwell. The difference between the price of the two tenders is \$20 000 excluding GST.

ATTACHMENTS

A table showing the assessment process, including the tender criteria, has been circulated under Confidential Cover to Council's Elected Members.

VOTING REQUIREMENT

Simple Majority.

MANAGER'S RECOMMENDATION

That Council accept the tender as submitted by Duley, Wilkinson and Loersch for Tender T15 06/07 for the purchase of Lot 1039 Greybox Crescent for the sum of \$605 000.00 including GST, being the most advantageous to Council.

COUNCIL DECISION

Minute No: 7842

Moved: Cr D. Ausburn

Seconded: Cr K. Wright

That Council accept the tender as submitted by Duley, Wilkinson and Loersch for Tender T15 06/07 for the purchase of Lot 1039 Greybox Crescent for the sum of \$605 000.00 including GST, being the most advantageous to Council.

Carried Unanimously: 7/0

12.2.5. Lakeside Design Guidelines - Modifications

DATE:	21 August 2007
PROPONENT:	SWEK
LOCATION:	Lakeside Park residential estate
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.02.01
ASSESSMENT NO:	NA

Chief Executive Officer Mr Peter Stubbs returned to the meeting at 6.29pm. Shire Preside Cr M. Pucci advised Chief Executive Officer Mr Peter Stubbs of the outcome of Items 12.2.1, 12.2.2, 12.2.3 and 12.2.4.

PURPOSE

For Council to consider modifications to adopted Development Control policy to allow transportable and kit homes within the Lakeside Park residential subdivision areas.

BACKGROUND

Council adopted a policy providing guidelines for development of the Lakeside Park residential area, in conjunction with LandCorp. These guidelines provide that transportable homes and kit homes are not permitted [prefabricated homes are currently permitted].

It is proposed to modify the policy to provide flexibility to the policy to allow for transportable dwellings within specific parameters.

SITE LOCATION

The policy applies to all land located in the Lakeside Park residential subdivisional areas.

PROPOSED LAND USE / DEVELOPMENT

The policy provides development guidelines for the design of residential dwellings in the Lakeside Park residential subdivision areas. The guidelines are attached to this item.

FINANCIAL IMPLICATIONS

Nil

PLANNING ASSESSMENT

Town Planning Scheme No 7

Council can adopt policies under clause 12.6 of Town Planning Scheme No 7 - Kununurra and Environs.

12.6 LOCAL PLANNING POLICIES

12.6.1 *The Council may prepare a Local Planning Policy in respect to any matter related to the planning and development of the Scheme Area so as to apply:*

- a) generally or for a particular class or classes of matters and;*
- b) throughout the Scheme Area or in one or more parts of the Scheme Area;*

and may amend or add to or rescind a Policy so prepared.

12.6.2 *Any Local Planning Policy prepared under this part shall be consistent with the Scheme and where any inconsistency arises the Scheme shall prevail.*

12.6.3 *A Local Planning Policy is not part of the Scheme and shall not bind the Council in respect of any application for planning approval but the council shall have due regard to the provisions of any Policy and the objectives with the Policy is designed to achieve before making its decision.*

12.6.4 *A Local Planning Policy shall become operative only after the following procedures have been completed:*

- a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, the subject and nature of the Policy and in what form and during what period (being not less than 21 days) submission may be made.*
- b) The Council may review the draft Policy in the light of any submissions made and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.*
- c) Following final adoption of a Policy, motivation of the final adoption shall be published once in a newspaper circulating within the Scheme area.*
- d) Where, in the opinion of the Council, the provisions of any Policy affects the interest of the Commission, a copy of the policy shall be forwarded to the Commission.*
- e) The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.*
- f) Any amendment or addition to a Policy shall follow the procedures set out in a) – d) above.*

12.6.5 *A Local Planning Policy may be rescinded by:*

- a) the preparation or final adoption of a new Policy pursuant to Clause 12.6.1 specifically worded to supersede an existing Policy; and*
- b) publication of a formal notice of rescission by the Council twice in a local newspaper circulating in the local government district.*

The guidelines are attached as Attachment 1.

CONSULTATION

The Scheme requires amendments or modifications to be advertised.

CONCLUSION/COMMENT

While the existing policy provisions are prescriptive, and potentially prohibitive, there have been no circumstances where developers or builders have requested development approval for transportable dwellings within the Lakeside Design Guidelines policy area.

Modifications should contain provisions to maintain the high level of residential amenity that the community expects from new subdivisional areas.

Accordingly, should Council determine to modify the policy provisions, the following criteria should be incorporated to ensure that amenity is protected, whilst providing for flexibility to allow transportable dwellings:

Transportable and kit homes are generally discouraged, however, may be permitted with the consent of the CEO under delegated authority, but must incorporate at least two of the following design features:

- § *Gabled roofline to street frontage;*
- § *Portico, porch or entry feature;*
- § *Wide verandahs to street frontage;*
- § *Variation in street elevation setbacks; and*
- § *Any other design features approved by the CEO under delegated authority. Where the CEO cannot or does not agree with a design feature the proposed design will be referred to Council to determine.*

This last provision is included to try to ensure expedient decision making, whilst allowing for Council to determine applications where no agreement can be reached.

ATTACHMENTS

Existing Design Guidelines are attached as Attachment 1.

VOTING REQUIREMENT

Simple Majority.

MANAGER'S RECOMMENDATION

That Council advertise in accordance with Clause 12.6.4 of Town Planning Scheme No 7 - Kununurra & Environs the proposed modification to Policy DC 23, Lakeside Park Estate Design Guidelines for Residential Lots as follows:

Remove the dot point from the Design Guidelines that states:

- § *No transportable or kit homes will be permitted*

Add a dot point to the Design Guidelines that states:

§ *Transportable and kit homes may be permitted with the consent of the CEO under delegated authority, but must incorporate at least two of the following design features:*

§ *Gabled roofline to street frontage;*

§ *Portico, porch or entry feature;*

§ *Wide verandahs to street frontage;*

§ *Variation in street elevation setbacks; and*

§ *Any other design features approved by the CEO under delegated authority. Where the CEO cannot or does not agree with a design feature the proposed design will be referred to Council to determine.*

COUNCIL DECISION

Moved: Cr R. Devenish-Meares

Seconded: Cr D. Ausburn

That Council advertise in accordance with Clause 12.6.4 of Town Planning Scheme No 7 - Kununurra & Environs the proposed modification to Policy DC 23, Lakeside Park Estate Design Guidelines for Residential Lots as follows:

Remove the dot point from the Design Guidelines that states:

§ *No transportable or kit homes will be permitted*

Add a dot point to the Design Guidelines that states:

§ *Transportable and kit homes may be permitted with the consent of the CEO under delegated authority, but must incorporate at least two of the following design features:*

§ *Gabled roofline to street frontage;*

§ *Portico, porch or entry feature;*

§ *Wide verandahs to street frontage;*

§ *Variation in street elevation setbacks; and*

§ *Any other design features approved by the CEO under delegated authority. Where the CEO cannot or does not agree with a design feature the proposed design will be referred to Council to determine.*

Note: This motion was subject to an amendment as per Minute No: 7843 below.

COUNCIL DECISION

Minute No: 7843

Moved: Cr K. Wright

Seconded: Cr J. Buchanan

That Council advertise in accordance with Clause 12.6.4 of Town Planning Scheme No 7 - Kununurra & Environs the proposed modification to Policy DC 23, Lakeside Park Estate Design Guidelines for Residential Lots as follows:

Remove the dot point from the Design Guidelines that states:

§ *No transportable or kit homes will be permitted*

Add a dot point to the Design Guidelines that states:

§ *Pre-built, relocated, transportable or kit homes may be permitted with the consent of the CEO under delegated authority, but must incorporate at least two of the following design features:*

§ *Gabled roofline to street frontage;*

§ *Portico, porch or entry feature;*

§ *Wide verandahs to street frontage;*

§ *Variation in street elevation setbacks; and*

§ *Any other design features approved by the CEO under delegated authority. Where the CEO cannot or does not agree with a design feature the proposed design will be referred to Council to determine.*

Carried Unanimously: 7/0

The amended motion became the substantive motion. The Shire President called for a vote on the substantive motion.

COUNCIL DECISION

Minute No: 7844

Moved: Cr R. Devenish-Meares

Seconded: Cr D. Ausburn

That Council advertise in accordance with Clause 12.6.4 of Town Planning Scheme No 7 - Kununurra & Environs the proposed modification to Policy DC 23, Lakeside Park Estate Design Guidelines for Residential Lots as follows:

Remove the dot point from the Design Guidelines that states:

§ *No transportable or kit homes will be permitted*

Add a dot point to the Design Guidelines that states:

§ *Pre-built, relocated, transportable or kit homes may be permitted with the consent of the CEO under delegated authority, but must incorporate at least two of the following design features:*

§ *Gabled roofline to street frontage;*

§ *Portico, porch or entry feature;*

§ *Wide verandahs to street frontage;*

§ *Variation in street elevation setbacks; and*

Any other design features approved by the CEO under delegated authority. Where the CEO cannot or does not agree with a design feature the proposed design will be referred to Council to determine.

Carried Unanimously: 7/0

ATTACHMENT 1 - EXISTING DESIGN GUIDELINES

<i>POLICY NO:</i>	<i>DC23</i>
<i>DIVISION:</i>	<i>Development Control</i>
<i>SUBJECT:</i>	<i>Lakeside Residential Development Guidelines Policy</i>
<i>REPORTING OFFICER:</i>	<i>Executive Manager Engineering and Development Services</i>
<i>ENABLING LEGISLATION:</i>	<i>Town Planning Scheme No 7 - Kununurra & Environs</i>

OBJECTIVE:

LandCorp has developed design guidelines for the Lakeside Park subdivision. These guidelines form the basis of additional development control to achieve a sustainable, high amenity subdivision.

The policy addresses design aspects and issues such as:

- q Building Form, Character & Materials*
- q Climate Sensitive Design*
- q Fencing*
- q Density and Setbacks*
- q Garages & External Storage Areas*
- q Solar Collectors and Clothes Lines.*

These Guidelines have been prepared to provide:

- q Visually attractive and appropriate development*
- q Integrated design*
- q Promotion of safety, variety and a sense of place*
- q Provide exemplary streetscapes and high quality design and aesthetics*
- q Promote sustainability through efficient construction, energy and water conservation*

POLICY:

See attached guidelines.

Statutory Requirements

These guidelines are "in addition" to all other statutory requirements pertaining to building development, design and construction. For any instances where these design guidelines are found to conflict with the statutory requirements of other authorities i.e. requirements of the Local Authority in accordance with Town Planning Scheme No 7, Building Code of Australia, Residential Design Codes etc, the statutory requirements are to take precedence. These design guidelines apply to the current and future stages of residential development within the area shown on the plan adjacent.



Conclusion

By adopting these practices as outlined, LandCorp in conjunction with the Shire of Wyndham East Kimberley will create an environment of sustainable housing design and high quality aesthetics.

This brochure is published by LandCorp to provide information on the Lakeside Park Estate. The information contained in this brochure is provided in good faith, however neither LandCorp, nor any of its directors, agents or employees give any warranty of accuracy not accept any liability as a result of a reliance upon the information, advice, statements or opinions contained in the brochure. This disclaimer is subject to any contrary legislative provisions.



44171/2007

Townsite Development Program

LAKESIDE PARK ESTATE KUNUNURRA

Design Guidelines for Residential Lots

Development Control Policy No. 23 -Lakeside Park Design Guidelines

Introduction

These Design Guidelines are written to reflect LandCorp's desire to achieve both sustainable housing design and high quality aesthetics within Kununurra. These design guidelines are referred to in the contract of sale when you purchased your block.

These design guidelines apply to the current and future stages of residential development within the area shown on the plan within this document.

Design Recommendations

The objective of the recommendations are:

- To achieve visually attractive and compatible development and activities
- To achieve integrated design between neighbours whilst screening unsightly aspects
- To promote safety, variety and a sense of place
- To ensure that houses present in an exemplary way to the street and form part of a community that values quality of design, aesthetics and construction
- Promote greater sustainability through high performance buildings, energy and water conservation and efficiency.

Building Form, Character & Materials

Consideration must be given to:

- Minimum size of dwelling (excluding carport, garaging and verandahs) shall be:
 - 140 square metres for lots with an area equal to or greater than 700 square metres
 - 100 square metres for lots with an area less than 700 square metres
- Some sites will be specifically nominated as suitable for grouped dwellings, in which case
 - the minimum size of each group dwelling shall be 80 square metres
- No transportable or kit homes will be permitted
- Clearly defined entrances
- Houses situated on corner lots addressing both street frontages.

the minimum size of each group dwelling shall be 80 square metres

- No transportable or kit homes will be permitted
- Clearly defined entrances
- Houses situated on corner lots addressing both street frontages.

Climate Sensible Design

The following design criteria are provided to assist the new home owner/occupier and their chosen architect or designer and builder. A more efficient and comfortable home can be achieved through consideration to:

- Installation of a solar hot water system
- Water efficiency- installation of water sensitive fixtures such as AAA rated dual flush toilet systems
- Passive solar design, including appropriate room location and zoning for day lighting and ventilation
- Extensive eaves overhang to the house to support thermal comfort and efficiency
- Verandahs to the front of houses are encouraged to provide articulation and energy efficiency
- Dark coloured roofing absorbs heat and is not recommended for the climate. Use of colourbond roof colours darker than BHP "Gull Grey" is not recommended. Zincalume is not encouraged due to its reflective nature and potential glare issues with neighbouring properties
- Roof pitches of a minimum of 22 degrees, where visible from the street is encouraged. A shallower pitch is acceptable for verandahs, carports, canopies and small sections of skillion roofs behind parapets
- Adequate insulation under the roof cladding, walls and ceilings
- Roof ventilation
- Effective use of pergolas and vegetation for shade, particularly to east, west and south facing windows.



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Garaging & External Storage Areas

It is important that garages (particularly doors), carports and parking areas be detailed to reduce their visual impact and add interest to the streetscape.

- A carport or garage should be provided.
- Garages and carports shall preferably be located under the main roof of the dwelling and be constructed of the same materials as the main dwelling.
- Outbuildings are encouraged to be constructed of the same materials as the main dwelling where they exceed 25 square metres in area.
- No commercial vehicles in excess of 4.5 tonnes GVM are to be stored forward of the building setback.
- Driveways and crossovers are encouraged to be completed in the same construction period as for the dwelling.

Below: If carports cannot be integrated under the roof of the main dwelling they should be located immediately adjacent and utilise the same roof forms, pitch and material as the roof or verandah. In this example the carport is integrated under the main roof structure.

Density and Setbacks

Are to be in accordance with the Residential Design Code for single house density R 15, with the exception of those lots specifically nominated group dwelling in accordance with R 20.



LandCorp has developed land solutions in Kununurra.



Fencing

Private outdoor and semi-public open space is an important component of any residential development and it is recommended that:

- Low and open fences create a valuable semi-public space in addition to the street. However, for security, it is recognised that the need for taller fences is legitimate.
- To achieve a visual effect front fences shall be no higher than 1.0 metre and be visually permeable.
- Side fences (within the front setback of the house) should be no higher than 1.0 metre and be constructed of the same or matching materials as those used in the front fences.
- Fencing to those lots where the side fence abuts a street may have a fence to screen and provide security to rear yards. However should houses overlook secondary streets (corner lots) it is strongly encouraged that such fencing not enclose the side of the house and be largely open in design and visually permeable above 1.0 metre in height. A solid fence with little or no articulation is not seen to be appropriate.

Clothes Lines and Drying Areas

These should be screened from public areas.

Solar Hot Water System Collectors

Wherever possible, solar collectors should be:

- Concealed from the street or other public areas
- Colour coded to the colour of the roof
- Installed on the plane of the roof at the rear and ideally the storage tanks located within the roof space. Stands on rooftops is discouraged.

Design & Building Approval

Approval of plans and specification for dwellings shall be by the Shire of Wyndham East Kimberley. The provisions of this policy will be taken into account during assessment of any application lodged for the subdivision area. Any non-compliant application will be referred to LandCorp and to Council for a determination.

12.2.6. Lakeside Stage 5-7 Structure Plan Adoption

DATE:	21 August 2007
PROPONENT:	LandCorp
LOCATION:	Crown Land & Various Surveyed Lots
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.04.02
ASSESSMENT NO:	NA

PURPOSE

For Council to consider adoption of the Structure Plan prepared for Lakeside Park stages 5 to 7.

BACKGROUND

LandCorp presented the draft structure plan to Council in March. The structure plan provides an updated strategic planning framework for future subdivision within the Lakeside Park residential estate area.

The structure plan report has now been completed, and advertising of the structure plan has been completed.

Site Location

The subject site is located approximately two kilometres to the south east of the town centre of Kununurra. The site is vacant and consists of bushland. The land is undulating, and generally slopes from east to west.

Proposed Land Use / Development

The structure plan will provide for the subdivision and development of the site for predominantly residential purposes. A small Local Centre is also included in the structure plan, and this would likely consist of a neighbourhood or community centre, as well as a combined deli and residential dwelling. This use would depend on viability of a shop at this location, and may be tendered at a later date in the subdivision process.

FINANCIAL IMPLICATIONS

Rates income will follow the release of the proposed subdivision.

PLANNING ASSESSMENT

Local Planning Strategy

The proposed land uses are consistent with the endorsed LPS, which allocates the land for urban residential purposes.

Town Planning Scheme No 7

The land is located within the Lakeside Park residential area. A previous structure plan over the site allocated road reserves and lot layouts, however, this occurred over ten years ago, and the land was never released.

It is intended that the subject land will be rezoned to Residential Development Zone, to allow for flexibility with subdivision approvals, and negate the need for individual amendments to the Scheme for each land release.

The amendment to the Scheme will follow the adoption of the Structure Plan. Clause 5.9 provides that:

5.9 RESIDENTIAL DEVELOPMENT ZONE

5.9.1 Objectives:

- (a) *To identify opportunities for the future subdivision and development of land for the purposes of single and group residential purposes together with, if determined necessary by Council, associated community and recreational facilities.*
- (b) *To ensure that subdivision and development of land within the zone is consistent with a structure plan adopted by Council and endorsed by the W.A. Planning Commission prepared in accordance with Clause 6.6 of this scheme.*

The structure plan addresses WAPC policy's, as well as issues such as environmental and natural resources, public drinking water source, Local Structure Plan Guidelines and compliance with the Residential Design Codes.

The structure plan also addresses the SWEK Town Planning Scheme as well as LandCorp's sustainability measures, climatic responsive design and Sustainability Indicators.

Clause 6.7 provides for the structure planning process:

6.7 STRUCTURE PLAN PREPARATION AND ADOPTION

6.7.1 Overall Planning Areas

It is a requirement of this scheme that the subdivision and development of land within the Overall Planning Areas as shown on the Scheme Map takes place only after comprehensive planning in accordance with the objectives for each area.

6.7.2 *The Council, before supporting or approving any proposal for subdivision or development of any land within the Overall Planning Area, shall require the preparation of a Structure Plan for the whole of the area or for any particular part or parts as considered appropriate by the Council.*

6.7.3 *The Structure Plan shall address:*

- (a) *the topography of the area;*

- (b) *existing road system;*
- (c) *location and standards of any future roads and overall access patterns;*
- (d) *location of shopping, community amenities and recreation areas consistent with the projected needs of the locality;*
- (e) *proposed population and residential densities where appropriate;*
- (f) *existing and proposed services;*
- (g) *staging of the development;*
- (h) *any other information as shall be requested by the Council including specific R Code designations.*
- (i) *geo-technical suitability of the land for development and where necessary for rural-residential development proposals, the availability of ground water;*
- (j) *drainage considerations;*
- (k) *general environmental considerations including flora and fauna impacts, pollution, groundwater quality and any other environmental issues identified by Council.*

6.7.4 *Upon submission of a structure plan, Council shall thereafter follow the advertising procedures outlined in Clause 11.2 except that the submission period shall be extended to 60 days.*

6.7.5 *Upon the close of the submission period referred to in clause 6.6.4 the Council shall consider any submissions made, resolve to modify the plan as it sees fit, adopt the plan as the basis for future subdivisional development of the area and refer the structure plan to the WA Planning Commission within 60 days with a request that the Commission endorse the plan as the basis for the future subdivision and development of the subject area.*

6.7.6 *Upon receipt of the Commission's endorsement, Council shall adopt the plan including any modifications determined necessary by the Commission as the basis for future subdivision and development of the locality to which the structure plan applies.*

CONSULTATION

Council's Scheme contains provisions that require a 60 day advertising period, however, the Western Australian Planning Commission's Guidelines for the Preparation of Local Structure Plans sets an advertising period of 28 days. While this is a policy, not a statutory requirement, it is an appropriate guide. Advertising of the structure plan has occurred in accordance with Local Structure Plan Guidelines. No submissions were received during advertising.

CONCLUSION / COMMENT

The structure plan has a number of minor deficiencies:

- q laneways
 - § encourage antisocial behaviour
 - § unsightly
- q north eastern corner not well designed
- q road network
 - § too many four way intersections
 - § redundant road adjacent to position
 - § roundabout on hibiscus
 - § too many intersections with hibiscus

Generally, however, the structure plan meets planning objectives:

- § mixed densities
- § walkable road network
- § solar orientation
- § fits within road hierarchy

Modifications on the Structure Plan at attachment 2 resolve the deficiencies. It is recommended that the structure plan should be adopted with these modifications.

The stages of the structure plan area are contiguous to existing Lakeside Park subdivisions, and it is considered that they should be identified with Lakeside. Similarly to existing stages, it is recommended that street names within the subdivision area use tree and vegetation names for street names.

However, prior to the commencement of stage 7, planning will have commenced for subdivision further south, in the area colloquially known as Drovers Rest. At this point consideration should be given to themes, branding and street names of subdivisions beyond stage 7.

ATTACHMENTS

The submitted structure plan is attached as Attachment 1.
The modified structure plan is attached as Attachment 2.

VOTING REQUIREMENT

Simple Majority.

MANAGER'S RECOMMENDATION

That Council

1. Adopt the Lakeside Stages 5, 6 & 7 Structure Plan, subject to the following modifications in accordance with the plan at Attachment 2:
 1. Remove all Laneways that service the rear of residential lots;

2. Remove the road located between the public open space on the eastern side of the structure plan area and Victoria Highway;
 3. Redesign the north eastern part of the structure plan area to provide medium density housing overlooking the proposed local neighbourhood centre;
 4. Remove the road connection of the north east side of the local neighbourhood centre to Hibiscus Drive;
 5. Add a roundabout to Hibiscus Drive and main North South distributor road intersection;
 6. Modify western most north south road and Hibiscus Drive intersection to a left in left out "seagull" type traffic device.
-
2. Forward the structure plan to the Western Australian Planning Commission for adoption.
 3. Advise LandCorp that structure planning for subdivisional areas beyond stage 7 of Lakeside Park should commence prior to the development of Stage 6 of Lakeside Park, and that themes, street names and branding should be investigated during structure planning of these future stages.

COUNCIL DECISION

Minute No: 7845

Moved: Cr K. Wright

Seconded: Cr M. Middap

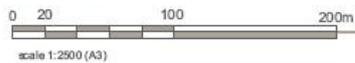
That Council

- 1. *Adopt the Lakeside Stages 5, 6 & 7 Structure Plan, subject to the following modifications in accordance with the plan at Attachment 2:***
 - 1. *Remove all Laneways that service the rear of residential lots;***
 - 2. *Remove the road located between the public open space on the eastern side of the structure plan area and Victoria Highway;***
 - 3. *Redesign the north eastern part of the structure plan area to provide medium density housing overlooking the proposed local neighbourhood centre;***
 - 4. *Remove the road connection of the north east side of the local neighbourhood centre to Hibiscus Drive;***
 - 5. *Add a roundabout to Hibiscus Drive and main North South distributor road intersection;***
 - 6. *Modify western most north south road and Hibiscus Drive intersection to a left in left out "seagull" type traffic device.***
 - 7. *All road pavement of roundabouts to be constructed of concrete with a minimum size of 13 metres diameter with mountable kerb / gutter construction***
- 2. *Forward the structure plan to the Western Australian Planning Commission for adoption.***
- 3. *Advise LandCorp that structure planning for subdivisional areas beyond stage 7 of Lakeside Park should commence prior to the development of Stage 6 of Lakeside Park, and that themes, street names and branding should be investigated during structure planning of these future stages.***

Carried Unanimously: 7/0

ATTACHMENT 1 - SUBMITTED STRUCTURE PLAN

LAKESIDE



Lakeside Structure Plan

Kununurra

May 2007



12.2.7. Town Planning Scheme No 7 - Proposed Amendment 22 - King Location 438

DATE:	15 May 2007
PROPONENT:	R & E Lethbridge
LOCATION:	Lot 2 King Location 438 Old Darwin Road
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.31.22
ASSESSMENT NO:	3021

Shire President Cr M. Pucci left the meeting at 6.40pm and Deputy President Cr J. Buchanan took the chair.

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 Lot 2 King Location 438 from Rural Agriculture 1 to Rural Small Holdings.

BACKGROUND

The proposed rezoning was included in the Local Planning Strategy, and is the culmination of significant progress towards release of land within the Old Darwin Road.

Draft documents and maps were received on May 1st. The amendment proposes to amend the zoning of the land to facilitate subdivision into smaller 'hobby farm' lots.

A draft report and amendment documents have been submitted and are attached.

SITE LOCATION

The subject land is seven kilometres to the south east of Kununurra, and has an area of 136 hectares.

Land to the north is reserved for parks and recreation as well as public purposes. Council's landfill site is located within the land reserved for public purposes.

Land to the east is used for agriculture, however, an application is being prepared to rezone the land to rural small holdings, consistent with the Local Planning Strategy.

Land to the west and south has been allocated as parks and recreation, with Carlton Ridge located to the west and Emu Creek Lagoon located to the south.

PROPOSED LAND USE / DEVELOPMENT

The amendment proposes to rezone land that is currently zoned Rural Agriculture 1 to Rural Small Holdings. Subdivision will proceed at the conclusion of the amendment process.

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 Rural Small Holdings. The amendment conforms to the LPS.

Town Planning Scheme No 7

TPS 7 does not contain any provisions regarding the Rural Small Holdings zone, and accordingly the amendment introduces provisions for this new zone. These provisions are generally consistent with the same provisions as the existing Rural Living and Rural Agriculture zones:

1. Rezoning King Location 438, Lot 2 Old Darwin Road, Kununurra, from the 'Rural Agriculture 1' zone to the 'Rural Small Holdings' zone.
2. Inserting the following provisions into the text of the Scheme:
 - 5.25 Rural Small Holdings Zone
 - 5.25.1 Objective
 - (a) to provide appropriate land for people wishing to reside on rural lifestyle lots;
 - (b) to ensure that adjoining agricultural uses are protected with appropriate separation between agricultural and residential development; and
 - (c) to protect productive agricultural land on site by retaining areas suitable for horticulture in larger lots.

5.25.2 Development Requirements

In considering an application for Planning Approval for a proposed development, the provisions of Clause 5.20.2 a) to e) shall apply to the Rural Small Holdings Zone.

3. Renumber existing Clause 5.25 "Planning Policies" to Clause 5.26 and existing Clause 5.26 "Subdivision" to Clause 5.27 and any references throughout the Scheme text.
4. At Clause 5.2 "Planning Approval Not Required" modify Clause 5.2.1 item (f) to include the words "and Rural Small Holdings" after the words "Rural Living".
5. At Clause 5.21 "Development in the Rural Agriculture 1, Rural Agriculture 2, General Rural, and Rural Living Zones" modify the table at Clause 5.2.1 "Setbacks" to include Rural Small Holdings with setbacks as per those for the Rural Agriculture1 & 2 zones.
6. At Clause 6.5 "Overall Planning Area No. 4 - Old Darwin Road Precinct" include a new dot point as follows:

6.5.4 "Rural Small Holdings subdivision creating a variety of lot sizes with a minimum of 4 hectares."
7. Modifying Table 1 - Zoning Table by introducing the Zone of "Rural Small Holdings" and inserting column number 16 with the following permissibility to the use classes within the table:

USE CLASSES	16
COMMERCIAL	
Amusement Parlour	X
Art Gallery	IP
Bakery - Retail	X
Bakery – Wholesale	X
Bed and Breakfast	IP
Boarding House	X
Brewery	X
Car Park	X
Caravan Park	X
Camping Ground	X
Convenience Store	X
Drive-In Theatre	X
Dry Cleaning Premises	X
Farm Stay	IP
Farm Supply Centre	X
Fast Food Outlet	X
Fish Shop	X
Funeral Parlour	X

Garden Centre	AA
Health Studio	X
Home Business	AA
Home Occupation	P
Hotel	X
Laundromat	X
Lunch Bar	X
Marine Filling Station	X
Market	X
Motel	X
Motor Vehicle/Marine Sales Premises	X
Motor Vehicle Hire	X
Motor Vehicle Wash Station	X
Night Club	X
Nursery – Plant / Plant Nursery	X
Office	IP
Reception Centre	X
Restricted Premises	X
Restaurant	X
Road House	X
Service Station	X
Shop	X
Showroom	X
Tavern	X
Tourist Accommodation	X
Warehouse	X
Wayside Stall	AA
Winery	X
RESIDENTIAL	
Aged & Dependent Persons Dwelling	X
Caretaker's Dwelling	X
Community Home	X
Grouped Dwelling	X
Multiple Dwelling	X
Residential Building	X
Single Dwelling	P
Transient Accommodation	X
INSTITUTIONAL	
Civic Building	AA
Club Premises	X
Community Service Depot	AA
Consulting Rooms	X
Day Care Centre	X
Detention Centre	X
Education Establishment	X
Hospital	X

Kennels/Cattery	X
Kindergarten	X
Medical Centre	X
Public Amusement	X
Public Worship	X
Radio & TV Installation	X
Veterinary Consulting Room or Hospital	X
INDUSTRIAL	
Abattoir	X
Boat Building Facility	X
Factory units	X
Fuel Depot	X
Industry: General	X
Light	X
Service	X
Extractive	X
Hazardous	X
Noxious	X
Cottage	SA
Rural	X
Motor Vehicle Repair	X
Motor Wrecking	X
Salvage Yard	X
Transport Depot	X
RURAL	
Airfield	X
Aquaculture	X
Equestrian Centre	X
Intensive Agriculture	X
Milk Depot	X
Piggery	X
Poultry Farming	X
Private Recreation	X
Public Recreation	P
Rural Pursuit	SA
Stable	P
Zoological Gardens	X

8. Amending the Scheme Maps accordingly.

For clarification on specific provisions please contact the town planner.

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. Advertising as part of the amendment process will be at the cost of the applicant.

CONCLUSION

The amendment is consistent with the LPS. A substantial amount of work has gone into the amendment documents, and it is considered that all relevant issues have been addressed.

Initiation of the amendment is recommended.

ATTACHMENTS

Amendment documents are available to be viewed on request. The rezoning plan is attached as Attachment 1.

VOTING REQUIREMENT

Simple Majority

MANAGER'S 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 King Location 438, Lot 2 Old Darwin Road, Kununurra, from the 'Rural Agriculture 1' zone to the 'Rural Small Holdings' zone.

2. Inserting the following provisions into the text of the Scheme:

5.25 Rural Small Holdings Zone

5.25.1 Objective

- (d) to provide appropriate land for people wishing to reside on rural lifestyle lots;
- (e) to ensure that adjoining agricultural uses are protected with appropriate separation between agricultural and residential development; and
- (f) to protect productive agricultural land on site by retaining areas suitable for horticulture in larger lots.

5.25.2 Development Requirements

In considering an application for Planning Approval for a proposed development, the provisions of Clause 5.20.2 a) to e) shall apply to the Rural Small Holdings Zone.

3. Renumber existing Clause 5.25 "Planning Policies" to Clause 5.26 and existing Clause 5.26 "Subdivision" to Clause 5.27 and any references throughout the Scheme text.

4. At Clause 5.2 “Planning Approval Not Required” modify Clause 5.2.1 item (f) to include the words “and Rural Small Holdings” after the words “Rural Living”.
5. At Clause 5.21 “Development in the Rural Agriculture 1, Rural Agriculture 2, General Rural, and Rural Living Zones” modify the table at Clause 5.2.1 “Setbacks” to include Rural Small Holdings with setbacks as per those for the Rural Agriculture1 & 2 zones.
6. At Clause 6.5 “Overall Planning Area No. 4 - Old Darwin Road Precinct” include a new dot point as follows:

6.5.4 “Rural Small Holdings subdivision creating a variety of lot sizes with a minimum of 4 hectares.”
7. Modifying Table 1 - Zoning Table by introducing the Zone of “Rural Small Holdings” and inserting column number 16 with the following permissibility to the use classes within the table:

USE CLASSES	16
COMMERCIAL	
Amusement Parlour	X
Art Gallery	IP
Bakery - Retail	X
Bakery – Wholesale	X
Bed and Breakfast	IP
Boarding House	X
Brewery	X
Car Park	X
Caravan Park	X
Camping Ground	X
Convenience Store	X
Drive-In Theatre	X
Dry Cleaning Premises	X
Farm Stay	IP
Farm Supply Centre	X
Fast Food Outlet	X
Fish Shop	X
Funeral Parlour	X
Garden Centre	AA
Health Studio	X
Home Business	AA
Home Occupation	P
Hotel	X
Laundromat	X
Lunch Bar	X
Marine Filling Station	X
Market	X

Motel	X
Motor Vehicle/Marine Sales Premises	X
Motor Vehicle Hire	X
Motor Vehicle Wash Station	X
Night Club	X
Nursery – Plant / Plant Nursery	X
Office	IP
Reception Centre	X
Restricted Premises	X
Restaurant	X
Road House	X
Service Station	X
Shop	X
Showroom	X
Tavern	X
Tourist Accommodation	X
Warehouse	X
Wayside Stall	AA
Winery	X
RESIDENTIAL	
Aged & Dependent Persons Dwelling	X
Caretaker's Dwelling	X
Community Home	X
Grouped Dwelling	X
Multiple Dwelling	X
Residential Building	X
Single Dwelling	P
Transient Accommodation	X
INSTITUTIONAL	
Civic Building	AA
Club Premises	X
Community Service Depot	AA
Consulting Rooms	X
Day Care Centre	X
Detention Centre	X
Education Establishment	X
Hospital	X
Kennels/Cattery	X
Kindergarten	X
Medical Centre	X
Public Amusement	X
Public Worship	X
Radio & TV Installation	X
Veterinary Consulting Room or Hospital	X
INDUSTRIAL	
Abattoir	X

Boat Building Facility	X
Factory units	X
Fuel Depot	X
Industry: General	X
Light	X
Service	X
Extractive	X
Hazardous	X
Noxious	X
Cottage	SA
Rural	X
Motor Vehicle Repair	X
Motor Wrecking	X
Salvage Yard	X
Transport Depot	X
RURAL	
Airfield	X
Aquaculture	X
Equestrian Centre	X
Intensive Agriculture	X
Milk Depot	X
Piggery	X
Poultry Farming	X
Private Recreation	X
Public Recreation	P
Rural Pursuit	SA
Stable	P
Zoological Gardens	X

8. Amending the Scheme Maps accordingly.

- B Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation.
- 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].
- 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.

COUNCIL DECISION

Minute No: 7846

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 King Location 438, Lot 2 Old Darwin Road, Kununurra, from the 'Rural Agriculture 1' zone to the 'Rural Small Holdings' zone.

2. Inserting the following provisions into the text of the Scheme:

5.26 Rural Small Holdings Zone

5.25.1 Objective

- (g) to provide appropriate land for people wishing to reside on rural lifestyle lots;**
- (h) to ensure that adjoining agricultural uses are protected with appropriate separation between agricultural and residential development; and**
- (i) to protect productive agricultural land on site by retaining areas suitable for horticulture in larger lots.**

5.25.3 Development Requirements

In considering an application for Planning Approval for a proposed development, the provisions of Clause 5.20.2 a) to e) shall apply to the Rural Small Holdings Zone.

3. Renumber existing Clause 5.25 "Planning Policies" to Clause 5.26 and existing Clause 5.26 "Subdivision" to Clause 5.27 and any references throughout the Scheme text.

4. At Clause 5.2 "Planning Approval Not Required" modify Clause 5.2.1 item (f) to include the words "and Rural Small Holdings" after the words "Rural Living".

5. At Clause 5.21 "Development in the Rural Agriculture 1, Rural Agriculture 2, General Rural, and Rural Living Zones" modify the table at Clause 5.2.1 "Setbacks" to include Rural Small Holdings with setbacks as per those for the Rural Agriculture 1 & 2 zones.

6. At Clause 6.5 "Overall Planning Area No. 4 - Old Darwin Road Precinct" include a new dot point as follows:

6.5.4 “Rural Small Holdings subdivision creating a variety of lot sizes with a minimum of 4 hectares.”

