



MINUTES OF ORDINARY COUNCIL MEETING HELD ON 17 APRIL 2007

I hereby certify that the Minutes of the Ordinary Meeting of Council held on 17 April 2007 are a true and accurate record of the proceedings contained therein.

Shire President Confirmed

SUMMARY OF AGENDA

Item No	Description	Page No
1.	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS	4
2.	RECORD OF ATTENDANCE/ APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	4
3.	DECLARATION OF INTERESTS	4
4.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	5
5.	PUBLIC QUESTION TIME	5
6.	APPLICATIONS FOR LEAVE OF ABSENCE	5
7.	PETITIONS	6
8.	CONFIRMATION OF MINUTES	6
8.1	CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 20 MARCH 2007.	6
9.	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	6
10.	DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	6
11.	MINUTES OF ELECTED COUNCIL COMMITTEE MEETINGS	7
11.1	CONFIRMATION OF MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON TUESDAY 13 MARCH 2007.	7
12.	REPORTS	8
12.1	ENGINEERING SERVICES	8
12.1.1	Extension of Sewer Mains – Ivanhoe Mixed Business Zone	8

12.2 DEVELOPMENT SERVICES	13
12.2.1 Subdivision Referral - Egret Close	13
12.2.2 Town Planning Scheme No 7 - Amendment 19 - Parks Plan	26
12.2.3 Proposed Kennel – Lot 6 Weaber Plain Road, Kununurra	51
12.2.4 Bandicoot Drive - Lot 971 - Transient Accommodation	60
12.2.5 Lakeview Drive - Lots 274, 439, 440 & 441 - Proposed Cabins	67
12.2.6 Ning Bing - Closure Of Roads	75
12.3 CORPORATE SERVICES	79
12.3.1 Monthly Financial Report	79
12.3.2 Payments and Debtors for the Period Ended 31 st March 2007	91
12.3.3 Sundry Debtors Write Off	108
12.3.4 Housing Tender T06 06/07	111
12.3.5 Sale of Lot 316 Cyril Kleinig Drive	118
12.3.6 Purchasing Policy	126
12.3.7 Biosecurity Levy Cap	133
12.3.8 Retention of Contract Staff	136
12.4 COMMUNITY SERVICES	140
12.5 CHIEF EXECUTIVE OFFICER	140
12.5.1 Kimberley Economic Forum	140
12.5.2 Genetically Modified Crops	146
12.5.3 Yardungarrl Land	150
12.5.4 Delegated Authority Report	161
12.5.5 Use Of Common Seal	164
12.6 ELECTED MEMBERS REPORTS	166
13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	166
14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	168
15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	168
16. MATTERS BEHIND CLOSED DOORS	176

16.1 Ord Air Pty Ltd	176
16.2 Appointment of Executive Manager of Corporate Services	176
17. CLOSURE	177

Cr Maxine Middap declared a financial interest in Item 15.1 Ord Air as she is the Director of the company.

Chief Executive Officer, Peter Stubbs declared a financial interest in Item 12.3.8 Retention of Contract of Staff as he is a contracted staff member.

Executive Manager of Corporate Services, Yale Bolto declared a financial interest in Item 12.3.8 Retention of Contract of Staff as he is a contracted staff member.

Executive Manager of Engineering and Development Services, Alex Douglas declared a financial interest in Item 12.3.8 Retention of Contract of Staff as he is a contracted staff member.

Executive Manager of Community Services, Karyn Apperley declared a financial interest in Item 12.3.8 Retention of Contract of Staff as she is a contracted staff member.

Town Planner, Keith Williams declared a financial interest in Item 12.3.8 Retention of Contract of Staff as he is a contracted staff member.

Manager of Financial Services, Amanda Trengove declared a financial interest in Item 12.3.8 Retention of Contract of Staff as she is a contracted staff member.

Environmental Health Officer, Kelly Fewster declared a financial interest in Item 12.3.8 Retention of Contract of Staff as she is a contracted staff member.

Environmental Project Officer, Katya Tripp declared a financial interest in Item 12.3.8 Retention of Contract of Staff as she is a contracted staff member.

- **Members Impartiality Interest**

Nil

- **Proximity Interest**

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 20 MARCH 2007.

RECOMMENDATION

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 20 March 2007.

COUNCIL RESOLUTION

Minute No.

Moved: Cr D. Ausburn

Seconded: Cr R. Devenish-Meaes

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 20 March 2007.

Motion was withdrawn and the Chief Executive Officer was requested to review Minutes and present to the May 2007 Council Meeting.

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

I would like to formally thank Cr Green for his contribution to, not only Council but also his contribution to the community. Cr Green has played a key role in the development of the foreshore plan, a key strategic document which will assist council and other organizations in decision making with regard to the foreshore. Cr Green has also been involved in a number of community groups including the junior golf and cricket. I wish to thank Cr Green on behalf of the community and council for his contribution to the Shire and wish him and his family all the best in their future.

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MINUTES OF ELECTED COUNCIL COMMITTEE MEETINGS

11.1 CONFIRMATION OF MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON TUESDAY 13 MARCH 2007.

RECOMMENDATION

That Council confirm the Minutes of the Audit Committee Meeting held on Tuesday 13 March 2007.

COUNCIL RESOLUTION

Minute No. 7672

Moved: Cr M. Middap

Seconded: Cr D. Ausburn

That Council confirm the Minutes of the Audit Committee Meeting held on Tuesday 13 March 2007.

Carried Unanimously: 7/0

Cr Michele Pucci left the meeting room at 6:08pm.

The Chief Executive Officer assumed the role of Presiding Officer for Item 12.1.1 in the absence of the Shire President.

Cr Graham Green was nominated by Cr Di Auburn to act as presiding member.

There were no other nominations

Minute No.7673
Moved: Cr D. Ausburn seconded: Cr J. Buchanan
That Cr Green act as Presiding Member for Item 12.1.1.
Carried Unanimously: 6/0

12. REPORTS

12.1 ENGINEERING SERVICES

12.1.1 Extension of Sewer Mains – Ivanhoe Mixed Business Zone

DATE:	17 April 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Ivanhoe Mixed Business Zone
ATLAS REFERENCE:	Map 52 G3
AUTHOR:	Alex Douglas, Executive Manager of Engineering and Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager of Engineering and Development Services
FILE NO:	66.11.12
ASSESSMENT NO:	N/A

PURPOSE

For Council to note correspondence sent to the Chief Executive Officer, Water Corporation seeking advice on the extensions of sewer mains within the Ivanhoe Mixed Business Zone (bounded by Coolibah Dve, Messmate Way, Bandicoot Dve and Ivanhoe Rd).

BACKGROUND

The Shire has received both written and verbal complaints from businesses and residents from within the Mixed Business Zone regarding problems with flooded septic tanks and leach drains.

The problems typically occur during the wet season when land is either inundated or the water table has risen sufficiently to make leach drains ineffective. The result is that toilets and showers do not function causing a health risk.

STATUTORY IMPLICATIONS

The Water Corporation and the Economic Regulatory Authority are responsible for the provision and oversight of the sewerage system within Kununurra.

POLICY IMPLICATIONS

There are no specific policies relating to this report.

FINANCIAL IMPLICATIONS

No financial implications are envisaged based on the officer's recommendation of this report.

STRATEGIC IMPLICATIONS

No specific strategic implications apply however the Shire should provide an advocacy role for groups of individuals in dealing with state government agencies or corporations, thereby being consistent with the Key Result Area 5 – Governance, Goal 1 – Strategic Leadership.

COMMENT

A reasonable number of properties within the Zone are already serviced by deep sewerage however the number without would represent possibly 60 percent of the existing lots. This number could increase subject to further infill subdivision permitted under the Mixed Business Zoning.

Whilst the notion of subdivision would possibly require sewer extensions as required conditions the problems remain for the existing businesses and residents.

As a follow-up to correspondence between the Hon. Kohn Kobelke, Minister for Water Resources late last year a letter has been sent to the CEO, Water Corporation outlining the situation and seeking clarification of funding/contribution issues. A copy of the correspondence is attached.

Subject to the response received an option to be considered is a copy of the Shire's correspondence to be circulated to affected property owners and residents within the affected area.

It is hoped that the response will provide some certainty or at least more detail of the possible contribution/s from the Water Corporation for extensions to the sewer mains. This information could be used to advise property owners within the Zone to consider the possibility of a cooperative scheme to extend the mains, as it would be unlikely that individuals or the Shire would initiate such a project alone.

ATTACHMENTS

Correspondence to the Chief Executive Officer, Water Corporation dated 3 April 2007

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council note the correspondence to the Water Corporation regarding the extension of sewer mains within the Ivanhoe Mixed Business Zone.

COUNCIL RESOLUTION

Minute No. 7674

Moved: Cr D. Ausburn

Seconded: Cr R. Devenish-Meares

That Council note the correspondence to the Water Corporation regarding the extension of sewer mains within the Ivanhoe Mixed Business Zone.

Carried Unanimously: 6/0

Cr Michele Pucci returned to the meeting room at 6:12pm.

Attachment 1

Our Ref: 66.11.12
Your Ref:
Enquiries: Alex Douglas

Dr J Gill
Chief Executive Officer
Water Corporation
PO Box 100
LEEDERVILLE WA 6902

Dear Dr Gill,

RE: SEWER INFILL PROGRAM, KUNUNURRA TOWNSITE

For some time the Shire of Wyndham East Kimberley has sought, without success the assistance of the Water Corporation to provide infill sewer to a section of Light Industrial Area (LIA) within the Kununurra townsite. A plan showing the affected area is attached.

The absence of a positive response to the requests continues to cause concern for those property owners and residents who suffer the inconvenience and associated health risks resulting from overflowing septic tank systems during the Wet Season.

As with most LIA's in country towns the construction of caretaker's residents is common practice and no different within Kununurra. This aspect of the development of country town LIA's should cause the Water Corporation to take a different view of the provision of sewerage schemes and the application of the Infill Sewerage Program funds.

Whilst lot sizes are larger in LIA's the nature of the soil types in the affected area is predominantly clay loam soils which saturate readily and do not drain thus causing issues for septic tank/leach drain systems.

The Hon John Kobelke responded to correspondence from the Shire in November 2006 (copy attached) and suggested that we contact the Water Corporation Network Expansion Group. This has been done and the process outlined including the expectation that at least portion of the area not already sewered would be suitable for sewer extensions.

The process as set out involves the Shire or other parties engaging a consultant to: -

- investigate and design a sewer extension and submit the documentation and plans to the Water Corporation for approval,
- invite tenders for the works
- supervise and certify the works are constructed, and
- arrange for Water Corporation inspection.

We have been advised that subject to the extent and value of the works, and number of properties to be connected (eg potential customers/revenue) a contribution to the work may be forthcoming from the Water Corporation as a per property subsidy. We

were also advised that the rationale for engaging a consultant was that the Water Corporation does not have in-house capacity for design of sewers.

The Shire's concerns are threefold, namely: -

1. the Water Corporation no longer has internal design capacity for one of its core businesses,
2. the Water Corporation does not directly fund extensions to their sewer network but may provide a per lot subsidy upon completion and acceptance of the sewer extension, and
3. in the absence of a clear methodology as to the calculation of the uncommitted subsidy there lies an uncertainty of the level of financial risk that the property owners may face if they choose to initiate a scheme without knowing what the amount or basis of the subsidy might be.

The Shire does not wish to be positioned in a 'middle man' role particularly where the roles and financial aspects remain unclear for the Water Corporations potential customers. It would be appreciated if you could consider the assignment of the role of communicating the processes and financial aspects to the landowners within the un-sewered portion of the LIA to an appropriate staff member within your organisation.

Please do not hesitate to contact Mr Peter Stubbs, CEO or myself on 9168 4100 if you wish to discuss the issue, or have any queries.

Yours sincerely,

ALEX DOUGLAS
EXECUTIVE MANAGER
ENGINEERING & DEVELOPMENT SERVICES

3 April 2007

Cc: Carol Martin (MLA)
Member for Kimberley
PO Box 1433
BROOME WA 6725

Kimberley Development Commission
PO Box 620
KUNUNURRA WA 6743

Kevin Williams
Kununurra Rural Traders
PO Box 1331
KUNUNURRA WA 6743

12.2 DEVELOPMENT SERVICES

12.2.1 Subdivision Referral - Egret Close

DATE:	17 April 2007
PROPONENT:	Alan Maxwell Wilson
LOCATION:	Lot 15 Egret Close, Kununurra
ATLAS REFERENCE:	Map 46, D3, D4, E3, E4
AUTHOR:	Jo Barkla, Town Planning Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.6508.02
ASSESSMENT NO:	6508

PURPOSE

For Council to consider advice to the Western Australian Planning Commission [WAPC] regarding an application to subdivide land on Egret Close.

BACKGROUND

An application to subdivide Lots 14, 15 and 16 Egret Close was approved by the WAPC and expires on 9 October 2009 (Ref: 131873). If effected, the approval would have subdivided Lot 15 into 3 lots of 4.35ha, 4.30ha and 3.51ha, and abutting lots 14 and 16 into 3 lots each. See Attachment 1.

The applicant advises that Lot 16 has now been sold. The new land owner has advised they have no plans at present to subdivide Lot 16 and wish to retain the battle-axe leg (unbroken) as the legal access to the nursery. In the absence of a structure plan, the above subdivision approval can no longer be achieved with regard to providing access to the western portion of the precinct, which relied upon the subdivision of Lot 16. The approval is also redundant given that Lot 16 has retained access to Victoria Highway and therefore does not need to have Egret Close extended.

The applicant still owns Lots 14 and 15 Egret Close and is now seeking to subdivide Lot 15 into 3 lots with an extension to Egret Close providing access to Lot 15 only. Lot 14 is not proposed to be subdivided under this proposal, but has potential for further subdivision. Lot 16 will not have access to Egret Close. See Attachment 2.

There are two other approved subdivisions in the project area:

Application 130321 (see Attachment 3)

Approval to subdivide 3 lots (17, 18 and 19 Egret Close) into 6 lots lodged by Whelans on behalf of the owners A & S Wilson and J M Fearn. Lot 17 has been sold. The titles have not been created and subdivision approval expires on 4 May 2009. The current application (133689) does not affect subdivision of these lots.

Application 131834 (see Attachment 4)

Approval to subdivide 2 lots (12 and 13 Egret Close) into 6 lots lodged by T Breig on behalf of T Breig, B D McKenney & S M-A McSwain. The titles have been created and subdivision approval expires on 9 October 2009. The current application (133689) does not affect subdivision of these lots.

Attachment 5 identifies the various landowners and present lot configurations in the area.

SITE LOCATION

The subject site is located approximately 12 kilometres from the centre of Kununurra, on the southern side of Victoria Highway. The subdivision under consideration is located at the southern extent of Egret Close.

PROPOSED LAND USE / DEVELOPMENT

The proposal is to subdivide Lot 15 into 3 lots of 4.084ha, 4.0ha and 4ha, with an extension to Egret Close providing access to Lot 15 only. There is no development on the lot. See Attachment 2.

FINANCIAL IMPLICATIONS

No application fee is applicable.

CONSULTATION

Community consultation is not undertaken by the WAPC for subdivisions.

PLANNING ASSESSMENT

Local Planning Strategy

The land is identified under the Local Planning Strategy (LPS) as Small Rural Holdings. The minimum lot size for this zone, under a new Scheme prepared in accordance with the LPS, would be 4 hectares.

Town Planning Scheme No 7

The land is zoned Rural Agriculture 2 under Town Planning Scheme No 7 - Kununurra & Environs (TPS7).

The objectives of this Zone are:

5.19 RURAL AGRICULTURE 2 ZONE

5.19.1 Objectives

- (a) *to ensure the adequate supply of land for intensive agricultural and horticultural holdings in localities of adequate water supply and suitable soil types;*

- (b) *To promote the use of these lots for the production of horticultural crops and associated uses.*

Further Specific provisions are contained within part VI of the Scheme, as follows:

6.5 OVERALL PLANNING AREA NO. 4 – OLD DARWIN ROAD PRECINCT

6.5.1 *The area is to be considered for the purposes of the following:*

- *Farmstay Tourist Development*
- *Agricultural Uses*
- *Subdivision for the purposes of agriculture based on appropriate land capability and agricultural management plans, tourism uses and other uses consistent with approved Structure Plans for the precinct.*

6.5.2 *Structure planning is specifically required to address the compatibility of proposed uses with existing agricultural and horticultural activity and ensure that the future use of prime agricultural land for agricultural purposes is not compromised.*

6.5.3 *Structure planning will need to confirm that the proposed uses and/or subdivision framework are compatible with the continued broad acre agricultural pursuits that exist within the overall planning area*

6.5.4 *Structure planning shall demonstrate that the ultimate proposed land uses would have no impact on the adjoining Emu Creek wetland areas.*

6.5.5 *Following the preparation and adoption of a structure plan for this area in accordance with Clause 6.6 of this Scheme and notwithstanding Clause 6.6.5 and Clause 6.6.6 the development or subdivision of the area will be preceded by an appropriate scheme amendment to rezone the land in accordance with the adopted Structure Plan.*

Council Policies

Subdivision:

The land is situated in the Old Darwin Road Precinct Policy Area with subdivision guidance provided as follows:

Objective: To provide for future subdivision and development based on an adopted structure plan for the area.

Policies: Land uses are to be limited to farm stay tourist development, agricultural development and other tourist and agriculture pursuits in accordance with an approved structure plan.

Structure planning is to specifically ensure that any subdivision and/or development is compatible with continued broadacre pursuits that exist in the precinct.

Future use of prime agricultural land is not to be compromised by incompatible or inappropriate land uses.