- 7. Modifying Table 1 - Zoning Table by introducing the Zone of “Rural Small Holdings” and inserting column number 16 with the following permissibility to the use classes within the table:**

USE CLASSES	16
COMMERCIAL	
Amusement Parlour	X
Art Gallery	IP
Bakery - Retail	X
Bakery – Wholesale	X
Bed and Breakfast	IP
Boarding House	X
Brewery	X
Car Park	X
Caravan Park	X
Camping Ground	X
Convenience Store	X
Drive-In Theatre	X
Dry Cleaning Premises	X
Farm Stay	IP
Farm Supply Centre	X
Fast Food Outlet	X
Fish Shop	X
Funeral Parlour	X
Garden Centre	AA
Health Studio	X
Home Business	AA
Home Occupation	P
Hotel	X
Laundromat	X
Lunch Bar	X
Marine Filling Station	X
Market	X
Motel	X
Motor Vehicle/Marine Sales Premises	X
Motor Vehicle Hire	X
Motor Vehicle Wash Station	X
Night Club	X
Nursery – Plant / Plant Nursery	AA
Office	IP
Reception Centre	X
Restricted Premises	X
Restaurant	X

Road House	X
Service Station	X
Shop	X
Showroom	X
Tavern	X
Tourist Accommodation	X
Warehouse	X
Wayside Stall	AA
Winery	X
RESIDENTIAL	
Aged & Dependent Persons Dwelling	X
Caretaker's Dwelling	X
Community Home	X
Grouped Dwelling	X
Multiple Dwelling	X
Residential Building	X
Single Dwelling	P
Transient Accommodation	X
INSTITUTIONAL	
Civic Building	AA
Club Premises	X
Community Service Depot	AA
Consulting Rooms	X
Day Care Centre	X
Detention Centre	X
Education Establishment	X
Hospital	X
Kennels/Cattery	X
Kindergarten	X
Medical Centre	X
Public Amusement	X
Public Worship	X
Radio & TV Installation	X
Veterinary Consulting Room or Hospital	X
INDUSTRIAL	
Abattoir	X
Boat Building Facility	X
Factory units	X
Fuel Depot	X
Industry: General	X
Light	X
Service	X
Extractive	X
Hazardous	X
Noxious	X
Cottage	SA

<i>Rural</i>	X
<i>Motor Vehicle Repair</i>	X
<i>Motor Wrecking</i>	X
<i>Salvage Yard</i>	X
<i>Transport Depot</i>	X
RURAL	
<i>Airfield</i>	X
<i>Aquaculture</i>	SA
<i>Equestrian Centre</i>	X
<i>Intensive Agriculture</i>	X
<i>Milk Depot</i>	X
<i>Piggery</i>	X
<i>Poultry Farming</i>	X
<i>Private Recreation</i>	X
<i>Public Recreation</i>	P
<i>Rural Pursuit</i>	SA
<i>Stable</i>	P
<i>Zoological Gardens</i>	X

8. Amending the Scheme Maps accordingly.

- B Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation.**
- 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].**
- 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.**

Carried Unanimously: 6/0

ATTACHMENT 1 – REZONING PLAN



12.2.8. Town Planning Scheme No 7 - Proposed Amendment 23 - King Location 647

DATE:	21 August 2007
PROPONENT:	K Halford
LOCATION:	King Location 647 Crossing Falls Road
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Keith Williams - Town Planner
FILE NO:	43.31.23
ASSESSMENT NO:	0103

Shire President Cr M. Pucci returned to meeting at 6.51pm.

Deputy President Cr J. Buchanan advised Shire President Cr M. Pucci of outcome of item and Cr M. Pucci resumed the Chair.

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 King Location 647 Crossing Falls Road from Rural Agriculture 1 to Small Rural Holdings.

BACKGROUND

The proposed rezoning was included in the Local Planning Strategy, and is the culmination of significant progress towards release of land for Rural Small Holdings Purposes.

Draft documents and maps were received on August 13. The amendment proposes to amend the zoning of the land to facilitate subdivision into smaller 'hobby farm' lots, while retaining larger lots for existing viable agricultural purposes.

Amendment documents are available on request.

SITE LOCATION

The subject land is located on Crossing Falls Road to the south east of Kununurra, and has an area of 240 hectares.

Land to the north, west and south west is reserved under the Scheme for conservation. Land to the east and south east is zoned General Rural. The proposed zoning is consistent with the Local Planning Strategy.

PROPOSED LAND USE / DEVELOPMENT

The amendment proposes to rezone land that is currently zoned Rural Agriculture 1 to Rural Small Holdings. Subdivision will proceed at the conclusion of the amendment process.

The amendment allows for the release of the land in accordance with the provisions of the LPS, which provides that land identified as suitable for Agricultural purposes is retained for this purpose. A draft structure plan provides for the retention of

agricultural land, and identifies areas that are not suitable for agriculture but are suited for rural small holdings.

The structure plan also identifies that the land can be released with minimal infrastructure upgrades, as eleven of the lots have direct access to Crossing Falls Road.

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 Small Rural Holdings. The amendment conforms to the LPS.

Town Planning Scheme No 7

Provisions regarding the Rural Small Holdings zone are being introduced into the Scheme as part of Amendment 22. These provisions are generally consistent with the same provisions as the existing Rural Living and Rural Agriculture zones.

These provisions allow for the release of land.

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. Advertising as part of the amendment process will be at the cost of the applicant.

CONCLUSION

The amendment is consistent with the LPS. A substantial amount of work has gone into the amendment documents, and it is considered that all relevant issues have

been addressed. Written confirmation has been provided by the Department for Agriculture and Food that the land suitable for agriculture is protected, and that the remainder of the land, proposed to be subdivided into lots 4 hectares and larger, is not suited to intensive or extensive agriculture.

Initiation of the amendment is recommended.

ATTACHMENTS

Amendment documents are available to be viewed on request.

Amendment map is attached as Attachment 1.

Draft Subdivision plan is attached as Attachment 2.

VOTING REQUIREMENT

Simple Majority

MANAGER'S 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. Amending the Planning Scheme Map so that King Lot 647 Crossing Falls Road, Kununurra, currently zoned Rural Agriculture 1, is amended to Rural Small Holdings zone in accordance with the amendment map.
- B Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation.
- 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].
- 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.

COUNCIL DECISION

Minute No: 7847

Moved: Cr J. Buchanan

Seconded: Cr K. Wright

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. Amending the Planning Scheme Map so that King Lot 647 Crossing Falls Road, Kununurra, currently zoned Rural Agriculture 1, is amended to Rural Small Holdings zone in accordance with the amendment map.**

B Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation.

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].

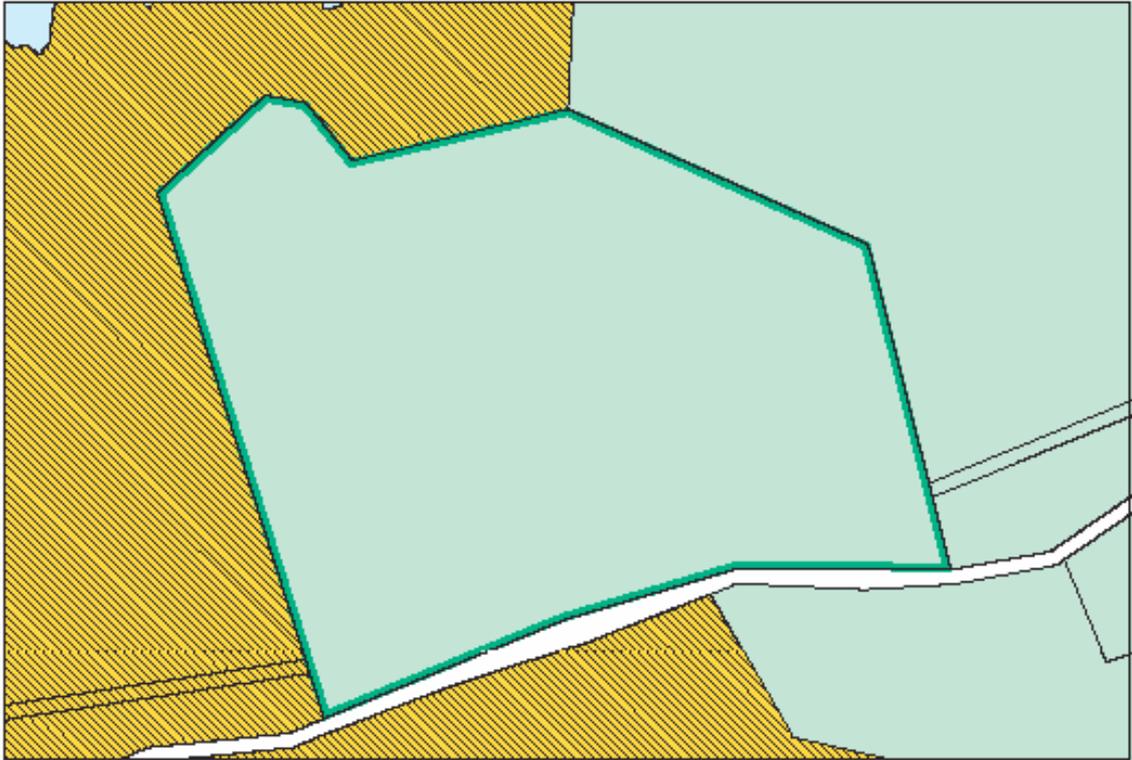
D Upon receipt of the level of assessment from the Environmental Protection Authority, advertise the amendment for a period of 42 days by an advertisement in the Kimberley Echo, erection of a notice in the Shire Offices and the posting of notices to affected parties.

E That council advise the applicant that the amendment documents are modified such that the amendment report includes provisions for restrictive covenants and memorials on title with the intention of protecting lot sizes to ensure minimisation of conflicts with agriculture

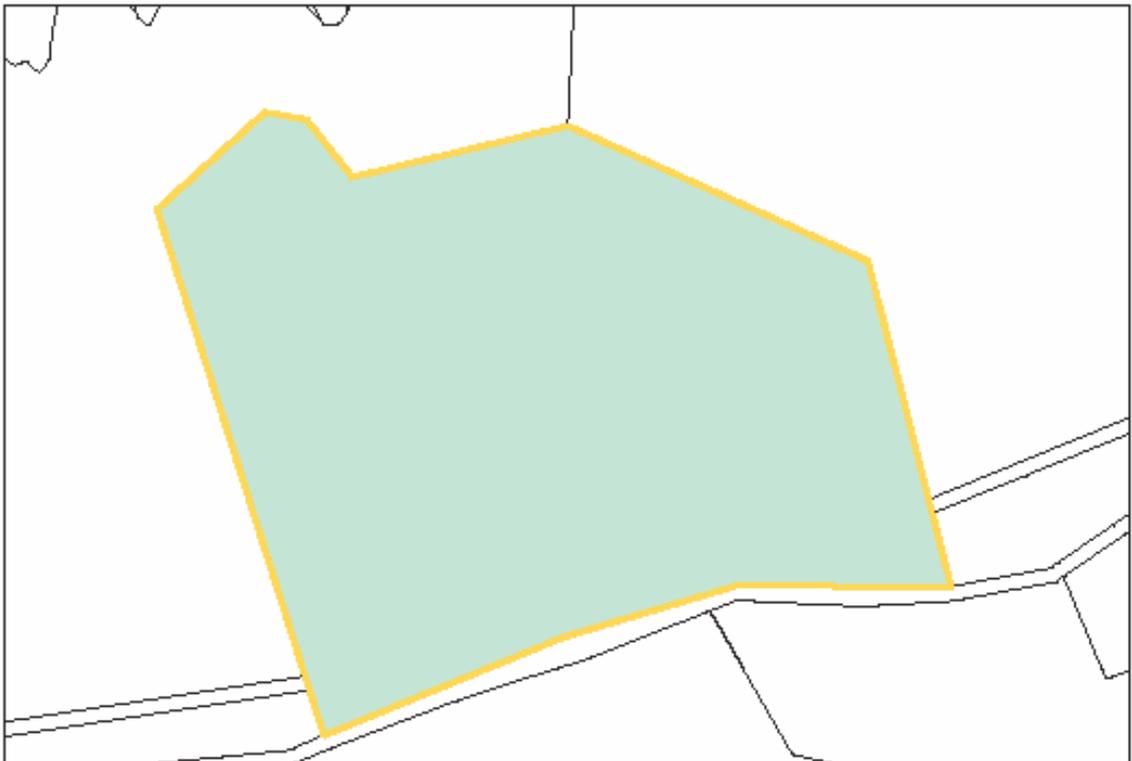
Carried Unanimously: 7/0

ATTACHMENT 1 - AMENDMENT MAP

EXISTING ZONING



PROPOSED ZONING



ATTACHMENT 2 - DRAFT SUBDIVISION PLAN



12.2.9. Proposed Fuel Depot - Weaber Plain Road

DATE:	21 August 2007
PROPONENT:	Department for Planning and Infrastructure
LOCATION:	UCL Weaber Plain Road
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Peter Stubbs - Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	NA

PURPOSE

For Council to consider advice to the Department for Planning and Infrastructure [DPI] regarding a proposed fuel depot proposed to be located on Unallocated Crown Land on Weaber Plain Road.

BACKGROUND

A referral was received from the DPI seeking Council comment on a proposed Fuel Depot intended to be located on Weaber Plain Road in the vicinity of the proposed heavy haulage route.

SITE LOCATION

The land is located on Weaber Plain Road to the North of Kununurra town site. Two options have been selected by the DPI for potential location of the proposed fuel depot - one to the north of the heavy haulage route and one to the south.



PROPOSED LAND USE / DEVELOPMENT

The release of the land by the DPI would potentially result in the development of an automated fuel depot on the site.

FINANCIAL IMPLICATIONS

Should the land be released to the applicant, rezoning will be required. This will result in fees of \$1000 being paid to Council.

PLANNING ASSESSMENT

Local Planning Strategy

The proposed land uses is consistent with the endorsed LPS for site 2 only. The LPS identifies this land for Industrial purposes. A copy of the LPS map for this site is attached as Attachment 1.

Town Planning Scheme No 7

Site 1 is currently zoned, but not used for, Rural Living purposes. Site 2 is zoned, but not used for, Rural Agriculture 1 purposes. As above, site 2 is identified for future industrial uses under the Local Planning Strategy. Accordingly, this site is preferred for the release of land for the intended land use.

CONSULTATION

Given that the proposal is a referral from another agency, Council is not required to consult regarding this proposal. It is understood the referral agency [DPI] is responsible for consultation.

Advertising will occur as part of any amendment process if the land release proceeds.

CONCLUSION/COMMENT

Site 1 is not supported for release for the proposed use as it is zoned Rural Living, and is within close proximity to existing rural living land uses.

Site 2 is located in an area identified for future industrial uses, and is therefore compatible with the proposed land use.

ATTACHMENTS

1. EXTRACT FROM LOCAL PLANNING STRATEGY

VOTING REQUIREMENT

Simple Majority.

MANAGER'S RECOMMENDATION

That Council:

1. Advise the Department for Planning and Infrastructure that Site 1 is not supported for release for a fuel depot for the following reasons:
 - § Site 1 is located too close to existing and potential future Rural Living land;

- § Site 1 is not identified in the Local Planning Strategy for future zoning for the proposed use;
 - § Site 2 is identified in the Local Planning Strategy for future zoning that is compatible with the proposed use;
 - § Site 1 does not have good access to Weaber Plain Road;
 - § Site 1 may compromise the future development of the proposed Ivanhoe Volunteer Bush Fire Brigade infrastructure;
2. Advise the Department for Planning and Infrastructure that Site 2 is supported for release for a fuel depot; and
 3. Advise the Department for Planning and Infrastructure that the land identified as Site 2 will be required to be rezoned prior to commencement of development.

COUNCIL DECISION

Minute No: 7848

Moved: Cr D. Ausburn

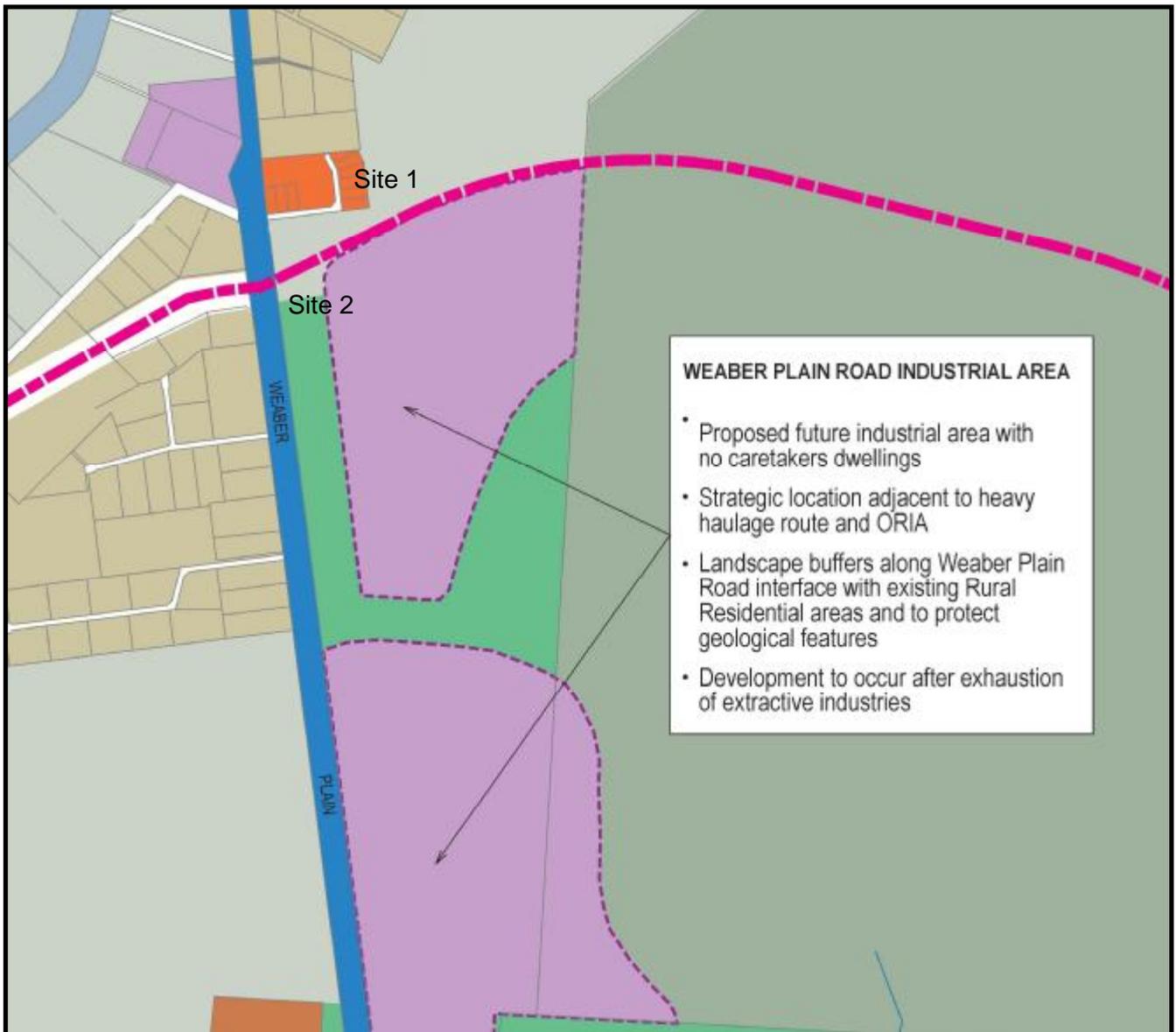
Seconded: Cr M. Middap

That Council:

1. ***Advise the Department for Planning and Infrastructure that Site 1 is not supported for release for a fuel depot for the following reasons:***
 - § ***Site 1 is located too close to existing and potential future Rural Living land;***
 - § ***Site 1 is not identified in the Local Planning Strategy for future zoning for the proposed use;***
 - § ***Site 2 is identified in the Local Planning Strategy for future zoning that is compatible with the proposed use;***
 - § ***Site 1 does not have good access to Weaber Plain Road;***
 - § ***Site 1 may compromise the future development of the proposed Ivanhoe Volunteer Bush Fire Brigade infrastructure;***
2. ***Advise the Department for Planning and Infrastructure that Site 2 is supported for release for a fuel depot; and***
3. ***Advise the Department for Planning and Infrastructure that the land identified as Site 2 will be required to be rezoned prior to commencement of development.***
4. ***That the Department for Planning and Infrastructure demonstrate to the Shire of Wyndham East Kimberley their consultation processes with the general public and all land owners / occupiers within a 1km radius of the proposed sites.***

Carried Unanimously: 7/0

ATTACHMENT 1 - EXTRACT FROM LOCAL PLANNING STRATEGY:



12.3. CORPORATE SERVICES

12.3.1. Monthly Financial Report

DATE:	21 August 2007
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Jo-Anne Ellis – Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis – Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

Note

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.'

12.3.2. List of Accounts Paid Under Delegation 18

DATE:	21 August 2007
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Gill Old – Senior Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis – Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	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

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

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

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

- Municipal cheques 037874 - 037929 (12th July - 2nd August 2007) \$92,635.01
- EFT100931 to EFT101114 (11th July - 2nd August 2007) \$621,992.81
- Payroll (1st July to 31st July 2007) \$191,531.50
- Direct bank debits (1st July to 31st July 2007) \$5,472.13
- Total \$911,631.45**

COUNCIL DECISION

Minute No: 7849

Moved: Cr D. Ausburn

Seconded: Cr R. Devenish-Meares

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

- ***Municipal cheques 037874 - 037929 (12th July - 2nd August 2007)*** \$92,635.01
- ***EFT100931 to EFT101114 (11th July - 2nd August 2007)*** \$621,992.81
- ***Payroll (1st July to 31st July 2007)*** \$191,531.50
- ***Direct bank debits (1st July to 31st July 2007)*** \$5,472.13
- Total*** \$911,631.45

Carried Unanimously: 7/0

12.3.3. 90 Day Debtors Listing

DATE:	21 August 2007
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Gill Old – Senior Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis – Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

To present the listing of 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 is presented to Council as per past practice.

ATTACHMENTS

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

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council note and receive the listing of 90 Day Sundry Debtors as at 31st July 2007 totalling \$83071.27 (GST inclusive).

COUNCIL DECISION

Minute No: 7850

Moved: Cr R. Devenish-Meares

Seconded: Cr D. Ausburn

That Council note and receive the listing of 90 Day Sundry Debtors as at 31st July 2007 totalling \$83071.27 (GST inclusive).

Carried Unanimously: 7/0

12.3.4. Delegations Register – Delegation 97 – Authority to Order

DATE:	21 August 2007
PROPONENT:	N/A
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

To consider and amend Delegation 97 – Authority to Order

BACKGROUND

Council adopted the Delegations Register dated June 2007 in Minute 7798 at the Ordinary Council Meeting on 17 July 2007.

On implementation of Delegation 97 – Authority to Order a few issues were identified:

- Incorrect job titles – Pool Manager/Duty Supervisor should be Recreation Officer/Duty Supervisor and Recreation Development Officer should be Leisure Centre Coordinator.
- Officers not included on list who need the authority to Order – Wyndham Child Care Centre Director, Librarian
- The limits authorised for some officers are not consistent with their position in the organisation

It is also timely to review in light of a recent restructure within the Corporate Services Team and centralising of some purchasing functions including travel, accommodation and airfares.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 5.42

POLICY IMPLICATIONS

Delegations Register

FINANCIAL IMPLICATIONS

Changes to delegation 97 will enable persons to order goods and services in keeping with their position within the organisation subject to budgetary constraints.

STRATEGIC IMPLICATIONS

Appropriate levels of authority to order goods and services enables officers to undertake their duties in an efficient and timely manner. Purchasing limits that are too low push workload to the officers manager that is not necessary. Purchasing limits that are too high increase the risk of inappropriate expenditure.

COMMUNITY CONSULTATION

Nil

COMMENT

The current delegation gives authority to order goods and services within the following limitations:

Position	Amount
Chief Executive Officer	\$100,000
Executive Manager Engineering & Development Services	\$50,000
Executive Manager Corporate Services	\$50,000
Executive Manager Town Planning	\$50,000
Executive Manager Community Services	\$50,000
Manager Financial Services	\$10,000
Senior Finance Officer	\$2,000
Manager Technical Services	\$20,000
Environmental Health Officer (aboriginal Communities)	\$1,000
Environmental Health Officer	\$1,000
Building Surveyor	\$1,000
Manager Recreation & Leisure	\$1,000
Recreation Development Officer	\$1,000
Pool Manager/Duty Supervisor	\$500
Wyndham Pool Manager	\$500
Wyndham Operations Manager	\$5,000
Airport Manager	\$10,000
Executive Support Officer	\$1,000
EDS Support Officer	\$1,000
Environmental Project Officer	\$5,000
Works Supervisor	\$2,000
Depot Stores/Admin Officer	\$2,000

The following changes are recommended:

- Change position title from Pool Manager/Duty Supervisor to Recreation Officers/Duty Supervisors, amount to stay at \$500.
- Change position title from Recreation Development Officer to Leisure Centre Coordinator, amount to stay at \$1,000.
- Remove position EDS Support Officer and change Executive Support Officer to Executive Support Officers.
- Change title of Works Supervisor to Kununurra Works Supervisor, amount to stay at \$2,000.
- Change title of Building Surveyor to Building Surveyors, increase limit to \$5,000 up from \$1,000 due to the level of purchasing required in the buildings maintenance role.
- Increase limit of Manager Recreation and Leisure to \$5,000 up from \$1,000. This is the same limit as the Wyndham Operations Manager and Environmental Project Officer. The current limit of \$1,000 is the same as the Leisure Centre Coordinator.
- Add position Building Maintenance Officer with a limit of \$500.
- Add position title Wyndham Child Care Centre Director, with a limit of \$1,000.

- Add position title Librarian, with a limit of \$500. Include a note that states “only while employed by Shire of Wyndham East Kimberley”. This means no authority will exist if the Librarian is once again employed by the Education Department.
- Add position title Administration Supervisor, with a limit of \$1,000. This is a new position within Corporate Services requiring the ability to order goods for front office and administration plus stationery for the whole organisation.

The recommended changes are highlighted below:

Position	Amount
Chief Executive Officer	\$100,000
Executive Manager Engineering & Development Services	\$50,000
Executive Manager Corporate Services	\$50,000
Executive Manager Town Planning	\$50,000
Executive Manager Community Services	\$50,000
Manager Financial Services	\$10,000
Senior Finance Officer	\$2,000
Administration Supervisor	\$1,000
Manager Technical Services	\$20,000
Environmental Health Officer (aboriginal Communities)	\$1,000
Environmental Health Officer	\$1,000
	\$1,000
Building Surveyors	\$5,000
Building Maintenance Officer	\$500
	\$1,000
Manager Recreation & Leisure	\$5,000
Recreation Development Officer Leisure Centre Coordinator	\$1,000
Pool Manager/Duty Supervisor Recreation Officers/Duty Supervisors	\$500
	\$500
Wyndham Pool Manager	\$1,000
Wyndham Child Care Centre Director	\$1,000
Wyndham Operations Manager	\$5,000
Airport Manager	\$10,000
Executive Support Officers	\$1,000
EDS Support Officer	\$1,000
Environmental Project Officer	\$5,000
Kununurra Works Supervisor	\$2,000
Depot Stores/Admin Officer	\$2,000
Librarian (only while employed by Shire of Wyndham East Kimberley)	\$500

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

MANAGER'S RECOMMENDATION

That Council having reviewed Delegation 97 – Authority to Order amend the limitations placed on the authority to order goods and services as below:

Position	Amount
Chief Executive Officer	\$100,000
Executive Manager Engineering & Development Services	\$50,000
Executive Manager Corporate Services	\$50,000
Executive Manager Town Planning	\$50,000
Executive Manager Community Services	\$50,000
Manager Financial Services	\$10,000
Senior Finance Officer	\$2,000
Administration Supervisor	\$1,000
Manager Technical Services	\$20,000
Environmental Health Officer (Aboriginal Communities)	\$1,000
Environmental Health Officer	\$1,000
Building Surveyors	\$5,000
Building Maintenance Officer	\$500
Manager Recreation & Leisure	\$5,000
Leisure Centre Coordinator	\$1,000
Recreation Officers/Duty Supervisors	\$500
Wyndham Pool Manager	\$1,000
Wyndham Child Care Centre Director	\$1,000
Wyndham Operations Manager	\$5,000
Airport Manager	\$10,000
Executive Support Officers	\$1,000
Environmental Project Officer	\$5,000
Kununurra Works Supervisor	\$2,000
Depot Stores/Admin Officer	\$2,000
Librarian (only while employed by Shire of Wyndham East Kimberley)	\$500

COUNCIL DECISION

Minute No: 7851

Moved: Cr J. Buchanan

Seconded: Cr R. Devenish-Meares

That Council having reviewed Delegation 97 – Authority to Order amend the limitations placed on the authority to order goods and services as below:

<i>Position</i>	<i>Amount</i>
<i>Chief Executive Officer</i>	<i>\$100,000</i>
<i>Executive Manager Engineering & Development Services</i>	<i>\$50,000</i>
<i>Executive Manager Corporate Services</i>	<i>\$50,000</i>
<i>Executive Manager Town Planning</i>	<i>\$50,000</i>
<i>Executive Manager Community Services</i>	<i>\$50,000</i>
<i>Manager Financial Services</i>	<i>\$10,000</i>
<i>Senior Finance Officer</i>	<i>\$2,000</i>
<i>Administration Supervisor</i>	<i>\$1,000</i>
<i>Manager Technical Services</i>	<i>\$20,000</i>
<i>Environmental Health Officer (Aboriginal Communities)</i>	<i>\$1,000</i>
<i>Environmental Health Officer</i>	<i>\$1,000</i>
<i>Building Surveyors</i>	<i>\$5,000</i>
<i>Building Maintenance Officer</i>	<i>\$500</i>
<i>Manager Recreation & Leisure</i>	<i>\$5,000</i>
<i>Leisure Centre Coordinator</i>	<i>\$1,000</i>
<i>Recreation Officers/Duty Supervisors</i>	<i>\$500</i>
<i>Wyndham Pool Manager</i>	<i>\$1,000</i>
<i>Wyndham Child Care Centre Director</i>	<i>\$1,000</i>
<i>Wyndham Operations Manager</i>	<i>\$5,000</i>
<i>Airport Manager</i>	<i>\$10,000</i>
<i>Executive Support Officers</i>	<i>\$1,000</i>
<i>Environmental Project Officer</i>	<i>\$5,000</i>
<i>Kununurra Works Supervisor</i>	<i>\$2,000</i>
<i>Depot Stores/Admin Officer</i>	<i>\$2,000</i>
<i>Librarian (only while employed by Shire of Wyndham East Kimberley)</i>	<i>\$500</i>

Carried Unanimously: 7/0

12.4. CHIEF EXECUTIVE OFFICER

12.4.1. Use of Common Seal

DATE:	August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from the period 7 July to 14 August 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:

- Wyndham Child Care Centre – FACSIA Funding Agreement 1-NVIOU – 2 copies
- Kununurra Child Care Centre – Facility Use Agreement and Lease – Ewin Centre Children’s Services Incorporated – 2 copies

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

OFFICER'S RECOMMENDATION

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 7 July to 14 August 2007.

COUNCIL DECISION

Minute Number: 7852

Moved: Cr J. Parker

Seconded: Cr D. Ausburn

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 7 July to 14 August 2007.

Carried Unanimously: 7/0

12.4.2. Delegated Authority

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

To report to Council on the use of Delegated Authority by Officers for the period 1 July - 31 July 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

OFFICER'S RECOMMENDATION

That Council receive the Delegated Authority Report for the period 1 July – 31 July 2007.

COUNCIL DECISION

Minute No: 7853

Moved: Cr R. Devenish-Meares

Seconded: Cr J. Parker

That Council receive the Delegated Authority Report for the period 1 July – 31 July 2007.

Carried Unanimously: 7/0

Attachment: Delegated Authority Report

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY - JULY 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
122/2007	08/07/07	S R MARTELL /leased to GREEN SWAMP AGRICULTURE PTY LTD	PO BOX 777 KUNUNURRA	GREEN SWAMP AGRICULTURE PTY LTD	PO BOX 777 KUNUNURRA	NO O/B STAT DEC - NO BRB JURISDICTION	LOC 353 NINGBING ROAD KUNUNURRA	ABLUTION BLOCK	NEW	564	11	STEEL	STEEL	\$39,500.00
123/2007	08/07/07	FELICITY LINCOLN & HEADING	PO BOX 1045 KUNUNURRA	FELICITY LINCOLN & HEADING	PO BOX 1045 KUNUNURRA	NO O/B STAT DEC - NO BRB JURISDICTION	LOC 208 RIVERFARM ROAD KUNUNURRA	SHADE HOUSE & SHED	NEW		7762	STEEL	STEEL	\$275,000.00
124/2007	08/07/07	TIM CROOT	PO BOX 1272 KUNUNURRA	TIM CROOT	PO BOX 1272 KUNUNURRA	NO O/B STAT DEC - NO BRB JURISDICTION	LOT 11 WEABER PLAIN ROAD	WORKSHOP, TRANSPORTABLE ABLUTION/KITCHEN & WORKERS ACCOMMODATION	NEW			STEEL	STEEL	\$112,000.00
125/2007	08/07/07	HCJB AUSTRALIA	PO BOX 1339 KUNUNURRA	HCJB AUSTRALIA	PO BOX 1339 KUNUNURRA	N/A <\$20K	LOT 579 PACKSADDLE ROAD KUNUNURRA	MACHINERY SHED	NEW			STEEL	STEEL	\$4,000.00
126/2007	08/07/07	HCJB AUSTRALIA	PO BOX 1339 KUNUNURRA	HCJB AUSTRALIA	PO BOX 1339 KUNUNURRA	N/A <\$20K	LOT 579 PACKSADDLE ROAD KUNUNURRA	MACHINERY SHED	NEW			STEEL	STEEL	\$7,000.00
127/2007	08/07/07	ALAN WILSON	PO BOX 1976 KUNUNURRA	ALAN WILSON	PO BOX 1976 KUNUNURRA	NO O/B STAT DEC - NO BRB JURISDICTION	LOT 15 EGRET CLOSE KUNUNURRA	SINGLE DWELLING	NEW	12.4	351	STEEL	BLOCK	\$150,000.00
128/2007	08/07/07	ASSEMBLY OF GOD CHURCH	PO BOX 57 WYNDHAM	CHARLES ROHRBACH	PO BOX 57 WYNDHAM	N/A <\$20K	LOT 1757 CIVIC WAY WYNDHAM	DOUBLE CARPORT & GARAGE	NEW	0.4499	75	STEEL	STEEL	\$13,600.00
129/2007	27/07/07	KR HOLTON	PO BOX 2170 KUNUNURRA	KR HOLTON	PO BOX 2170 KUNUNURRA	N/A <\$20K	LOT 159 (47) BARDING LOOP KUNUNURRA	ABOVE GROUND POOL	NEW	0.0840	22	N/A	VINYL	\$5,000.00
130/2007	30/07/07	KERRY SLINGSBY	PO BOX 1404 KUNUNURRA	D B FULCHER	PO BOX 753 KUNUNURRA	S665	LOC 209 RIVERFARM ROAD KUNUNURRA	SINGLE DWELLING	NEW	4.000	332	STEEL	STEEL	\$250,000.00
														\$856,100.00

THERE WERE NO SIGN LICENCES OR DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY FOR JULY 2007.

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12.4.3. Electoral Code of Conduct

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.10
ASSESSMENT NO:	N/A

PURPOSE

For Council to note adoption of an Electoral Code of Conduct, by the Chief Executive Officer as Returning Officer for the October 2007 Local Government Election, as required by the Local Government Act 1995.

BACKGROUND

Council's administration is currently preparing for the October 2007 general Local Government election to be held on the 20 October 2007.

The Local Government Act 1995 and Local Government (Election) Regulations 1997 require a CEO and or Returning Officer to adopt an Electoral Code of Conduct proper to appointing any other electoral officers.

The attached Electoral Code of Conduct has been prepared based on the model Code provided by the Department of Local Government and Regional Development and the Western Australian Local Government Association.

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 4.27

4.27 Regulations about electoral officers and the conduct of elections

(1) Regulations may include provisions —

- (a) about the appointment of returning officers under section 4.20(4), and deputy returning officers under section 4.21(2), and their removal or suspension by the Electoral Commissioner;
- (b) about the appointment, removal or suspension of electoral officers by returning officers;
- (c) about the declarations to be made by electoral officers; and
- (d) setting out functions to be performed by local governments, CEOs and returning officers to ensure the proper and efficient conduct of elections.

(2) Despite any other written law, the decision of the Electoral Commissioner or a returning officer about the appointment, removal or suspension of an electoral officer is final.

8. Electoral codes of conduct — s. 4.27(1)(d)

(1) This regulation applies to the ordinary elections to be held in 1999 and to each subsequent election.

(2) The RO for any election to which this regulation applies is to prepare or adopt an electoral code of conduct for the election that aims to ensure that all electoral officers act —

(a) lawfully;

(b) professionally;

(c) fairly and impartially;

(d) with honesty and integrity; and

(e) without any conflict of interest,

in relation to the election.

(3) The RO is to provide each electoral officer with a copy of, or access to a copy of, the electoral code of conduct.

(4) An electoral officer is to observe and comply with the electoral code of conduct.

POLICY IMPLICATIONS

Nil - recommended deletion of Policy HR 19.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

COMMUNITY CONSULTATION

Nil

COMMENT

Nil

ATTACHMENTS

HR19 Electoral Code of Conduct Policy

VOTING REQUIREMENT

Simple Majority

MANAGER'S RECOMMENDATION

1. That Council note the Electoral Code of Conduct prepared for and applying to all Shire of Wyndham East Kimberley staff to be engaged in the operation of the October 2007 Local Government Election.
2. That Council delete Policy HR19 - Electoral Code of Conduct as section 4.27(1) (d) Local Government Act 1995 and Regulation 8 of the Local Government (Elections) Regulations 1997 requires this to be done by the Returning Officer rather than the Council.

COUNCIL DECISION

Minute No: 7854

Moved: Cr M. Middap

Seconded: Cr J. Parker

- 1. That Council note the Electoral Code of Conduct prepared for and applying to all Shire of Wyndham East Kimberley staff to be engaged in the operation of the October 2007 Local Government Election.***
- 2. That Council delete Policy HR19 - Electoral Code of Conduct as section 4.27(1) (d) Local Government Act 1995 and Regulation 8 of the Local Government (Elections) Regulations 1997 requires this to be done by the Returning Officer rather than the Council.***

Carried Unanimously: 7/0

Attachment: HR19 Electoral Code of Conduct Policy

POLICY No:	HR19
DIVISION	Human Resources
SUBJECT:	Electoral Code of Conduct
REPORTING OFFICER	Chief Executive Officer
ENABLING LEGISLATION	Local Government Act 1995

OBJECTIVE

To provide a code of conduct for all Electoral Officers, as required under Section 4.27(1)(d) of the Local Government Act 1995 (as amended), and regulation 8, Local Government (Elections) Regulations 1997.

POLICY

All Electoral Officers will observe and comply with the following professional standards in relation to an Election. These standards require all Electoral Officers to act:

- Lawfully;
- Professionally;
- Fairly and impartially;
- Honestly and with Integrity; and
- With No Conflict of Interest.

Lawfully

Electoral Officers will act within the statutory requirements of the Local Government Act, 1995 and relevant regulations during the course of the Election. These requirements include:

- Completion of “Declaration Form 1” before commencing any Electoral Duties;
- Reviewing all training material provided by the Returning Officer to fulfil their duties;
- Abiding by the Act, regulations and instructions given relating to the Election; and
- Maintaining the security of Election papers and secrecy of the ballot.

Should an Electoral Officer be unsure or uncertain of these statutory requirements, the Electoral Officer has a personal responsibility to clarify any issue or concern with the Returning Officer before performing any electoral duties.

Professionally

All Electoral Officers will work together to fulfil the Shire’s electoral obligations and ensure accountability and transparency during the Election. During the Election, an Electoral Officer will not publicly reflect adversely on any other Electoral Officer, Elector, Councillor, Candidate or the Shire of Wyndham East Kimberley. In acting professionally, Electoral Officers will:

- Ensure all Polling places are opened and closed at the correct times;
- Behave consistently, ethically, courteously and effectively;
- Obey promptly any lawful instruction of a senior officer;
- Be accountable for their actions and subsequent consequences;

- Maintain confidentially; and
- Maintain full and accurate records of performance during the election.

Fairly and Impartially

Electoral Officers will perform their duties impartially and in the best interests of the democratic process, uninfluenced by fear or favour. To achieve this, Electoral Officers will:

- Treat people with dignity and respect
- Be impartial, but recognise that equity can involve treating people differently in some circumstances; and
- Be conscious of activities in and around the polling place or the counting area to ensure a fair result.

Honestly and with Integrity

Electoral Officers will observe the highest standards of honesty, probity and integrity; by:

- Acting in good faith;
- Explaining procedures and processes to those not aware of them; and
- Not taking advantage of their position to improperly influence other Electoral Officers in the performing their duties.

Conflict of Interests

Electoral Officers must ensure that there is no actual or perceived conflict of interest relating their duties during the Election. Possible conflicts of interest may include, but are not limited to, a close association or relationship between an Electoral Officer and a candidate or candidate's associate. Any possible conflict of interest must be disclosed to the Returning Officer or an Executive Officer immediately. After considering the conflict of interest, the Returning Officer will take all necessary actions resolve the conflict of interest. These actions could include removing the Electoral Officer from any further involvement in the Electoral process.

Breaches of Code of Conduct

All identified breaches of this Code of Conduct will be investigated by the Returning Officer and/or Executive Team, with serious breaches being reported to Council. Given the importance of the creditability of the Elections result, a recognised breach of this Code of Conduct will result in immediate disciplinary action, including possible termination of employment.

ADOPTED: 15/02/2005

12.4.4. Kununurra District High School - Senior High School Status

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	36.13.04, 36.14.04
ASSESSMENT NO:	1231

The Chief Executive Officer and Executive Manager of Corporate Services have an Impartiality Interest in this Item as they have children attending Kununurra District High School.

PURPOSE

For Council to consider issues related to High School resourcing in Kununurra, specifically the absence of Senior High School status.

BACKGROUND

The Kununurra District High School is large in comparison to other regional High Schools in Western Australia, as the figures from the Department of Education and Training February 2007 census below show:

School	Secondary Student Enrolment
Bridgetown SHS	138
Yule Brook College	199
Central Midland SHS	202
Denmark	229
Harvey SHS	264
Tom Price SHS	271
Carnarvon SHS	307
Newman SHS	327
Mandurah SHS	338
Merredin	339
Mt Barker	357
Kununurra DHS	372
Broome SHS	436

The Kununurra District High School is substantially larger than a number of other High Schools which already have Senior High School (SHS) status. Student numbers at Kununurra High School are up 33 students in the past year, from 339 students in May 2006 to 372 Students in February 2007.

The absence of Senior High School status for the Kununurra High School has resource implications for the school, its students and teachers. Senior High School status would mean Kununurra High School would qualify under the Department of Education and Training criteria for additional resource allocations.

The current situation has been brought to the attention of the State Government on numerous occasions including:

1. The Country Labour Party delegation to Kununurra in July 2006.
2. The Local Area Enhancement Program (LAEP) completed in December 2006, by the Department of Education.
3. The Regional and Remote Education Advisory Council (RREAC) review in July 2007.

Members of the RREAC consisted of Hon. Matt Benson MLC and Chairman of RREAC, Mr Terry Waldron MLA, Mr Don Boyd, Director of Rural and Regional Education, Department of Education and this committee was in Kununurra 31 July 2007.

RREAC reports to the Minister of Education.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Senior High School status is strategically important to the East Kimberley region for two key reasons:

1. It increased the resource level to the Kununurra High School and therefore opportunities for students.
2. It changes the public perception of the quality of education that is available within the region.

COMMENT

The East Kimberley region is being disadvantaged by Kununurra High School not receiving Senior High School status.

It is difficult to understand why, given the Department of Education and Training's own census data and the State Government's awareness of the current anomalous situation, why Kununurra High School should not have Senior High School status.

The continued denial of the need for Senior High School status at Kununurra robs students and teachers of increased resources and opportunities. The region is further disadvantaged because first impressions count and parents thinking of taking jobs in the East Kimberley will be mindful of the perception of a District High School versus a Senior High School. So the issue is broader than just education but linked also to important matters like the attraction and retention of skilled people to the region. For this reason business and employers should be vitally concerned with the lack of Senior High School status.

Some examples of inequity, between schooling in Kununurra and other areas that were provided to the RREAC on its visit to Kununurra on 31 July 2007 are:

- A Kununurra student studying Japanese language who was offered a telephone oral exam or a fuel subsidy for the return journey Kununurra to Perth for his exam. A fuel subsidy is hardly appropriate given the distances and time involved and the importance of the exam period to students.
- High school students from northwest regional towns schooling in Perth receiving up to four free flights/year from Perth to their home town, supposedly because educational opportunities in regional areas are limited. While this is fine and appreciated, those same four free flights are not available for students schooling in their home towns such as Kununurra and Wyndham, for access to specialists learning opportunities (exams, summer school etc). This inequity was further highlighted by high school students in Broome receiving these free flights despite Broome having a population of over 15,000 people, and a Senior High School.

Despite Kununurra District High School not receiving Senior High School status, it has 13 students currently completing their TEE, further underlying the outdated reference to it being a District High School.

ATTACHMENTS

1. Correspondence from the Shire of Wyndham Kimberley to the Minister for Education and Training regarding the LAEP.
2. Correspondence from the Minister for Education and Training to the Shire of Wyndham East Kimberley regarding the LAEP.

VOTING REQUIREMENT

Simple Majority

MANAGER'S RECOMMENDATION

That Council request the Minister for Education and Training to upgrade the status of the Kununurra District High School to a Senior High School status as a matter of urgency given the recommendations over the preceding twelve months from the Government's own Committees.

COUNCIL DECISION

Minute No: 7855

Moved: Cr J. Parker

Seconded: Cr D. Ausburn

That Council request the Minister for Education and Training to upgrade the status of the Kununurra District High School to a Senior High School status as a matter of urgency given the recommendations over the preceding twelve months from the Government's own Committees.

Carried Unanimously: 7/0

Attachment 1: Correspondence from the Shire of Wyndham Kimberley to the Minister for Education and Training regarding the LAEP.

Our Ref: 36.14.04

5 April 2007

Hon M McGowan MLA
Minister for Education
21st Floor, Governor Stirling Tower
197 St George's Terrace
PERTH WA 6000

LAEP Program – Kununurra District High School

The Shire of Wyndham East Kimberley participated in the LAEP program for consideration of the future education needs in the Kununurra community last year.

Education is naturally one of our region's highest priorities.

Could you please advise when the outcome of the LAEP review will be known?

Regards

Peter Stubbs
Chief Executive Officer

Cc Karyn Apperley

Attachment 2: Correspondence from the Minister for Education and Training to the Shire of Wyndham East Kimberley regarding the LAEP.



Hon. Mark McGowan M.L.A.
Minister for Education and Training; South West

197 St Georges Terrace, Perth WESTERN AUSTRALIA 6000
Telephone: (+61 8) 9222 9211 Facsimile: (+61 8) 9222 9210
Email: mark.mcgowan@dpc.wa.gov.au • Website: www.ministera.wa.gov.au/mcgowan/

Date	008033
Date	
Officer	CEO
Response	
File	36.13.04

17-014552-DO07/127602

Your Ref. 36.14.04

Mr Peter Stubbs
Chief Executive Officer
Shire of Wyndham-East Kimberley
PO Box 614
KUNUNURRA WA 6743

Dear Mr Stubbs

Thank you for your letter dated 5 April 2007 regarding the outcome of the Local Area Education Planning process for Kununurra District High School which was completed in December 2006.

The Department of Education and Training is currently assessing the needs for the delivery of secondary schooling throughout Western Australia. As such, the Secondary Schooling Delivery and Infrastructure Project is well under way.

All current Local Area Education Planning (LAEP) projects will be evaluated as part of the consideration of the recommendations of the review.

Thank you for bringing this matter to my attention.

Yours sincerely

**HON MARK MCGOWAN MLA
MINISTER FOR EDUCATION AND TRAINING; SOUTH WEST**

17-014552

12.4.5. Draft Submission to the State Government's Discussion Paper on GM Cotton

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	50.09.07
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a draft submission to the Discussion Paper on GM Cotton in the Ord River Irrigation Area released by the State Government for public comment.

BACKGROUND

The State Government has been supporting research through the Frank Wise Research Institute and Department of Agriculture and Food in Kununurra for 12 years. Summary details of the findings from that research are attached to this report. A number of local producers have experience with growing GM cotton and have been involved in this research, so there is a substantial volume of first hand experience with this crop.

The State Government has a moratorium on commercial GM crops until 2008 and/or the next State Government election.

GM cotton has been grown commercially in New South Wales and Queensland for 11 years, and around 90% of Australia's cotton production is now GM.

The Commonwealth Government is urging the State Government of Western Australia to reconsider its moratorium on GM crops. The Commonwealth has also stated its interest in expanding agriculture in northern Australia.

At the Commonwealth level, the Office of the Gene Technology Regulator is the authority that regulates the use of all GM plants and animals. It approved the commercial use of some GM cotton varieties in northern Australia in late 2006.

Council established a formal position on GM cotton in the Ord River Irrigation Area at its April 2007 Council Meeting through the following resolutions:

Minute No. 7690

Moved: Cr D. Ausburn

Seconded: Cr G. Green

- 1. That Council request the State Government of Western Australia to consider an exemption order for genetically modified cotton within its moratorium on genetically modified crops at the earliest opportunity to enable growers to have this production option and to facilitate further expansion of the East Kimberley economic base.*

2. That Council note the research findings on GM cotton in the Ord Irrigation Area and express support to the State Government to continue this research and support commercial use of GM cotton.

Carried Unanimously: 7/0

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Agriculture is one of the key industries in the East Kimberley region.

Its continued success is linked to high value niche crops and sustainable broad acre crops. Sustainable broad acre crops are likely to be the driver of agriculture for the expansion for the Ord Irrigation Area, to expand from the existing 14,000 ha to around 70,000 ha. Expansion of that magnitude will not come from high value niche crops because of market limitations.

Broad acre crops currently available to drive expansion are sugar cane, sandalwood, chickpeas and chia. A fully expanded and developed Ord Irrigation Area requires crop diversity to be sustainable and robust.

GM Cotton is a further broad acre crop that could contribute positively to this expansion, and has the following strategic advantages important in a remote region:

- Using 60% less water than sugar
- having a long shelf life as a fibre
- not requiring sophisticated transport and storage (e.g. refrigeration)
- annual cash crop

Business critical mass of any agricultural system is important and a fully developed Ord Irrigation Scheme has the potential for all identified broad acre crops to be important and sustainable industries.

As the third tier of government in the region, it is considered strategic that Council continue to advocate strongly on the GM issue as it has the potential to focus further interest and investment in the region.

COMMUNITY CONSULTATION

Council promoted the GM Cotton issue through the 2007 Kununurra Agricultural Show and has had a display on this topic in the foyer of its Kununurra Offices for the past month.

A public forum was convened by Environs Kimberley and the WA Conservation Council in Kununurra on Wednesday 11 July 2007 to outline the 'case' against GM cotton. About 50 local people attended that forum.

The State Government's discussion paper itself is a community consultation process.

COMMENT

Without a change in State Government GM policy, Kununurra farmers will be denied an economic crop option for non-science based reasons, even though farmers in New South Wales & Queensland grow GM cotton and have done for some 11 years now.

Restricting GM policy has the potential to limit farm unit viability by limiting cash flow and rotational crop issues in the absence of cotton.

The two most likely broad acre crops to justify investment in a fully expanded Ord Irrigation Scheme are sugar and cotton, but only if these crops can be grown in rotation and at a scale giving business critical mass for each crop. If a crop like GM cotton is excluded from the options then it makes it more difficult to attract the investment needed to drive this development and flow on benefits (e.g. improved educational and health options, improved jet services and retail etc) to people in the East Kimberley are less likely.

ATTACHMENTS

1. Draft Submission to the Discussion Paper "GM Cotton in the Ord River Irrigation Area"
2. Discussion Paper - "GM Cotton in the Ord River Irrigation Area"
3. Department of Agriculture and Food summary of GM Cotton research in the Ord Irrigation Area.

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council adopt the draft submission to the State Governments Discussion Paper titled "GM Cotton in the Ord River Irrigation Area"

That Council provide this submission to other Kimberley Shire Councils, organisations and all members of the Western Australian Parliament to widely promote the importance of having GM Cotton available to the market, as a potential driver to assist develop the Ord Irrigation Scheme to its full potential.

COUNCIL DECISION

Minute No: 7856

Moved: Cr K. Wright

Seconded: Cr R. Devenish-Meares

That Council adopt the draft submission to the State Governments Discussion Paper titled "GM Cotton in the Ord River Irrigation Area"

That Council provide this submission to other Kimberley Shire Councils, organisations and all members of the Western Australian Parliament to widely promote the importance of having GM Cotton available to the market, as a potential driver to assist develop the Ord Irrigation Scheme to its full potential.

Carried Unanimously: 7/0

Attachment 1: Draft Submission to the Discussion Paper “GM Cotton in the Ord River Irrigation Area”

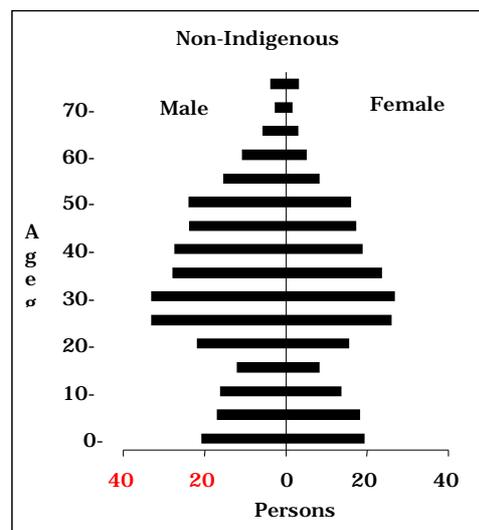
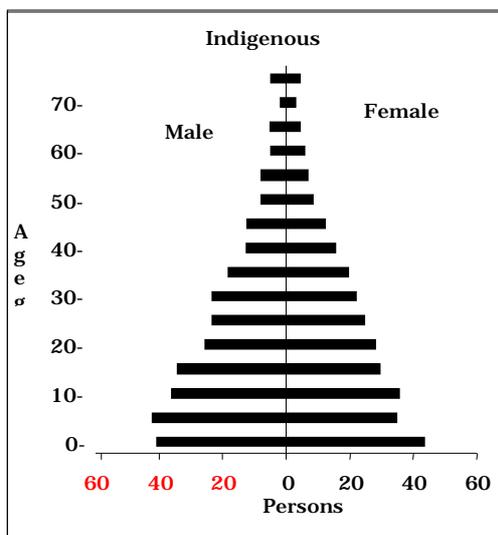
Our Ref:

Mr Richard Williams
Department of Agriculture
Sort Bin 4
Locked Bag 4
BENTLY DELIVERY CENTRE WA 6983

Submission to the Discussion Paper -“GM Cotton in the Ord River Irrigation Area”.

Thank you for the opportunity to make this submission to the above Discussion Paper. As the third tier of government in the East Kimberley region, our Council has taken a close interest in the GM debate and its particular relevance to Cotton and the Ord Irrigation Area. Our Council is conscious of its leadership responsibilities for our communities now and for future generations. As the government closest to the people in the East Kimberley region we take that responsibility very seriously and make the following comments on the discussion paper:

1. This discussion paper speaks for itself. It is surely a compelling argument for use of GM cotton in the Ord Irrigation Area.
2. Agriculture is one of the key industries in the East Kimberley region. Its expansion is critical to providing the flow on opportunities to a young and growing population. The demographic chart of the East Kimberley region below shows starkly the challenge ahead. The indigenous population is growing at twice the rate of the general population, and it has very young age profile, with all those young people coming through society, needing employment and opportunity which only come with economic development in the East Kimberley region. Without expanding agriculture, and Cotton will be needed for this, there is increased risk of further disadvantaging these people.



Reference: Aboriginal Population Profiles for Development Planning in the Northern East Kimberley by J Taylor, 2003

3. The continued success of agriculture in the East Kimberley region is linked to high value niche crops and sustainable broad acre crops.
4. Sustainable broad acre crops are likely to be the driver of agriculture for the expansion for the Ord Irrigation Area, from the existing 14,000 ha to around 80,000 ha. Expansion of that magnitude will not come from high value niche crops because of market limitations.
5. Broad acre crops currently available to drive expansion are sugar cane, sandalwood, chickpeas, chia AND Cotton if the GM moratorium is removed.
6. A fully expanded and developed Ord Irrigation Area requires crop diversity to be sustainable and robust. It will require crop rotation. Crop rotation of GM Cotton and other crops like sugar, works well.
7. Cotton is a broad acre crop that could contribute positively to the expansion of the Ord Irrigation Area. GM Cotton has the following strategic advantages important in a remote region like the East Kimberley:
 - It uses 60% less water than sugar
 - It has a long shelf life as a fibre and seed
 - It does not require sophisticated transport and storage (e.g. refrigeration)
 - It is an annual cash crop and therefore can deliver faster cash flow and a more rapid return on investment than for example sugar as an alternative broad acre crop.
8. Business critical mass of any agricultural system is important and a fully developed Ord Irrigation Scheme has the potential for all the above identified broad acre crops to be important and to be sustainable industries.
9. Without a change in State Government GM policy, Kununurra farmers will be denied an economic crop option for non-science based reasons, even though farmers in New South Wales & Queensland grow GM cotton and have done for some 11 years now.
10. Restricting GM policy has the potential to limit farm unit viability by limiting cash flow and to cause rotational crop issues if GM cotton is not available.
11. Some concern has been expressed about the perception of corporate ownership and control of GM crops like cotton. It is important this issue is seen in perspective, and that recognition is given to the fact that plant breeder rights apply to most crops, whether GM or not. This protection is broadly recognised as being required as it is the means by which private sector investment is made in new crop varieties. Without mechanisms that protect commercial Intellectual Property, the advances made in the food industry over recent decades would not have been possible, or would have required a substantially greater level of public funding.

For cotton in Australia, most varieties are derived from the CSIRO breeding program and CSIRO receives a commercial return through plant breeders' rights. Farmers can also pay an extra technology fee for these varieties if they also contain a biotechnology trait such as the insect protection in Bollgard II™ varieties.

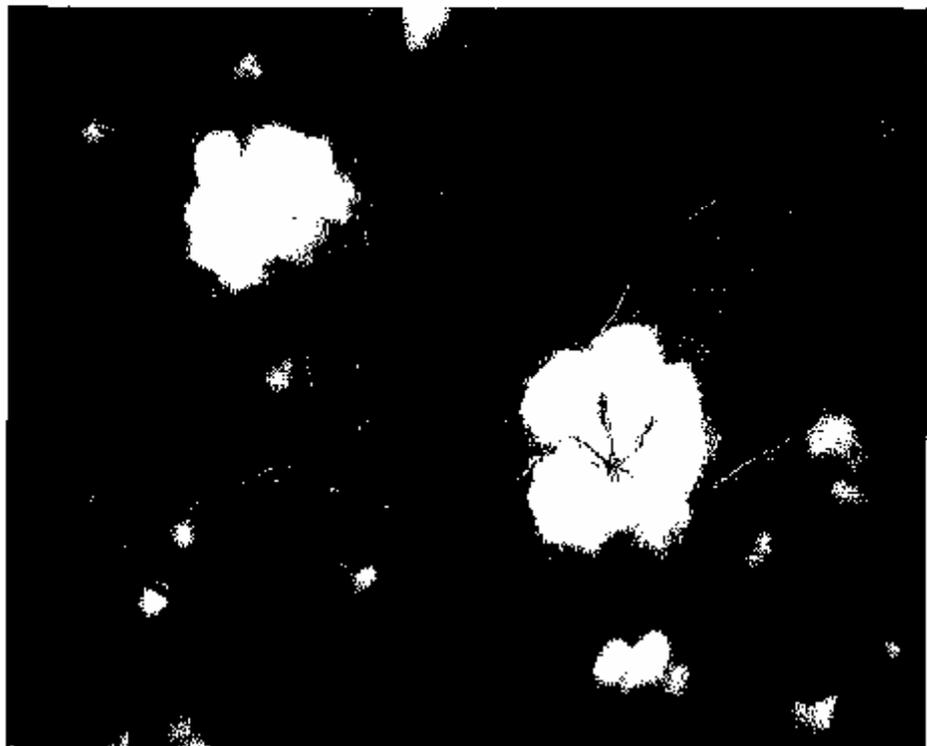
12. The map on page 16 of the discussion paper showing the potential Ord Irrigation Area does not show the approximate 7,000Ha of black soil land in the area known and identified as Matinea. Neither does it show the 16,000Ha of freehold land with agricultural potential that Consolidated Pastoral Company will receive by virtue of the Ord Final Agreement.
13. There is no price or public purchasing preference for GM cotton or non GM cotton. The market and public do not differentiate between the two, which is further reason to lift to GM moratorium as it relates to cotton.
14. Without a change in State Government GM policy, Kununurra farmers will be denied an economic crop option for non-science based reasons, even though farmers in New South Wales & Queensland grow GM cotton and have done for some 11 years now.

In April 2007 Council formally requested the State Government of Western Australia to consider an exemption order for genetically modified cotton within its moratorium on genetically modified crops at the earliest opportunity to enable growers to have this production option and to facilitate further expansion of the East Kimberley economic base.

Yours sincerely,

Cr Michele Pucci
Shire President

**GM COTTON IN THE ORD RIVER IRRIGATION AREA
DISCUSSION PAPER**



A discussion paper commissioned by the Ministerial GMO Industry Reference Group on genetically modified cotton in Western Australia

July 2007

8.6 ADDENDUM

Chris Tallentire, Director, Conservation Council of WA Inc.

The Conservation Council of WA Inc. appreciates the opportunity to contribute to the GM cotton discussion paper, but we strongly disagree with key aspects of this paper as outlined:

The *Executive Summary* fails to mention several key concerns that were raised during the reference group's discussions. These issues remain unresolved and include:

- GM *Bt* cotton may create *Bt* resistance in target pests, leading to uncontrolled plagues of resistant bollworm and budworm that would require the spraying of more synthetic chemical pesticides. Despite claims that there will be fewer chemicals used, we remain unconvinced that there will be no adverse impact on the soil and environment.
- Charges and fees such as technology fees payable to the GM cotton patent owners, were not factored into the economic analysis.
- The validity of reported low water usage by GM cotton.

We are also dissatisfied that the body of the report overlooks the following unresolved issues:

- Evidence presented on GM cotton's relatively low water usage was inconclusive. Cotton is a thirsty crop, and insertion of gene/s to enable the plant to combat specific pests does NOT render the plant less thirsty. The water usage figures are based solely on a company managed trial plot and it is unclear how these were calculated (Table 7 of this report).
- *Bt* toxins impose selection pressures on target caterpillars, which may acquire *Bt* resistance, rendering the crop ineffective as a pesticide. This report does not address the potential increase of synthetic insecticide use on crops as target caterpillars develop resistance to *Bt*. It also fails to report adequately on the emergence of secondary pests that can fill the niche once target pests are reduced. These non-target pests (e.g. aphids, mirids and grasshoppers) will be managed with the use of additional synthetic chemical sprays.
- The magnitude of problems with cotton pathogens 'fusarium wilt' and 'cotton bunchy top' which are reportedly major pests of GM cotton in the Eastern states of Australia is not analysed in this report. If these pathogens become problematic in GM cotton in the West, they would add substantially to the burden of synthetic chemicals used in ORIA with financial and environmental implications. The impacts of these pathogens on other crops such as sugarcane, grown in rotation with cotton, are also not addressed.
- Human health concerns (section 4.4) relating to the consumption of cotton seed oil and the products of animals fed GM cottonseed or trash, are unilaterally dismissed by those in favour of pursuing potential benefits of GM crops. Many GM crops (and food from GM crops) have not undergone adequate scientific testing and the effects are still unknown at this stage. The community has every right to have access to all information regarding their food and our concerns should not be disregarded.
- Climatic factors may make the growing of cotton in ORIA financially and ecologically untenable. Yet, significant potential climatic changes such as predicted increases in temperature, increased variability in rainfall and an increased frequency and intensity of cyclones, and their impacts on commercial viability of cotton in the ORIA has been omitted.

In summary, the Conservation Council of WA Inc. has strong objections to many aspects of this report. We strongly urge that substantial consideration be given to the above key points.

GM Cotton in the Ord River Irrigation Area

INVITATION FOR FEEDBACK

This discussion paper was prepared by the Ministerial GMO Industry Reference Group to obtain feedback from stakeholders on the production of Genetically Modified (GM) cotton in the Ord River Irrigation Area located in the north of Western Australia.

The Western Australian Government established the Ministerial GMO Industry Reference Group to identify issues relating to the use of biotechnology in agricultural crops in Western Australia.

To assist in completing its task the Reference Group resolved to release discussion papers to obtain feedback from stakeholders.

The GM cotton in The Ord River Irrigation Area is the first of these discussion papers.

The views expressed in this report do not necessarily reflect those of individual members of the Group or the organisations they may represent.

Please provide written comments by Friday 31st August 2007:

Mr Richard Williams
Department of Agriculture and Food
Sort Bin 4
Locked Bag 4
BENTLEY DELIVERY CENTRE WA 6983

Email: rmwilliams@agric.wa.gov.au

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EXECUTIVE SUMMARY

From the initial plantings in the mid 1990s, GM cotton has expanded to 13.4 million hectares representing 13 per cent of all global cotton plantings. About 36 per cent of world cotton exports are GM. World markets do not differentiate between GM and conventional cotton.

In some parts of the world, there has been consumer resistance to the sale of GM food crops. GM cotton is grown for its fibre, resulting in less controversy over its use. However, cottonseed oil is used in the food industry.

The main genes incorporated into the cotton genome provide herbicide tolerance (Roundup Ready[®], Roundup Ready Flex[®] and Liberty Link[®]) and insect resistance (Ingard[®], Bollgard[®] and Bollgard II[®]). Roundup Ready[®] and Roundup Ready Flex[®] cotton were developed to increase tolerance to the active ingredient in Roundup herbicide. Using Roundup Ready[®] and Roundup Ready Flex[®] growers can apply Roundup herbicide over the cotton plant and only kill the weeds. Roundup herbicide kills plants by inhibiting the synthesis of three amino acids. By inserting a gene into the genome of cotton, it is able to withstand applications of Roundup.

Liberty Link[®] cotton contains a single gene derived from a soil bacterium (*Streptomyces hygroscopicus*) that provides tolerance to herbicides containing glufosinate ammonium. By inserting this gene into cotton, the plant is able to convert the glufosinate ammonium into an inactive form. Cotton with this gene can withstand applications of the herbicides containing glufosinate ammonium while surrounding susceptible weeds perish.

A naturally occurring soil bacteria *Bacillus thuringiensis* (Bt) produces a toxin that controls newly hatching *Helicoverpa armigera* (bollworm) and *Helicoverpa punctigera* (budworm) larvae, which are both serious pests of cotton. Bt has at least two different genes that produce proteins that bind to separate specific receptors on the insect mid-gut causing death. Ingard[®] cotton has one of these genes while Bollgard II[®] cotton has two genes inserted. Susceptible larvae perish when they consume part of a Bollgard II[®] or Ingard[®] cotton plant.

New South Wales and Queensland allow the production of GM cotton. Queensland allows the growing of all GM crops while New South Wales has a moratorium on GM food crops but not fibre crops. Western Australia's GM moratorium covers both food and fibre crops.

The Australian cotton industry quickly adopted the GM technology. About 90 per cent of cotton grown in Australia is exported. Australia has an open market policy and the nation's cotton growers must compete on the world market without the assistance of government financial support. The cotton industry, which is highly organised, must quickly adopt new technologies that will make it more competitive. During 2006-07, GM cotton varieties will make up an estimated 92 per cent of total Australian cotton plantings.

When cotton was first grown in the ORIA during the 1960s and 1970s prior to GM technology, the crop failed due to high pest pressures. Large quantities of insecticides were applied; over 16,000 grams per hectare of DDT along with other insecticides were sprayed to control cotton bollworm, the major pest in the ORIA. Using GM technology in trial plots in the ORIA the rate of insecticides used has decreased significantly. The insecticides currently used are usually specific to one or two types of pest (i.e. mites and/or aphids, etc.) and are non-persistent.

The reduced amounts of herbicides and pesticides used on GM cotton means that there are fewer chemicals to pollute water ways, less chemical residues in the soil and less effect on beneficial insects than if conventional cotton was grown.

At present the main crop in the Ord is sugar cane and there is a potential for a monoculture to develop. Growing GM cotton in the ORIA would provide a rotation crop for sugar cane. Rotating sugar cane, which is a grass, with cotton, a broad leaf crop, would help to prevent the build up of soil pests and diseases. GM cotton is a relatively low user of irrigation water

GM Cotton in the Carl River Irrigation Area

compared to sugar cane and the two crops would complement each other. Cotton, like sugar, is a commodity traded on world markets. Including cotton in the crop mix would help to reduce revenue fluctuations.

An indicative financial analysis and an evaluation of social impact of a GM cotton industry in the ORIA were completed. The analysis assumes both GM cotton and sugar cane are produced in Ord Stage II. The initial size of the cotton industry is 72,000 bales (16,000 tonne), which is above the reported minimum economic size of 60,000 bales. The results indicate that a GM cotton industry would be financially robust and there may be significant social benefits. Around 120 full time jobs could result from a 9,000 hectare GM cotton industry. Including flow-on effects, the total number of full-time jobs could be 220. Any commercial cotton development in the ORIA will depend on several factors including the continued efficacy of GM cotton, market returns and exchange rates.

In preparing this paper, the Ministerial GMO Industry Reference Group has reviewed the literature on GM cotton. The committee understands that there is a wide range of opinions in the community on GM food crops. To capture the diversity of views on the Reference Group several members prepared addendums to this report. Community concern relating to the production of GM fibre crops has been limited but apprehensions have been expressed. The Ministerial GMO Industry Reference Group welcomes written input from interested people.

1 INTRODUCTION: OVERVIEW OF THE COTTON INDUSTRY

1.1 OVERVIEW OF GENETICALLY MODIFIED CROPS

According to the International Service for the Acquisition of Agri-biotech Applications (ISAAA), between 1986 and 2006 the commercial cultivation of genetically modified (GM) crops increased significantly. In 1986, there was 1.7 million hectares, and by 2006, there was 102.0 million hectares planted with GM crops by 10.3 million farmers in 22 countries (James 2007). The principal GM crop in 2006 was soybean grown on 58.8 million hectares (57 per cent of global biotech area), followed by maize on 25.2 million hectares (25 per cent), cotton on 13.4 million hectares (13 per cent) and canola on 4.8 million hectares (5 per cent). In 2006, the United States of America (USA) was the major GM crop producing country and accounted for 55 per cent of the total global area (Table 1). Argentina accounted for 18 per cent of the total global area. Australia produces 0.3 million hectares of GM crops, exclusively cotton and accounts for less than one per cent of the total global area (James 2007).

In 2006, the most dominant trait was herbicide tolerance in soybean, maize, cotton and canola occupying 69.97 million hectares (69 per cent of global GM area) (Figure 1). *Bacillus thuringiensis* (Bt) insect resistance occupied 19.0 million hectares (19 per cent) and the stacked Bt/herbicide tolerant genes represented 13.1 million hectares (13 per cent).

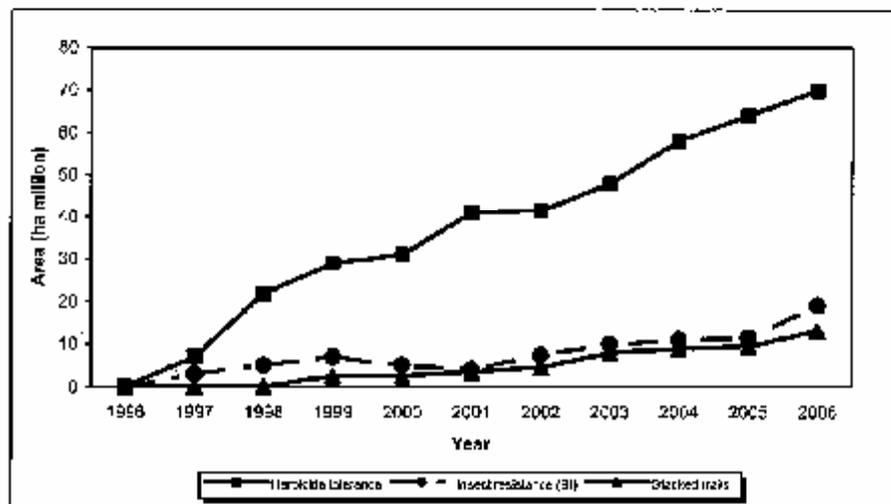
Table 1. Global Area of Biotech Crops planted by country in 2006

Country	Area (in million)	Proportion of world biotech plantings	GM crop
USA	54.6	53.5	Soybean, maize, cotton, canola, squash, papaya, alfalfa
Argentina	18.0	17.7	Cotton, maize, soybean
Brazil	11.5	11.3	Soybean, cotton
Canada	6.1	6.0	Canola, maize, soybean
India	3.8	3.7	Cotton
China	3.5	3.4	Cotton
Paraguay	2.0	2.0	Soybean
South Africa	1.4	1.4	Maize, soybean, cotton
Uruguay	0.4	0.4	Soybean, maize
Philippines	0.2	0.2	Maize
Australia	0.3	0.3	Cotton
Total	102	100	

Source: James (2007)

GM Cotton in the Ord River Irrigation Area

Figure 1. Global area of biotech crops by trait 1996 to 2005 (James 2006)



Bt cotton was the third highest GM crop grown commercially on 13.4 million hectares worldwide, equivalent to 13 per cent of the worldwide biotech area and approximately 39 per cent of the worldwide total (GM and conventional) cotton area planted.

China, the world's largest importer of cotton, accounted for 33 per cent of the world's cotton trade. It is followed by Turkey, Indonesia, Pakistan and Thailand (Table 2). The top five importing countries account for 58 per cent of trade, while the top five exporting countries account for 69 per cent of total shipments. All the main exporting countries grow GM cotton. In 2005-06, Australia exported 675,000 tonnes of cotton (Table 2) to the world's major importing markets of Indonesia, Thailand, the Republic of Korea, Japan and China.

GM cotton accounted for 34 per cent of exported cotton worldwide in 2002-03 and 36 per cent in 2003-04 (Guitierrez 2004).

Cotton is the only GM crop commercially grown in Australia. The first variety was released in 1996 and in 2006-07 an estimated 92 per cent of Australia's cotton plantings will be GM varieties (Foster 2007). The modified traits were insect resistance and herbicide tolerance, with some varieties containing both types of traits (M Foster 2006). It is claimed that the current generation of insect resistant GM varieties (Bollgard II) in Australia reduce insecticide use by around 85 per cent compared with conventional varieties (Cotton Research and Development Corporation 2005). It should be noted however, that this claim is not relevant to the future of cotton in the ORIA since conventional cotton varieties are not grown. What is relevant is to determine what the impact of pesticides used will be in the event that cotton is grown at all and how that chemical use pattern might compare with an alternative crop such as sugar.