Road Construction:

Council Policy E5 states that the following road specifications apply:

Rural Areas

- ❑ *Less than 50 VPD - 8 metre gravel formation, 6 metre 'running surface'*
- ❑ *50 > 150 VPD - 9 metre gravel formation, 6 metre seal*
- ❑ *+ 150 VPD - 10.5 metre gravel formation, 7.5 metre seal*

Rural Residential areas

- ❑ *9 metre gravel formation, 6 metre seal*

CONCLUSION / COMMENT

Structure Planning:

The local planning strategy, town planning scheme and Council's policies, all specify the need for structure planning to occur in the Old Darwin Precinct.

The WAPC has reinforced the need for structure planning in the locality through issuing an advice note on approval 130321 (Attachment 3) subdividing Lots 17, 18 and 19, which states:

"The Commission's approval to this application pertains only to the eastern side of Egret Close. The western side of the Old Darwin Road precinct requires comprehensive planning (including agreement to an overall road pattern, protection of environmental and surrounding agricultural values, drainage and essential infrastructure). As such, subdivision of the western side of Egret Close is unlikely to be approved in the absence of a comprehensive subdivision guide plan as required under the Shire of Wyndham-East Kimberley's Local Planning Strategy."

Notwithstanding the above advice note, subsequent approval 131873 (Attachment 4) to subdivide Lots 14, 15 and 16 to the west was issued by the WAPC without structure planning on the basis that a westerly connection was shown on the plan by the applicant and supported by the Shire. The WAPC accepted the Shire's support for the proposed subdivision design without structure planning, based on the achievement of a road linkage to the western boundary of the project area. Neither the Shire nor the WAPC accepted the applicant's proposal to provide the link as an easement. Accordingly, the WAPC imposed a condition on the subdivision that:

"The 20m easement for future road purposes being deleted and replaced with a 20m road reserve for future vehicle access to abutting land to the west of the subdivision area."

The subdivision of Lot 15 in the proposed configuration would establish a pattern of development that is isolated from the rest of the Old Darwin Road Precinct. While the proposed subdivision design will create the same yield as previous approval 131873, the westerly connection has been lost and cannot be implemented without a structure plan agreed to by all landowners. The more landowners that are introduced into the area, the more difficult agreed outcomes for the orderly and proper planning of the precinct will become. It is therefore recommended that the proposed design not be supported until structure planning occurs showing how Lots 14, 15 and 16 can achieve a road linkage to improve connectivity with the abutting land that is also planned to be subdivided into future small rural holdings.

The benefits of this connectivity include:

- i. reducing the distance needed to travel within the precinct to visit friends/neighbours;
- ii. provide options for walking or cycling to neighbouring properties; and
- iii. providing alternative escape routes in the event of an emergency.

Council should note that the owners of Lot 1 and Lot 2 in the Old Darwin Road precinct are both in the process of structure planning for their landholdings and are providing road connections into abutting lots. Thus, there is a developing road network in the area which will ensure good connectivity throughout the precinct.

Road Upgrading:

Based on the WA Planning Commission's previous advice, it is considered unlikely that the Commission will support the current subdivision application in the absence of structure planning and linkages to the westerly lots.

However, should Council resolve to support the proposed subdivision design, and given that Lot 14 will retain the potential to subdivide into 3 lots, a condition to seal Egret Close is warranted. This is based on Council's rural road policy which is calculated as follows:

Subdivision No.	Approval Date	Yield	Total Lots	Policy Standard	VPD*
117803	Council Resolution 12/01	9	9	8 metre gravel formation, 6 metre 'running surface'	36
130321	Delegated Authority 03/04/06	+3	12	8 metre gravel formation, 6 metre 'running surface'	48
131834	Council Resolution 19/09/06	+4	16	9 metre gravel formation, 6 metre seal	64
133689	Awaiting decision	+3	19	9 metre gravel formation, 6 metre seal	76

*Vehicles Per Day based on 2 cars per household, with an average of 4 movements per day (Calculated by multiplying "Total Lots" by 4). This is considered to be a conservative VPD estimate.

The subdivider obligations in regard to road construction have been reflected in the subdivision approvals as follows:

- 130321 creates only 3 additional lots with access to Egret Close, however, the lodged plan shows a proposed future subdivision pattern, including a westerly link. Although Council's rural road policy only requires a gravel road, a sealed road was requested to ensure the original subdividers contributed fairly, and to avoid a complicated contribution system in the future.
- 131834 creates only 4 lots with access directly onto the new cul de sac created by the subdivision and therefore does not require sealing. However, the new lots will increase traffic volumes on Egret Close to a level which require the road to be sealed. The subdivider's obligations in regard to road construction were reflected in the subdivision approval which required all lots to front a constructed road and arrangements to be made to upgrade and/or construct Egret Close.

The conditions must be completed to the satisfaction of the local government and titles can be withheld until construction is satisfactory or arrangements to bond the road implemented.

In accordance with the above decisions, should Council resolve to approve subdivision number 133689 without structure planning requiring connection to the Old Darwin Road precinct, and given the potential for Lot 14 to be subdivided into 3 future lots, Egret Close should be required to be sealed.

Subdivider's Obligations to Construct Road:

If Council resolves to approve the subdivision, the subdivider's obligations in relation to road construction are covered under Section 158 and 159 of the *Planning and Development Act 2005*, whereby an applicant/owner may recover a portion of the road costs from a subsequent applicant/owner, as and when required to do so by the local government. In summary, the Act provides:

Section 158: The applicant/owner may carry out the work themselves or pay the local government to do the work.
If the road is not constructed, the local government may construct the road and charge costs to the applicant/owner.

Section 159: The original subdivider may recover the costs of road construction from later subdividers.
Costs may be recovered at a percentage of the cost incurred by the original subdivider in providing or upgrading that part of the existing road which has a common boundary with the lot or lots, or is joined by a subdivisional road.

Based on the current subdivision approvals (130321, 131834) and the current application (133689) awaiting a decision, contributions to the sealing of Egret Close would be required as per Attachment 6.

RECOMMENDATION

1. That Council advise the WAPC that it recommends refusal of subdivision 133689 [A Wilson] for the following reasons:
 1. The western side of the Old Darwin Road precinct requires comprehensive planning (including agreement to an overall road pattern, protection of environmental and surrounding agricultural values, drainage and essential infrastructure.) As such, subdivision of Lot 15 Egret Close is not supported in the absence of a comprehensive structure plan for the precinct as required under the Shire of Wyndham East Kimberley's Local Planning Strategy, Town Planning Scheme No. 7 (Kununurra Townsite), Council Policies and WA Planning Commission policies.
 2. Approval to the subdivision would not be in the interests of orderly and proper planning in the precinct.

COUNCIL RESOLUTION

Minute No. 7675

Moved: Cr M. Middap

Seconded: Cr J. Parker

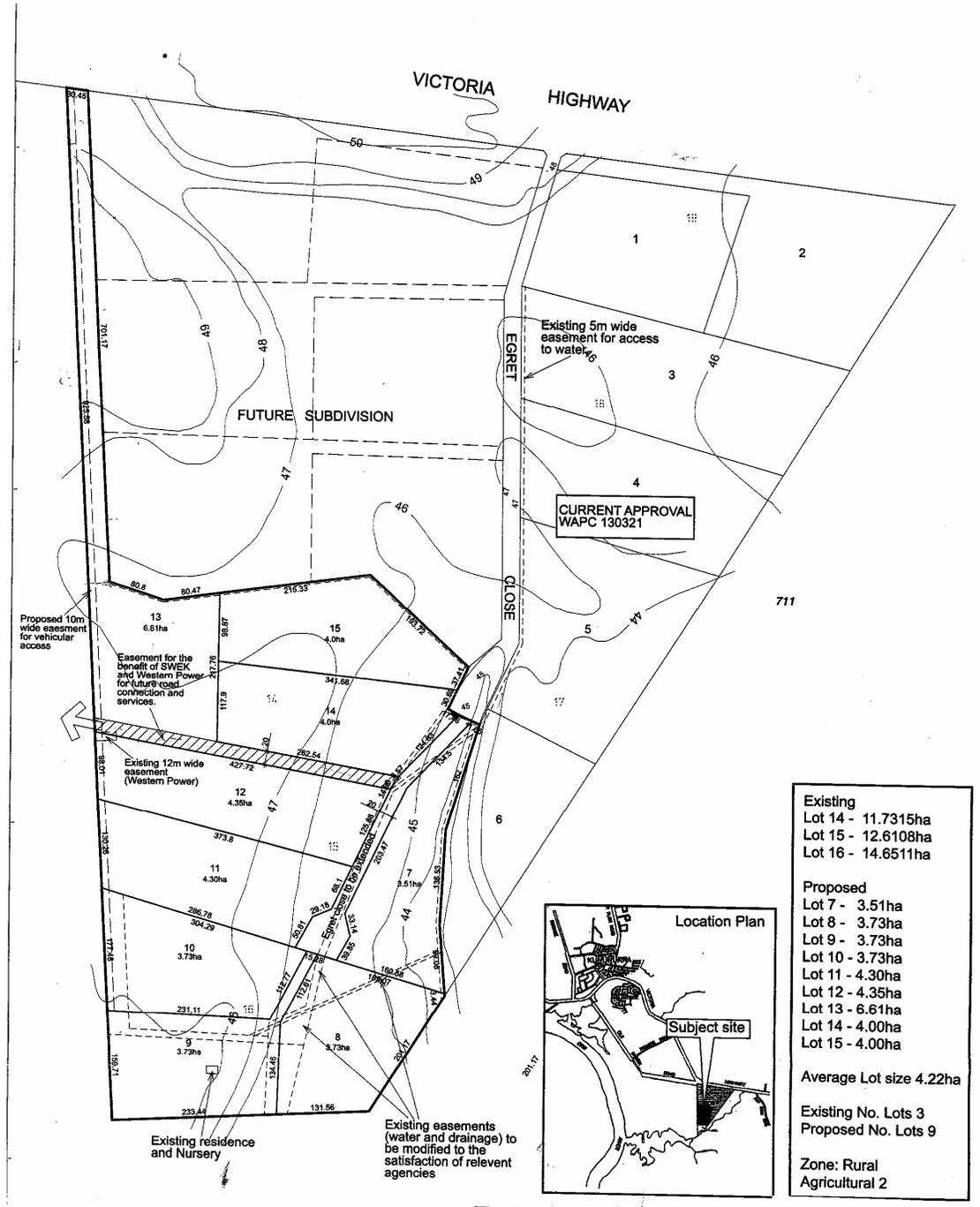
That Council advise the WAPC that it recommends refusal of subdivision 133689 [A Wilson] for the following reasons:

1. **The western side of the Old Darwin Road precinct requires comprehensive planning (including agreement to an overall road pattern, protection of environmental and surrounding agricultural values, drainage and essential infrastructure.) As such, subdivision of Lot 15 Egret Close is not supported in the absence of a comprehensive structure plan for the precinct as required under the Shire of Wyndham East Kimberley's Local Planning Strategy, Town Planning Scheme No. 7 (Kununurra Townsite), Council Policies and WA Planning Commission policies.**
2. **Approval to the subdivision would not be in the interests of orderly and proper planning in the precinct.**

Carried Unanimously: 7/0

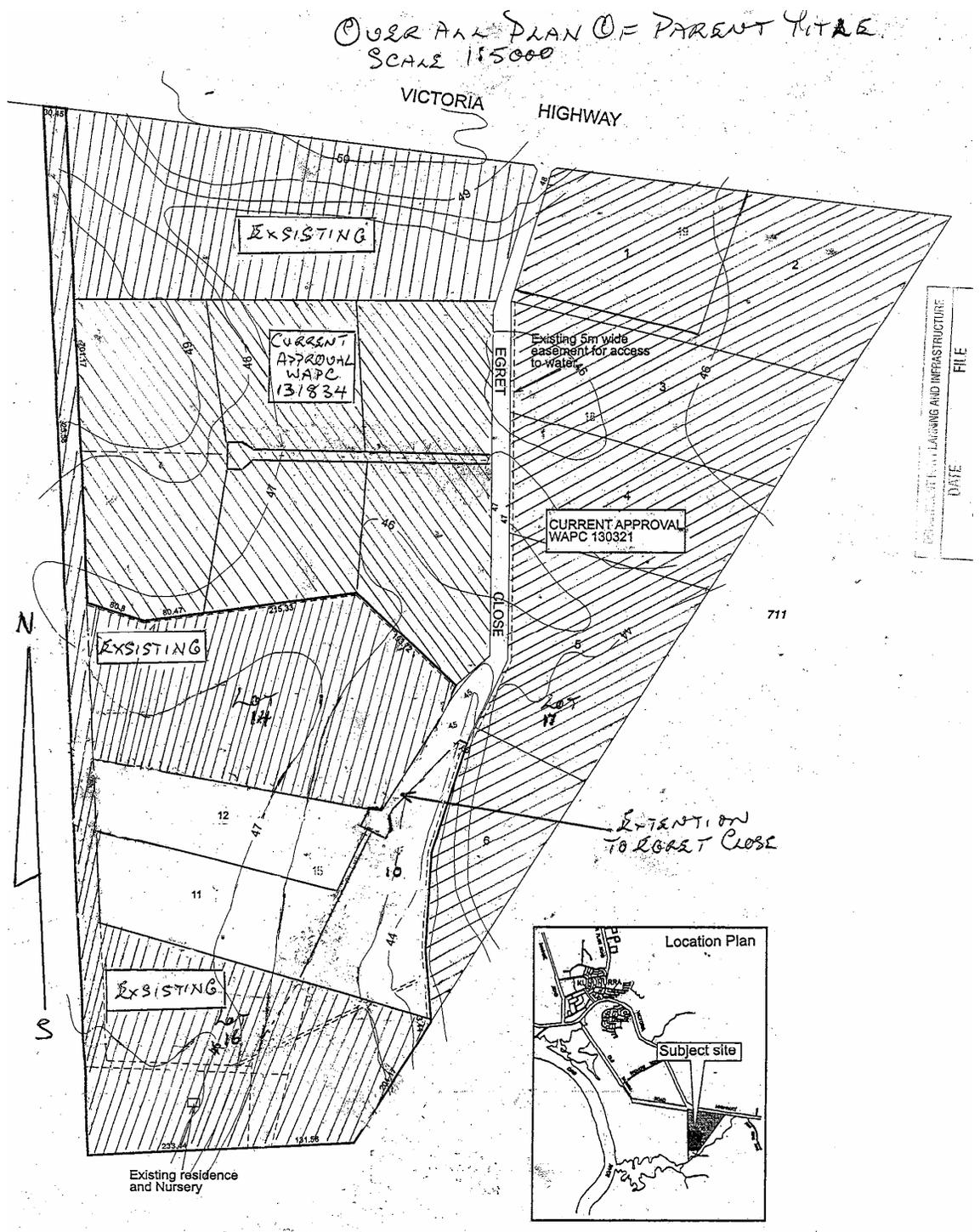
ATTACHMENT 1

Lots 14, 15 and 16 Egret Close subdivision 131873 approved by WAPC 9 October 2009