Table 2. Cotton trade in selected countries during 2004-05 and 2005-06

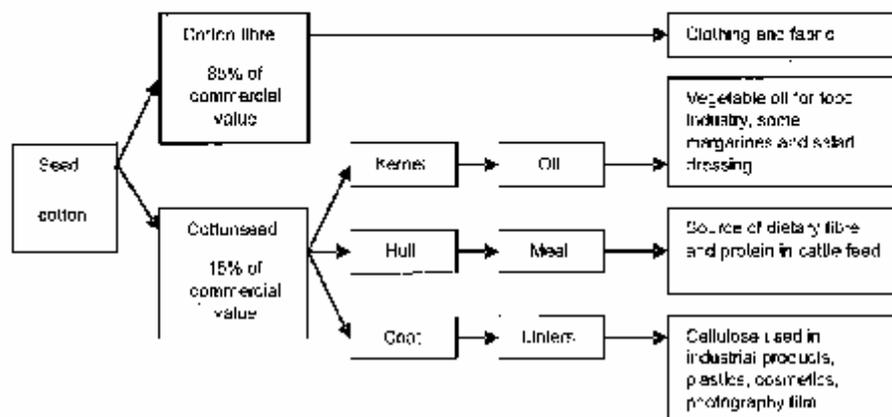
Country	Imports ('000 tonne)		Country	Exports ('000 tonne)	
	2004-05*	2005-06*		2004-05*	2005-06*
China	1,390	4,138	USA	3,137	3,701
Turkey	742	751	Uzbekistan	660	1,045
Thailand	496	414	Australia	436	375
Indonesia	479	478	Brazil	399	446
Bangladesh	403	448	Greece	255	234
Pakistan	370	403	Mali	207	234
Mexico	394	348	Syria	152	190
Australia	0.2	-	India	144	544
World	7,257	9,525	World	7,618	9,429

Source: ILSDA *Market year

1.2 COTTON USES

Cotton fibre (or lint) is extracted from the seed cotton and is used for clothing and textiles. Cotton fibre accounts for around 85 per cent of the commercial value of seed cotton. The seed after the lint has been extracted produces a range of products including, meal, oil and linters. Meal is used as a source of dietary fibre and protein for cattle. Cottonseed oil is used in the fast food industry and the refining process removes essentially all DNA (Klein et al. 1998; Jones et al. 2001). Inadequate crushing and refining technology may leave remnant DNA in the oil. Approximately eleven per cent of worldwide oilseed production is now from cottonseed (Lawrance et al. 2006).

Figure 2. Possible uses of fibre and seed produced by cotton plant



1.3 COTTON CHARACTERISTICS

Cotton grows optimally in tropical or subtropical regions in an average temperature range of 25°C to 30°C. Adequate water is required for vegetative growth, flowering and fruit formation, followed by dry conditions for fruit ripening and harvest.

GM Cotton in the Ord River Irrigation Area

Cotton is the single most important natural fibre and accounts for 40 per cent of the total natural fibre production worldwide. Cotton fibre is obtained from harvesting the fruit or boll of the cotton plant that belongs to the genus *Gossypium* and the family *Malvaceae*. The most commonly cultivated species, *Gossypium hirsutum* and *Gossypium barbadense*, are self-pollinating allotetraploids and therefore unable to outcross with the wild diploid cotton species. *G. hirsutum* or upland cotton, originally from Mexico, accounts for approximately 97 per cent of the cotton fibre production worldwide. Almost 3 per cent of the worldwide production comes from long staple cotton (*G. barbadense*), which originated from Peru and produces the highest quality fibres in terms of fineness and length.

1.4 CUSTOMER REQUIREMENTS

Almost 90 per cent of cotton produced in Australia is exported for use in clothing and fabrics. Australian cotton must be of a certain quality to meet the requirements of customers such as spinning mills. A survey of spinning mills that purchase Australian cotton found that the desirable characteristics were low contamination levels, colour, grade, spin-ability and fibre length (Marinus H.J van der Sluijs *et al.* 2004).

1.5 MARKET PRICING AND QUALITY

Maximising the value of Australian cotton is the prime objective of the industry and therefore must be considered when proposing GM cotton. Cotton pricing is affected by a number of factors such as quality (related to growing conditions and variety), as well as government support programmes like those in the US and China (Larsen 2003). Prices obtained in international markets are largely determined by quality and therefore this parameter differentiates supplying countries (Table 3). Cotton fibre is classed according to its grade, length, strength and micronaire. Standards defined by the US Department of Agriculture for determining quality are generally accepted worldwide (<http://www.unctad.org/>). Grade is determined by the trash content, colour and gin preparation. As a general rule, cotton premiums increase due to increased whiteness, length, strength and micronaire (Larsen 2003). Overall, it is the level of demand and supply that determines the fluctuation in cotton pricing.

Currently, there is no world futures contract used as an international benchmark for pricing cotton. The futures used on the New York Board of Trade reflect the US cotton price. Instead, the world raw cotton indicator price, compiled by a United Kingdom consultancy, Cotton Outlook, is published daily as 'Cotlook A-Index' and 'Cotlook B-Index'.

The Cotlook A-Index is determined by the average of the five lowest quotations of upland cotton traded by nineteen countries with Far East ports. The Cotlook B-Index is for coarse count cotton for spinning from currently nine countries exporting to European ports.

There is no price differentiation on the New York Board of Trade or Cotton Outlook between GM and conventional cotton. However there is a price premium for certified organic cotton (International Cotton Advisory Committee 2003) that supplies a small niche market. Organic cotton is usually sold directly to a mill or manufacturer and the price negotiated by the farmer and buyer (Guerena and Sullivan 2003). The production costs of organic cotton has been found to be 35 per cent higher due to higher costs for hand-weeding and lower yields than conventional cotton (Swezey *et al.* 2004). Because of pest pressures in the north of Western Australia it is unlikely that organic cotton could be produced economically but other crops are grown organically and there are plans to expand the area.

Since 2002, Australian cotton has received higher basis premiums to New York futures prices from mill buyers in Japan, Indonesia, Korea and Thailand. These mills produce fine count cotton yarn and pay a premium for Australian cotton.

It is alleged several countries have price support schemes to assist their cotton industry. Brazil has recently requested an investigation into the US domestic subsidies program. The

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World Trade Organization (WTO) ruled that the US domestic subsidies lowered world parity prices and were reflected in lower cotton prices for farmers in Brazil and other export countries (World Trade Organization 2005). Potentially, if the US farmers do not retain the subsidies the international price of cotton could increase.

Table 3: Hierarchy of cotton quality classifications (Larsen 2003)

Grade	Comment
Extra fine cotton (long staple) US Pima, Egyptian, Sudan, Central Asia	US Pima is the leader among the world's extra fine cotton, in part due to its effective contamination free status compared with other major producing countries such as Egypt and China (Suh, 2002). The premium attached to extra fine cotton (as represented by US Pima quotations) averaged 70 per cent above the A Index during the 1990s and nearly 100 per cent or double the A Index in 2000-01.
Fine and high-medium cotton (Strict Middling, 1-1/8") US S-1, Zimbabwean, Australian, Franc.Zone	In the category of fine cotton, US (San Joaquin Valley) cotton stands as the superior quality followed by high-medium cotton represented by Australian, Zimbabwean and Francophone cotton. The premium for cotton fibre in the category has average 16% above the A Index in the late 1990s and early 2000s. High-medium. During the last decade Zimbabwean fibre has commanded a premium around 10% above the A Index.
A Index: Medium cotton (middling, 1-1/32") US California US Memphis A. simlioni (Int. Old River Irrigation Area (ORIA) Tanzanian AR, 2 Turkish (Izmir) Indian Sudan (Atala) Brazilian US Orleans Franc.Zone Spanish Uzbekistan Creek Mexican Chinese (329) Paraguayan Pakistan (1603)	} Roller ginned cotton
B Index: Course count cotton (Strict low middling) US Orleans/Texas Brazilian Uzbekistan Indian (J-43 saw g.n.) Pakistan (1603 saw g.n.) Turkish (Adana, roller ginn) Chinese (527) Argentine	

1.6 PRODUCTIVITY AND YIELD IN AUSTRALIA AND OTHER COUNTRIES

Since the early 1960s, the world average yield of seed cotton has steadily increased from 856 kg/ha in 1961 to 1,985 kg/ha in 2004 (Food and Agriculture Organisation Statistics). Raw cotton production has increased in all main producing nations (China, India, Pakistan and USA) ensuring record outputs (Table 4).

GM Cotton in the Ord River Irrigation Area

Table 4. World production of raw cotton ('000 tonne)

Country	2001/02*	2002/03*	2003/04*	2004/05*	2005/06*	2006/07* Forecast
China	5,313	4,921	4,266	8,814	5,704	6,695
USA	4,021	3,747	3,876	6,062	6,201	4,731
India	2,578	2,308	3,048	4,137	4,180	4,577
Pakistan	1,807	1,686	1,887	2,428	2,145	2,090
Uzbekistan	1,067	1,002	883	1,132	1,208	1,178
Brazil	766	847	1,310	1,286	1,023	1,308
Turkey	865	910	893	934	773	571
Australia	727	366	370	653	608	783
Other	3,857	3,416	3,710	1,278	1,006	3,971
World	21,501	19,215	22,741	28,191	24,952	25,413

Source: United States Department of Agriculture (USDA). * denotes market year.

According to the ICAC, cotton fibre yields have also increased substantially from 314 kg/ha in 1961 to 619 kg/ha in 2003. According to the United States Department of Agriculture statistics in 2005/06, world cotton fibre yields reached 722 kg/ha (Table 5).

Table 5. Cotton area harvested and fibre yield in selected countries

Country	Area harvested ('000 ha)		Fibre yield (kg/ha)	
	2004/05	2005/06*	2004/05	2005/06*
China	5,690	5,080	1,108	1,127
USA	5,284	5,588	958	931
India	6,020	8,630	483	473
Pakistan	3,192	3,100	780	692
Uzbekistan	1,419	1,432	797	824
Brazil	1,172	825	1,088	1,240
Turkey	700	600	1,290	1,268
Australia	314	310	2,060	1,814
Other	3,083	8,755	470	470
World	35,774	34,498	733	722

Source: United States Department of Agriculture (USDA). * denotes provisional figure.

Note 1: Initial yields expected in the ORIA 0.8 balasha equivalent to 1,355 kg/ha

Note 2: Estimated figure

Australia is the major cotton producer in the Southern Hemisphere, one of the top ten producers of cotton in the world, and is viewed by the world market as a reliable supplier of high quality cotton. The major cotton growing regions are the Macquarie, Namoi and Gwydir valleys in New South Wales, and Emerald and the Darling Downs in Queensland below latitude 22 degrees South (Figure 3). The gross value of production of the cotton industry in Australia is approximately \$1.2 billion (Australian Bureau of Agricultural and Resource Economics 2005). Australia has amongst the highest yields in the world (Table 5). In 2005-06, the total area sown to cotton in Australia was 335,600 hectares and production of cotton lint was 587,100 tonnes (Australian Bureau of Agricultural and Resource Economics 2007). During 2006 below average rainfall in winter and spring across northern New South Wales and southern Queensland has resulted in very low water storage in cotton growing regions. As a result the area planted to cotton in 2006-07 is expected to fall to 150,000 hectares (Australian Bureau of Agricultural and Resource Economics, December 2006).

GM Cotton in the Ord River Irrigation Area

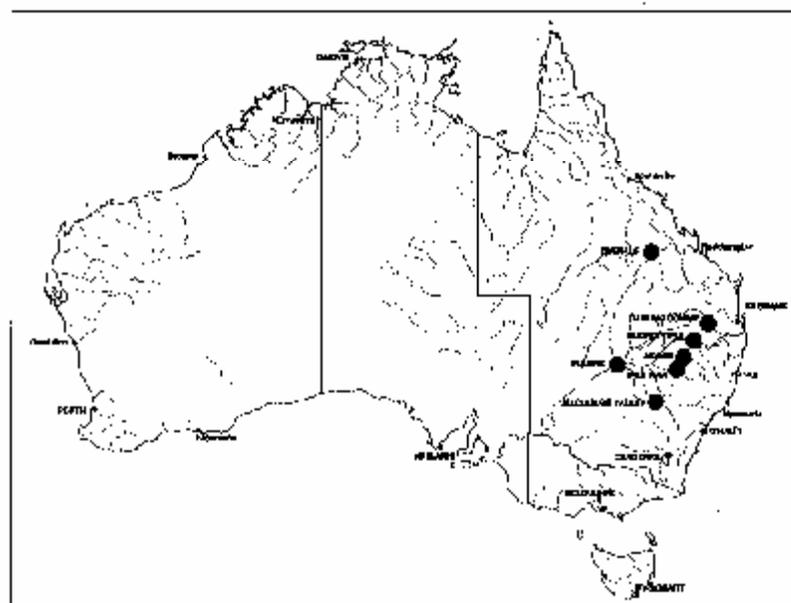
Over the past three years lint yields of Bollgard II[®] cotton grown experimentally in the ORIA averaged 1,990 kg/ha (Table 6). These yields are eight per cent above the Australian yields for the same period and just under twice the world average yields.

Table 6. Average cotton lint yields in the Ord River Irrigation Area, Australia and the world (kg/ha)

Year	Ord River Irrigation Area	Australian industry	World
2003/04	1,907	1,783	843
2004/05	1,930	2,011	732
2005/06	2,139	1,778	724
Average ¹	1,990	1,851	700

Source: O-RIA yields - GM cotton research in the Ord River Irrigation Area, Department of Agriculture and Food Western Australia 2006
 Australian and World yields - Australian Bureau of Agricultural and Resource Economics Commodity Statistics (2007)
 Note 1 Non-weighted average

Figure 3. Main GM cotton commercial growing areas in Australia



Brazil is potentially a major competitor for Australia because it can produce high quality cotton fibre due to its natural environment, as well as producing cheaper cotton due to low labour costs (Morison 2005). It also produces high yields, has a large domestic market, exports to many of the same customers as Australia i.e. Indonesia, Thailand, Japan, India and Pakistan, and can forward sell at lower prices than Australian growers (Morison 2005). Brazil has produced GM cotton since March 2005 (Science and Development Network).

1.7 TRANSGENIC COMMERCIAL COTTON VARIETIES IN AUSTRALIA AND MAIN PRODUCING COUNTRIES

The main traits in cotton that have seen the focus of commercialisation are herbicide tolerance and insect resistance. There are a number of pests of cotton, some of which have

GM Cotton in the Ord River Irrigation Area

developed high levels of resistance to synthetic chemicals (Cotton Catchment Communities 2006). Ingard[®] or Bt Cotton was created by inserting the *Cry1Ac* gene from the naturally occurring soil bacteria *Bacillus thuringiensis* (Bt) that encodes the Bt protein, δ -endotoxin Cry1Ac, providing inbuilt toxicity to newly hatched *Helicoverpa* larvae. Improved biotechnology enabled the creation of insecticidal transgenic cotton that became commercially available in 2002 as Bollgard II[®]. The Bollgard II[®] transgenic contained the Bt gene encoding Cry1Ac as well as another *B. thuringiensis* gene that encodes a different Bt protein, δ -endotoxin Cry2Ab. Ingard[®] varieties were phased out of cultivation after the 2003-2004 season. The Bt proteins specifically control certain Lepidopteran larvae such as the pink bollworm (*Pectinophora gossypiella*) and cotton bollworm (*Helicoverpa armigera*) when they feed on the cotton plant. The Bt protein locks into the receptor in the gut causing the gut wall to rupture and leads to starvation and eventual death. Originally it was thought that the specificity was due to the target insects having alkaline gut conditions that transform the Bt proteins into endotoxins (CSIRO 1994). However, a recent study found that *B. thuringiensis*-induced mortality was dependent on the presence of enteric bacteria (Broderick et al. 2006).

Over the long term, continually growing GM cotton may affect the range of insect species present, which may result in an increase in the use of insecticides.

The herbicidal tolerant Roundup Ready[®] cotton was developed to increase tolerance to the active ingredient in Roundup Ready[®] herbicide, glyphosate, that inhibits the 5-enolpyruvylshikimate-3-phosphate synthase (EPSPS) enzyme (Steinrücken and Amrhein 1980) necessary for production of three amino acids essential in protein synthesis and plant growth. There is very low toxicity for humans and animals because they do not contain the same EPSPS pathway that is blocked in plants when treated with the herbicide (Office of Gene Technology Regulator 2005).

The USA was the first country to develop and commercially grow GM cotton in 1986/97. Transgenic cottons in USA are Bollgard II[®] with Roundup Ready[®] and Roundup Ready Flex[®].

The second country of the world to develop a GM crop and obtain intellectual property rights was China. The Chinese government first approved commercialisation of GM cotton in 1997. A variety of Bt cotton produced by Monsanto was the first GM cotton to be commercially planted in China. China soon began to produce its own GM cotton varieties and by 2001 there were at least eight Bt varieties licensed for commercialisation by the government. China has also been using other genes such as those for proteinase inhibitors, α -amylase inhibitor and lectins to produce insect-resistant GM cotton (Zhang et al. 2003).

In Australia, the commercialisation of GM cotton has been successful. Insect-resistant GM cotton was grown commercially in Australia for the first time in 1996, after six years of field trials and approval for release by the Office of the Gene Technology Regulator (OGTR) (formerly known as the Genetic Manipulation Advisory Committee).

In Western Australia, the cultivation of GM crops is prohibited by the GM Crops Free Areas Act 2003 (WA). The Minister for Agriculture and Food can exempt a particular GM crop and/or area.

An independent review of the Gene Technology Act 2000 conducted by the Gene Technology Ministerial Committee was released in 2006. The review stated that State moratoriums preventing the commercialisation of GM crops are stifling the development of agricultural biotechnology in Australia. Western Australia is the only state that has a moratorium on fibre crops such as cotton.

1.8 FUTURE DEVELOPMENTS IN TRANSGENIC COTTON

The Australian Government has a free market policy and therefore the agricultural industry needs to adopt new technology that provides a competitive advantage. In Australia there are plans to develop and commercially release new transgenic cotton crops over the next five years. Monsanto Australia Ltd (Monsanto) was granted a license by the OGTR in 2006 to release Roundup Ready Flex[®], which will enable farmers to control weeds throughout the whole season. Roundup Ready[®] cotton contains the single gene *cp4epsps* that confers tolerance to glyphosate. Like Roundup Ready[®], Roundup Ready Flex[®] also contains the *cp4epsps* gene except it has two copies and therefore has a "double dose" of tolerance which enables the plant to tolerate applications of Roundup herbicide at later stages of development. The main advantage of Roundup Ready Flex[®] is to provide flexibility in spraying times without increasing the overall amount of glyphosate applied to the crop. Growers can select the most effective time to apply Roundup[®] and, therefore maximise weed control from a single application. Roundup Ready Flex[®] will also obviate the need for residual pre-emergent herbicides such as pendimethalin (Stomp[®]) in cotton cropping systems.

In October 2006, the OGTR issued a licence to Monsanto permitting the commercial, unrestricted release of five GM cotton lines in northern Australia north of latitude 22 degree South (OGTR 2006b). The GM cotton lines were insect resistant Bollgard II[®], herbicide tolerant Roundup Ready[®], herbicide tolerant Roundup Ready Flex[®], herbicide tolerant/insect resistant Roundup Ready[®]/Bollgard II[®] and herbicide tolerant/insect resistant Roundup Ready Flex[®]/Bollgard II[®] (OGTR 2006a).

Bayer CropScience Pty Ltd (Bayer) has developed an alternative to Roundup Ready[®] tolerant cotton and during August 2008 the OGTR granted a licence for the commercial release of herbicide tolerant Liberty Link[®] cotton. Liberty Link[®] contains a single copy of the *bar* (bialaphos resistance) gene that confers tolerance to glufosinate ammonium, the active component in the alternative Roundup herbicides Basta[®], Flinto[®], Bustor[®] and Liberty[®]. The *bar* gene, derived from the soil bacterium *Streptomyces hygroscopicus*, encodes the phosphinothricin acetyltransferase (PAT) enzyme that converts glufosinate ammonium into an inactive form.

An alternative insect resistant cotton, developed by Deltapine Australia Pty Ltd (now owned by Monsanto), is likely to be available within five years. Monsanto have applied to the OGTR for a license to release COT102 GM cotton lines on a limited scale under controlled conditions. The COT102 GM cotton lines contain the *vip3A* gene from the soil bacterium *Bacillus thuringiensis* (Bt) which encodes the vegetative insecticidal protein 3A (VIP3A); (Estruch et al. 1996).

The CSIRO applied to the OGTR and was recently granted a licence for the limited and controlled release of GM waterlogging tolerant cotton. The CSIRO GM cotton lines contain *Ahb1*, a waterlogging tolerance gene, derived from the common thale cress (*Arabidopsis thaliana*). The *Ahb1* gene encodes a protein thought to provide tolerance to waterlogging stress, a major concern worldwide in cotton production, especially on clay soils. Apart from waterlogging tolerance, the CSIRO have also been working with commercially released non-GM cotton varieties that have been improved for fibre quality by traditional breeding techniques. The commercial potential of these quality improved varieties can be further enhanced by the incorporation of Bollgard II[®] genes to provide insect resistance. This will protect these varieties when grown in areas with high pest pressures such as the Ord River Irrigation Area.

A critical factor in agriculture is the availability of water. Hence, there have been studies to develop cotton that uses water more efficiently. In October 2008, the OGTR granted a licence to Monsanto to conduct small-scale field trials over the next two years to test water-efficient GM cotton. Various lines are intended and each will contain one of twenty-four different genes derived from *Arabidopsis Thaliana* (thale cress), *Zea mays* (corn), *Glycine max* (soybean), *Oryza sativa* (rice) and cotton.

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Many cotton varieties are susceptible to fungal disease. Between late 2006 and mid 2009, Hexima Limited has approval to conduct a field trial of GM cotton expressing natural plant genes for fungal control. Three GM cotton lines contain one of two versions of the fungal resistance gene *NaD1* derived from *Nicotiana glauca* defense (ornamental tobacco). The *NaD1* gene encodes a plant defense protein (NaD1) that has an inhibitory effect on fungal diseases such as Fusarium wilt, Verticillium wilt and black root rot.

1.9 COMMERCIAL SUPPLY OF TRANSGENIC COTTON VARIETIES

There are only two seed distributors in Australia, Cotton Seed Distributors Limited (CSD) and Monsanto (formerly Deltapine). Both distributors supply different seed varieties. CSD is the largest supplier of cottonseed with approximately 90 per cent of the Australian market (G. Strickland, DAFWA, pers. comm., 2006). CSD manages all of the CSIRO transgenic varieties whereas Monsanto supplies the US transgenics to Australia. Both companies supply transgenic seed that are combinations of Monsanto and Bayer genes. A licence fee is paid to the biotech companies for the use of their relevant genes.

Whole cottonseed has restricted entry into Western Australia under the *Plant Diseases Regulation 1989* due to quarantine practices. A condition of cottonseed entering the state is that it must be certified as acid de-linted to prevent the introduction of seed-borne Verticillium wilts (Western Australian Quarantine and Inspection Service 2006). However, cottonseed meal and processed or treated cottonseed for planting are permitted (G. Strickland, pers. comm., 2006). Cottonseed meal is a high protein animal feed source that is self-limiting.

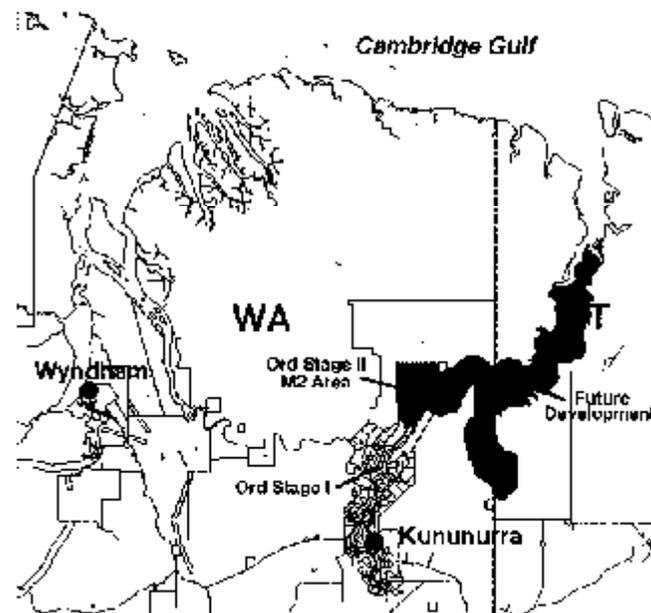
2 PERFORMANCE OF GM COTTON IN THE ORIA

2.1 OPPORTUNITIES FOR GM COTTON IN THE ORIA

The Kimberley regions of the La Grange Sub-basin and the Ord River Irrigation Area (ORIA) have considerable potential as cotton growing areas. The ORIA is located near Kununurra in the north of Western Australia (Figure 4). The total size of the scheme is around 43,000 hectares of land suitable for irrigation. Stage I of the ORIA was commenced in the 1980s and consists of 12,500 hectares of irrigated land. There are two undeveloped areas, one of 16,000 hectares in Western Australia (Ord Stage II M2) and 14,500 hectares in the Northern Territory.

The Northern Territory Government has not actively pursued plans to develop the 14,500 hectares.

Figure 4. Ord River Irrigation Area



Area of Ord Stage I 12,500 hectares

Area Ord Stage II M2 16,000 hectares, currently subject to address on of interest process.

Area of future development in NT is approximately 14,500 hectares.

At present, the main crop farmed in the ORIA is sugar cane, which has been grown commercially since 1994. Sugar cane occupies around 4,000 hectares in Stage I and produces annually 50,000 tonnes of raw sugar as well as 18,000 tonnes of molasses. The current size of the mill is sub-economic and an additional 5,500 hectares of sugar cane is required to achieve industry standards.

GM cotton field trials have been undertaken in the Kimberley region for the last ten years and resulting yields are considered commercially viable. These yields have been achieved with reduced insecticide applications (Richards et al. 2006).

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Advantages of growing GM cotton in the ORIA are the security of water and high yields resulting in competitive production cost. Predictable water supply allows growers to forward sell their crop and maximise their returns.

If the expansion of the sugar industry is accommodated in Ord Stage II M2 then after allowing for crop rotation the total GM cotton area harvested would be around 9,400 hectares.

The following analysis assumes that sugar cane and cotton coexist in Ord Stage I and Ord Stage II M2 area. The principles applied in the analysis could be extended to future development in the Northern Territory.

2.2 WATER REQUIREMENT

Water to irrigate ORIA is sourced from Lake Kununurra (capacity 101 gigalitres), which in turn is fed from Lake Argyle on the Ord River (spillway capacity 6,600 gigalitres). The Western Australian Department of Water has allocated 350 gigalitres /annum to Ord Stage I and 400 gigalitres/annum to Ord Stage II M2 (Department of Water WA 2006).

In 2005-06, 84 per cent of Australian cotton was grown under irrigation (Cotton Australia). The total irrigation water used by the Australian cotton industry in 2004-05 was 1,822 GL (6.75 ML/ha) (Australian Bureau of Statistics 2006 cat no 4510.0).

Unlike cotton, sugar cane has a high water requirement and must be irrigated throughout the year. One advantage of growing GM cotton instead of, for example, conventional sugar cane is water usage (G. Strickland, pers. comm., 2006). In the ORIA, sugar cane requires 22 ML/ha including irrigation water lost due to in-field deep seepage and runoff at the furrow end (tail water). On the other hand, cotton uses much less irrigation water at 7.5 ML/ha. This amount is estimated to increase to 10 ML/ha under commercial conditions and includes an allowance for a wet season cover crop.

The current proposed design for Ord Stage II incorporates the re-use of tail water. If half the volume of tail water is mixed with the incoming supply of irrigation water, the total scheme water requirement would be reduced by 10 per cent. Under these circumstances, cotton would use 9 ML/ha of scheme water. In contrast, sugar cane would require 19.8 ML/ha of irrigation water (Table 7).

Table 7. Irrigation requirement of cotton and sugar cane

Item	GM cotton	Sugar cane
Irrigation applied (ML/ha) ¹	10.6	22.0
Tail water (ML/ha) ²	2.0	4.1
Recycling of tail water (ML/ha) ³	1.0	2.2
Scheme water requirements (ML/ha)	9.0	19.8

¹ including wet season cover crop

² assume 23 per cent

³ assume 50 per cent of the tail water is recycled & mixed with scheme water

GM cotton trials conducted over two seasons found that 23 per cent of the irrigation water applied appeared in the tail drains (Moulden et al 2006). The yield of cotton lint was approximately 1.23 bales/ML (or 278 kg of cotton lint/ML). In comparison, in the Namoi region the yield is around 0.93 bales/ML (or 211 kg of cotton lint/ML) (Newham 2005).

Recently, preliminary research work has commenced to investigate the feasibility of using trickle irrigation to water GM cotton in the ORIA. This system has the potential to significantly reduce the quantity of irrigation water required by cotton.

2.3 CHEMICAL REQUIREMENT OF GM COTTON IN THE ORIA

Cotton was grown commercially in Kununurra from the mid 1960s to 1974. Production ceased in 1974 after key pests became uncontrollable due to the development of insecticide resistance. The repeated application of broad-spectrum, residual insecticides for the control of the major pests pink bollworm and cluster caterpillar resulted in *Helicoverpa armigera* (cotton bollworm) developing high level resistance to organochlorine and organophosphate insecticides. Following the development of resistance in 1970, production costs rose rapidly due to increased applications of insecticides, especially DDT, in an attempt to control the pests (Michael and Woods 1980; Strickland 1991). At the same time, yields decreased due to pest infestation (Table 9).

Table 8. The presence of key insect and mite pests in Australian cotton

Key pest	Common name	Scientific name	Pest presence
Bollworm	Cotton bollworm	<i>Helicoverpa armigera</i>	significant (Note 1)
Budworm	Native budworm	<i>Helicoverpa punctigera</i>	significant (Note 1)
Aphids	Cotton aphid	<i>Aphis gossypii</i>	significant
	Green peach aphid	<i>Myzus persicae</i>	occasional
	Cowpea aphid	<i>Aphis craccivora</i>	occasional
	Bean root aphid	<i>Sitonastraea belae</i>	rarely
Mirids	Green mirid	<i>Creontiodes dilutus</i>	significant
Spider mites	Two-spotted spider mite	<i>Tetranychus urticae</i>	rarely
	Bean soldier mite	<i>Tetranychus ludeni</i>	rarely
	Strawberry spider mite	<i>Tetranychus zambii</i>	not common mite
Whitefly	Greenhouse whitefly	<i>Trialeurodes vaporariorum</i>	rarely
	Eastern Australian native whitefly	<i>Bemisia tabaci</i>	rarely
	Silverleaf whitefly	<i>Bemisia tabaci</i> b biotype	significant
Thrips	Tobacco thrips	<i>Thrips tabaci</i>	not common thrips
	Tomato thrips	<i>Frankliniella schultzei</i>	rarely
	Western flower thrips	<i>Frankliniella occidentalis</i>	rarely
	Plague thrips	<i>Thrips angulatis</i>	rarely
Plant bugs	Green vegetable bug	<i>Nezara viridula</i>	emergent
	Cotton stainer	<i>Dysdercus stali</i>	emergent
	Cotton harlequin bug	<i>Tectocoris diaphthalmus</i>	emergent
	Jaasids ²	<i>Austrosicca</i> spp	emergent

Source: adapted from Farrell and Johnson (2006) and Cotton Catchment Communities CRC (2006).

Note 1: controlled by DDT while other pest: controlled by pesticides. If classification is rare then it is unlikely pesticides will be required.

²person1 correspondence from Geoff Strickland DAFWA

Table 8 shows that five significant and four emergent insect pests have been found in Australian cotton. There are twenty-one pests of cotton in all, but only bollworm and budworm (caterpillars of lepidopteran moths) are controlled by the gene-mediated Bt toxins produced within GM cotton.

If bollworm and budworm were eliminated from their niches, the ecological system would realign itself so other insect pests would increase their numbers to fill those empty niches. This follows the principle of 'interspecific competition' where competition for resources may affect the success of different species present in the environment (Purves *et al.* 1998).

It is impossible to predict in advance which insects would dominate the agronomic system but they would need to be managed or they would destroy the crop (Purves *et al.* 1998). What is clear is that substantial amounts of synthetic chemical insecticides would be sprayed on the

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cotton to prevent its destruction. Bt cotton also releases Bt toxins into the subsoil (Conservation Council of WA pers comm., 2007).

We can therefore conclude that Bt cotton production systems are not chemical free. Better data is needed to predict what number and quantity of synthetic chemicals would be used on Bt cotton, and their environmental impact (Conservation Council of WA pers comm., 2007).

Table 9. Type and amount of chemicals* applied to commercial cotton crops grown in ORIA Stage 1 during 1961 to 1974 to control major pests, and cotton fibre yields achieved (Michael and Woods 1990)

Year	No. of Sprays	Amount of chemical (g/ha)						Major pest	Fibre yield (kg/ha)
		DDT	Chloroam	Endrin	Parathion	Mono crotophos	Tri chlorphon		
1964	12	6,000	0	3,000	0	0	4,000	<i>Helicoverpa punctifera</i> (native budworm)	417
1965	12	6,000	0	3,000	1,000	0	2,000	<i>Spodoptera litura</i> (caterpillar)	712
1966	15	7,000	1,000	1,000	5,000	0	0	<i>Helicoverpa punctifera</i>	880
1967	17	7,000	1,000	3,000	4,000	0	0	<i>Furax burgckii</i> (rough bollworm)	851
1968	21	7,000	2,000	1,000	6,000	<500	0	<i>S. litura</i>	825
1969	16	7,000	3,000	<500	3,000	<500	0	<i>Helicoverpa punctifera</i>	855
1970	20	10,000	5,000	<500	3,000	<500	0	<i>Helicoverpa spp.</i>	1,026
1971	24	12,000	10,000	<500	5,000	<500	0	<i>Helicoverpa armigera</i> (cotton bollworm)	1,082
1972	25	15,000	12,000	<500	8,000	<500	0	<i>Helicoverpa armigera</i>	917
1973	33	25,000	28,000	500	11,000	1000	0	<i>Helicoverpa armigera</i>	865
1974	40	18,000	52,000	0	9,000	500	0	<i>Helicoverpa armigera</i>	660

*Excluding fertiliser

Note: The average Australian yield between 1961-66 to 1971-74 was 763 kg/ha. In ORIA the average (unweighted) yield between 1961 to 1973 was 805 kg/ha, around 13% above the Australian average.

The quantity of chemicals applied to recent cotton trials in the ORIA is significantly lower than that applied in the 1960s and 1970s. The pesticides used are mostly target specific and are non-persistent. The exception is bifenthrin (Talstar), which has been applied to experimental crops in particularly severe aphid years. The reduction in quantity of chemical application has resulted from the introduction of GM technology.

NORpak, a management package detailing sustainable agricultural practices to produce cotton in the ORIA, has been drafted and is awaiting final approval around June 2007. The package identifies the insecticides that are likely to be used to control insects in GM cotton (Table 10).

Table 10. Type and estimated number of applications of insecticides in ORIA to control insects

Chemical	Formulation	Target insect	Total grams active per hectare (when used)	Typical number of sprays applied to experimental crops ^a
fipronil	Regan	Mirids	28	2
bifenthrin	Talstar	Spodoptera	50	1
indoxacarb	Steward	Spodoptera	170	1
pirimicarb	Pirimor	Aphids	375	1
diafenthiuron	Pegasus	Mites	400	1

Ref – NORpak (In press)

Note: ^a estimate from Moulder et al 2005

2.4 POTENTIAL EXPORT MARKETS FOR ORIA COTTON

The ORIA is situated 90 km from Wyndham, and 950 km from Darwin. Cotton lint can be transported by road to Wyndham or Darwin where it can be warehoused until exported to overseas markets. Australia's largest actual and potential export market is our closest Asian neighbour, Indonesia. The proximity of Indonesia is a major advantage because transportation costs are lower in comparison to more distant export markets. During 2005-06 Indonesia imported 141,000 tonnes of Australian cotton. Australia sources cotton textiles from Indonesia.

A range of by-products, such as cottonseed oil and meal will also be available. Cottonseed oil produced from crops grown in the ORIA could be exported to Indonesia or used to produce bio-diesel for local use. Cotton meal is a high source of protein and is used for animal feed; however, it could also be disposed of by other means.

2.5 FINANCIAL ASPECTS OF GM COTTON IN THE ORIA

To determine the financial aspects of a GM cotton industry based in the ORIA an indicative 21 year cash flow was developed. The analysis is a broad indicator and not a definitive statement of expected financial returns; at least the evaluation should be considered as one factor in deciding whether a more detailed study should be undertaken prior to a pre-feasibility report. The analysis covers a GM cotton industry and an expanded sugar industry. Capital expenditure of new or up grading existing processing plants, the cost of developing Ord Stage II M2, and cash operation costs were included but interest and taxes were excluded.

Industry sources indicate the minimum throughput required for a profitable gin is around 60,000 bales (Cotton Catchment Communities Cooperative Research Centre pers. comm., 2006). The financial analysis assumes 70,100 bales are initially produced increasing to 111,300 bales at the end of the period. Estimated ginning fees are \$60/bale.

Cotton gins can be built in stages and the cost of building a cotton gin is dependent on the number of stands. A four-stand cotton gin including module yard, trash house and seed shed is estimated to be between \$12 million and \$18 million. Savings can be achieved by initially constructing a smaller gin that allows for expansion as the industry grows.

Estimated common use infrastructure costs for Ord Stage II M2 are \$18,150/hectares and on-farm development costs are \$3,480/hectares.

Future returns for cotton are assumed to equal the average of the past 20 years New York Board of Trade cotton price plus a JS 1 cent/b for freight margin and 7.5 per cent forward selling margin.

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The indicative financial analysis of a GM cotton industry in the ORIA appears to be profitable (Table 11). The analysis in Table 11 assumes previous capital cost to develop Ord Stage I are "sunk".

Table 11. Profitability of a GM cotton and an expanded sugar cane industries in the Ord River Irrigation Area

Item	GM Cotton Industry	Sugar cane Industry Expanded
<u>Scope of project</u>		
Analysis time frame	21 years	21 years
Harvested area	Ord Stage I 3,828 hectares	Ord Stage I ^{Note 1} 3,122 hectares
	Ord Stage II M2 6,176 hectares	Ord Stage II M2 ^{Note 1} 5,903 hectares
Yield	First year of production 1,660 kg/ha; reaching 1,960 kg/ha in year 4 then increasing by 2%/annum	Initially sugar cane yield from five rillons 121.8 t/ha then increasing by 1.0%/annum
Production	Initially lint 73,100 bales increasing to 111,300 bales	Raw sugar 146,850 tonnes increasing to 166,700 tonnes
	Cottonseed 23,700 tonnes increasing to 36,100 t (could be used to produce bioiesel)	Molasses 15,000 tonnes increasing to 18,100 tonnes
Headwork & associated infrastructure costs*	\$134 million	\$142 million
Private land development costs	\$28 million	\$27 million
Estimated manufacturing infrastructure costs	Four stand gin \$10 million	Increase the capacity of the current mill \$50 million
Long term market return	NYBOT ^{Note 2} US 83.58 cents/lb plus US 1 cent/lb freight & 7.5% forward selling margin (FOB Wyndham A\$ 326/bale)	NYBOT ^{Note 2} US 8.38/lb cents plus US 1 cent/lb freight (FOB Wyndham A\$ 37.50)
Internal rate of return ^{Note 3} excluding headworks & associated infrastructure	22.0	13.6

Note 1 excludes cane planted but not harvested (i.e. 628 hectares in Ord Stage I & 934 hectares in Ord Stage II)

Note 2 New York Board of Trade

Note 3 Cash flow excludes taxes and interest.

The financial analysis indicates a GM cotton industry located in the ORIA would be financially robust (Table 12). The long term estimated return for Ord GM cotton is US 83.58 cents/lb (US 89.4 cents/lb including freight and trading margins). After the initial set up the industry would still have a positive cash flow if the New York Board of Trade cotton price fell by 15 per cent to US 54.05 cents/lb (Table 12). Over the past 20 years, the New York Board of Trade cotton price has been below US 57.05 cents/lb on five occasions. The estimated long-term return for raw sugar is US 9.38 cents/lb; a 15 per cent fall in this price to US 7.97 cents/lb would result in negative cash flows (Table 12). The world raw sugar price has been below US 7.97 cents/lb on seven occasions over the past 20 years.

Table 12. The influence of various contributions to headworks and associated infrastructure costs and variation in market prices on the Internal Rate of Return - cotton and sugar cane

		Contribution to headwork and associated infrastructure costs					
		Cotton			Sugar cane		
		0%	50%	100%	0%	50%	100%
Variation in market price	-15%	11.1	4.4	2.2	-	-	-
	0	22.0	10.0	0.1	13.0	4.7	2.2
	+15%	32.0	14.8	8.6	30.5	11.7	8.8

The commencement of a GM cotton industry in the ORIA will depend amongst other things on retaining the advantages of Bt cotton. The management practices detailed in NorPak and in the User Agreement (see section 3.1) will greatly assist to ensure the advantages of GM cotton are maintained.

2.6 REGIONAL BENEFITS OF A GM COTTON INDUSTRY IN THE ORIA

In the Kunururra geographic location indigenous people represent 47 per cent of the population (Australian Bureau of Statistics 2002). The main benefit to the community from a new agricultural staple industry based in the Kimberley would be employment opportunities. In 2004 the unemployment rate in Wyndham, East Kimberley was 6.7 per cent (Australian Bureau of Statistics Cat no. 1379.0.55.001) but the indigenous unemployment rate is higher.

Taking into account the indigenous population receiving payments as part of the Community Development Employment Projects (CDEP) scheme, the 'real' indigenous unemployment rate is 60.8 per cent (Division of General Practice 2005). CDEP accounts for 60.7 per cent of the employment amongst indigenous people. As an example, a GM cotton industry harvesting 9,400 hectares would directly require around 120 full time equivalent (FTE) positions. When the indirect positions generated by the industry are included, the number of persons employed full-time would be over 220 (Table 13).

Expanding the current sugar industry would result in an estimated additional 165 jobs (Table 12)

Table 13. Estimated number of new full-time positions created by a GM cotton industry and an expanded sugar cane industry in Ord Stage II

	GM cotton industry	Expanded sugar industry
Estimated additional number of new FTE ¹ positions ²	220	165
Total salary inflow of the region ³	\$9.4M	\$7.9M
FTE positions per GL scheme irrigation water	2.6	1.26

¹ FTE Full-time equivalent
² Multiplier of 9 (Islam 2002)
³ ABS cat no. 1379.0.55.001 wage indicator 2.5% per annum

The flow on effects of an expanded agricultural industry would provide the community with a range of additional benefits such as better infrastructure, education and health; improved communication services, road systems and air services; as well as increased business opportunities.

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Possible impact on the regional community of a GM cotton industry:

- Improve business confidence in the region resulting in investment (for every 1,000 hectare of cotton harvested gross revenue from GM cotton would increase in the order of \$R 3 million)
- Increase direct on-farm job opportunities (for every 1,000 hectares 9 jobs would be created).
- For every one direct job created by the GM cotton industry, around 0.79 indirect positions would result.
- Increase the diversity of economic activity resulting in increased stability for the region.
- Increase opportunities for other industries such as tourism, leading to the creation of new job opportunities.
- Decrease welfare dependence amongst indigenous peoples
- Decrease social costs following an increase in employment opportunities.
- Increase crop options for growers and help to stabilise grower returns.

3 SUPPLY CHAIN OF GM AND CONVENTIONAL COTTON

3.1 ON FARM MANAGEMENT

Prior to receiving a licence to commercially sell GM cottonseed, an applicant must complete a Compliance Management Plan. This plan addresses the risks identified by the OGTR during the evaluation phase of an application. Amongst other issues, the Compliance Management Plan details the conditions to be imposed on growers under the User Agreement.

In October 2006, Monsanto was granted a licence for the release of GM cotton north of latitude 22 degree South.

Monsanto has not as yet provided the OGTR with a Compliance Management Plan for GM cotton grown north of latitude 22 degree South. It is likely that a Compliance Management Plan will be prepared once plans to commence a commercial GM cotton industry in the north of Australia are progressed.

The User Agreement (or Technology User Agreement) applying to growers below latitude 22 degree South is likely to be adapted for the production of GM cotton in the north of Australia. The Monsanto Technology User Agreement has two parts; the Crop Management Plan (CMP) and the Resistance Management Plan.

The CMP has two components; Stewardship and Integrated Weed Management Strategy (IWMS).

The Stewardship covers training, communication, compliance, adverse event reporting and non compliance. Persons responsible for making weed management decisions in Roundup Ready® cotton must have undertaken an accredited training course. The grower must comply with the requirements of OGTR and report on date, location, area planted and the results of in-crop weed surveys. The results of the weed survey are collated by Monsanto and discussed with the relevant weed scientists. Growers must agree to random audits to ensure compliance and report any adverse events such as the presence of susceptible weeds.

The purpose of the IWMS is to prevent the evolution of glyphosate resistant weeds. Under the strategy an alternative method of weed control must be used to stop the seed set of weeds that have been exposed to Roundup herbicide. Alternative methods include cultivation, hand weeding and the use of alternative herbicides.

The Resistance Management Plan is based on two principles. Firstly, minimising the exposure of *Helicoverpa* spp to the Bt proteins and providing a population of susceptible individuals that can mate with a resistant individual and hence dilute any potential resistance.

Under the Resistance Management Plan, growers must destroy all GM cotton plants immediately after harvest and remove volunteer and ratoon plants from headlands. This reduces the exposure of *Helicoverpa* spp to the Bt proteins. To reduce the likelihood of resistance build-up within the *Helicoverpa* population a refuge area must be planted. These areas must be capable of producing large numbers of *Helicoverpa* spp moths which have not been exposed to selection by Bt genes. *Helicoverpa* spp moths produced in the refuge area will dominate the mating with any survivors from the GM cotton crop and thus help to maintain Bt resistance at a low level.

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3.2 TRANSPORT, STORAGE AND DELIVERY REQUIREMENTS

Harvested cotton is transported to a cotton gin for the separation of the cotton fibres from the seed cotton. The cotton lint is compressed into bales for storage and shipping.

Conditions applying to the transportation of cotton along public roads to the gin are covered under state legislation. The legislation covers the containment of goods being carried and forbids the spilling of cargo in transit.

The market does not differentiate between GM and conventional cotton so separate transporting is not required. In locations where organic cotton can be produced, the crop is transported separately to the gin and market. Due to the high pest pressure, it is very unlikely that organic cotton could be produced in the Kununurra region.

3.3 QUALITY TESTING

Large commercial companies and CSIRO have their own classing laboratories. Every bale is quality tested for fibre strength, length, colour, uniformity and micronaire (thickness). The price per bale is the base price that is discounted if the cotton is of lesser quality. Research is ongoing worldwide into the improvement of cotton quality.

During preparation of the discussion paper, no reports were discovered indicating the quality of GM cotton is inferior to conventional cotton.

3.4 DATA MANAGEMENT TO TRACK PRODUCT INTEGRITY

Since only GM cotton is proposed to be grown in the ORIA, data management systems to track the shipment of conventional and GM produce are not required.

3.5 COSTS AND WHO PAYS FOR MANAGING IDENTITY PRESERVATION

Because a dual supply chain is not required for cotton, there is no additional cost for GM cotton in comparison to conventional cotton.

3.6 SHIPPING TO MARKETS

Other than organic cotton, there is no requirement for a dual supply chain for cotton. GM cotton fibre or GM cotton-containing textiles are not differentiated by price from conventional cotton and textiles.

4 ENVIRONMENT AND HEALTH

4.1 OUTCROSSING AND AFFECT ON INSECTS

There are seventeen native *Gossypium* species in Australia belonging to the subgenus *Sturtia* that are distant relatives of cultivated cotton species *G. hirsutum* and *G. barbadense*. The likelihood of gene transfer by outcrossing between GM cotton and an Australian native is extremely low because of genetic incompatibility. Cultivated cotton is tetraploid whereas the native species are diploids and, therefore, it is unlikely that fertile hybrids could occur. Only two native *Gossypium* species occur in north-western Australia, *G. rotundifolium* and *G. australe*.

Outcrossing can occur at varied rates depending on the presence of insect pollinators and weather conditions (Glover 2002). The most likely means by which cotton genes could be dispersed in the environment is cross-pollination of a *G. hirsutum* plant to another mediated via an insect pollen vector (OGTR 2002). Cotton pollen is normally distributed very close to the plant and fertile hybrids resulting from crossing between native species and cotton is most unlikely (Glover 2002). Studies of cotton pollen dispersal have consistently demonstrated that outcrossing is localised near the pollen source and the rate of outcrossing significantly decreases with distance (OGTR 2002).

The commercial release of Bollgard II[®] and Bollgard II[®]/Roundup Ready[®] in 2002 was not approved in northern Australia because the OGTR was concerned that the crop could become a weed in the tropical environment. Since that time, the CSIRO has completed a five year study on the risk of GM cotton becoming a weed in northern Australia and concluded that cotton is not an environmental weed and GM cotton does not have a higher weediness risk than conventional cotton (Eastick 2002).

The US Environmental Protection Agency reassessed Bt cotton containing the *CryIAc* gene to determine if there was any significant risk to the environment or human health before registration was renewed (reviewed by Mendelsohn et al. 2003). The health reassessment found that the Bt cotton did not display any characteristics of toxins or food allergens (reviewed in Mendelsohn et al. 2003). The environmental reassessment found there was a possibility of gene transfer from Bt cotton to wild cotton in Hawaii, Florida and other regions and banned Bt cotton from these areas (reviewed in Mendelsohn et al. 2003). The effect of Bt cotton on beneficial insects feeding on pollen and birds feeding on cottonseed was investigated and found to have no adverse effect. Also, there was no significant effect of Bt cotton on beneficial predator insects, however, chemical spray drift did affect the number of beneficial insects (reviewed in Mendelsohn et al. 2003).

Other work found there is potential for Bt toxins to move through the arthropod food chains with serious implications for natural biocontrol in agroecosystems (Allert 2000). Certain aphids are capable of sequestering toxins from Bt and transferring it to coccinellid (beetle) predators (Birch 1997, cited in Allert 2000).

Larvae of lacewings (a beneficial predatory insect) fed on Bt showed mean mortality of 62 percent compared to 37 percent for those raised on non-Bt (Hi beck et al. 1998, cited in Allert 2000).

The effectiveness of Bt toxin will vary or decrease over time just like any other pesticide and can also affect non-target pests. Reported increases in non-target pests are detailed in Table 14.

Table 14 Reported increases in pests not controlled by the Bt gene on GM cotton

Pest	Comments	Reference
Mirids	Mirid populations on Bt cotton exceeded pesticide action threshold and received pesticide applications compared to mirid populations on non-transgenic cotton that did not require insecticide applications.	Ma <i>et al.</i> 2004, Men <i>et al.</i> 2005
Leafhoppers/ Grasshoppers	Populations of leafhoppers on Bt cotton were higher than on non-transgenic cotton and needed insecticide applications in at 3 years. Monahan had previously observed that grasshoppers are the most common and most destructive insect and trials in NT support these observations. Grasshoppers are unaffected by the Cry toxins produced by Bollgard II cotton. The increase in population and subsequent insecticide use suggest that the Bt cotton is more suitable for the development of leafhoppers.	Men <i>et al.</i> 2005
Spider mites	Non-target pests of Bt Cotton. Bt has no effect on spider mites populations which have the potential for severe damage on Bt cotton fields.	Ma <i>et al.</i> 2006
Whitefly	Bt does not affect whitefly and populations of whitefly populations on Bt cotton tend to be higher because of reduced leaf feeding damage by lepidopterans (moths).	Gul and Xia 1999, cited in Alfieri 2000

4.2 INSECTICIDES AND HERBICIDE USAGE WITH GM COTTON

Long-term dependence on insecticides to manage pests is untenable in terms of resistance build-up. Between 2000 and 2005 there was a significant decrease in the volumes of insecticides and residual herbicides applied to cotton crops in Australia (reviewed in Pyke 2005). The reduction in insecticide use is thought to be due to increased adoption of IPM compatible insecticides that result in reducing both the volume of active ingredient applied and pest resistance as well as improved Bt cotton performance (Pyke 2005). Less herbicide applications are a result of increased use of Roundup Ready[®] cotton and the active ingredient glyphosate instead of residual herbicides (Pyke 2005). When considering the environmental impact of GM crops it is important to compare them to conventional varieties. The environmental benefits of reduced insecticide use for GM cotton were studied recently by the CSIRO. The evaluation found that insecticide use for GM cotton impacted on the environment 64 per cent less than the volume of insecticide used for conventional cotton (Knox *et al.* 2006). However, a preferred method of determining the environmental impacts to measure the amount of active ingredient (a.i.) per hectare (Pyke 2005). Comparison of conventional and Ingard[®] cotton, found that the average insecticide use over eight seasons was reduced from 6.13 kg of a.i. per hectare to 3.44 kg of a.i. per hectare, representing a 44 per cent reduction. Insecticide use in Bollgard[®] cotton over two seasons averaged 0.48 kg of a.i. per ha in comparison to the conventional non-GM cotton average of 3.3 kg of a.i. per ha, which represented an 85 per cent reduction (Pyke 2005). Since the introduction of Roundup Ready[®] cotton, average herbicide use has reduced from 4.86 kg of a.i. per hectare to 2.47 kg a.i. per hectare, a 49 per cent reduction (Pyke 2005).

Globally GM cotton has reduced the quantity of herbicide and pesticide crop use (Table 15). From 1996 to 2005 the quantity of herbicides and pesticides applied to GM cotton fell by 123,100 tonnes of active ingredient compared to conventional cotton (Brookes and Barfoot 2006).

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Table 16. Impact of change in the use of herbicides and pesticides from growing GM crops globally 1966 to 2005 (Brookes and Barfoot 2006)

Cotton trait	Change in volume of active ingredient used (million kg)	% change in active ingredient use in GM growing countries
GM herbicide tolerant	-28.6	-15.1
GM insect resistant	-91.5	-19.4

The reduced amounts of herbicides and pesticides used on GM cotton ensures that there are fewer chemicals to pollute rivers, less chemical residues in the soil and less affect on beneficial insects. A study of the potential risk of Bt cotton and its dead leaf matter on microbial communities in soil found no evidence to suggest the soil ecosystem was adversely affected after a complete growth cycle. Few significant differences in enzymatic activity in the soil were found and there were no differences in the level of soil microbes detected (Ren Fang et al. 2006).

In contrast, Gupta and Watson (2006) in a CSIRO study found that the roots of Bt cotton released Bt toxins into the soil, compared to no detectable Bt toxin released from conventional cotton. Microscopic examination also revealed an increase in fungi and fungal spores on Bt cotton residues compared to conventional cotton. This raised the concern that if more Bt toxin enters the soil environment than is degraded by the soils natural biological processes, soil accumulation may constitute a hazard to non-target organisms and impact the functionality of soil organisms. In a potentially related issue, they found a significant increase in cotton root fungal disease in Australian cotton in the time since Bt cotton was introduced. This may, however, result from other factors such as changes in the soil biological activity or other agronomic practices. The authors concluded that there is a clear need for more detailed investigations on the impacts of both leaf- and root-derived Bt toxins on soil biodiversity, and associated biological functions.

Although biotechnology reduces the number of pesticide/herbicide applications, a capital saving for the farmer, the cost of such technology has impacted on the cost of cottonseed and increased the price paid by farmers. A survey of environmental efficiency and cost effectiveness resulting from pesticide use on GM and conventional cotton growing in the USA found significant differences in the environmental efficiency of pesticides used on GM cotton, particularly the stacked gene cotton (herbicide tolerant and insect resistant). There were no significant differences in cost effectiveness of pesticide use between GM and conventional cotton. The study concluded that the biotechnology expense incurred to produce GM cotton seed has impacted on the cost, raising the price for environmentally efficient cottonseed (Wossink and Denaux 2006).

4.3 CHEMICALS IN TAIL WATER WITH GM COTTON

Moulden et al. (2006) analysed tail water from GM cotton crops grown in the ORIA over a two-year period to determine the level of pesticides. The concentrations in tail water of most chemicals measured were low, in most cases approaching the detectable limits even at the first sampling after application (Table 16). Moulden et al. (2006) stated that "pendimethalin occurred at the highest concentrations, due to the relatively high rates applied to bare soil immediately prior to irrigation. However, the highest values of pendimethalin were several orders of magnitude below the Australian Drinking Water Guidelines Health Value (1996). While pendimethalin is only moderately toxic to fish (LC50 = 0.14mg/l), it has a relatively long half-life in soil and can be considered to be a potentially significant environmental pollutant. The availability of Roundup Ready Flex[®] cotton would eliminate this long-lived chemical from a cotton cropping system (Yeates et al. 2006)".

GM Cotton in the Old River Irrigation Area

The accumulation of Bt proteins in the soil or tail water has been investigated. Laboratory studies have shown that Cry proteins from *B. thuringiensis* are easily absorbed into soil (reviewed in Head et al. 2002).

Table 16. Residues of pesticides in tail water from the ORIA trials (Mouken et al. 2006)

Pesticide	LOD ^a (µg/L) ^b	Highest concentration recorded (µg/L) ^b		Detectable days after application		AUV Health Limit (µg/L) ^b
		2003	2004	2003	2004	
pendimethalin	2.00	6.00	3.50	2	62	300
quinolozane	0.04	0.07	0.21	127	64	30
flpronil	0.04	0.08	0.17	20	34	no limit exists
bifenoxin	0.04	not detected	not detected	-	-	no limit exists
pirimicarb	0.04	1.00	0.89	43	63	5
indoxacarb	0.10	not applied	0.55	-	53	no limit exists

^a LOD: Limit of Detection

^b µg is a microgram which equals one millionth of a gram

4.4 COMMUNITY HEALTH CONCERNS

The Gene Technology Regulator, Food Standards Australia and New Zealand and the Australian Pesticides and Veterinary Medicines Authority are responsible for the regulation of GM crops and foods in Australia, in consultation with Commonwealth and State departments of health and agriculture and the wider community.

The regulatory framework involves assessment of scientific literature and other information provided by a proponent seeking approval for a specific crop or food, but these regulatory bodies do not conduct their own experimental trials in undertaking their assessments.

Despite this regulatory framework, numerous journal articles attesting to the safety of GM foods, and the fact that GM crops and foods have been grown and consumed - most notably, but not only in the Americas - for over 10 years, many consumers in Western Australia and the wider Australian community remain unconvinced as to the health and safety of GM foods. Indeed similar consumer concerns are evident in Europe and important Western Australian markets in Asia such as Japan and Korea.

While scientists, agronomists and others in favour of pursuing the potential benefits of GM crops point to numerous published articles attesting to their health and safety, other scientists and consumers cite the lack of independent peer reviewed long term feeding studies designed to measure outcomes relevant to human health as cause for concern.

To enable the Western Australian Government and community to gain a better understanding of the health and safety impacts of GM foods, the Government has commissioned an independent long term feeding experiment to assess the impacts of previously approved GM food crops on laboratory animals with the aim of measuring outcomes relevant to human health. The results of this research will be published in scientific journals for peer review.

5 STATE, NATIONAL AND INTERNATIONAL DEVELOPMENT AND IMPACT

5.1 IMPACT ON WESTERN AUSTRALIA

The analysis in this discussion paper indicates that a GM cotton industry in the ORIA would have economic and social impacts on the Wyndham/East Kimberley Region. However, other agricultural industries in Western Australia could be affected in some way.

At present sugar cane is the main broad acre crop in the ORIA. The current size of the industry is sub-economic and the operation must increase in size. A GM cotton industry could play a significant role in underpinning the future of the sugar cane industry. From the analysis presented in this discussion paper, a GM cotton industry could be more profitable and financially robust than sugar cane. From an agronomic perspective the two crops complement each other and could be grown in rotation.

In an effort to reduce greenhouse gas emissions, the Western Australian Government has established the Biofuels Taskforce and commissioned a study to investigate the production of ethanol from sugar cane grown in the ORIA. The role of the Biofuels Taskforce is to identify alternative renewable fuel sources that will provide new industry opportunities and regional development. Cottonseed produced in the ORIA is a potential candidate for the basis of a biofuel industry. Cottonseed oil can be used to produce a processed fuel known as biodiesel.

5.2 IMPACT ON THE NATION OF A GM COTTON INDUSTRY IN THE ORIA

The Prime Minister, The Hon John Howard, issued the National Plan for Water Security in January this year. The plan proposes options to address the environmental problems of the Murray Darling Basin.

One option that has been canvassed to address the over allocation of irrigation which has been exacerbated by the protracted drought in southern Australia is to move industries suited to the dry tropic climate to northern Australia. One such crop which is grown in the Murray Darling Basin is GM cotton. The majority of Australian cotton production is in the Murray Darling Basin (Figure 3) and in 2004-05 the industry used 1,822 GL (6.75 ML/ha) (Australian Bureau of Statistics 2006 cat no 4510.0).

5.3 IMPACT ON INTERNATIONAL MARKETS OF A GM COTTON INDUSTRY IN THE ORIA

It is expected that a GM cotton industry in the ORIA would have little or no impact on a global market. The quantity of cotton produced at the ORIA would be less than 0.3 per cent of world exports.

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7.2 APPENDIX

ABBREVIATIONS

ACIC	Australian Cotton Industry Council
APVMA	Australian Pesticides and Veterinary Medicines Authority
Bt	<i>Bacillus thuringiensis</i>
CFA	Cooperation financière en Afrique centrale
CRC	Cooperative Research Centre
CSD	Cotton Seed Distributors Limited
CMP	Crop Management Plan
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DNA	Deoxyribonucleic acid.
EPSPS	5-enolpyruvylshikimate-3-phosphate synthase
FAO	Food and Agriculture Organisation
FSANZ	Food Standards Australia New Zealand
GL	Giga litre (one billion litres or 1 million cubic metres)
GM	Genetically modified
GMO	Genetically modified organism
GMOs	Genetically modified organisms
ICAC	International Cotton Advisory Committee
IPM	Integrated Pest Management
IRR	Internal Rate of Return
ISAAA	International Service for the Acquisition of Agri-biotech Applications
IWMS	Integrated Weed Management Strategy
ML	Megalitre (one million litres or one thousand cubic metres)
NaD	<i>Nicotiana glauca</i> defensin gene/ <i>Nicotiana glauca</i> defensin protein
OGTR	Office of the Gene Technology Regulator
ORIA	Ord River Irrigation Area
PAT	Phosphotransferase
VIP	Vegetative insecticidal protein

7.3 APPENDIX

GLOSSARY

α -amylase inhibitor α -amylases are hydrolytic enzymes found in animals, plants and micro-organisms and are involved in the degradation of sugar polymers such as starch and glycogen into oligosaccharides (simple sugars). They are widely used in biotechnology for starch degradation. α -amylase inhibitors play a role in plant resistance through the inhibition of α -amylases in insect and microbial pests.

Ahb1 Gene encoding a protein that provides tolerance to waterlogging.

Allotetraploid A hybrid between two closely related diploid species to form a tetraploid. The tetraploid has a chromosome set four times that of a haploid organism. Allotetraploids are created as a result of the chromosome sets of each parent being present in gametes.

Cry1Ab Gene of the soil bacteria *Bacillus thuringiensis* that encodes the δ -endotoxin Cry1Ab protein.

Diploid An organism or cell with two sets of chromosomes or twice the haploid number.

Deoxyribonucleic acid (DNA) contains the genetic code that controls the production of proteins in living organisms.

Gene A sequence of DNA located on a chromosome, which codes for the synthesis of a specific protein or has a specific regulatory function.

Genetically modified organism(s) (GMO) An organism (plant, animal, bacteria, or virus) that has had its genetic material altered, either by the duplication, insertion or deletion of one or more new genes, or by changing the activities of an existing gene.

Internal Rate of Return (IRR) Widely accepted measure for calculating private equity performance. This calculation is based on the cash flows made by investors to and from the fund. The cash flows are based on cash-in/cash-out returns over time, modified to include the residual value of the private equity fund's portfolio holdings.

Lectin Proteins found in plants and animals that have binding sites for specific mono or oligosaccharides in cell walls or membranes. Lectins change the physiology of the membrane to cause agglutination, mitosis or other biochemical changes in the cell.

Micronaire A measure of the fibre properties of fineness and maturity.

NaD1 Gene encoding a plant defensin protein (NaD¹).

Outcross The ability of animals or plants to breed with individuals of different strains but usually of the same species. A type of genetic cross in which an organism is bred with a strain from which it was not recently derived.

Proteinase inhibitor A proteinase is any enzyme that catalyses the splitting of proteins into smaller peptides and amino acids by a process known as proteolysis. An inhibitor is a chemical compound or protein that has the effect of blocking or slowing an enzymatic reaction.

Recombinant DNA The DNA formed by combining segments of DNA from different genes or different types of organisms.

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Transgenic An organism whose genome has been altered by the addition of recombinant DNA or gene.

Tritrophic The trophic level represents the position that an organism occupies in a food chain. On land, plants are the first trophic level, animals are second and humans are third. Tritrophic means that there are three levels of trophic such as the interactions between GM crops, the pests that feed on GM crops and the natural predators of these pests.

vip3A Gene of the soil bacteria *Bacillus thuringiensis* that encodes the vegetative insecticidal protein 3A (VIP3A).

7.4 APPENDIX

TERMS OF REFERENCE

The Western Australian Government established the Ministerial GMO Industry Reference Group to identify logistical, agronomic and marketing issues relevant to the use of biotechnology in agricultural crops in Western Australia. The function of the group was to inform the Government on:

The current status of genetically modified (GM) crop technology and its relevance to Western Australia.

- The effect of the GM Crops Free Areas Act 2003;
- Issues of adequacy of the legal framework that governs genetically modified organisms (GMOs) in the event of the adoption of GM technology;
- Matters generally that may arise in the event of the adoption of the GM technology that fall within State jurisdiction; and,
- Matters specifically incorporated in recommendation 14 of the 9th Report (July 2003) of the Legislative Council Standing Committee on Environment and Public Affairs in relation to the Gene Technology Bill 2001 and the Gene Technology Amendment Bill 2001, viz.

The Committee recommended that the Government address the following:

- The marketability of GM crops in comparison with conventional crops;
- Consumer concerns about the long-term impact of GMOs on health and the environment;
- What levels of tolerance of GM contamination (adventitious presence) in Western Australia food crops is acceptable;
- How to effectively segregate crops in order to preserve the identity of GM and conventional crops;
- The allocation of additional costs caused by identity preservation and supply chain management systems; and,
- Liability and insurance issues raised by dealings with GMOs.

To achieve the brief, the Group decided to release a series of discussion papers for comment by stakeholders. This discussion paper is the first in the series.

7.5 APPENDIX

GROSS VALUE OF PRODUCTION ORD STAGE I (2005/06)

Crop (unit)	Area Planted (hectare)	Area Harvested (hectare)	Average yield (units/hectare)	Total Yield (unit)	Average Price (\$)	Value (\$)
Cover crops/Hay (tonnes) ⁱ	830	52				\$130,200
FIELD CROPS						
Cotton (research)	25	0				\$-
Sugar ^j - Cane (tonnes) ⁱ	3,169	3,347	119	398,511		
- Raw (tonnes) ^k				47,168	\$396.00	\$18,677,736
- Molasses (tonnes) ^l				18,000	\$80.00	\$1,280,000
Glückweia (tonnes)	298	298	2.4	715	\$1,400	\$1,001,280
Other ^m	470	470				\$875,024
Total Field Crops (includes wet season crops)						\$21,844,240
	<u>Area planted (hectares)</u>	<u>Area harvested (hectares)</u>	<u>Yield/hectare</u>	<u>Total production</u>	<u>Price/unit</u>	
HYBRID SEED						
Sorghum Grain & Forage	574	574		2,400	\$750.57	\$1,900,000
Other ⁿ	404	439		813		\$1,830,872
Total Seeds						\$3,739,872
HORTICULTURE						
Rockmelons (trays)	442	377	1,203	453,700	\$16.83	\$7,547,120
Honeydews (trays)	168	109	969	154,000	\$15.28	\$2,355,160
Watermelons (t)	198	198	26	5,208	\$987.00	\$5,140,200
Jarrohale (t)	150	92	28	2,534	\$455.03	\$1,153,050
Bulbweeds (cartons)	267	155	975	151,100	\$20.07	\$3,032,100
Jap pumpkin (t)	188	141	27	3,827	\$585.31	\$2,240,000
Mangoes (trays)	720	286	1,349	400,000	\$17.00	\$7,170,000
Citrus (t) ^o	258	83	6	460	\$1,457	\$660,000
Other ^p	125	118				\$5,868,729
Total Horticulture						\$36,116,289
OTHER						
Leucaenaling Pasture	925	925				\$1,050,000
Tropical forestry ^q	2448	0				\$
ESTIMATED TOTALⁱⁱ	12,064	hectares				\$63,150,411

i. Some areas not harvested.

ii. Includes sunflower, sweetcorn and other seed crops

iii. Includes vegetables, papaya, tropical fruit and nursery production

iv. Mainly Indian sandalwood plantation

v. Gross value of sugar sales by mill

vi. Includes sunflower, sweetcorn and other seed crops

vii. Includes vegetables, papaya, tropical fruit and nursery production

viii. Total includes wet season areas that are sown cropped in the Dry Season

Source: Department of Agriculture and Food WA

7.6 APPENDIX

IRRIGATION WATER REQUIREMENT AT FARM GATE ORD STAGE I

Crop	ML/ha
Bananas	25.2
Chickpeas	7.2
Cotton	10.9
Fresh Beans	5.5
Green Dew	5.7
Hybrid Seeds	7.6
Leucaena	15.7
Mangoes	10.1
Pumpkin	8.8
Red Grapefruit	13.2
Rock Melon	5.7
Sandalwood	11.8
Sugar Cane	23.4
Sweet Corn	7.4
Water Melons	8.8

Source: Ord Irrigation Co-operative
<http://www.ordirrigation.com.au/farming.htm>

8. ADDENDUM

The following addendums were submitted by members of the Ministerial GMO Industry Reference Group and Ministerial GMO Specialist Advisory Panel.

1. Mr. Trevor de Landgraaf, President, WAFARMERS
2. Mr. Steven David representing the Organic Industry
3. Ms. Julie Newman, Network of Concerned Farmers
4. Dr Sue Sutherland, Manager Biotechnology, Department of Agriculture and Food WA
5. Dr. Ian B. Edwards, Chairman, AgBio Advisory Group, AusBiotech (Australia's Biotechnology Organisation).
6. Mr. Chris Tallentire, Director, Conservation Council of WA Inc.

8.1 ADDENDUM



GM Cotton in the Ord River Irrigation Area – Discussion Paper

WAFARMERS

As members of the Ministerial GMO Industry Reference Group, WAFarmers broadly endorses the discussion paper.

It is clear from Reference Group deliberations that the document will not meet the requirements of all parties with a point of view on GMOs. To supporters of GM technology, the document will be perceived as too green. To opponents of GM technology, the document will be perceived as too pro-GM.

It is WAFarmers position that as a discussion paper, the document should not be a text with all the answers to the myriad of questions on GM technology but should provoke discussion within the broader community as to the future of GM technology in agriculture. In this particular case, GM cotton in the Ord River Irrigation Area (ORIA) and in the future, a discussion paper is to be released on GM Canola in the WA wheatbelt.

WAFarmers policy position on GMOs calls for the lifting of the State Government moratorium on the commercial release of GMOs.

WAFarmers is keen to identify the benefits of GM crops grown in Western Australian conditions thereby allowing farmers the opportunity of making informed decisions on whether GM technology will deliver benefits to their farming enterprises.

GM cotton has been grown successfully in Queensland and New South Wales for 11 years. GM cotton has delivered economic and environmental benefits to farmers in these states.

History in non-GM cotton crops grown in the ORIA indicates that a different set of challenges will be presented in growing GM cotton in the tropics. However, more recently, trials of GM cotton in the ORIA have produced encouraging results.

The final say on the success or otherwise of GM crops in Western Australia will rest with the state's farmers. Quite simply, if the technology does not produce an economic return and the produce is not acceptable to markets, farmers will not grow it. Farmers should however, be given the opportunity of making informed decisions on the technology which can only be facilitated by the performance of GM crops under Western Australian conditions.

WAFarmers encourages interested parties to provide comment on the discussion paper, particularly farmers, the production groups and communities who stand to bear the greatest impact of future government decisions on GM technology in agricultural industries.

8.2 ADDENDUM

Minority Report – Steven David representing the Organic Industry

The decision whether to allow GM cotton into the ORIA and thereby lift the Moratorium on GM crops in WA, is an important one and requires careful consideration. Before lifting the moratorium on such contentious crops, all concerns need to be examined, investigated and reported on. This report however, has not achieved a balanced argument, omitting most counter arguments, and as an acknowledgement the Reference Group has allowed myself and the Conservation Council one page each to highlight the counterarguments.

A. Counter Argument – Economics

A fundamental argument put forward for GM cotton being grown in the ORIA to this reference group, was that it is financially robust. The basis for this is the cotton price assumption of 63.6c/lb, which is the long term average price. However the report does not point out the average price of cotton has fallen 54% since 1990 and the price has been as low as US28c/lb (Nov 2001). Namoi Cotton stated recently (Feb 27, 2007) that "market fundamentals are subdued with New York futures level continuing to trade in a range between US 50 & 55 c/lb". This is already below the price point where cotton production is profitable.

The Australian Cotton Industry Report (2006) found that when the cotton price goes above US65c/lb, demand for cotton declines as it is replaced with alternative fibres. This suggests that the price of cotton is not likely to go above 65c/lb for any significant period and that the cotton price assumption of 63.6c/lb presented to the committee is too high. The Namoi Cotton latest annual report gives an impression that the cotton industry is not robust when it states – "... (the) result has been achieved despite an extremely challenging operating environment characterised by depressed global demand for Australian Cotton, deteriorating trading margins, historically low cotton prices and increasing input costs". These are obviously the key reasons why major Australian cotton "players" are buying assets in Brazil, which has a lower cost of production at 38c/lb and produces better quality relative to Australian cotton (16c/lb), and by diversifying in the US market.

To summarise, the profitability of cotton has not been substantiated and any future socio-economic benefits outlined in this report cannot be supported.

B. Counter Argument – Environment and Health

1. Consumers have been vocal in their concerns about GM food. This report suggests GM cotton has less controversy because it is mainly grown for fibre. Yet the cotton industries data suggest that 35-40% of the bale is cotton and most of the balance is entering our food chain either directly for human consumption or as stock feed.

2. This Report claims GM crops support the environment by reducing chemical usage. This view is contentious on two levels. Firstly, the CSIRO has shown that GMO cotton continually secretes Bt toxins into the soil, which are not considered chemicals in this report. Secondly, a study conducted by Cornell University (a reputable USA University) showed that Chinese cotton farmers' chemical usage in the 7 years after growing GM cotton increased back to the levels they were using prior to when they began growing GM cotton. The pest they were controlling, mirids, became a more significant problem after the introduction of GM cotton, consequently requiring higher levels of chemical sprays to control.

3. This Report claims organic farming of cotton is uneconomic in the ORIA due to high pest pressure. There is no information available to support this. There are many places in the world where organic crops are grown successfully in the presence of high pest or disease pressure, including the ORIA. There are however, no known plans to grow organic cotton in this region.

4. I, as a representative of the Organic Industry, strongly support the arguments presented by the Conservation Council in their one page report.

To summarize, the impact of the introduction of GM cotton on health through entering the food chain has not been fully explored in this report. With regard to potential adverse environmental impacts, considerable research has been excluded from this report.

In conclusion, as a representative of the Organic Industry in WA, I strongly disagree with this report's positive representation of GM cotton as a potential crop in the ORIA. Counter arguments, information and research have been excluded. I question the benefit to our community of overturning a moratorium and introducing a crop which is not only uneconomical but also has the potential to harm humans and the environment.

8.3 ADDENDUM

Julle Newman, Network of Concerned Farmers www.non-gm-farmers.com

The introduction of GM cotton in the Ord is dependent on investors applying for a license to grow the crop on the understanding that the crop will be profitable but the profitability is dependent on a number of issues that need further clarification.