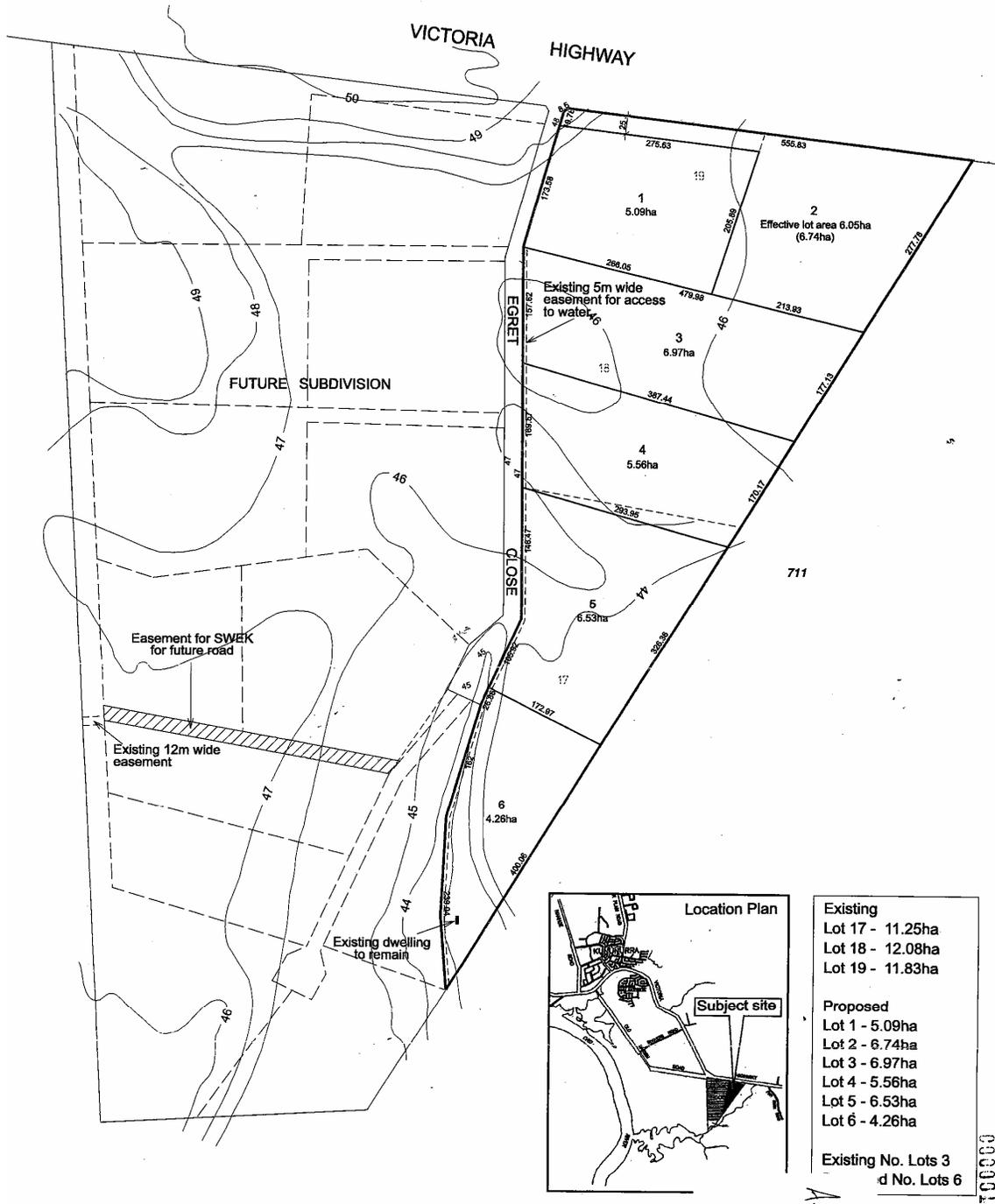
ATTACHMENT 2

Lot 15 Egret Close subdivision 133689 awaiting decision



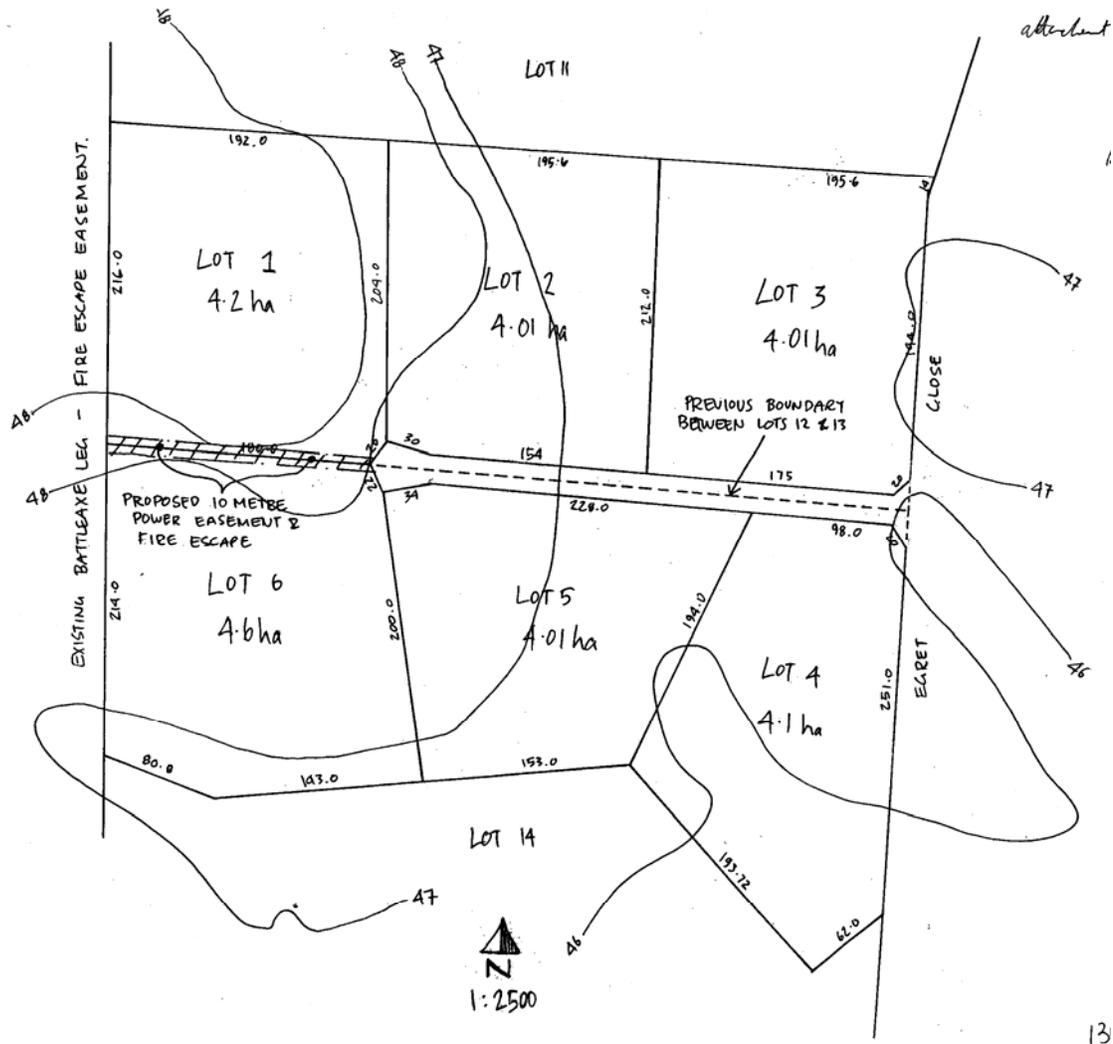
ATTACHMENT 3

Lots 17, 18 and 19 Egret Close subdivision 130321 approved by WAPC 4 May 2006

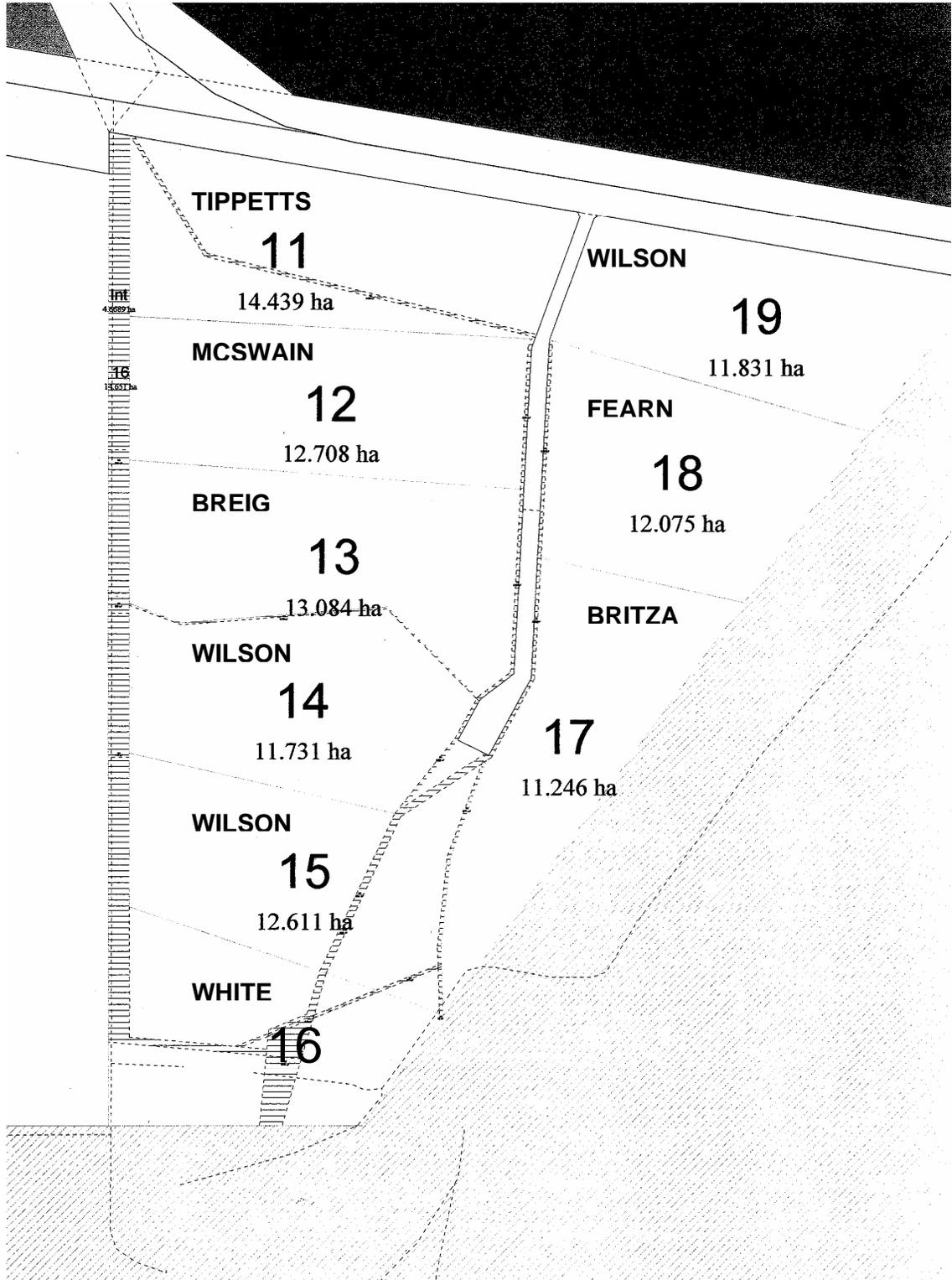


ATTACHMENT 4

Lots 12 and 13 Egret Close subdivision 131834 approved by WAPC 9 October 2006



Current lot configuration and landowners



ATTACHMENT 6

Summary of Landowner Contributions to sealing of Egret Close

Lot No.	Landowner	Subdivision Approvals		Frontage to Egret Close*	Contribute to sealing	Comment
		Current	Yield			
11	Tippett	No	-	187m	No	Contribution to sealing only required if lot is further subdivided.
12	McSwain	131834	+2 lots	228m	Yes	Construct gravel cul de sac off Egret Close and contribute to the sealing of Egret Close.
13	Breig	131834	+2 lots	339m	Yes	Construct gravel cul de sac off Egret Close and contribute to the sealing of Egret Close.
14	Wilson	131873 Cannot be created in approved configuration	+2 lots maximum	211m	No	Contribution to sealing only required if lot is further subdivided.
15	Wilson	133689 Awaiting decision	+2 lots if approved	261m	Yes	Extend Egret Close and contribute to the sealing of Egret Close if current application approved.
16	White	131873 Cannot be created in approved configuration if 133689 approved	+2 lots maximum	Nil	No	Contribution to sealing of Egret Close only required if Egret Close extended and access provided.
17	Britza	130321	+1 lot	To be calculated	Yes	Contribution to sealing Egret Close required when lot subdivided.
18	Fearn	130321	+1 lot	327m	Yes	Contribution to sealing Egret Close required when lot subdivided.
19	Wilson	130321	+1 lot	196m	Yes	Contribution to sealing Egret Close required when lot subdivided.

*Approximate lengths, subject to survey. Further subdivision modifying boundaries to Egret Close and extensions to Egret Close will change contributions.

12.2.2 Town Planning Scheme No 7 - Amendment 19 - Parks Plan

DATE:	20 March 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Jo Barkla, Town Planning Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	43.31.18, 01.5498.02, 01.2192.02 & 01.6001.02
ASSESSMENT NO:	5498, 2192 & 6001

PURPOSE

For Council to consider the adoption of an amendment to Shire of Wyndham East Kimberley Town Planning Scheme No 7 - Kununurra and Environs relating to Councils Parks Plan.

BACKGROUND

Council resolved to adopt the amendment in December 2006. In February 2007 Council adopted a modified resolution which reworded the resolution to make it clear that the amendment was being adopted for final approval. This was to ensure compliance with the Act and was carried out in response to a request from the Department for Planning & Infrastructure. Prior to forwarding the documents to the DPI, a revision of the amendment has identified an error in the lot number that Council's resolution applied to. Therefore, a further modified resolution is required.

ATTACHMENTS

- Attachment 1: Original Agenda Item
- Attachment 2: Amendment Documentation
- Attachment 3: Schedule of Submissions

CONCLUSION AND COMMENT

In February 2007 Council adopted the following modified resolution:

Minute No. 7634

Moved: Cr D. Ausburn
Meares

Seconded: Cr R. Devenish-

That Council Rescinds Minute No 7587 and:

1. Makes the recommendations included in the Schedule of Submissions as per Attachment 1 – Schedule of Submissions, and forwards a copy of the Schedule of Submissions to the Western Australian Planning Commission.
2. Resolves to adopt for Final Approval without modification, pursuant to section 75 of the Planning and Development Act 2005, the proposed amendment by:

- i. Reclassifying Lot 1039 Greybox Crescent, Kununurra, from Parks and Recreation reservation, to the Residential R30 zone;
 - ii. Reclassifying Lot 1004 Sorghum Place, Kununurra, from Parks and Recreation reserve, to the Residential R30 zone;
 - iii. Reclassifying Lot 1292 Barringtonia Avenue, Kununurra, from Residential R15/50, to Parks and Recreation reserve; and
 - iv. Amend the Planning Scheme map accordingly.
 3. Forwards three copies of the signed and sealed Amendment Documents in accordance with Regulation 22(1); and
 4. Requests that the Honourable Minister for Planning and Infrastructure grant final approval to Amendment 19 of Town Planning Scheme No 7 – Kununurra and Environs without modifications.
- Carried Unanimously 8/0

The recommendation identified Lot 1292 Barringtonia Avenue for reclassification from Residential R15/50 to Parks and Recreation Reserve instead of Lot 2458 Barringtonia Avenue. This occurred due to a typing error which appears in the background section of the Amendment documentation prepared on Council's behalf. The background text was subsequently referred to when Council officers prepared the resolution for consideration in February, hence the error was reflected in the modified resolution.

Council should note that, save for the previous modified resolution, the background text of the amendment is the only place where Lot 1292 is referred to in the documents. There is no need for further readvertising or modification of the amendment documents as the advertised maps clearly show the lot to be reclassified. In addition, a search of Council records shows that Lot 1292 Barringtonia Avenue is the previous lot number for Lot 2458; a new lot number was issued when Lot 1292 was amalgamated with surrounding land. It is therefore unlikely that the community would be unclear as to the land which is being reserved for a new park on Barringtonia Avenue.

As per the modified resolution in February, the new resolution must include the same amendment text and provisions as the previous resolution and only the Lot number has been modified.

The reconsideration of the resolution is a correction only and does not represent an opportunity to modify the documentation or text of the amendment.

VOTING REQUIREMENTS

Absolute Majority

RECOMMENDATION

1. That Council consider the rescission of Minute No 7634.
2. That Council Rescinds Minute No 7634.

[Note: Recommendation 2 only be considered following the acceptance of Recommendation 1]

3. That Council:
 - A. Makes the recommendations included in the Schedule of Submissions as per Attachment 1 – Schedule of Submissions, and forwards a copy of the Schedule of Submissions to the Western Australian Planning Commission.
 - B. Resolves to adopt for Final Approval without modification, pursuant to section 75 of the Planning and Development Act 2005, the proposed amendment by:
 1. Reclassifying Lot 1039 Greybox Crescent, Kununurra, from Parks and Recreation reservation, to the Residential R30 zone;
 2. Reclassifying Lot 1004 Sorghum Place, Kununurra, from Parks and Recreation reserve, to the Residential R30 zone;
 3. Reclassifying Lot 2458 Barringtonia Avenue, Kununurra, from Residential R15/50, to Parks and Recreation reserve; and
 4. Amend the Planning Scheme map accordingly.
 - C. Forwards three copies of the signed and sealed Amendment Documents in accordance with Regulation 22(1); and
 - D. Requests that the Honourable Minister for Planning and Infrastructure grant final approval to Amendment 19 of Town Planning Scheme No 7 – Kununurra and Environs without modifications.

COUNCIL RESOLUTION

Minute No. 7676

Moved: Cr D. Ausburn

Seconded: Cr J. Buchanan

1. **That Council consider the rescission of Minute No 7634.**
2. **That Council Rescinds Minute No 7634.**

[Note: Recommendation 2 only be considered following the acceptance of Recommendation 1]

3. **That Council:**

- A. Makes the recommendations included in the Schedule of Submissions as per Attachment 1 – Schedule of Submissions, and forwards a copy of the Schedule of Submissions to the Western Australian Planning Commission.**
- B. Resolves to adopt for Final Approval without modification, pursuant to section 75 of the Planning and Development Act 2005, the proposed amendment by:**
 - 1. Reclassifying Lot 1039 Greybox Crescent, Kununurra, from Parks and Recreation reservation, to the Residential R30 zone;**
 - 2. Reclassifying Lot 1004 Sorghum Place, Kununurra, from Parks and Recreation reserve, to the Residential R30 zone;**
 - 3. Reclassifying Lot 2458 Barringtonia Avenue, Kununurra, from Residential R15/50, to Parks and Recreation reserve; and**
 - 4. Amend the Planning Scheme map accordingly.**
- C. Forwards three copies of the signed and sealed Amendment Documents in accordance with Regulation 22(1); and**
- D. Requests that the Honourable Minister for Planning and Infrastructure grant final approval to Amendment 19 of Town Planning Scheme No 7 – Kununurra and Environs without modifications.**

Carried Unanimously: 7/0

ATTACHMENT 1: ORIGINAL AGENDA ITEM:

PURPOSE

For Council to consider an amendment to Town Planning Scheme No 7 for final approval. The Amendment will reclassify two parks in order that they can be sold, and will reclassify one parcel of land to facilitate development as a park.

BACKGROUND

The Shire of Wyndham-East Kimberley prepared and adopted a Parks Plan in 2004 that rationalises the existing parks within the town and identifies specific strategies for their future management. A key recommendation of the Plan is that two local parks, which are the subject of this amendment (ie Lot 1039 Greybox Crescent and Lot 1004 Sorghum Place) be sold and utilised for residential purposes with the sale proceeds contributing towards the development of new parks, such as that proposed for Lot 1292 Barringtonia Avenue.

The Honourable Minister for Planning and Infrastructure recently granted consent for the land to be transferred to freehold title in the name of the Shire of Wyndham East Kimberley, to effect the sale of the land in accordance with the Parks Plan.

The Amendment was advertised for 42 days from 12 October 2006 to 24 November 2006, and is now ready to be considered for final approval.