- The only benefits conferred by the GM traits are insect and weed control, therefore, any improvement in water use efficiency, yields or quality is due to the non-GM varieties the GM trait is added to, not the GM trait itself.
- The profitability of the proposed ORIA development (Table 11, pg 21) is dependent on yields ranging from 1,660 kg/ha to 1,990 kg/ha, far higher than the world average yield of 700kg/ha (Table 6, pg 12) and not necessarily achievable.
- GM cotton has mixed financial success due to the insect pressures involved as the Bt cotton varieties release Bt pesticide to control bollworm and budworm but this trait does not control other insects (see Table 8, page 18). As mentioned on page 18, there are 21 pests of cotton and pests other than bollworm or budworm will need to be controlled by the addition of insecticides. A full analysis of pests and possible changes in the pest population of the ORIA needs to be undertaken to provide a more accurate cost/benefit analysis as insect pressures are often higher in tropical areas.
- The GM traits proposed are both susceptible to the target organisms (insects and weeds) developing resistance or alternative non target competition to the traits introduced. It should not be assumed that the benefits of the GM traits will remain effective for long periods.
- The establishment of a viable cotton industry involves very expensive initial start up costs totalling at least \$172 million including infrastructure only specific to cotton. The profitability analysis in table 11, spreads this cost over 21 years which may not accurately reflect the scenario of GM cotton meeting adverse economic influences within that timeframe (such as a continuation of falling cotton prices or a rapid escalation of seed prices).
- Whether seed costs, additional management plans (page 24), interest, taxes (page 21), adverse seasonal conditions (eg cyclones) or variation in water use costs have been included in the economic analysis in Table 11.
- It is stated that "over 220" full time positions would be required to service 9,400 ha at a cost of \$9.4 million (Table 12, page 22) Due to the current boom in mining, both skilled and unskilled labour is difficult to source and this could be a significant hurdle to prospective investors. It is unrealistic to presume that the unemployed indigenous population will secure these positions (page 22).
- There is no mention in the report of the possible economic impact of introducing a high chemical dependent crop to an area that has no cropping history. Currently the pearling industry is concerned as their sustainability relies on pristine chemical-free waters and more research is needed to ensure there is no risk to this profitable industry.
- I do not agree with the statement on page 28: "The reduced amounts of herbicides and pesticides used on GM cotton ensures that there are fewer chemicals to pollute rivers, less chemical residues in the soil and less effect on beneficial insects." Chemical use has not included the Bt insecticide that is continually exuded by the GM plant. As similar control could be achieved by periodic external application of the Bt insecticide, it is debatable if when using a more detailed and accurate analysis of insecticide released into the atmosphere, that there would be less chemical pollution.

8.4 ADDENDUM

Processes for GM Crop Regulation in Australia

Dr Sue Sutherland, Manager Biotechnology Department of Agriculture and Food WA

The regulation of all GMO dealings in Australia is a federal responsibility empowered by the *Gene Technology Act 2000*. The *Gene Technology Act 2000* came into force on 21 June 2001 and introduced a national scheme for the regulation of genetically modified organisms in Australia. The purpose of the Act is to protect the health and safety of Australians and the environment by identifying risks posed by gene technology, and to manage those risks by regulating dealings with genetically modified organisms. The independent Office of the Gene Technology Regulator (OGTR) administers the Act. To date, licenses for the commercial production of GM blue carnations, canola and cotton have been issued by the OGTR.

Food safety in Australia is also a federal responsibility which is managed through Food Standards Australia & New Zealand (FSANZ). The safety of foods derived from GM products is assessed by FSANZ according to a protocol developed specifically for this purpose (Standard 1.5.2) and is available at: <http://www.foodstandards.gov.au/thecode/foodstandardscode.cfm>. By the end of December 2006, FSANZ had approved 31 different GM foods, including modifications of corn, cottonseed (the oil of which is edible), canola, soy, sugar beet and potato, although only GM cotton is grown in Australia.

If GM crop plants are approved by the OGTR, the conditions under which they can be grown are regulated by the Australian Pesticides and Veterinary Medicines Authority (APVMA). The APVMA must register any product that comes under its jurisdiction, including pesticides and GM crops. The APVMA imposes restrictions on the uses of all products including resistance management strategies for GM crops and some pesticides and veterinary medicines.

The three federal authorities mentioned above are internationally recognised for their rigorous assessment processes and reputation for due diligence. In terms of GM cotton, the OGTR adopted a cautious approach with initial plantings allowed only below latitude 22°S and on restricted areas. As the predicted benefits and safety record for the technology were confirmed by commercial production, licence conditions have been relaxed to allow greater farmer adoption, which has resulted in more than 90% of Australia's cotton production coming from GM varieties. Restrictions in northern Australia were lifted by the OGTR on 26 October, 2006, after extensive research on potential weediness in the north confirmed that weediness risks were negligible and outcrossing to native cottons "functionally zero".

In addition to federal regulatory authorities, most States have imposed legislation that regulates GM crop production on the basis of marketing risks. NSW has exempted fibre crops from its legislation and QLD has not imposed any GM crop legislation.

Extensive cotton research in the Kimberley over the past decade has identified sustainable integrated pest management and agronomic production systems for GM cotton at Kununurra. Further, commercial scale research has been undertaken and the results have been amalgamated in a new publication 'NORpak – Ord River Irrigation Area: cotton production and management guidelines for the Ord River Irrigation Area 2007'. The publication includes a list of references for published results from the research program and can be found at: <http://www.cotton.crc.org.au/> or by contacting the Cotton CRC

8.5 ADDENDUM

Final Comments on Discussion Paper: "GM Cotton in the Ord River Irrigation Area"

Dr Ian B. Edwards, Chairman, AgBio Advisory Group, AusBiotech (Australia's Biotechnology Organisation).

Transgenic (or GM) cotton is an Australian success story. Australia has been a global leader in the development of GM cotton varieties that have now been grown commercially in Queensland and New South Wales for 11 years. In 2006/07 GM cotton varieties made up an estimated 92% of the total acreage. Bollgard II cotton has led to an 85% reduction in the total insecticides applied to cotton, and herbicide tolerance has added a further 30% reduction in total herbicides applied. New data from CSIRO has also shown that we now have greater biodiversity in our cotton crops since only specific target pests are controlled. In short, GM cotton has had a very positive impact on the environment compared to conventional cotton. Australia has been a GM country for 11 years, and cotton has co-existed with non-GM or conventional wheat on the same farms with no adverse effects on the marketability of either product.

Secondly, the report fails to address the stringent process that cotton has been through before gaining regulatory approval. The Office of the Gene Technology Regulator (OGTR) was established in 2001 and governed by the Gene Technology Regulation Act of 2000. The role of the OGTR is to identify and manage the risks to human health and the environment posed by, or as a result of gene technology. In the case of cotton, each trait is assessed on a case-by-case basis by the DGIR, Food Standards Australia and New Zealand, and the Australian Pesticides and Veterinary Medicines Authority. Until 2008 GM cotton could not be grown in northern Australia pending a comprehensive environmental impact study, but full regulatory clearance has now been granted by OGTR following 11 years of research by the Dept. of Agriculture and Food WA, and the Cotton Cooperative Research Centre. Despite this progress, cotton in WA remains subject to a Moratorium first imposed by the WA Government in 2004, and development of Stage II of the Ord River Irrigation Area (which impacts both sugar and cotton) is currently being held up.

Finally, the discussion paper is also very limited in its references to the substantial body of scientific work done on GM cotton here in Australia. On May 17th 2007 the Chief Scientist of WA, Professor Lyn Beazley launched the release of "NORpak - Ord River Irrigation Area". This is a comprehensive set of cotton production and management guidelines for the Ord River based upon knowledge gained in the Ord and elsewhere in Australia. It includes 72 literature citations of professional studies. We would strongly encourage you to obtain a copy of NORpak.

We would also recommend that you obtain further information from the following:

1. Guy Roth - CEO - Australian Cotton Research Institute
2. Greg Kauter - Executive Officer - Australian Cotton Growers Research Organisation
3. Dave Anthony - CEO - Auscott
4. Adam Kay - CFO - Cotton Australia
5. Jeff Bidstrup - National Convenor - Producers Forum

Website information is available from:

1. www.cottonaustralia.com.au
2. www.cottonof.csiro.au/
3. www.producerforum.net.au
4. www.auscott.com.au
5. www.acora.net.au

Cotton
Update 2006



Department of Agriculture & Food

GM cotton research in the Ord River Irrigation Area

Inside this brochure:	
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GM cotton trials impressive!

Putting the 2005 cotton trials at Kununurra was completed in September and the results were very impressive. The yield from the large 25 hectare Bollgard II[®] demonstration paddock was a local record of 9.4 bales/ hectare. This compares favourably with the Australian industry average of 9.2 bales/hectare and improved on the previous two years which yielded about 8.5 bales/hectare.

Perhaps even better news is that the excellent yields were achieved with low insecticide applications and low water use relative to other crops in the area.

The focus of cotton research has always been on sustain-

ability as well as high yield. For this reason it is especially pleasing to achieve high yields without compromising the important principles of sustainable pest and soil management.

The Department and its research partners have conducted cotton trials at Kununurra for 10 years. During that time, and with the enormous support of local farmers, more than 3,000 hectares of GM cotton have been evaluated. Despite some difficult years, there is now great confidence in the direct production package produced through this collaboration.

The guidelines for sustainable cotton production in the east

Kimberley will be published in mid-2006 by the Cotton Catchment Communities CRC.



A mature cotton ball opening

This update gives a summary of research results obtained at Kununurra.

How is GM cotton regulated?

All dealings with GM material in Australia are controlled by the Gene Technology Regulator under the powers of the *Gene Technology Act 2000*. The Regulator undertakes a thorough evaluation of the health and environmental impacts of all GM releases into the environment, including research trials. In September 2002, the Regulator approved the commercial release of Bollgard II[®] and Boll-

gard II[®]/Roundup Ready[®] cotton in Australia below latitude 22[°]S. However, commercial release approval was refused in northern Australia due to the Regulator's concerns that the crop may become a weed in the tropical environment (update page 5).

Most States also have legislation restricting the growing of GM crops. In Western Australia, the *GM Crop Free Areas*

Act 2003 prohibits the growing of all GM crops unless the Minister for Agriculture provides an exemption for a particular GM crop and/or area. GM cotton is grown in Queensland because the State does not have a moratorium and in NSW because the State considers that cotton is not a food crop and therefore falls outside the scope of its GM food crop moratorium.



The first GM cotton harvest at Kununurra, 1997.

Cotton CRC research update, June 2006.

For more information please contact:
 Geoff Strickland (Perth)
 (08) 9368 3756 or 2404 819 611
 Email: gstrickland@agric.wa.gov.au

John Moulton (Kununurra)
 (08) 9166 4160
 Email: jmoulton@agric.wa.gov.au

Visit the Cotton Catchment Communities
 Cooperative Research Centre at:
<http://www.cotton.crc.org.au/>



Cotton Catchment Communities CRC

What is GM cotton?

There are two types of GM grown commercially in Australia:

- Bollgard II® cotton varieties containing *veg* bacterial genes that provide protection against common caterpillar pests. (In 2003, Bollgard II® replaced INGLARD®, which contained a single *Bt* gene and had been grown since 1996)
- Roundup Ready® cotton varieties that are tolerant to the common herbicide glyphosate during the early growth stage

Both these genetic traits were developed by Monsanto and, in Australia, have been incorporated into Australian bred varieties by CSIRO and Delapine Australia. CSIRO varieties are marketed by Cotton Seed Distributors and have more than 80% of the market share.

Cotton growers in eastern Australia have the choice of growing conventional cotton or GM cotton that contains either or both of the insect and herbicide tolerance traits. Farmers have adopted GM technology readily and 90% of the 2005/06 crop contained GM traits.

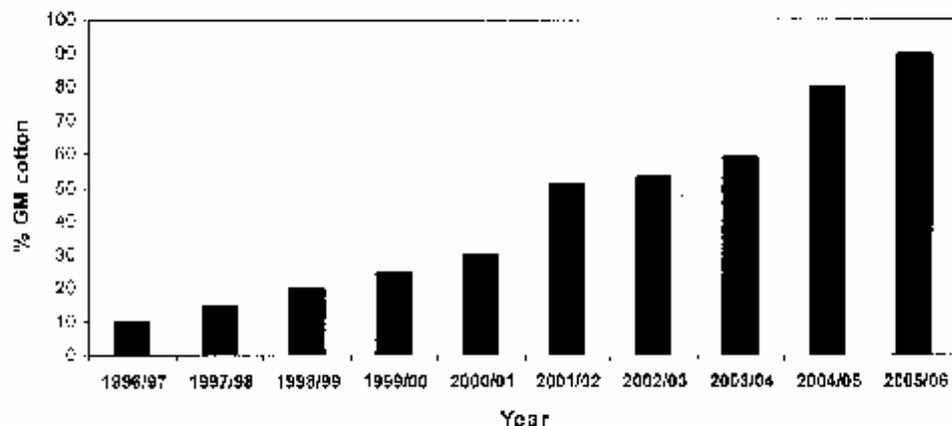
The major impact of GM cotton in eastern Australia is an 85% reduction in insecticide applications since 1998. Future cotton production in the Kimberley would also need to be GM based to capture these environmental benefits.

Note: ® Bollgard II, Roundup Ready and INGLARD are registered trademarks of Monsanto Technologies LLC used under licence by Monsanto Australia Limited.

History of commercial GM cotton production in Australia

Australian cotton farmers have adopted GM technology readily and 90% of the 2005/06 crop contained one or more GM traits.

Percentage of Australian cotton production containing GM traits



Source: Annual audit figures from Monsanto Australia



Australian Government
 Cotton Research and
 Development Corporation



Department of Agriculture and Food
 Government of Western Australia



Cotton CRC research update, June 2006.

A novel production system

The famously unsuccessful attempt at cotton growing at Kununurra in the 1960/70s dramatically illustrated the importance of sustainable production systems. The almost total reliance on insecticides to control insect pests led to pests developing resistance to the chemicals and eventually the

industry collapsed.

The development of GM cotton varieties, containing genes that give plants resistance to caterpillar attack, has opened the door to the prospect of redesigning sustainable cotton production systems for the Kimberley. Differences between

the unsuccessful "old industry" and the new model for sustainable production are summarised in the table below.

1970s INDUSTRY	NEW INDUSTRY	BENEFITS
Summer cropping (wet season)	Winter cropping (dry season)	Avoids major pests – pink bollworm, <i>Spodoptera</i>
Conventional varieties	Transgenic varieties	Controls caterpillar pests
Broad spectrum insecticides (>20 sprays per season)	IPM systems (<5 sprays per season)	Environmentally friendly - few insecticide sprays
No pesticide resistance management	Pre-emptive Bt resistance management	Long-term sustainability

What research has been done?

A comprehensive range of studies has been undertaken, as summarised in the following table.

The research between disciplines

has been well integrated with the result that a cohesive package for sustainable production has been drafted. The final package will be

released as "Mojpak" in mid-2006. A series of Factsheets highlighting research achievements will also be published in 2006.

Pest management	Crop husbandry	Environmental issues
large-scale IPM	nutrition	GM cotton weediness
GM cotton efficacy	varieties	water runoff quality
trap crops	crop growth	water use efficiency
resistance management	irrigation	integrated weed management
beneficial insects	minimum tillage	'soft' insecticides

Who's been involved with cotton research?

Cotton research at Kununurra has been a large collaborative effort between research organisations, local farmers, businesses and industry funding organisations. Key amongst these are the Department of Agriculture & Food, CSIRO, the Austral-

ian Cotton CRC, Cotton Research & Development Corporation, Colly Cotton, Ord River District Cooperative, Cotton Seed Distributors and Monsanto Australia. Most importantly, local farmers have invested in cotton growing and produced

more than 5,000 hectares of GM cotton on a high risk research basis. Torben Sass Nielsen invested in cotton picking and module building equipment, without which the trials could not have been possible.

Cotton CRC research update, June 2006.

Yields at Kununurra

Bollgard II[®] demonstration paddocks have been grown at Kununurra according to best management systems (NORpak) for the past three seasons.

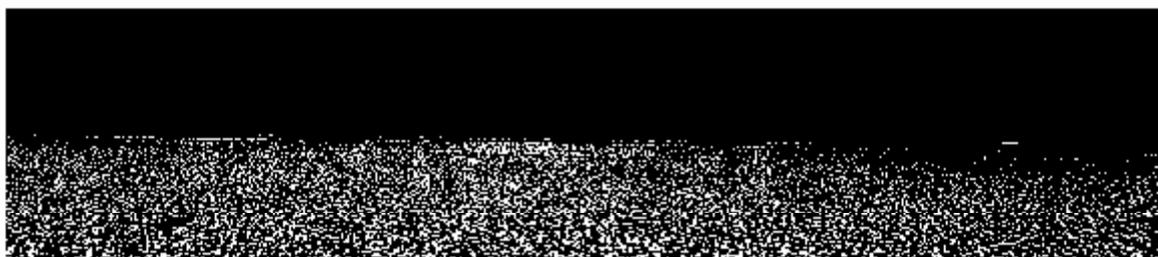
Yields are clearly commercially acceptable. Although Kununurra is not an inherently high yielding area, it produces reliably without the risks of drought, floods and summer storms.

Year	Kununurra (Bollgard II [®])	Australian industry average	World average
2003	8.4 bales/hectare	7.4 bales/hectare	2.8 bales/hectare
2004	8.5 bales/hectare	7.8 bales/hectare	3.1 bales/hectare
2005	9.4 bales/hectare	9.2 bales/hectare	3.2 bales/hectare

Source: Cotton Yearbook 2005 & local data.



Steve Yeates (CSIRO) examining Ord cotton.



Irrigation application and efficiency

Cotton can be irrigated with any of the standard techniques including drip, lateral move, centre pivot or furrow. Almost all cotton research at Kununurra has utilised furrow irrigation because it is the standard for the region and enables direct comparisons with other crops.

Considerable research effort

has been devoted to developing efficient irrigation strategies for cotton. In essence, the preferred method involves scheduling irrigation events according to how much soil water the crop has used. This can be measured directly by soil moisture probes or by calculating water loss using a formula based on plant size

and daily evaporation data from the local weather station. Cotton crops at Kununurra typically require eight irrigations during the 6 month life of the crop, including initial crop establishment.

The following table summarises the irrigation data from Bollgard II[®] demonstration crops grown at the Frank

Wise Institute.

Irrigation events were meticulously monitored with all water on and off the paddock measured.

Year	Total water applied/ha	Water application efficiency
2003	7.5 Megalitres	83%
2004	7.0 Megalitres	75%

Research data shows that Bollgard II[®] has a moderate irrigation requirement (~7.5 Megalitres/hectare) and that high water application efficiencies (~80%) can be achieved in the traditional furrow irrigation system.



John Nantso (DAFWA) measuring water runoff from an irrigation experiment.

Cotton CRC research update, June 2006.



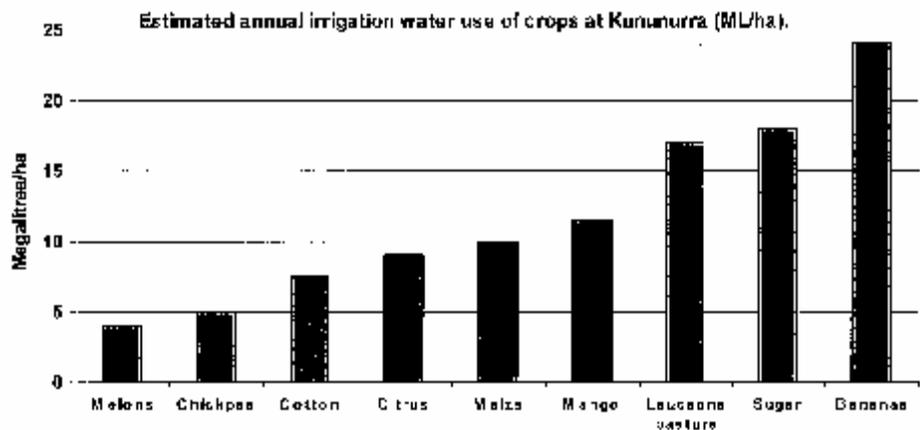
Increasing irrigation efficiency is an important research activity.

How much water does cotton use?

Urban mythology suggests that cotton is a "thirsty" crop, but trial data shows that cotton has a modest irrigation

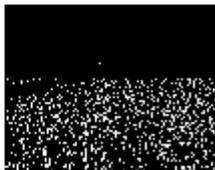
water requirement at Kununurra of about 7.5 Megalitres/hectare. This compares favourably with

other crops commonly grown in the region, as shown in the chart below.



Source: Dr J Sheenan, Department of Agriculture & Food, unpublished data.

Is GM cotton economic to grow?



Picking cotton at Kununurra.

State and Federal legislation currently precludes the commercial growing of GM cotton at Kununurra and therefore there is no opportunity for an industry to develop at this time. However hypothetical gross margin budgets for cotton growing at Kununurra have been developed and published. The budget assumes the availability of picking and ginning equipment and these costs are included in the budget. Gross margins for all crops fluctuate according to changes in exchange rates, input costs and world prices. However, an average gross margin for GM cotton production at Kununurra is typically about \$1,200 per hectare. This compares favourably with other crops in the ORIA.

The region's guaranteed water supply and consistent yields mean that farmers would have the advantage of accessing forward selling strategies to capture high prices. This is an important distinction between Kununurra and most other production areas in Australia that suffer from water uncertainties and reduced marketing opportunities.

Relative gross margins for selected crops at Kununurra

Cotton	Sugar	Chickpea	Pumpkin	Sorghum (Grain)	Sorghum (hay)	Maize
\$1,200	\$270	\$180	\$800	-\$140	\$270	-\$210

Source: Department of Agriculture & Food, field crop budgets 2004.

Cotton CRC research update, June 2006.

Pest management

IPM (integrated pest management) principles have been rigorously evaluated at Kununurra in large scale trials over a 10 year period. Local farmers have test-farmed novel IPM systems on more than 3,000 hectares cumulatively during the research phase. Key results from this research are summarised as:

- winter cropping (in fact than summer) avoids peaks in abundance of some major pests, espe-

cially the pink bollworm and cluster caterpillar

- using a combination of trap crops and IPM compatible insecticides to control minor pests that raises the effectiveness of naturally occurring beneficial insects
- Bollgard II® effectively controls caterpillar pests throughout the season and is the cornerstone of successful IPM. The only exception is cluster cater-

pillar, which can occur as a minor pest in some seasons

- few sprays (<5) are required to manage insect pests on Bollgard II® cotton, compared to the 20-40 sprays that were required for summer grown conventional cotton in the 1970s

Bollgard II® cotton requires a moderate level of spraying for insect pest control compared to other crops in the region.



Inspecting an IPM cotton crop at Kununurra.

Will GM cotton become a super weed?

When Bollgard II® and Bollgard II®/Roundup Ready® cotton was approved for commercial release in 2002, the Gene Technology Regulator refused approval for northern Australia citing concerns about potential environmental weediness. At the time of the Regulator's decision, denied multi-site weediness research conducted by CSIRO had

not been completed.

However, the research is now completed and published by the NT Government. Key results are expected to be published in the scientific literature in the near future and forms the basis of a new application to the Regulator for a commercial licence in northern Australia.

The CSIRO research was conducted in three regions, south of Broome, around Kununurra, and in the vicinity of Katherine. Detailed studies involving conventional cotton and two types of GM cotton occurred at each of several sites in all of the three regions. The trials were monitored for five years or until all plants had died.

At no site did a visible self-sustaining population of cotton establish.

The major conclusion from the research was that cotton is not an environmental weed and GM cotton does not have a higher weediness risk than conventional cotton.

(Full report at <http://www.cotton.crc.org.au/Assets/PDFFiles/1B3051.pdf>)

Will insects become resistant to GM cotton?

Bollgard II® cotton contains two genes, which produce two different proteins that control the caterpillar pests that ingest them. The genes originated from a soil bacterium called *Bacillus thuringiensis*, commonly known as "Bt". Bt sprays have been used in agriculture for over 50 years and are favoured by organic farmers that use it as a natural control. Bt products are considered very safe to the consumer and are readily available

in garden shops and supermarkets.

Insects can develop resistance to insecticides in a similar way to human diseases developing resistance to antibiotics. In the case of the Bollgard II® genes, it is known that resistance genes exist naturally in pest populations, but at very low levels. The key to successfully managing resistance is maintaining the frequency of resistance

genes at low levels.

Considerable research effort is devoted to Bt resistance management. In fact, the area of INCGARD® cotton in Australia was capped at 50% until the less resistance-prone Bollgard II® varieties were developed. It is a legal requirement for every region growing Bollgard II® cotton to have an approved and audited Resistance Management Strategy in place. A key to all strategies is

the provision of a "refuge crop" with all Bollgard II® plantings. The refuge crop is unsprayed and provides a large source of moths that have not been exposed to Bt. These moths are then available to mate with any Bt-resistant individuals, therefore "diluting" the resistance level in the pest population. A draft Resistance Management Strategy has been prepared for Kununurra.

Cotton CRC research update, June 2006.

12.4.6. Representation on the Agriculture Protection Board's Zone Control Authority

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	East Kimberley Agricultural Zone
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	66.11.03
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider representation of the East Kimberley region on the Agriculture Protection Board's Zone Control Authority.

BACKGROUND

The Agriculture Protection Board's (APB) Zone Control Authority (ZCA) is a statutory body responsible for providing advice the Board on issues related to Biosecurity, and protection of agriculture and related resources.

The Board has called for nominations to ZCA.

Cr Wright has represented the Shire of Wyndham East Kimberley on the Kimberley ZCA for many years and is currently an APB Board member. As a member of the APB Board Cr Wright, is unable to having voting rights at the ZCA.

Council has been a leader in the area of Biosecurity through the Biosecurity rate and fund it established in 2005, to assist to eradicate incursions of certain pests and diseases in the Ord Irrigation Scheme. Council has resolved to cap this fund at \$200,000.

ZCA's make recommendations to the APB for its consideration and set priorities for investment of some pastoral levies, and state funding for regional programs aimed at agricultural protection.

Nominations to ZCA's do not have to be elected local government members.

Mr Dick Pasfield, Mr Lachlan Dobson and Mr John Koeyers are currently members of the ZCA from the East Kimberley region. Membership for Mr Pasfield and Mr Dobson is due to expire in August 2007.

Mr Pasfield actively promotes Biosecurity issues and is currently the driving force behind the regions program to control Neem trees, for which he has gained Commonwealth funding. Mr Pasfield has indicated is prepared to continue to be a member of the ZCA.

Mr Dobson is a farmer in the region associated with the Rewards Group and heads up the local Ord Guard program. Mr Dobson has confirmed that he does not want to continue on the ZCA.

Elected members gave informal consideration to ZCA representation at their Briefing Session on 3 July 2007. At this Briefing Session, Cr John Buchanan indicated his interest in being a representative on the ZCA.

STATUTORY IMPLICATIONS

Agricultural and Related Resources Act 1976.

A new Biosecurity Agricultural Management Bill is under consideration.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

Nil

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

MANAGER'S RECOMMENDATION

That Council nominate Mr Dick Pasfield and Cr John Buchanan as its representatives on the Kimberley Zone Control Authority.

COUNCIL DECISION

Minute No: 7857

Moved: Cr J. Parker

Seconded: Cr R. Devenish-Meares

That Council nominate Mr Dick Pasfield and Cr John Buchanan as its representatives on the Kimberley Zone Control Authority.

Carried Unanimously: 7/0

12.5. ELECTED MEMBER REPORTS

Cr J. Parker reported her attendance at:

- 1–7 August Local Government Week. During the week Cr attended two WALGA workshops for Elected Members on Policy Development and Strategic Planning.
- 10 August Community Reception for the Backyard / Frontline Australian War Memorial Travelling Exhibition at Peter Reid Memorial Hall.
- 16 August Attended a Town scape meeting.
- 20 August Attended NAIDOC week opening at Warri Park

Cr R. Devenish-Meares left the meeting at 7.14pm

Cr J. Buchanan reported his attendance at:

- 12 August Baz Luhrmann Tree Planting
- 13 August Ewin Centre Child Care Committee Meeting
- 16 August Visitor Centre Committee Special Meeting regarding resignation of General Manager
- 18 August Vietnam Veterans Day welcome
- 20 August Visitor Centre Committee Special Meeting regarding resignation of General Manager

Cr R. Devenish-Meares returned to the Meeting At 7.17pm

Cr R. Devenish-Meares reported his attendance at:

- 21 August Kununurra Liquor Accord meeting

Cr M. Middap reported her attendance at:

- 1–7 August Local Government Week. During the week Cr attended two WALGA workshops for Elected Members on Policy Development and Strategic Planning. during the week cr also visited the Brighton development.
- 10 August Community Reception for the Backyard / Frontline Australian War Memorial exhibition at Wyndham on 10 August.

Cr D. Ausburn reported her attendance at:

- 20 August Australian Citizenship Ceremony
- 21 August Kununurra Liquor Accord meeting

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

COUNCIL DECISION

Minute No: 7858

Moved: Cr K. Wright

Seconded: Cr R. Devenish-Meaures

That late Items 15.1 Differential Rates 2007/08 and 15.2 Temporary Closure of Wyndham Office be considered by Council.

Carried Unanimously: 7/0

15.1. Differential Rates 2007/2008

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to adopt and impose Differential Rate in the Dollar and the Minimum Rates for 2007/08 following a period of advertising, public submission period and receipt of approval by the Minister.

BACKGROUND

Before Council can impose differential rate in the dollar, Council must advertise the proposed differential rate for a minimum period of 21 days. The advertising period can occur up to two months prior to adoption of the Budget. This period of advertising allows rate payers the ability to consider the proposed rates in the dollar and make any submissions prior to Council adopting the proposed rate as part of the Budget adoption process.

Additionally, under the Local Government Act, Council must seek permission from the Minister of Local Government to raise the differential rate where the highest differential rate is more than twice the lowest differential rate. This is the case for the category UV Mining.

Due to staff changeover this advertising and approval process was overlooked. Advice was sought from the Compliance Section of the Department of Local Government and Regional Development as to how compliance with the Local Government Act could be achieved with Budget Adoption still taking place on 31 July 2007.

On 17 July 2007 Council endorsed the advertising of the proposed rate in the dollar and minimum rate for 2007/08 and requested that Ministerial approval be sought.

The proposal to impose differential rates was advertised in the Public Notices section of the Kimberley Echo on July 26, 2007. Additionally Public Notices were placed on notice boards including at both Shire Offices and Public Libraries.

Submissions from electors and ratepayers were invites up to 4.00pm on 16 August 2007.

A letter dated 27 July 2007 was written to the Director General of the Department of Local Government and Regional Development requesting Ministerial approval to impose differential rates and to impose a minimum charge on UV Mining category that results in over 50% of the differential rating category being rated a minimum rate.

The budget was adopted on 31 July 2007 subject to the advertising and submission process and Ministerial Approval.

No submissions were received from the public in relation to the advertised proposal to impose differential rates.

Ministerial approval has been granted in accordance with section 6.33(3) and 6.35(5) of the Local Government Act 1995 of the Shire imposing the differential rates and minimum payments as proposed in our request.

STATUTORY IMPLICATIONS

Local Government Act 1995

6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics.
 - (a) the purpose for which the land is zoned under a town planning scheme in force under the *Town Planning and Development Act 1928*.
 - (b) the predominant purpose for which the land is held or used as determined by the local government.
 - (c) whether or not the land is vacant land or
 - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may
 - (a) specify the characteristics under subsection (1) which a local government is to use or
 - (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.

6.36. Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1)
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency
 - (b) is to contain
 - (i) details of each rate or minimum payment the local government intends to impose
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed and
 - (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- (5) Where a local government -
 - (a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a) or
 - (b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),

it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

6.35. Minimum payment

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.

- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than $\frac{3}{4}$
- (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6),
- on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of
- (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6),
- unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories
- (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

POLICY IMPLICATIONS

Council Policy F7 – Significant Accounting Policies

FINANCIAL IMPLICATIONS

The 2007/2008 budget is based on a rates increase equivalent to Local Government Cost Index of 5.38%. It is important that Council keeps rate increases in line with the increasing costs of service delivery, ensuring service levels are not eroded as overall costs continue to increase.

STRATEGIC IMPLICATIONS

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

COMMUNITY CONSULTATION

The Public comment and submission process is designed to ensure consultation with the community and ratepayer base.

COMMENT

Council adopted differential rates in the dollar and minimum rates at a Special Meeting on 31 July 2007 that was held for the purpose of adopting the 2007/08 budget. All rates were adopted subject to Ministerial Approval and consideration of any submission received in relation to the Differential Rating Notice pursuant to Section 6.37(1) of the Local Government Act 1995.

No submissions were received and Ministerial Approval has been granted.

ATTACHMENTS

Public Notice – Kimberley Echo July 26, 2007.

Public Document describing the objects and reasons for each proposed rate and minimum payment.

Letter to Department of Local Government and Regional Development seeking approval.

Letter from Department of Local Government and Regional Development granting approval.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That having received Ministerial Approval to impose differential rates and UV minimum rates and due to no submissions being received in relation to the Differential Rating Notice the following rates in the dollar and minimum rates, adopted subject to Ministerial Approval and the consideration of any submissions received in relation to the Differential Rating Notice pursuant to Section 6.36(1) of the Local Government Act 1995 on 31 July 2007, are imposed for the 2007/08 year:

1. *A rate of 9.8980¢ in the dollar on GRV rated properties*
2. *Differential rates in the dollar of*

<i>UV – Rural Agriculture 1</i>	<i>0.5745</i>
<i>UV – Rural Agriculture 2</i>	<i>0.5780</i>
<i>UV – Rural Living</i>	<i>0.7665</i>
<i>UV – Mining</i>	<i>9.1931</i>
<i>UV - Pastoral</i>	<i>7.5750</i>
3. *Minimum rate for all UV properties of \$750.*

COUNCIL DECISION

Minute No: 7859

Moved: Cr J. Buchanan

Seconded: Cr R. Devenish-Meares

That having received Ministerial Approval to impose differential rates and UV minimum rates and due to no submissions being received in relation to the Differential Rating Notice the following rates in the dollar and minimum rates, adopted subject to Ministerial Approval and the consideration of any submissions received in relation to the Differential Rating Notice pursuant to Section 6.36(1) of the Local Government Act 1995 on 31 July 2007, are imposed for the 2007/08 year:

- 1. *A rate of 9.8980¢ in the dollar on GRV rated properties***

- 2. *Differential rates in the dollar of***

<i>UV – Rural Agriculture 1</i>	<i>0.5745</i>
<i>UV – Rural Agriculture 2</i>	<i>0.5780</i>
<i>UV – Rural Living</i>	<i>0.7665</i>
<i>UV – Mining</i>	<i>9.1931</i>
<i>UV - Pastoral</i>	<i>7.5750</i>

- 3. *Minimum rate for all UV properties of \$750.***

Carried: 6/1

Cr K. Wright requested that the votes be recorded

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

Against: Cr K. Wright

15.2. Temporary Closure of Wyndham Office

DATE:	21 st August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Amanda Trengove, Manager Financial Services
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider delegated authority to the Chief Executive Officer for the purpose of temporary closure of the Wyndham Office for the purpose of completion of the Office Refurbishment.

BACKGROUND

The Shire of Wyndham East Kimberley have been in the process of undertaking a refurbishment of the Wyndham Office administration and library areas for considerable time.

Availability of contractors to compete the works has caused delays.

Quotes and availability have been supplied to officers for the removal and installation of new counters in the reception and library areas and the re flooring of the whole area. The timeframes are not fully been confirmed however officers are hopeful that the works may commence in either 2 weeks or 6 weeks time.

Some of our contractors have the ability to work over weekends and some do not. It is for this reason that officers believe that the office may need to be closed for up to 3 working days.

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 5.42

Delegation of some powers and duties to CEO

5.42 . Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

** Absolute majority required.*

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The works for this refurbishment have been allocated in the 2007/2008 budget.

STRATEGIC IMPLICATIONS

Improved working conditions for Council staff and amenities for the public are important to maintaining a motivated workforce and the standards and reputation of Local Government.

COMMENT

Nil

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council give delegated authority to the Chief Executive Officer for the purpose of temporary closure of the Wyndham Office for the purpose of completion of the Office Refurbishment.

COUNCIL DECISION

Minute No: 7860

Moved: Cr J. Parker

Seconded: Cr M. Middap

That Council give delegated authority to the Chief Executive Officer for the purpose of temporary closure of the Wyndham Office for the purpose of completion of the Office Refurbishment.

At least two weeks notice be given to Wyndham residents and businesses of the intention to close the Wyndham office for the purpose of completion of the office refurbishment.

Carried Unanimously: 7/0

16. MATTERS BEHIND CLOSED DOORS

COUNCIL DECISION

Minute No: 7861

Moved: Cr M. Middap

Seconded: Cr R. Devenish-Meares

*That Meeting moves into camera for the consideration of Item 16.1
Consideration of Sale by Private Treaty for Lot 321 East Kimberley
Regional Airport.*

Carried Unanimously 7/0

16.1 Consideration of Sale by Private Treaty for Lot 321 East Kimberley Regional Airport.

DATE:	21 August 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.5835.13
ASSESSMENT NO:	5835

This matter is being considered behind closed doors due to its Commercial In-confidence nature.

PURPOSE

For Council to consider sale of the airside, Lot 321 Laine Jones Drive, at the East Kimberley Regional Airport.

BACKGROUND

Council has received an expression of interest for the purchase Lot 321 Laine Jones Drive at the East Kimberley Regional Airport. This Lot is airside at the airport and is shown on the plan included with this report.

The expression of interest from Mr Adrian Lee Gassick was for the amount of \$95,000.

Based on this Expression of Interest a property valuation was sought from Kimberley Property Valuers. The valuation is attached to this report. The property is valued at \$120,000.

Elected members were briefed on this development at their Briefing Session on 31 July 2007. Since that time Mr Le Gassick has been contacted by staff as suggested at the Briefing Session to re-confirm his intention with his offer, given the higher valuation price. Mr Le Gassick has confirmed his new offer of \$120,000 to match the valuation provided.

Council can consider disposal of property by private treaty, auction or tender under the provisions of the Local Government Act.