SITE LOCATION

The three sites that are the subject of this amendment are as follows:

Lot 1039 Greybox Crescent, Kununurra

The site is currently a Parks and Recreation Reserve [Reserve 34890] located in a residential area of predominantly detached dwellings at a density of R15. Title to the land is anticipated to be issued in September 2006. It is bordered immediately to its north, west and eastern boundaries by single detached residential development.

The site itself is relatively flat with an area of 2,627m² in an irregular wedged shape. Access to the site is from Greybox Crescent, along its southern boundary. The site has immediate access to all essential services and infrastructure.

Three sides of the site are fenced, and as such it has poor passive surveillance, and is subject to anti-social behaviour. The park is prone to graffiti and litter, and has few facilities. Significantly, other better serviced parks are located within close proximity.

Rezoning to Residential R30 will potentially achieve 8 grouped dwellings unit yield.

Lot 1004 Sorghum Place, Kununurra

This lot is also currently a reserve [Reserve 31512], with titles anticipated to be issued in September / October 2006 to formalise the sale of the land. The site is currently a Parks and Recreation Reserve located at the end of a cul de sac within a predominantly residential locality. All surrounding land is zoned R15/R50. The site is bordered to its northern, and eastern boundaries with predominantly single, detached

dwellings. To its immediate west is a large grouped dwelling development developed at the R50 density. All land surrounding the site is zoned R15/R50.

The site is relatively flat and has an area of 1,627m² in an irregular, L-shaped lot. Vehicle access is taken from Sorghum Place. A pedestrian walkway forms part of the park, connecting the southern portion of the lot southward to Erythrina Street. It is anticipated this walkway will be amalgamated with adjoining lots. The site has immediate access to all essential services and infrastructure.

This park is prone to graffiti and litter, and has no facilities. Again, other better serviced parks are located within close proximity.

Rezoning to Residential R30 will potentially achieve 5 grouped dwellings unit yield.

Lot 2458 Barringtonia Avenue, Kununurra

The site is currently zoned R15/50 and is located at the corner of Barringtonia Avenue and Greybox Crescent. The site is surrounded by predominantly residential development, with single detached dwellings developed to a density of R15. The site is bordered to its eastern boundary by residential development of this nature and across a drain reserve to its immediate west there is residential development also developed to a density of R15. The Kununurra Cemetery and a large natural bushland reserve are located immediately to the north, on the other side of Barringtonia Avenue.

The site is low lying and has an area of 4274m² within a triangular shaped allotment. The site has access from Barringtonia Avenue, as well as pedestrian access through drain reserves that border the western boundary of the site.

The site was originally zoned Public Purposes Reserve, but was rezoned to Residential R15/R50 in the hope that it would be developed to assist to ameliorate a land shortage within Kununurra. However, given that large portions of the site are undevelopable, the site has never been sold or developed on.

The land tenure of this land will need to be modified to a reserve, vested in Council for parks, recreation and drainage.

PROPOSED LAND USE / DEVELOPMENT

It is proposed that the land will be rezoned and that consequent development will consist of grouped dwelling development developed to the R30 density code [a density somewhere between a single dwelling, and the three townhouses that Council has recently constructed on Riverfig Avenue].

FINANCIAL IMPLICATIONS

The amendment is proposed by Council. No fee is therefore required.

PLANNING ASSESSMENT

Local Planning Strategy

The SWEK Local Planning Strategy (LPS) has recently received endorsement by the Western Australian Planning Commission. The purpose of the LPS is to provide background analysis and strategic direction for the Shire, including specifically the towns of Wyndham and Kununurra. The document included a factual and comprehensive account of the issues currently facing the SWEK, one of which was the issue of land availability for residential purposes in Kununurra. While there are opportunities to expand the existing residential areas, these are subject to resolving environmental and servicing issues. The LPS therefore encourages any opportunity for infill development in the short term.

The LPS differentiates the residential urban area within Kununurra into several precincts. The subject sites of this scheme amendment fall into two of these precincts. Sorghum Place falls within the Barringtonia Avenue Precinct. The sites at Greybox Crescent and Barringtonia Avenue fall within the Hidden Valley Precinct.

The LPS recommends the following for the future development of these precincts:

Barringtonia Avenue Precinct

“...This precinct is currently dual coded R15/50. While there is a relatively high density area located within this precinct, the majority of the precinct consists of single residential development at approximately R15. No opportunities exist to increase the area of this precinct, however, due to its proximity to the town centre, density increases up to R30 are encouraged.”

Hidden Valley Precinct

“...this precinct is zoned R15 and is developed to this density. No significant density increase is warranted to discourage the intrusion of high densities into this relatively low density area...”

These findings are further identified as objectives and recommended specific actions in the LPS.

6.3 Urban Residential Development

Objective

To ensure an adequate supply of residential land within close proximity to established population centres and to encourage a range of development styles that reflect the Kimberley climate and lifestyle.

Specific Actions

Residential densities in Kununurra shall be defined as distinct precincts and shall reflect predominant densities:

- *Ironwood Drive Precinct at R20;*
- *Barringtonia Avenue Precinct at R30;*
- *Hidden Valley Precinct at R15;*
- *Lakeside Precinct at R15;*
- *Future Lakeside stages in accordance with structure planning.*

The proposed scheme amendment is consistent with the objectives and recommended actions with regard to creating a residential density of R30 within the Barringtonia Avenue Precinct. However, the Greybox Crescent site is proposing a higher density than that recommended for the Hidden Valley Precinct.

Town Planning Scheme No 7

The proposed amendment will not result in any corresponding change to the text of TPS No.7. The subject sites (Lot 1039 Greybox Crescent and Lot 1004 Sorghum Place) will merely be incorporated within the accompanying Planning Scheme Map as having a Residential zone with a Residential Density classification of R30.

The objectives of this zone are as follows:

5.8 RESIDENTIAL ZONE

5.8.1 Objectives

- (a) *to allocate a density coding for the Residential zone throughout the Scheme Area designed to:*
 - (i) *provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;*
 - (ii) *promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas;*
 - (iii) *allow redevelopment opportunities for areas of older housing stock.*

The proposed scheme amendment is consistent with these objectives in encouraging infill development and accommodating the anticipated growth of the town.

Final Approval Process

The amendment will modify TPS 7 to reclassify two local parks (Lot 1039 Greybox Crescent and Lot 1004 Sorghum Place) to allow for sale and use of the land for residential purposes, and will reclassify one parcel of land (Lot 1292 Barringtonia Avenue) to facilitate development as a park, utilising the proceeds of the land sales,

The process from adoption for final approval is as follows:

- Referral to the Western Australian Planning Commission for recommendation to the Minister of final approval;
- Consideration by the Hon. Minister for Planning and Infrastructure for final approval

If the Hon Minister grants final approval, then:

- The Amendment is gazetted and changes to the Scheme effected; and
- The transferred lots can be sold and developed accordingly.

CONSULTATION

Under the Town Planning and Development Act 2005, Amendments to a Scheme must be advertised for a period of 42 days. The proposal was advertised in the Kimberley Echo requesting comment from 12 October to 24 November 2006.

There were two submissions received during the advertising period:

1. The Department of Water advised of no need to comment as the EPA will assess the proposal; and
2. The Department of Health advised of the requirement to connect to reticulated sewerage.

The proposal is within the reticulated sewerage network and will comply with health requirements.

CONCLUSION

The amendment has been prepared in accordance with Council's Parks Plan. The honourable Minister for Planning has approved the transfer of the land to Council in order that the land can be sold.

The land is currently reserved under the Scheme of Parks and Recreation. Prior to sale and consequent development the land will need to be rezoned to facilitate residential development.

To maximise the dwelling yield and consequently the benefit to the community with regard to addressing the land shortage within Kununurra, it is proposed to re-zone both parcels of land Residential R30.

It is recommended that Council adopt the Amendment for final approval.

ATTACHMENTS

Amendment documents are attached as AMENDMENT 19 ATTACHMENT 1.

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

That Council, pursuant to section 75 of the Planning and Development Act 2005, amend the Shire of Wyndham-East Kimberley Planning Scheme No.7 by:

1. Reclassifying Lot 1039 Greybox Crescent, Kununurra, from Parks and Recreation reservation, to the Residential R30 zone;
2. Reclassifying Lot 1004 Sorghum Place, Kununurra, from Parks and Recreation reserve, to the Residential R30 zone;
3. Reclassifying Lot 1292 Barringtonia Avenue, Kununurra, from Residential R15/50, to Parks and Recreation reserve; and
4. Amend the Planning Scheme map accordingly.