Council last considered this Lot under confidential cover at its meeting on 15 November 2005. At that time Council had received an offer to lease this Lot for the purposes of an aviation fuel depot. Council resolved not to proceed with the disposal of Lot 321 for that purpose as it considered use of the site as fuel depot to be inappropriate adjacent to a passenger terminal.

A similar airside Lot, Lot 318 Laine Jones Drive was considered for sale, by Council at its meeting on 20 September 2005. Council at that time resolved to "Give delegated Authority to the CEO to progress the sale of Lot 318 Laine Jones Drive, Kununurra, to Mr Steven Guerinoni for no less than \$90,000." That sale did not

proceed because the intending purchaser would not pay more than \$83,000 at that time.

Lot 318 was valued at that time as follows:

Property	Valuation Range	Medium Valuation	Area (sq meter)	\$/Square Meter
Lot 318 Laine Jones Drive	\$90,000 - \$110,000	\$100,000	4,908	\$20.3749

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 3.58

Disposing of property

3.58 . Disposing of property

(1) In this section —

“**dispose**” includes to sell, lease, or otherwise dispose of, whether absolutely or not; “**property**” includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives Statewide public notice of the proposed disposition —

(i) describing the property concerned;

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned;

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

(5) This section does not apply to —

(a) a disposition of land under section 29 or 29B of the *Public Works Act 1902* ;

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Should Council agree to sell land at its airports then revenue received is assigned to Council's Airport Reserve set aside for future improvements to aviation services for the region.

STRATEGIC IMPLICATIONS

Sale by private treaty as requested has the potential to leverage into the region additional and new aviation based business.

COMMUNITY CONSULTATION

Nil to date. Any proposed sale by private treaty has a requirement for public advertising and the opportunity for public submissions, which Council is required to consider.

Council should also note that in the past week Bristow Australia Operations have made confidential enquiries about establishing a base at either the East Kimberley Regional Airport or the Wyndham Airport, to operate helicopter ferry services to service off shore oil gas exploration.

COMMENT

While sale by tender or auction are options for Council to consider, the offer made is consistent with the valuation range, and presents an opportunity to leverage into the region additional and new business to support the aviation industry. It is therefore recommended that Council advertise the proposed private treaty sale and consider any public comments before making a final decision on the matter.

ATTACHMENTS

1. Confidential - Valuation Lot 321 Laine Jones Drive Kununurra
2. Confidential email confirming offer on Lot 321
3. Confidential - Letter of Offer from Mr Adrian Lee Gassick

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council note the Licensed Value, valuation estimate of \$120,000 for airside Lot 321 Laine Jones Drive at the East Kimberley Regional Airport, and advertise the proposed private treaty sale of this lot Mr Adrian Lee Gassick, for the sale price of \$120,000.

COUNCIL DECISION

Minute No: 7862

Moved: Cr K. Wright

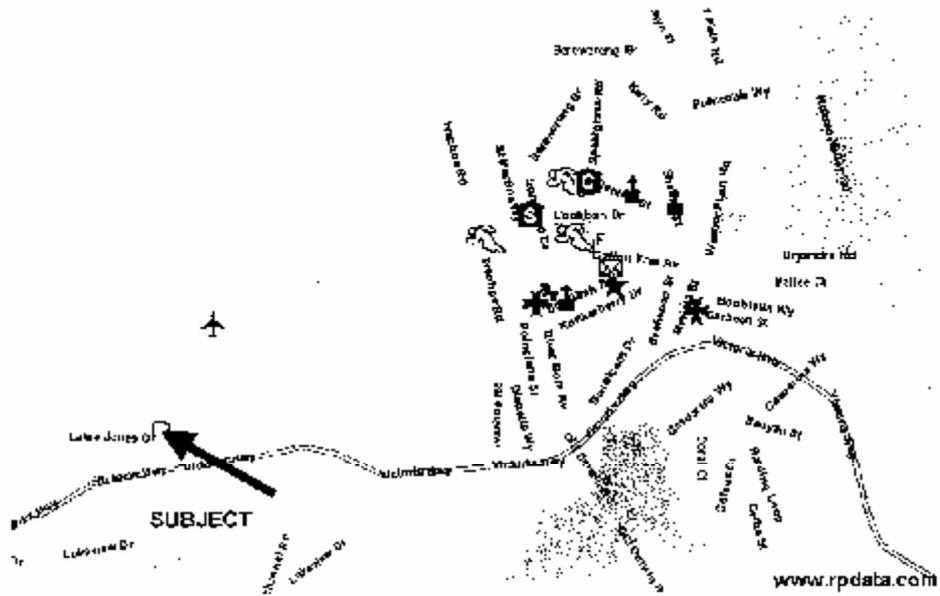
Seconded: Cr M. Middap

That Council note the Licensed Value, valuation estimate of \$120,000 for airside Lot 321 Laine Jones Drive at the East Kimberley Regional Airport, and advertise the proposed private treaty sale of this lot Mr Adrian LeGassick, for the sale price of \$120,000.

Carried Unanimously: 7/0

**Attachment 1: Confidential - Valuation Lot 321 Laine Jones Drive
Kununurra**

2. Location Map



2 MacPHEEON STREET (CORNER)
PO BOX 5494 CARBONATE
BROOME 6726 WESTERN AUSTRALIA

TEL: 08 9192 3931
FAX: 08 9192 3931
EMAIL: kpv@swm.com.au



KIMBERLEY
PROPERTY
VALUERS

Creating the Future, Today

REPORT AND VALUATION

OF

**LOT 321 LAINE JONES DRIVE,
KUNUNURRA
WESTERN AUSTRALIA**

LICENSED VALUERS AND PROPERTY CONSULTANTS
Billsalco Pty Ltd (AKA Kimberley Property Valuers) ACN 1066164 0/4

2 MACPHERSON ST (C/O) COOPLAND ST,
PO Box 5454, CABLE BEACH
DUCOOYE 6726 WESTERN AUSTRALIA



KIMBERLEY
PROPERTY
VALUERS

Strategic Real Estate Solutions

TEL: 08 9192 9930
FAX: 08 9192 9931
EMAIL: kps@winn.com.au

EXECUTIVE SUMMARY

Property Address	: Lot 321 Laine Jones Drive, Kununurra, WA
Legal Description	: Estate in fee simple being Lot 321 on Plan 21744 as described in Certificate of Title Volume 2095 Folio 211.
Registered Owners	: Shire of Wyndham East Kimberley.
Encumbrances (limited to those that affect the use or value of the subject property)	: Nil.
Last Sale (Within last 3 years)	: Not applicable.
Zoning	: Special Use - Airport.
Description of Property "As Is"	: Comprises a level parcel of airport zoned land with an area of 4,908m ² .
Purpose of Valuation	: Valuation is required for Shire of Wyndham East Kimberley disposal purposes.
Interest Valued	: Freehold excluding GST.
Inspection Date	: 24 th July, 2007.
Valuation Date	: 24 th JULY, 2007.
Current Market Value "As Is"	: \$120,000
Valuer	:  Benjamin Farquhar B.Com AAPI Certified Practising Valuer Licensed Valuer 44320 in the State of Western Australia
Valuation Reference Number	: 71485.
Important	: All data provided in this summary is wholly reliant on and must be read in conjunction with the information provided in the attached report. It is a synopsis only designed to provide a brief overview and must not be acted on in isolation.

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LICENSED VALUERS AND PROPERTY CONSULTANTS
Bullmer Pty Ltd/15 Kimberley Property Valuers, A.C.N. 268 064 724

2 MACPHERSON ST (CNR COSULAN ST)
PO BOX 8654 CABLE BEACH
THE SHIRE OF WYNDHAM EAST, WESTERN AUSTRALIA

TEL: 08 9192 3930
FAX: 08 9192 3931
EMAIL: kgw@wpa.com.au



25th July 2007

Jo-Anne Ellis
Shire of Wyndham East Kimberley

By Email: KMGPS@thekarfontler.com.au

Dear Jo-Anne

RE: VALUATION: LOT 321 LAINE JONES DRIVE, KUNUNURRA, WA

Further to recent instructions we have undertaken an inspection of the above mentioned property and have completed all the necessary investigations to provide the following valuation report, which we trust will be sufficient for SHRE of Wyndham East Kimberley disposal purposes.

Valuation Approach

The valuation is made on the basis of "Market Value" as adopted by The Australian Property Institute from the International Assets Valuation Standards Committee definition, that is:

'The estimated amount for which an asset should exchange on the date of valuation between a willing buyer and a willing seller in an arms' length transaction after proper marketing which the parties had each acted knowledgeably, prudently, and without compulsion.'

Identification

The property has been positively identified by use of cadastral maps in conjunction with the Certificate of Title. Main improvement structures appear to stand within the boundaries.

Town Planning

Local Government/Council

We have inspected a copy of the Shire of Wyndham/East Kimberley Town Planning Scheme No. 7 map which indicates that the subject property is currently zoned 'Special Site - Airport'. The zoning permits land uses in accordance with the operation of the airport, however, secondary uses that are dependant on the airport may be permitted at Council's discretion.

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LICENSED VALUERS AND PROPERTY CONSULTANTS
Governed by the Kimberley Private Valuers Act 1997



Valuation Report
Lot 321 Lalne Jones Drive, Kununurra, WA

Town Planning (Cont'd)

Heritage

Enquiries to the relevant authorities have indicated that there are no current heritage implications in respect to the subject property, nor did we expect to discover any such implications in this instance.

Cultural/Aboriginal Sites

The value and utility of land can be adversely affected by the presence of Aboriginal sacred sites. We have made no investigations in this regard, as Aboriginal requirements can only be determined by the appointment of an appropriate expert. Under these circumstances, we cannot warrant that there are no such sites on the land and if it is subsequently determined that the reality is so affected, we reserve the right to review this valuation accordingly.

Site Details

The subject land is rectangular in shape and lies level to road grade. Dimensions are as follows:

Frontage to Lalne Jones Drive:	50m
Depth:	74m
Area:	4,900m ²

Underlying soils are Pindar clays and sands, which are not noted for their drainage capacity being heavy down pours of rain.

Services

Services available to the site include:

Electric power, scheme water and telephone

Location

The subject property is located in the far northern town of Kununurra, approximately 3,200km from Perth and 525km from Darwin. Kununurra has a population of approximately 6,000 people. Main industries supporting the town include irrigated agriculture, tourism, mining and pastoral. The town has a wide range of amenities including a shopping precinct, schools, hospital and airport.



Valuation Report
Lot 321 Laine Jones Drive, Kununurra, WA

Location (Cont'd)

More specifically the subject property is within the Kununurra airport complex. Main access to the airport is provided off the Victoria Highway which runs in an east west direction, immediately south of the main terminal and associated airport buildings, including the subject. Direct access to the subject is provided through Laine Jones Drive being positioned to the west of the main terminal and associated carpark area. The subject property has a 50m frontage to both Laine Jones Drive and the farmac.

Land use within the airport complex, apart from the main terminal buildings and carpark, comprises a number of hangars with associated offices with the majority of these buildings being privately owned by individual charter companies.

Description of Property

The property comprises a vacant parcel of land of 4,926m². The property is partially fenced, has a large grassed area, a bitumen paved area on the farmac and an undeclared area which is currently used for parking by neighbouring properties.

Environmental Issues

A visual site inspection has not revealed any obvious pollution or contamination.

Nevertheless, we are not experts in the detection or quantification of environmental problems and accordingly, have not carried out a detailed environmental investigation. Therefore, the valuation is made on the assumption that there are no actual or potential contamination issues affecting the property should subsequent investigations show that the site is contaminated this valuation may require revision.

By the Commencement of the Contaminated Sites Act 2002 a Public Register is now kept in Western Australia of land that has been classified as being either contaminated - remediation required, contaminated - restricted use or remediated for restricted use. In arriving at any assessment of the value of the land, you have instructed us not to consider any contamination of the land and specifically have instructed us not to make any search of the Contaminated Sites Register or any other enquiries in relation to the previous use of land.

You accept that the results of these searches may have an impact on the valuation that we have provided to you and we do not accept any responsibility or liability for any loss or damage or for consequential loss or damage of any kind arising from our negligence or otherwise to you or any person in relation to the valuation of the land. This includes any loss or damage arising from our failure or omission to consider any factors which would affect the value of the land including but not limited to any possible environmental site contamination or any failure to comply with environmental legislation.



Valuation Report
Lot 321 Laline Jones Drive, Kununurra, WA

Occupational Health and Safety

Asbestos Products

Our inspection of the subject property improvements reveals no obvious deterioration of fibre cement products used on this site. The valuation takes into account the presence of these products on site. We are however not experts in this field and should they be found in a deteriorated state the valuation would be reviewed accordingly.

General

We did not note any obvious health and safety problems on the site, though once again we point out that we are not experts in this field.

Occupancy and Lease Details

We understand that there are no lease arrangements affecting the subject land.

General Comments/Market Commentary

The subject property comprises a level rectangular air side parcel of land with an area of 4,902m².

The current zoning for this site specifies that the property must be utilised for aircraft/airport use, and accordingly it is noted that there would be a limited number of potential purchasers requiring this type of accommodation due to the specialised and limited use to which the property can be utilised.

Purchaser demand for commercial/industrial property within Kununurra is currently steady with the bulk of demand being for properties in the \$700,000 price bracket. There is a general lack of supply of industrial and commercial land within Kununurra which has led to an increase in land values.

Over the past 12 to 24 months there has been a situation of strengthening values in the commercial/industrial market place following on from significant strengthening in the residential property market within Kununurra over recent years. At this point in time, the properties which appeared to have increased in value the most are those with significant residential components within them.

The strengthening in the market place is most likely due to a policy of the Argyle Diamond Mine to prefer local employees rather than fly in/fly out employees. Argyle has recently announced that they will extend their operations and life of the mine until the year 2018. This will provide security to its employees with a flow on being continued positive sentiment within the Kununurra marketplace.



Valuation Report
 Lot 321 Lains Jones Drive, Kununurra, WA

General Comments/Market Commentary (Conf'd)

Despite the price growth noted above the lack of supply of commercial and industrial and within Kununurra does not apply to the airport zone where we are aware of several lots available for purchase and development. Given the relatively high costs of construction and restrictive nature of the zoning, there has been very little land price growth since the lots were available for purchase some 10 to 12 years ago.

We are aware that the Shire of Wycham East Kimberley have received an offer to purchase the property, however details of this offer have remained confidential.

Sales Evidence

We provide the following summary of market evidence, which we have used in our valuation deliberations:

	Address	Sold	Sale Price (\$)
1.	Lot 303 Dusty Rankin Drive, Kununurra Land Area: 1,636m ² Zoning: Special Site - Airport Comprises an air side lot with a 3/4 mile frontage to the airstrip and Dusty Rankin Drive.	09/1998	\$40,000
	<ul style="list-style-type: none"> • Sale price shows a rate of \$24 per m² of land area. 		
2.	Lot 304 Dusty Rankin Drive, Kununurra Land Area: 1,712m ² Zoning: Special Site - Airport Comprises an air side parcel and land with an area of 1,712m ² . We are unsure of the GST position on this sale we have therefore analysed the minimum and maximum rate per m ² based on a full 0% GST or GST exclusive.	05/08	\$45,000
	<ul style="list-style-type: none"> • If the sale price of \$40,000 excludes GST the rate reflects a rate of \$24 per m² of land area • If the sale price of \$45,000 includes the full 10% GST the sale reflects a rate of \$24 per m² of land area. 		
3.	Lot 305 Dusty Rankin Drive, Kununurra Land Area: 1,758m ² Zoning: Special Site - Airport Comprises an air side lot which sold to the tenant in occupation who already owned buildings on the site.	10/1997	\$49,000
	<ul style="list-style-type: none"> • Sale price shows a rate of \$27 per m² of land area. 		



Valuation Report
 Lot 321 Laine Jones Drive, Kununurra, WA

Sales Evidence (Conf'd)

Address	Sold	Sale Price (\$)
4. Lot 304 Dusty Rankin Drive, Kununurra Land Area: 1,814m ² Zoning: Special Site - Airport Comprises an air side property which sold to the tenant in occupation who already had buildings on the site. • Sale price shows a rate of \$28 per m ² of land area.	10/1998	\$50,000
5. Lot 308 Dusty Rankin Drive, Kununurra Airport Precinct Land Area: 1,956m ² Zoning: Special Site - Airport Comprises a 1,956m ² allotment with direct air side access at the rear. The property was improved with hangars/area though this transaction was for the vacant land component only. The sale was based on negotiations between the Shire of Wychamy/East Kimberley and the purchaser which were entered into in excess of 1 year ago. • Sale price reflect \$28 per m ² based on land area.	08/06	\$55,000
6. Lots 319 & 320 Laine Jones Drive, Kununurra Land Area: 2,816m ² Zoning: Special Site - Airport Comprises two air side parcels of land with a combined area of 2,816m ² . The freehold in the land was sold to the tenant in occupation who had already built improvements on the site. Each lot sold for \$110,000 and had an area of 1,408m ² . • Sale price shows a rate of \$22 per m ² of land area.	06/1997	\$220,000
7. Western Portion of Lot 2431 Kankorberry Drive Land Area: 1,605m ² Zoning: Town Centre A regular shaped vacant lot which lies level to road grade with sewerage and electricity easements along the rear boundary. • Sale price based on a rate per m ² of land area - \$91 per m ²	05/06	\$147,000 excluding GST



Valuation Report
 Lot 321 Laine Jones Drive, Kununurra, WA

Sales Evidence (Conf'd)

Address	Sold	Sale Price (\$)
9. Lots 304 & 305 Dusky Rankin Drive, Kununurra Land Area: 3,607m ² Zoning: Special Site - Airport Comprises two adjoining air side lots, one approved with a hanger and garage of 228m ² , the other is improved with an office and hanger with a combined area of 466m ² . The property was purchased with an air charter business, we have been advised that the land and buildings portion sold for \$590,000 excluding GST.	06/07	\$590,000 excluding GST
<ul style="list-style-type: none"> • Sale price based on a rate per m² of building area - \$260 per m² • Sale price based on a rate per m² of land area - \$161 per m² 		
8. Lots 314 & 315 Cyril Koinig Drive, Kununurra Land Area: 3,814m ² Zoning: Special Site - Airport Comprises two adjoining lots both of 1,907m ² . Lot 314 is vacant while Lot 315 comprises a modern industrial style shed utilised as a hangar and incorporates office and ablution accommodation. Improvements were constructed in 2004 and have a gross building area of approximately 432m ² . The shed has a minimum eave height of 4.8 metres and is fitted with a gantry crane. The improvements are relatively modern though located end side of the airport. The property has a site coverage of approximately 11.5%.	01/07	\$415,000
<ul style="list-style-type: none"> • Sale price based on a rate per m² of building area - \$964 per m² • Sale price based on a rate per m² of land area - \$111 per m² 		

Valuation Methodology

In establishing a current market value for the subject property we have relied upon the direct comparison to sales evidence approach.

The comparable sales approach involves comparing the subject property against other similar style properties which have sold so that a comparative assessment can be made either on an overall basis or on a rate per m² basis. Our comparison has been assessed against sales evidence previously summarised in this report.



Valuation Report
Lot 321 Laine Jones Drive, Kururung, WA

Valuation Methodology – (Cont'd)

In establishing a market value we have compared the subject property to the sales evidence on a rate per m² basis considering the following factors:

- Location;
- Size/quality of improvements;
- Zoning/subdivision approval;
- Functional utility of property;
- The impact of any lease on the property;
- Current state of strengthening market conditions.

The evidence analysed shows a range of sites most of which are smaller than the subject and mostly between \$22 per m² and \$28 per m² the most recent of which was Lot 305 which was sold to a tenant in occupation for \$55,000 in August 2006. This site is smaller than the subject and has superior exposure to Victoria Highway. We should also note that the two adjoining sites (also adjoining the subject) sold for \$22 per m². Although this sale occurred in 1997, it has the same land area and dimensions as the subject however has slightly better exposure to Victoria Highway. Analysis of the other sales within the same precinct indicate that there has been little to zero nominal growth since this sale occurred, representing a loss in real value. Recent trends in the industrial and commercial land market indicate otherwise and have demonstrated significant growth.

Based on the available sales evidence, we consider the subject property not a fair market range in the order of \$110,000 to \$130,000, with a preferred value of \$120,000.

We further note that our preferred value reflects an approximate rate of \$24 per m² of land area.

The above rate is broadly in line with market evidence when analysed on this basis.

Valuation

After taking into account all of the relevant factors, along with market evidence, the current market value of Lot 321 Laine Jones Drive, Kururung is considered to be \$120,000 (ONE HUNDRED AND TWENTY THOUSAND DOLLARS) subject to an unencumbered fee simple title being obtained. Our valuation is effective as at 24th July, 2007 and excludes GST.

I hereby certify that I do not have any direct, indirect or financial interest in the property described herein.

AAPI CPY – Licensed Valuer 44326 – Benjamin Farquhar

KIMBERLEY VALUERS AND PROPERTY CONSULTANTS
Bateson Pty Ltd/17/18 Kimberley Property Valuers, 10/110/181/01

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Valuation Report
Lot 321 Lalne Jones Drive, Kununurra, WA

Assumptions, Conditions and Limitations

General Disclaimers

Our valuation has been undertaken on the assumption that the buildings comply with the full requirements of the law including the current zoning, land use classification, building, planning, fire and health by-laws, rules, regulations, orders and codes of all authorities and that there are no outstanding requisitions.

This valuation is current as at the date of valuation only. The value assessed herein may change significantly, unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). We do not accept liability for losses arising from such subsequent changes in value. Without limiting the generality of the above comment, we do not assume any responsibility or accept any liability where this valuation is relied upon after the expiration of three months from the date of valuation, or such earlier date if we became aware of any factors that have any effect on the valuation.

Except as specifically set out in this report, the valuation is given on the basis that:

1. The client has made a full and frank disclosure of all material information
2. The improvements if any, comply with the requirements of relevant authorities.

Neither the whole nor part of this report, nor any reference thereto may be included in any document, circular or statement without our written approval of the form and context in which it will appear.

Finally, and in accordance with standard practice it is stated that this report is prepared for the addressee only and no liability for damages incurred by a third party using the whole or any part thereof will be accepted.

Yours faithfully
For Kimberley Property Valuers

BENJAMIN FARQUHAR B.COM
AAP Certified Practising Valuer
Licence No: 44320
In the State of Western Australia



Valuation Report
Lot 321 Laline Jones Drive, Kununurra, WA

ATTACHMENTS

1. CERTIFICATE OF TITLE
2. LOCATION MAP
3. WRITTEN INSTRUCTIONS

LICENSED VALUERS AND PROPERTY CONSULTANTS
Regulated by the Estate Agents, Property Valuers Act 1981/1991

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WESTERN



AUSTRALIA

REGISTERED	
321/P21744	
PREVIOUS REFERENCE	INSTRUMENT NUMBER
N/A	N/A

RECORD OF CERTIFICATE OF TITLE
 UNDER THE TRANSFER OF LAND ACT 1936

VOLUME 2095 PAGE 341

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the registered encumbrances and liabilities contained in the original grant (if a proprietor) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

B. Roberts
 REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 321 ON PLAN 21744

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

SHIRE OF WYNDHAM EAST KIMBERLEY OF POST OFFICE BOX # 4, KUNJINURRA
 (A 0356056) REGISTERED 19 DECEMBER 1936

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
 (SECOND SCHEDULE)

Warning: A careful search of the office of the land should be conducted prior to dealing with the land to determine if there are any other registered interests in the land.
 * Any change of ownership by mortgage, lease or otherwise, must be registered in the office of the Registrar of Titles.
 * Land is not subject to the Land Use Act 1995.

-----**END OF CERTIFICATE OF TITLE.**-----

STATEMENTS:

The statements set out below are for information only and should not be relied upon as substitutes for inspection of the land and the relevant documents in the land register. Applicants should refer to other policies and advice.

SKETCH OF LAND: 2095-211 (321/P21744)
 PREVIOUS TITLE: 2052-043
 PARCEL STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE
 LOCAL GOVERNMENT AREA: SHIRE OF WYNDHAM EAST KIMBERLEY

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Jul 24 08:49:21 2007 JOB 23763266

Superseded - Copy for Sketch Only

Page 1 (of 2 pages) 2095 211 VOL FOL

ORIGINAL—NOT TO BE REMOVED FROM OFFICE OF TITLES

LT. 37

Application G356056
Volume 2052 Folio 643

WESTERN



AUSTRALIA

REGISTER BOOK VOL. FOL.

CT 2095 211



CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1958 AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the encumbrances shown in the Second Schedule hereto.

W. J. ...
ASSISTANT
REGISTRAR OF TITLES



Dated 19th December, 1996

ESTATE AND LAND REFERRED TO

Estate in fee simple in part of a King Location 327 and being Lot 321 on Plan 23744, delineated on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 12.19 metres.

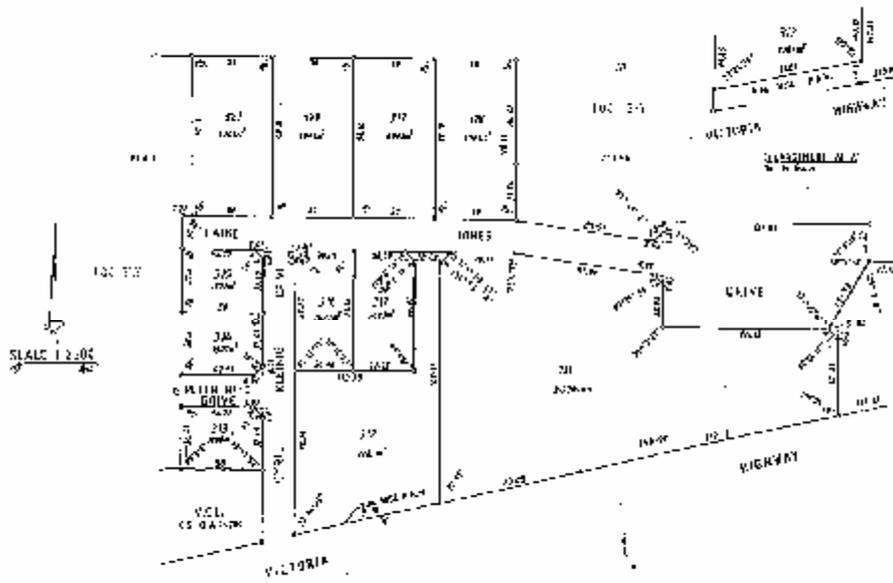
FIRST SCHEDULE (continued overleaf)

Shire of Kardinia-East Kimberley of Post Office Box 614, Kardinia.

SECOND SCHEDULE (continued overleaf)

N/A

THIRD SCHEDULE



NOTE: ENTRANCE MAY BE AFFECTED BY SURROUNDING ENCLOSUREMENTS.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

LANDGATE: COPY OF ORIGINAL NOT TO SCALE Thu Jul 24 08:49:21 2007 JOB 28763266

Superseded - Copy for Sketch Only

L7.37

Page 2 (of 2 pages)

FIRST SCHEDULE (continued)

NOTE: ENTRIES MAY BE DELETED BY SUBSEQUENT ENDORSEMENTS

DATE	PART	PROJECT	WORK	METER/MEV	NUMBER	REGISTERED	TIME	SCALE	LEAST OFFICER

SECOND SCHEDULE (continued)

NOTE: ENTRIES MAY BE DELETED BY SUBSEQUENT ENDORSEMENTS

METER/MEV	NUMBER	REGISTERED	TIME	SCALE	CERT. OFFICER	CANCELLATION NUMBER	REGISTERED	SCALE	LEAST OFFICER

CERTIFICATE OF TITLE VOL. 2085 FOL. 211

Attachment 2: Confidential – Email confirmation of offer on Lot 321

From: Peter Stubbs
Sent: Thursday, August 16, 2007 2:54 PM
To: Fiona Kuiper
Subject: FW: Lot 321 Kununurra [SEC=IN-CONFIDENCE:COMMERCIAL]

From: LE GASSICK, ADRIAN [<mailto:ADRIAN.LEGASSICK@casa.gov.au>]
Sent: Thursday, 16 August 2007 2:24 PM
To: Peter Stubbs
Subject: RE: Lot 321 Kununurra [SEC=IN-CONFIDENCE:COMMERCIAL]

Hello Peter,

Thanks for you call last night, I do appreciate you feedback re the valuation, thankyou. I confirm I agree to the adjustment of the sale price to \$120.000 as per the Shire valuation. When you get a moment, could you assist me with the current rates charges on the allotment? and is there access to 3 phase power available to that site?

Regards

Adrian

From: Peter Stubbs [<mailto:CEO@thelastfrontier.com.au>]
Sent: Tuesday, 14 August 2007 6:56 PM
To: LE GASSICK, ADRIAN
Subject: FW: Lot 321 Kununurra [SEC=IN-CONFIDENCE:COMMERCIAL]

[need to speak to you asap Adrian](#)

From: Peter Stubbs
Sent: Monday, 30 July 2007 8:33 AM
To: 'ADRIAN.LEGASSICK@casa.gov.au'
Subject: FW: Lot 321 Kununurra [SEC=IN-CONFIDENCE:COMMERCIAL]

As required Adrian I have had this block valued by a Licensed valuer. It has come in at \$120K . Most Council's would normally not sell below the valuation price. As advised previously last time Council, considered sale of this block it was 2 years ago and the agreed value to sell at that time was \$90K. Also has advised, this valuation prices and your offer will need to be advertised by Council should it agree in principle to sell by private treaty to you. It will be kept confidential until then.

[Are you prepared to increase your offer, of shall it put it forward at the existing offer?](#)

From: LE GASSICK, ADRIAN [<mailto:ADRIAN.LEGASSICK@casa.gov.au>]
Sent: Tuesday, 17 July 2007 11:25 AM
To: Peter Stubbs
Subject: Lot 321 Kununurra [SEC=IN-CONFIDENCE:COMMERCIAL]

Hello Peter,

Hope this e mail finds you well, as previously discussed please find attached letter re Expression of Interest Lot 321 Kununurra Airport WA for consideration by the Sire Wyndham East Kimberley. I have also attached my resume as requested.

Could I ask that all Council and other associated parties treat this matter with completely confidentiality.

Regards

Adrian LeGassick

Attachment 3: Confidential - Letter of Offer from Mr Adrian Le Gassick

Att Peter Stubbs
C/- CEO
Shire of Wyndham East Kimberley
Kununurra WA

**Ref Expression of Interest
Re purchase of Lot 321 Kununurra by Private Treaty**

16 July 2007

Dear Peter,

I wish to submit an Expression of Interest to the Wyndham East Kimberley Shire regarding the purchase by private treaty Lot 321 Kununurra Airport WA.
Purchase Price offer \$95,000.

My intention is to use the location to erect an aircraft maintenance hangar facility. The facility will house an administration office and various specialised workshops for support to local and in-house aircraft maintenance and servicing requirements. The intention of the facility is not only to provide support to aircraft operators but also provide some support for general engineering services for the town of Kununurra and surrounding areas.

As discussed with you, my experience with regard to aircraft operations and maintenance in the region is substantial, having spent a total of 14 years in the area and a total of 11 years working for the Royal Flying Doctor Service.

On start up our expectation is to provide a fully operational hangar providing fully qualified maintenance staff, supporting most of the aircraft types currently operating into and out of Kununurra and the Kimberley region.

In time, it is envisaged that the operation once expanded would provide training in the form of apprenticeships for both school leavers and adult traineeships, focusing on individuals that demonstrate potential and initiative and who wish to make their career in aviation and want to be part of an exciting and rapidly growing worldwide industry.

This is not a decision made lightly as I am sure the Shire is aware that there is substantial setup costs involved in this operation. I am totally dedicated to this project and intend to use every aspect of my 40 years of experience in the industry to create a comprehensive and innovative facility that will have long term benefits for the town and surrounding areas.

I look forward to your response

Yours Sincerely

Adrian H LeGassick

Resume of Adrian Harvey LeGassick

114 Gordon Street
Gordon Park 4031
Ph Priv. 07 38574313
Mobile 0419/929052

Employment History:

Airworthiness Inspector Civil Aviation Safety Authority - March 2004 – Current

Current duties

- Assessing applications for organisations applying for initial and variations to Certificates of Approval,
- Assessing individuals and organisations with regard to applications for Delegations and Authorisations by the authority,
- Contributing to policy making decisions, and assisting with new criteria for various CASA procedures manuals content,
- Providing expert advice to the Aviation Industry regarding the authorities policies rules and regulations,
- Conducting scheduled audits on Certificate of Approval holders to ensure compliance with the authorities' regulations, directives and policies.

Contractor / LAME / December 2003 – March 2004

Chief Engineer Jones Air / June 2001 – November 2003

Responsibilities

- Liaise with customers assuring that adequate communication takes place during servicing and aircraft are processed through the workshop in a timely and efficient manner.
- § Supervision of maintenance staff and management of work procedures.
- § Ensuring workshop facilities, equipment and tooling are maintained to the required standard.
- § Ensuring worksheets for the maintenance of aircraft components are properly prepared and completed for filing in company records.
- § Ensuring Company held maintenance data and relevant CAR'S / CAO'S are maintained to the latest revision.
- § Liaise with the Authority on airworthiness matters and ensuring CASA surveillance requirements are met and surveillance reports noted and actioned as necessary.
- § Ensuring all Company maintenance and certification records are suitably filed and retained to meet CASA requirements.
- § Monitor Quality through the workshop and assure maintenance is carried out to the highest standard.
- § Control expenditure in the workshop via budgets supplied by the Directors.
- § Assure that suitably qualified staff is employed to meet the Companies requirements.
- § Conduct scheduled internal audits IAW the Jones Air Certificate of Approval Procedures Manual.

September 2000 – June 2001

Chief Engineer – Royal Flying Doctor Service (S E Section)

Responsibilities

- § Manage of the Services four bases and co-ordinate all maintenance requirements at these bases assuring maximum utilization of the Services assets.
- § Liaison with the Authority on all matters concerned with activities under the Certificate of Approval.
- § The development, organization and control of all activities specified in the Maintenance Procedures Manual at Broken Hill, Launceston, Dubbo and Essendon.
- § Ensuring adequate number of trained and qualified personnel to conduct scheduled maintenance of aircraft under the control of RFDS (South Eastern Section)
- § Assignment of staff for component maintenance, such that the appointed person has direct supervision of that work.
- § Liaise with Senior Management and the Services Accountant to ensure accurate costing for budgets and budget targets are achieved.
- § Maintenance of workshop tools and equipment to a standard that will enable them to satisfactorily perform their intended task.
- § Ensuring adequate and current data is made available for the work undertaken.
- § Provision of a clean and safe work environment which meets State and Federal requirements and compliance with the organization's Occupational Health Safety Policy.
- § Negotiating the training of maintenance personnel. This includes on-the-job technical training and awareness training of company procedures, including the procedures documented in the Services manual.
- § Investigation and resolution of deficiencies identified as a result of a CASA, client or internal audit of the organisation within the scope of the Certificate of Approval
- § Incorporation of manufacturer's requirements or mandatory changes into printed work sheets being used to certify for the completion of aircraft maintenance.
- § Control of staff / engineers licence coverage.
- § Conduct scheduled internal audits IAW the RFDS Certificate of Approval Procedures Manual.

February 1999 – July 2000

Senior Base Engineer Skippers Aviation – Broome Airport WA

This was the first time Skippers Aviation had ventured into RPT operations.

Responsibilities:

- § Ensure the continuance of serviceability of aircraft at the Broome Base.
- § Carry out all service checks as required.
- § Ensure all documentation is processed in the correct manner.
- § Liaise with Engineering at Perth Airport.
- § Liaise with Senior Base Pilot regarding all maintenance and scheduling issues.
- § Return of aircraft to service.
- § Ensure hangar and equipment are kept in an appropriate condition and serviceability.

- § Ensure tooling and equipment is kept in calibration.
- § Ensure adequate holding of spares and rotables.
- § Ensure all reference materials including service manuals, parts manuals and Civil Aviation publications are the correct amendment status.
- § Notify contractors of future work and planning requirements.
- § Ensure competency of other approved organisations.

February 1998 - February 1999

Chief Engineer / Engineering Manager – Skippers Aviation Perth Airport

Responsibilities;

- § Employment of all engineering personnel.
- § Liaising with Civil Aviation Safety Authority on all matters regarding compliance, regulatory and airworthiness issues.
- § Management and training of all maintenance personnel.
- § Manage Quality Control and Occupational Health & Safety issues.
- § Checking of documentation relevant to service checks.
- § Prepare Shift Rosters and ensure adequate balance of licence coverage on each shift.
- § Negotiating with staff regarding Enterprise bargaining, salary and wages issues.
- § Preparation defect reports.
- § Checking of away-from- base maintenance resources.
- § Notify contractors of future work and planning requirements.
- § Return of aircraft to service.
- § Ensure competency of other approved subcontracting organisations.
- § Nominate auditors.

April 1997 – February 1998

Airport Operator Air BP Representative Derby Airport Derby WA

November 1987 – February 1998

Chief Engineer - Royal Flying Doctor Service (Victorian Section) Derby Airport, WA

During the early part of 1987, I was invited through the management of the RFDS (Victoria Section) to assess the viability of establishing a fully approved workshop maintenance facility to support their aircraft based in Derby Western Australia. There was previously no “in house” maintenance carried out at the Derby hangar. Following detailed negotiations with RFDS management, I formed a company that would provide all the maintenance and co- ordination for their Aero Medical fleet, including the provision of other engineers and apprentices as required. Important equipment, spares, and back-up personnel were also secured.

Major responsibilities included:

- § All maintenance of RFDS (Victorian Section) aircraft.
- § Overseeing the transition from piston engine aircraft to a complete Turbine engine fleet during the early 1990's
- § Preparation of all documentation pertaining to maintenance.
- § Liaison with the Civil Aviation Safety Authority.

- § Provision of adequate labour with appropriate skill requirements as required for various job allocations.
- § Assist with the preparation of annual budgets.

Also, during this time with RFDS, I was chosen to be one of the panel to help select new aircraft. This meant regular travel to Sydney to oversee on behalf of the RFDS the medical fit-out of these aircraft to the airworthiness requirements and medical modifications, requested by the RFDS.

1984-November 1987 Moorabbin Airport Victoria

Formed a company to carry out aircraft maintenance at this airport.

1982-1984 Civil Flying Services Victoria. Hangar Forman.

1980-1982 Northwest Airlines, Essendon Airport, Victoria Chief Engineer.

1966- 1980 Civil Flying Services. Moorabbin Airport, Victoria.

I served my apprenticeship with this organisation, and then worked in the Engine Overhaul, Airframe and Service Departments of this Company.

Ratings held:

Description:

LAME: V7961-ARN 013635

Engines: Grps 1, 2, 3, Allison 250 B17, Garrett TPE 331 Series, P&W PT 6A Series, Grp 22 Allison 250 C Series.

Airframes: Grps 1, 2,5,6,10,19.

Other:

1991 Aviation Dangerous Goods Aircrew Course

1991 Qualified aircraft refueller, Mobil Oil Company

1997 Aircraft refueller and airport representative, Air BP Australia

1997 Dangerous Goods Drivers Licence

PERSONAL DETAILS

Date of Birth: 6th March 1951

Marital Status: Married / two children

Health: Excellent

Licences: Heavy Vehicle Driver Licence Class HC, H. (No 80655349 Qld)

EDUCATION

1957- 1963 Brighton Grammar School Victoria.

- 1963- 1965 Intermediate Certificate
Peninsular Grammar School Victoria
- 1970 Aircraft Maintenance Engineer Trade Certificate
R.M.I.T Melbourne.

PERSONAL DEVELOPMENT

Engineering:

Held Company Engine Overhaul Approval for 3 years
Non Destructive Testing Authority No. 13635

- Dye Penetrant
- Magnetic Particle

1982 Satisfactorily completed the Gulfstream Commander Factory Aircraft Maintenance Course

1983 Satisfactorily completed Garrett TPE-331 Engine Line Maintenance Course at the Garrett Engine Company. Phoenix, Arizona, USA.

1993 NiCad Battery Maintenance and Overhaul Course.

1997 Satisfactorily completed Flight Safety Super King-Air Maintenance Course

2000 Satisfactorily completed Eastern Airlines TPE 331 series maintenance course.

2002 Microsoft Windows 98/2000 Course use of Office XP, PowerPoint and Excel

2003 Safety and Lead Auditor training course completed August 2003

2005 Certificate IV in workplace Assessment

2005 Microsoft Word 2003 level 2

2005 Microsoft Excel level 1

2005 Satisfactorily completed Legal Awareness course conducted for CASA staff

2006 Satisfactorily completed the CASA CAR 37 (minimum equipment list) course, mandatory for all prospective industry delegates,

2006 Satisfactorily completed the CASA Certificates of Airworthiness (full course) a mandatory course for CASA and industry delegates.

Flying experience and qualifications:

1969 Private Pilot's Licence (No. 013635)

1992 Commercial Pilot's Licence

1994 Air Operator's Certificate No. DN 417576
Grand Total Flying Hours: 3150

Endorsements: Constant Speed / Variable Pitch; Tail Wheel Undercarriage / Retractable Undercarriage.

Ratings: B76; Beech 55 / 58; PA 30 /39; PA 31.

Leisure Interests: Cycling; Skiing; Flying; Music; Old Cars; Reading and Dining out with friends.

Current Courses in progress:

Certificate III in Engineering - Production Systems Welding / Gas Tungsten Arc Welding processes.

Further Education:

Composites Airframe Grp 7 Course November 2007/2008

Certificate 1V in Business Management 2007/2008

Flight Crew Instructor rating 2007/2008

PROFESSIONAL REFERENCES:

Grp Capt. Chris Roff (Ret)
Ex General Manager Royal Flying Doctor Service
(Victorian Section)
Mobile: 0409 564 249

Arnold Long
Senior Airworthiness Inspector
CASA Eastern Region Field Office
Hendra Qld

Mr. Mick Rowbottom
Engineering Manager
AV West Pty Ltd
Telephone: 08 94777008

Kerry Nolan
Flying Operations Inspector
CASA Sydney Basin Area Office Bankstown
Telephone: 131 757 ext 3044

PERSONAL REFERENCE:

Capt Brian Smith
123 Gt Ocean Rd, Anglesea, Vic. 3230
Telephone: 03 5263 1230

COUNCIL DECISION

Minute No: 7863

Moved: Cr R. Devenish-Meaers

Seconded: Cr M. Middap

That the meeting moves out of camera.

Carried Unanimously: 7/0

17. CLOSURE

With all matters of business complete the Shire President declared the meeting closed at 7.32pm.



Shire of Wyndham East Kimberley

Monthly Financial Report

Presented to Council

21 August 2007

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Net Current Assets	
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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

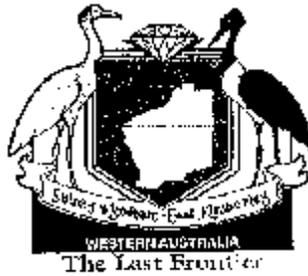
Presented to Council

21 August 2007

Contents	Page
Statement of Financial Activity	N/A
Net Current Assets	N/A
Explanation of Material Variances	N/A
Other Supporting Information	N/A

Council Resolved on 17 July 2007 as part of minutes 17/06

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

List of Accounts Paid Under Delegation 18

Presented to Council

21 August 2007

Municipal Cheques date 12 July - 2 August 2007

EE - Payments dated 12 July - 2 August 2007

Boynell dated 1 July - 31 July 2007

District Debts Dated - July - 31 July 2007

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List of Accounts Paid Under Delegation 18

List of accounts submitted to Council 21/08/07

CHIEF	Date	Name	Description	
MUNICIPAL FUND				
37074	12/07/2007	ANALISA HUTTON	HOLIDAY PROGRAM CANCELLATION	28.00
37075	12/07/2007	CREATION HERITAGE RADIO	REFUND OF RECEIPT 350052	20.00
37076	12/07/2007	DEPARTMENT OF CULTURE AND THE ARTS	LOST AND DAMAGED BOOKS - WYNHAM LIBRARY	21.00
37077	12/07/2007	DEPT CONSUMER & EMPLOYMENT PROTECTION	CARNOUS GOODS LICENCE - WYNDHAM DEPOT	33.00
37078	12/07/2007	DEPT FOR PLANNING & INFRASTRUCTURE	REGISTRATION OF FIRE BRIGADE VEHICLE	160.00
37080	12/07/2007	GLOBAL AIR AUSTRALIA PTY LIMITED	SATELLITE PHONE CHARGES	362.85
37081	12/07/2007	HORIZON POWER	ELECTRICITY ACCOUNTS	0,798.85
37082	12/07/2007	KUNUNURRA PLUMBING & GAS FITTING	PIK TAP IN MALES TOILET	82.50
37083	12/07/2007	MACRILL, EDWARD	WRITERS FESTIVAL PA - HIRE AND ASSISTANCE	300.00
37084	12/07/2007	MACAM AUSTRALIA	KICKBOARDS - HYDRO WOOD FR & WALK MIRROR	754.85
37085	12/07/2007	RICK SPRY	HIRE CAR RENT	145.50
37086	12/07/2007	SHIRE OF BRIDGETOWN-GREENBUCHES	LOST BOOK FROM WYNDHAM LIBRARY	22.16
37087	12/07/2007	TOWN OF BASSENGHAN	LOST BOOK FROM WYNDHAM LIBRARY	1.00
37088	12/07/2007	WATER CORPORATION	WATER SUBSIDY ALLOWANCE DUNHU ANDS	94.43
37089	12/07/2007	WESTERN AUSTRALIA POLICE SERVICE	REPLACEMENTS FOR CRIME PREVENTION WORKSHOP	178.50
37090	12/07/2007	WHAT MANAGEMENT	ARTISTS FEES FOR EMERLEYS WRITERS FESTIVAL	1,150.00
37091	23/07/2007	ALL SEASONS SUNSHINE TOWER HOTEL	ACCOMMODATION FOR NDIH CONFERENCE	492.00
37094	23/07/2007	AVIATION COMPONENTS PTY LTD	3 MONTH CHECK ON AVGAS SYSTEM AT AIRPORT	1,940.88
37095	23/07/2007	BOITE	APRIL - JUNE 2007 RITE COLLECTIONS	16,217.32
37096	23/07/2007	ERANDY, PETER	PERFORMANCE FEE FOR GHOSTWRITERS CONCERT	200.00
37097	23/07/2007	GASH - PETTY GAS FILLING SERVICE	UTILITY CASH REIMBURSEMENT	111.75
37098	23/07/2007	FLECHA PARSONSON	REFUND OF CANCELLED SWIMMING LESSONS	53.00
37099	23/07/2007	HORZON POWER	ELECTRICITY ACCOUNTS	3,039.45
37100	23/07/2007	HORZON POWER	CATERING FOR COUNCIL MEETING MAY 2007	477.00
37101	23/07/2007	INTERCON LOGISTICS	ORIGA WELS IPOOL CHELERNLITZ IN TUPLEVY	1,950.00
37102	23/07/2007	KUNUNURRA AVON PHARMACY	SAUCE SWABS	728.07
37103	23/07/2007	QUYBIEN GURRI ASSOCIATION INCORPORATED	CUK BRANI SHIR PURCHASE CUMBUKURR	448.71
37104	23/07/2007	QUYBIEN GURRI ASSOCIATION INCORPORATED	CUK BRANI MAGPIES FOOTBALL CLUB	600.00
37105	23/07/2007	QUYBIEN GURRI ASSOCIATION INCORPORATED	ILLUMINATE SUBSIDY CLAIM FOR JUNE 2007	39.00
37106	23/07/2007	RICK SPRY	REPAIRS TO OPTIC FIBRE DAMAGED BY WORKMEN	\$ 133.11
37107	23/07/2007	TELSTRA	CONTINUTY GRANT	830.10
37108	23/07/2007	TELSTRA	WATER ACCOUNTS	226.00
37109	23/07/2007	TELSTRA	QUICK GRANT	950.00
37110	23/07/2007	TELSTRA	ELECTRICITY ACCOUNTS	914.15
37111	23/07/2007	TELSTRA	WATER BILLS ACCOUNTS	26,650.30
37112	23/07/2007	TELSTRA	TOKENS FOR KUNUNURRA SQUASH CLUB	149.80
37113	23/07/2007	TELSTRA	WATER TESTING	231.00
37114	23/07/2007	TELSTRA	TERMINAL SERVICES LICENSES	2,220.00
37115	23/07/2007	TELSTRA	SPECIAL NUMBER PLATES	200.00
37116	23/07/2007	TELSTRA	CHQ CANCELLED	0.00
37117	23/07/2007	TELSTRA	SERVICES AT AIRPORT	1,527.50
37118	23/07/2007	TELSTRA	SATELLITE PHONE CHARGES	114.50
37119	23/07/2007	TELSTRA	VARIETY OF GOODS FOR JULY HOLIDAY PROGRAM	15.35
37120	23/07/2007	TELSTRA	REFUND FOR WOMEN'S EXPT REAGARD	1,000.00
37121	23/07/2007	TELSTRA	CHILDREN GAS BODK DRINK FOR NLC	2,051.88
37122	23/07/2007	TELSTRA	FOOD DAMAGE REPAIRS FOR JUNIOR BOYS	2,670.00
37123	23/07/2007	TELSTRA	MOBILE PHONE ACCOUNT	494.88
37124	23/07/2007	TELSTRA	REFRESHMENTS OF COUNCIL MEETING	33.88
37125	23/07/2007	TELSTRA	KUNUNURRA AC SHOW QUIZ PRINTS	272.00
37126	23/07/2007	TELSTRA	CATERING FOR COUNCIL MEETING	277.00
37127	23/07/2007	TELSTRA	Total of Council Payments	97,631.41

CHIEF	Date	Name	Description	
37128	12/07/2007	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	295.50
37129	12/07/2007	AUSTRALIAN SERVICEMENS UNION	PAYROLL DEDUCTIONS	169.20
37130	12/07/2007	CGU	PAYROLL DEDUCTIONS	15.30
37131	12/07/2007	SHIRE OF WYNDHAM LAST MILE	PAYROLL DEDUCTIONS	1,190.00
37132	12/07/2007	WYNDHAM LOCAL GOV SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	17,702.80
37133	12/07/2007	WYNDHAM LOCAL GOV SUPERANNUATION PLAN	TERMS TO SMALL PLANT	340.20
37134	12/07/2007	APRILEY KARYA	STAFF ELECTRICITY SUBSIDY	572.07
37135	12/07/2007	AUSTRALIAN COMMUNICATIONS AUTHORITY	BROADCASTING LICENCE	122.00
37136	12/07/2007	AUSTRALIAN FEDERAL POLICE	CORRAL REXXUO CHECKS	21.00
37137	12/07/2007	BEAUKAMP'S KUNUNURRA	TYRE REPAIRS AND SUPPLY	1,955.67
37138	12/07/2007	BEAUKAMP'S KUNUNURRA	UPGRADE DOORS AT CHILDRS CENTRE	7,017.00
37139	12/07/2007	BEAUKAMP'S KUNUNURRA	CHECK AND SERVICE CLAMBERS AIRCON	39.00
37140	12/07/2007	BEAUKAMP'S KUNUNURRA	ANALYSIS OF SALT/WATER RESULTS	826.00
37141	12/07/2007	BEAUKAMP'S KUNUNURRA	TAX VOUCHERS	161.80
37142	12/07/2007	BEAUKAMP'S KUNUNURRA	STATIONERY ORDER	353.36
37143	12/07/2007	BEAUKAMP'S KUNUNURRA	GRASS	337.52
37144	12/07/2007	BEAUKAMP'S KUNUNURRA	ELECTRICITY SUBSIDY	237.00
37145	12/07/2007	BEAUKAMP'S KUNUNURRA	PHONE & SUPPLIES	237.47
37146	12/07/2007	BEAUKAMP'S KUNUNURRA	REPAIRS	200.00
37147	12/07/2007	BEAUKAMP'S KUNUNURRA	REPAIRS	250.00
37148	12/07/2007	BEAUKAMP'S KUNUNURRA	PHONE SUBSIDY	35.00

List of Accounts Paid Under Delegation 18

List of accounts submitted to Council 21/08/07

Comp/FFY	Date	Name	Description	Amount
EF 100952	12/07/2007	HIGGIE, SYBETHA	WYNDHAM CLEANING CONTRACT	2,085.18
CI 100953	12/07/2007	FRANK LESSAC, ARTTREAT PUBL. SHING	AUTHORS FEES FOR SCHOOL WORKSHOPS	660.00
EF 100954	12/07/2007	GULLIVERS TAVERN	CATERING FOR COUNCIL BRIEFING 5/8/07	2,000.00
FF 100955	12/07/2007	RAYTON & CO	INVOICE SHORT PAID ON LTT 00707	174.00
CI 100956	12/07/2007	JOY HOLDINGS PTY LTD	3M RIVER ROCK TO JUCON YPTUS KUNUNURRA	298.35
EF 100957	12/07/2007	JUST FRANCHISE	FRAMED PHOTO OF DIVERSION DAV	197.00
FF 100958	12/07/2007	K & N ALL CLEAN	CLEANING CONTRACT KUNUNURRA	6,742.29
LTT 100959	12/07/2007	KIMBERLEY MARKETING, ATT: PHIL	30 X DISPOSABLE FOOD CONTAINERS	13.26
FF 100960	12/07/2007	KIMBERLEY ATTORNS	TURF	3,435.34
EF 100961	12/07/2007	KIMBERLEY WELFARE & CONFERENCES	10% OF GYM SUIT HOLIDAY PROGRAM	110.00
EF 100962	12/07/2007	KUNUNURRA MOBILE WELDING SERVICE	REMOVE AND REPAIR FENCE AT LEISURE CENTRE	1,000.00
FF 100963	12/07/2007	KUNUNURRA	DIGITAL IMAGES FOR 2004 ANNUAL	482.00
EF 100964	12/07/2007	KUNUNURRA	5 GARAGE AS PER ORDER	822.45
FF 100965	12/07/2007	NORTHFRM INFORMATION TECHNOLOGY	IT SUPPORT	99.00
EF 100966	12/07/2007	OFFICE NATIONAL KUNUNURRA	STATIONERY ORDER	149.70
EF 100967	12/07/2007	GRANDIVER ELECTRICS	ELECTRICAL REPAIRS	6,274.65
EF 100968	12/07/2007	PARDOE-BELL, ALLAN JOHN	WYNDHAM CLEANING CONTRACT	1,659.00
FF 100969	12/07/2007	QUATEC MCWILLIAMS PTY LTD	FLOOR DAMAGE ASSESSMENT	7,772.84
FF 100970	12/07/2007	ROBERTS MACHINERY SERVICE	REPAIRS TO PLANT	1,527.60
CI 100971	12/07/2007	ST JOHN AMBUULANCE ASS. KUN	SENIOR FIRST AID FULL COURSE	115.00
EF 100972	12/07/2007	TECSON AND WA PL	MICROPHONES ETC FOR GYM CLASSES	973.50
FF 100973	12/07/2007	TRAVEL WORLD KUNUNURRA	TRAVEL - STAFF, TRAINER,	1,864.48
FF 100974	12/07/2007	TYRE MARKETERS	4 WHEEL DRUM TYRES	883.81
FF 100975	12/07/2007	WA TELECOM KUNUNURRA	ROOM HIRE FOR BUDGET MEETINGS	700.00
CI 100976	12/07/2007	WA TREASURY CORPORATION	LEAN REPAYMENT 117	47,481.82
FF 100977	12/07/2007	WYNDHAM TELECOM	STATIONERY & PRINTING	529.29
FF 100978	12/07/2007	ATO CIVIL ENGINEERING AGENCY	PAVING CONTRACTS	345.22
EF 100979	12/07/2007	AUSTRIAN SERVICES UNION	PAYROLL COLLECTIONS	191.70
LTT 100980	12/07/2007	AUSTRIAN SERVICES UNION	PAYROLL COLLECTIONS	15.00
FF 100981	12/07/2007	B.H.C. E.L.	PAYROLL COLLECTIONS	4,225.61
FF 100982	12/07/2007	BHILL, JIM WYNDHAM EAST KIMBERLEY	PAYROLL COLLECTIONS	21,031.46
EF 100983	12/07/2007	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	1,412.67
FF 100984	12/07/2007	AIR LIG. IDE WA PTY LTD	WELDING GASES AND HOT TIE RENTAL 1 OF JUNE	22.00
FF 100985	12/07/2007	ARGYLE ENGINEERING	2 X 120MM JAW PLATES	202,753.00
EF 100986	12/07/2007	AUSFUEL AND AUSTRALIAN FUEL DISTRIBUTORS	FUEL ACCOUNT	637.37
EF 100987	12/07/2007	AUSTRALIA POST ACCOUNTS RECEIVABLE TEAM	POSTAGE AND STATIONERY PURCHASES JUNE 2007	2,780.40
FF 100988	12/07/2007	BELMONT AIR LIG. IDE WA PTY LTD	TYRES AND STEEL ON GRAUER	630.00
FF 100989	12/07/2007	BOARDS	CATERING FOR KIMBERLEY WRITERS LOSTVAI	560.00
CI 100990	12/07/2007	BOARDS	BUILDING MAINTENANCE	430.00
FF 100991	12/07/2007	BOARDS	ARGOSFIELD G. RILEY TOH AD PROJECT	2,154.96
LTT 100992	12/07/2007	BOARDS	FUEL AND HARDWARE	15.00
FF 100993	12/07/2007	BUSH CAMP SURPLUS STORES	GIFT VOUCHER FOR FRANCIS COX	29,953.00
FF 100994	12/07/2007	BUSH CAMP SURPLUS STORES	INSTALLATION OF ASD & TRIP E.I. IN WYNDHAM	21.00
CI 100995	12/07/2007	COATES HERBERT NATIONALS PTY LTD	LIGHT REPAIR	389.77
CI 100996	12/07/2007	CRYSTAL HOTEL STATION	ACCOMMODATION & DIESEL	138.40
FF 100997	12/07/2007	EAST KIMBERLEY PLUMBING	PLUMBING REPAIRS	1,000.00
EF 100998	12/07/2007	EFFA	EST - JUNE 2007	1,000.00
FF 100999	12/07/2007	FLAVINCE NURSERY	REPLACEMENT PLANTS FOR EXHIBITION	137.50
FF 101000	12/07/2007	FRONTIER RESTAURANT	MOSQUITO HOUSING KUNUNURRA	1,300.00
CI 101001	12/07/2007	FRONTIER RESTAURANT	CANDY TUNNELS FOR WYNDHAM REC CENTRE	208.16
FF 101002	12/07/2007	FRONTIER RESTAURANT	STAFF MEAL	1,120.00
CI 101003	12/07/2007	FRONTIER RESTAURANT	KIT - REPAIRS FOR KIMBERLEY WRITERS FESTIVAL	585.63
EF 101004	12/07/2007	FRONTIER RESTAURANT	GYM EQUIPMENT	537.00
FF 101005	12/07/2007	FRONTIER RESTAURANT	MODULE 4 PROGRAM MANAGER	605.00
FF 101006	12/07/2007	FRONTIER RESTAURANT	HIRE OF AMPHITHEATRE FOR JUNE 2007	3,000.00
EF 101007	12/07/2007	FRONTIER RESTAURANT	3 X CLAMP SECURE UNIT	11.00
FF 101008	12/07/2007	FRONTIER RESTAURANT	HOUSING FOR FRONTIER AREA AT KID	200.00
FF 101009	12/07/2007	FRONTIER RESTAURANT	REPAIRS TO FRONTIER AREA AT KID	1,000.00
FF 101010	12/07/2007	FRONTIER RESTAURANT	ADVERTISING	729.32
CI 101011	12/07/2007	FRONTIER RESTAURANT	4000 RECOUNTS SIGN	110.95
FF 101012	12/07/2007	FRONTIER RESTAURANT	KIMBERLEY WRITERS FESTIVAL CLASSWARE HIRE	34.00
CI 101013	12/07/2007	FRONTIER RESTAURANT	TRANSFER STEEL DRUMS	1,174.49
FF 101014	12/07/2007	FRONTIER RESTAURANT	TREE REMOVAL	514.81
CI 101015	12/07/2007	FRONTIER RESTAURANT	ELECTRICAL REPAIRS	1,110.00
FF 101016	12/07/2007	FRONTIER RESTAURANT	CONTRACT WORK	36,510.00
FF 101017	12/07/2007	FRONTIER RESTAURANT	MATERIALS TO REPAIR PUMP	212.88
FF 101018	12/07/2007	FRONTIER RESTAURANT	1 X DUAL BATTERY CONNECTOR	58.70
FF 101019	12/07/2007	FRONTIER RESTAURANT	4 SELF LITH	197.50
FF 101020	12/07/2007	FRONTIER RESTAURANT	4 X BELT OF SCREW BAWE	873.32
FF 101021	12/07/2007	FRONTIER RESTAURANT	PEST CONTROL	90.00
CI 101022	12/07/2007	FRONTIER RESTAURANT	BOOKS FOR CITIZENSHIP	97.10
FF 101023	12/07/2007	FRONTIER RESTAURANT	LOCAL GOVERNMENT MANAGERS AUSTRALIA	300.00
CI 101024	12/07/2007	FRONTIER RESTAURANT	LOCAL GOVERNMENT MANAGERS AUSTRALIA	664.00
FF 101025	12/07/2007	FRONTIER RESTAURANT	IT SUPPORT	267.00
FF 101026	12/07/2007	FRONTIER RESTAURANT	ELECTRICAL REPAIRS	217.00
FF 101027	12/07/2007	FRONTIER RESTAURANT	CARTON MILLER MAINTENANCE & CARE	6,723.00
FF 101028	12/07/2007	FRONTIER RESTAURANT	DISTRIBUTION	1,543.00
FF 101029	12/07/2007	FRONTIER RESTAURANT	GYM CLASS MUSIC	232.00
FF 101030	12/07/2007	FRONTIER RESTAURANT	REPAIRS TO PLANT	6,585.18

List of Accounts Paid Under Delegation 18

Account	Date	Name	Description	Amount
			List of accounts submitted to Council 21/08/07	
			Description	
EFT101030	23/07/2007	R. IVOURS FAISSORIF	CATERING FOR KINDERLY WRITERS FESTIVAL	1,017.22
EFT101031	22/07/2007	STEVE HAWKE	VISITING AUTHOR FEES - STEVE HAWKE	1,474.00
EFT101032	23/07/2007	TOLL WEST	FREIGHT CHARGES	302.78
EFT101033	23/07/2007	TONY'S PLUMBING & EXCAVATION PTY LTD	REPAIR WATER UNITS AT AIRPORT	8,151.13
EFT101034	23/07/2007	TOP END HIL GRAY HIRE	REPAIR MASSEY TRACTOR AT WYNHAM A 4-PLH	561.00
EFT101035	23/07/2007	TONY O'BRYEN PARK	ACCOMMODATION & DONATION	2,125.00
EFT101036	23/07/2007	LYNN KATYA MOORE	ELECTRICITY SLEEVES	148.40
EFT101037	23/07/2007	Y. LUKFERBOXNETS/VRION	TUCKERBOX INCLUDING SALARY SACRIFICE	5,577.40
EFT101038	23/07/2007	VANDERFIELD MACHINERY PTY LTD	WATER PUMP AND SEAL KIT FOR JOHN DEERE	40.00
EFT101039	23/07/2007	WAUGH & DWYER PTY LTD	4HRS GRADER HIRE	484.00
EFT101040	02/08/2007	ALLGEAR MOTORCYCLE & SMALL ENGINE CENTRE	2 X REPLACEMENT VALVE CELLS FOR CHARTER HOLEY	50.10
EFT101041	02/08/2007	ARGYLE ENGINEERING	REPAIRS TO MITSUBISHI 17 T TRUCK	3,279.50
EFT101042	02/08/2007	ARGYLE IRRIGATION PTY LTD	REPAIR OIL TANK FOR TRUCK HYDRAULICS	60.00
EFT101043	02/08/2007	ATD GUILD SUPPORT AUSTRALIA	PAYROLL DEDUCTIONS	34.52
EFT101044	02/08/2007	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	194.70
EFT101045	02/08/2007	BLACKHILLS AKINS PTY LTD	WALK TELESCOPIC LADDER	145.00
EFT101046	02/08/2007	BCEB JUKINS	COSTS FOR CITIZENSHIP	289.15
EFT101047	02/08/2007	BUCK REFRIGERATION AND AIRCON	A/C CONDITIONER REPAIRS	3,124.00
EFT101048	02/08/2007	BROADCAST AUSTRALIA PTY LTD	TELEVISION BROADCAST LICENSE	4,353.37
EFT101049	02/08/2007	CAMP SURPLUS STORES	UNIFORMS, SAFETY BOOTS	200.00
EFT101050	02/08/2007	CEMETERY FS & CEMETARIA ASSOCIATION	ORDINARY MEMBERSHIP 2007/2008	100.00
EFT101051	02/08/2007	CHEFFINSTEEL AUSTRALIA	20 CARTONS 1/4" PTFE TAPE	3,058.30
EFT101052	02/08/2007	CMV LEGAL	LEGAL FEES	2,772.23
EFT101053	02/08/2007	CORPORATE EXPRESS	STATIONERY ORDER FOR JULY 2007	838.81
EFT101054	02/08/2007	COURTNEY CLUB HOTEL	ACCOMMODATION WILGA TRAINER - JOHN PHILLIPS	413.00
EFT101055	02/08/2007	CROCODILE SIGNS	LAMINATE 2X A4 MAPS FOR AG SHOWS 1E 2007	13.75
EFT101056	02/08/2007	COMPUTER WORLD	SALARY SACRIFICE LAPTOP	5,433.00
EFT101057	02/08/2007	DARWIN AIRPORT RESORT	ACCOMMODATION FOR KINDERLY WRITERS FESTIVAL	1,434.00
EFT101058	02/08/2007	DELTA CLEANING PTY LTD	GENERAL CLEANING FOR JULY 2007	8,500.17
EFT101059	02/08/2007	DRUMMEST CAR RENTALS	CAR HIRE FOR STAFF TRAINING	154.44
EFT101060	02/08/2007	EAST KIMBERLY HAIRDRESS	CLIENT	224.40
EFT101061	02/08/2007	EAST KIMBERLY PLUMBING	PLUMBING REPAIRS AT 8 EUGENIAS HWY	271.12
EFT101062	02/08/2007	FRONZLIK - PAINTS	REPAIR DAMAGED FENCING AT PARK CENTRAL	220.00
EFT101063	02/08/2007	GARBAIT SARAH	EXERCISE CLASSES	820.00
EFT101064	02/08/2007	GARRINON & SON	KALUMBURU ROAD DRAINING	13,140.00
EFT101065	02/08/2007	GOLD MERE TAVERN	REFRESHMENTS FOR LUNCHEON	112.00
EFT101066	02/08/2007	GLORIOUS VISION USER GROUP (INC) HVUCC	ANNUAL SUBSCRIPTION 2007/2008	440.00
EFT101067	02/08/2007	GLORIOUS VISION USER GROUP (INC) HVUCC	DOG TAGS	200.00
EFT101068	02/08/2007	GUNN & JASUN S ENMARKETS LTD	SIG WAGES	9,596.70
EFT101069	02/08/2007	JSW HOLDINGS PTY LTD	CONSTRUCTION OF PATHWAYS ON CARABINA HWY	38,037.55
EFT101070	02/08/2007	KALUMBURU MISION	ACCOMMODATION	950.00
EFT101071	02/08/2007	KIMBERLY COLLEGE OF TAPE	TRAVEL OF CHILDREN SERVICES	80.99
EFT101072	02/08/2007	KIMBERLY COMMUNICATIONS	PURCHASE OF RADIOS	451.00
EFT101073	02/08/2007	KIMBERLY GROUP TRAINING	TRAINERSHIP FEE DEDUCT	2,035.57
EFT101074	02/08/2007	KIMBERLY INDUSTRIES MELBAND	GALVANISED SHEET IRONS X 20	2,222.00
EFT101075	02/08/2007	KIMBERLY MARKETING	100 FLAG HOLDERS	169.40
EFT101076	02/08/2007	KIMBERLY MOTORS	JUNE FUEL	2,144.26
EFT101077	02/08/2007	KIMBERLY WASTE SERVICES	REFUSE COLLECTION, STREET SWEEPING, LITTER	26,714.00
EFT101078	02/08/2007	KINGS CROWN RESTAURANT & FLEETING	INVEST. GATT & DEBRA KRON FUNCTIONING UNIFORMS	2,142.00
EFT101079	02/08/2007	KUNURRA IRRIGATION	1000 CHARGES FOR PUMP	14.34
EFT101080	02/08/2007	KUNURRA IRRIGATION	10,000 KM SERVICE WY10525	667.32
EFT101081	02/08/2007	KUNURRA IRRIGATION	100MM VALVE BOX	8.94
EFT101082	02/08/2007	KUNURRA IRRIGATION	UPGRADE OF FENCING AT FISHER CENTRE	67,175.00
EFT101083	02/08/2007	KUNURRA IRRIGATION	REFUSE BAGS FOR POOL CLEANER	25.00
EFT101084	02/08/2007	KUNURRA IRRIGATION	KUNURRA LEISURE SECURITY PATROLS ON HWY	5,000.00
EFT101085	02/08/2007	KUNURRA IRRIGATION	PAYROLL DEDUCTIONS	6.90
EFT101086	02/08/2007	KUNURRA IRRIGATION	ACCOMMODATION CHARGES FOR VISITING AUTHOR	5,500.00
EFT101087	02/08/2007	KUNURRA IRRIGATION	RURAL UTILITIES	6,056.53
EFT101088	02/08/2007	KUNURRA IRRIGATION	KUNURRA OFFICE ADVERTISING	104.30
EFT101089	02/08/2007	KUNURRA IRRIGATION	SHIPYARD BUSINESS CARDS	234.20
EFT101090	02/08/2007	KUNURRA IRRIGATION	UNIFORMS	1,187.77
EFT101091	02/08/2007	KUNURRA IRRIGATION	UNIFORMS	1,662.75
EFT101092	02/08/2007	KUNURRA IRRIGATION	BATTERY FOR LAPTOP	183.24
EFT101093	02/08/2007	KUNURRA IRRIGATION	COPY COURT & STATIONERY	4,180.24
EFT101094	02/08/2007	KUNURRA IRRIGATION	5/11PLY CONDUIT	30.92
EFT101095	02/08/2007	KUNURRA IRRIGATION	REPAIR ELECTRICAL FAULT	110.00
EFT101096	02/08/2007	KUNURRA IRRIGATION	FLOWER DISPLAY FOR FOYER	45.00
EFT101097	02/08/2007	KUNURRA IRRIGATION	MAINTENANCE GRADING PARKWAY DRIVE X PD	15,150.00
EFT101098	02/08/2007	KUNURRA IRRIGATION	REPAIR CHAWMAYON MASSEY TRACTOR	1,036.00
EFT101099	02/08/2007	KUNURRA IRRIGATION	3X NAVY DADZES	24.88
EFT101100	02/08/2007	KUNURRA IRRIGATION	PAYROLL DEDUCTIONS	5,508.00
EFT101101	02/08/2007	KUNURRA IRRIGATION	COMMERCIAL DOATING FACILITY FASILITY STUDY	23,523.00
EFT101102	02/08/2007	KUNURRA IRRIGATION	TABLE PROTECTOR - OFFICE/INDOOR CHAIRS	121.90
EFT101103	02/08/2007	KUNURRA IRRIGATION	SPONSORSHIP OF CONSTABLES UNIT	800.00
EFT101104	02/08/2007	KUNURRA IRRIGATION	INTERNAL OFFICE FISHING	200.00
EFT101105	02/08/2007	KUNURRA IRRIGATION	FREIGHT CHARGES	1,724.11
EFT101106	02/08/2007	KUNURRA IRRIGATION	SERVICE AND REPAIRS TO VEHICLES	1,470.55

List of Accounts Paid Under Delegation 18

List of accounts submitted to Council 21/08/07

CHQ/DEBIT	Date	Name	Description	
EFT101107	02/08/2007	TRAVELWORLD KUNUNURRA	STAFF TRAINING AND CONFERENCE TRAVEL	3,533.38
EFT101108	02/08/2007	LBY HAINES NORTON (WA) PTY LTD	AUDIT SERVICES YEAR ENDING JUNE 07	9,514.40
EFT101109	02/08/2007	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	21,315.97
EFT101110	02/08/2007	WA TELECENTRE KUNUNURRA	PHOTOCOPIING OF 20 COUNCIL AGENDAS	434.40
EFT101111	02/08/2007	WESTRALIA EQUIPMENT PTY LTD	EXY CULT SET FOR GRADER	110.00
EFT101112	02/08/2007	WESTRALIA AIRPORTS CORPORATION PTY LTD	AVIATION SECURITY IDENTIFICATION CARD	200.00
EFT101113	02/08/2007	WYNMARRA HUB CENTRE	COUNCIL FESTIVAL ADVERTISING	88.00
EFT101114	02/08/2007	WYNMARRA TOURIST INFORMATION CENTRE	TOURIST INFORMATION SERVICES	1,423.05
			Total for EFT Payments	481,342.01
PAYROLL	04/07/2007	FORTHWIGHTLY PAYROLL		96,175.01
PAYROLL	18/07/2007	FORTHWIGHTLY PAYROLL		25,252.19
			Total for Payroll Payments	121,427.20
DIRECT DEBIT		RENT 1230 KONKORREY DRIVE KUNUNURRA		1,219.33
DIRECT DEBIT		BANK FEES		247.45
DIRECT DEBIT		BILL EXPRESS		77.50
DIRECT DEBIT		VISA PAYMENT		2,043.00
DIRECT DEBIT		WESTNET PL		973.26
DIRECT DEBIT		MESSAGELS - IN HQ		537.00
DIRECT DEBIT		MILWAHANT FEES		453.66
			Total for Direct Debit Payments	6,472.15
			Total Payments Submitted to Council	111,691.45



Shire of Wyndham East Kimberley

List of 90 Day Sundry Debtors

Presented to Council

21 August 2007

List of 90 Day Sundry Debtors			
List submitted to Council 21/08/07			
Sundry Debtors as of July			
Sundry Debtor	Amounts Over 90 Days Outstanding	Balance @ 31st July 2007	Debt Collection Status for Debts over 90 Days
AIRSERVICES AUSTRALIA	3239.17	5016.71	Reminder Notice Issued
CARTER RON	867.00	867.00	Intention to Sumpress Issued
CHADWICK STEVE	6,949.96	5,949.96	Debtor with Credipac
DEPARTMENT OF CORRECTIVE SERVICE	589.66	2,037.56	Reminder Notice Issued
GARNDUWA SPORT & RECREATION	170.00	3,140.00	Reminder Notice Issued
JICOOROOK NEARBY ADOBE GINAL CORP	60.00	50.00	Final Notice Issued
NORTON PARTHMOVING	25.00	25.00	Reminder Notice Issued
NEILLAVERS	1,180.00	1,180.00	Debtor with Credipac
ORLYAR CHARTER PTY LTD	66,217.73	66,263.99	Debtor with Credipac Monthly Repayments are being made
ORD RIVER SPORTS CLUB	11,344.50	11,344.50	
PITTKELLIS	15.00	15.00	Reminder Notice Issued Debtor to pay outstanding invoices * 5th August 2007
SLINGAR PTY LTD	162.76	378.02	
ROWLAND, BARBARA	400.00	400.00	Intention to Sumpress
WATER CORPORATION	1,196.18	1,196.18	Reminder Notice Issued
WYNDHAM COMMUNITY CLUB	2,760.49	3,130.35	Debtor made monthly payments
	34,207.45	31,837.27	