ATTACHMENT 2: TPS AMENDMENT 18

SHIRE OF WYNDHAM-EAST KIMBERLEY



TOWN PLANNING SCHEME NO.7

AMENDMENT NO. 19

**Rezoning of Lots 1039 Greybox Crescent, 1004
Sorghum Place and 2458 Barringtonia Avenue in
accordance with the Shire of Wyndham East
Kimberley Parks Plan Policy**

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

SHIRE OF WYNDHAM-EAST KIMBERLEY

TOWN PLANNING SCHEME NO.7

AMENDMENT NO. 19

That the Council, pursuant to section 75 of the Planning and Development Act 2005, amend the Shire of Wyndham-East Kimberley Planning Scheme No.7 by:

- 1 Reclassifying Lot 1039 Greybox Crescent, Kununurra, from Parks and Recreation reservation, to the Residential R30 zone;**
- 2 Reclassifying Lot 1004 Sorghum Place, Kununurra, from Parks and Recreation reserve, to the Residential R30 zone;**
- 3 Reclassifying Lot 2458 Barringtonia Avenue, Kununurra, from Residential R15/50, to Parks and Recreation reserve; and**
- 4 Amend the Planning Scheme map accordingly.**

DATED THIS _____ DAY OF _____, 20_____

CHIEF EXECUTIVE OFFICER

NO. _____		FILE	
_____	PART	OF	AGENDA.

PROPOSAL TO AMEND A TOWN PLANNING SCHEME.

1) LOCAL AUTHORITY : SHIRE OF WYNDHAM-EAST
KIMBERLEY

2) DESCRIPTION OF TOWN PLANNING SCHEME : TOWN PLANNING SCHEME NO.7

3) TYPE OF SCHEME : LOCAL PLANNING SCHEME

4) SERIAL NUMBER OF AMENDMENT : AMENDMENT No. 19

5) PURPOSE:

- 1 Reclassifying Lot 1039 Greybox Crescent, Kununurra, from Parks and Recreation reservation, to the Residential R30 zone;
- 2 Reclassifying Lot 1004 Sorghum Place, Kununurra, from Parks and Recreation reserve, to the Residential R30 zone;
- 3 Reclassifying Lot 2458 Barringtonia Avenue, Kununurra, from Residential R15/50, to Parks and Recreation reserve; and
- 4 Amend the Planning Scheme map accordingly.

1.6.1.1.1 SCHEME REPORT

REASON FOR AMENDMENT

The Shire of Wyndham-East Kimberley prepared and adopted a Parks Plan in 2004 that rationalises the existing parks within the town and identifies specific strategies for their future management. A key recommendation of the Plan is that two local parks which are the subject of this amendment (ie Lot 1039 Greybox Crescent and Lot 1004 Sorghum Place) be sold and utilised for residential purposes with the sale proceeds contributing towards the development of new parks, such as that proposed for Lot 1292 Barringtonia Avenue.

The Honourable Minister for Planning and Infrastructure recently granted consent for the land to be transferred to freehold title in the name of the Shire of Wyndham East Kimberley, to effect the sale of the land in accordance with the Parks Plan.

To maximise the dwelling yield and consequently the benefit to the community with regard to addressing the land shortage within Kununurra, it is proposed to re-zone both parcels of land Residential R30.

DESCRIPTION OF SITES

The three sites that are the subject of this amendment are as follows:

Lot 1039 Greybox Crescent, Kununurra

The site is currently a Parks and Recreation Reserve [Reserve 34890] located in a residential area of predominantly detached dwellings at a density of R15. Title to the land is anticipated to be issued in September 2006. It is bordered immediately to its north, west and eastern boundaries by single detached residential development.

The site itself is relatively flat with an area of 2,627m² in an irregular wedged shape. Access to the site is from Greybox Crescent, along its southern boundary. The site has immediate access to all essential services and infrastructure.

Three sides of the site are fenced, and as such it has poor passive surveillance, and is subject to anti-social behaviour. The park is prone to graffiti and litter, and has few facilities. Significantly, other better serviced parks are located within close proximity.

Rezoning to Residential R30 will potentially achieve 8 grouped dwellings unit yield.

Lot 1004 Sorghum Place, Kununurra

This lot is also currently a reserve [Reserve 31512], with titles anticipated to be issued in September / October 2006 to formalise the sale of the land. The site is currently a Parks and Recreation Reserve located at the end of a cul de sac within a predominantly residential locality. All surrounding land is zoned R15/R50. The site is bordered to its northern, and eastern boundaries with predominantly single, detached dwellings. To its immediate west is a large grouped dwelling development developed at the R50 density. All land surrounding the site is zoned R15/R50.

The site is relatively flat and has an area of 1,627m² in an irregular, L-shaped lot. Vehicle access is taken from Sorghum Place. A pedestrian walkway forms part of the park, connecting the southern portion of the lot southward to Erythrina Street. It is anticipated this walkway will be amalgamated with adjoining lots. The site has immediate access to all essential services and infrastructure.

This park is prone to graffiti and litter, and has no facilities. Again, other better serviced parks are located within close proximity.

Rezoning to Residential R30 will potentially achieve 5 grouped dwellings unit yield.

Lot 2458 Barringtonia Avenue, Kununurra

The site is currently zoned R15/50 and is located at the corner of Barringtonia Avenue and Greybox Crescent. The site is surrounded by predominantly residential development, with single detached dwellings developed to a density of R15. The site is bordered to its eastern boundary by residential development of this nature and across a drain reserve to its immediate west there is residential development also developed to a density of R15. The Kununurra Cemetery and a large natural bushland reserve are located immediately to the north, on the other side of Barringtonia Avenue.

The site is low lying and has an area of 4274m² within a triangular shaped allotment. The site has access from Barringtonia Avenue, as well as pedestrian access through drain reserves that border the western boundary of the site.

The site was originally zoned Public Purposes Reserve, but was rezoned to Residential R15/R50 in the hope that it would be developed to assist to ameliorate a land shortage within Kununurra. However, given that large portions of the site are undevelopable, the site has never been sold or developed on.

The land tenure of this land will need to be modified to a reserve, vested in Council for parks, recreation and drainage.

1.6.1.2 BACKGROUND

The Shire of Wyndham-East Kimberley recently finalised a Parks Plan that seeks to rationalise the existing parks within the towns of Kununurra and Wyndham and identifies specific strategies for their future management. Parks were assessed in terms of their current use, condition, suitability, location and facilities. Recommendations were then made as to how best concentrate the Shire's resources to maximise recreational benefits to the community. Arising from this, several existing parks were identified as being surplus to requirements, with other areas identified as being more appropriate locations for new parks.

Lot 1039 Greybox Crescent and Lot 1004 Sorghum Place are two existing parks that have been identified as being unsuitable ongoing concerns for the Shire. They are underutilised, not reticulated, have little or poor quality playground equipment, encourage litter and antisocial behaviour and have poor visibility opportunities for supervision. The Parks Plan proposes that these two lots be sold, with the proceeds of their sale to contribute to the development and maintenance of other parks.

Lot 2458 Barringtonia Avenue, currently zoned for residential purposes, has been identified as a suitable location for a new park. This lot was previously a Public Purpose Reserve for drainage purposes but was rezoned some time ago in the hope that it may provide opportunity for additional housing. However, the irregular shape and drainage constraints associated with the site have seen it remain undeveloped

and unsold even in a period where demand for housing has been at a high. The Parks Plan proposes that the site is better suited as a Neighbourhood Park. Specifically, the site will provide a reticulated and grassed open space area for informal games and sports, shade, seating and playground equipment.

The Parks Plan, including the above recommended actions, was publicly advertised in 2004 and was adopted at the December 2004 meeting of Council.

1.6.1.3 PLANNING CONTEXT

The following planning documents are relevant to the proposed scheme amendment.

The Shire of Wyndham-East Kimberley Town Planning Scheme No.7 - Kununurra and Environs (2001 as amended)

The proposed amendment will not result in any corresponding change to the text of TPS No.7. The subject sites (Lot 1039 Greybox Crescent and Lot 1004 Sorghum Place) will merely be incorporated within the accompanying Planning Scheme Map as having a Residential zone with a Residential Density classification of R30.

Lots 1039 Greybox Crescent and 1004 Sorghum Place will be incorporated within the Residential Zone of the TPS. The objectives of this zone are as follows:

5.9 RESIDENTIAL ZONE

5.9.1 Objectives

(b) *to allocate a density coding for the Residential zone throughout the Scheme Area designed to:*

(i) *provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;*

- (ii) *promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas;*
- (iii) *allow redevelopment opportunities for areas of older housing stock.*

The proposed scheme amendment is consistent with these objectives in encouraging infill development and accommodating the anticipated growth of the town.

The Shire of Wyndham East Kimberley Local Planning Strategy (2005)

The SWEK Local Planning Strategy (LPS) has recently received endorsement by the Western Australian Planning Commission. The purpose of the LPS is to provide background analysis and strategic direction for the Shire, including specifically the towns of Wyndham and Kununurra. The document included a factual and comprehensive account of the issues currently facing the SWEK, one of which was the issue of land availability for residential purposes in Kununurra. While there are opportunities to expand the existing residential areas, these are subject to resolving environmental and servicing issues. The LPS therefore encourages any opportunity for infill development in the short term.

The LPS differentiates the residential urban area within Kununurra into several precincts. The subject sites of this scheme amendment fall into two of these precincts. Sorghum Place falls within the Barringtonia Avenue Precinct. The sites at Greybox Crescent and Barringtonia Avenue fall within the Hidden Valley Precinct.

The LPS recommends the following for the future development of these precincts:

Barringtonia Avenue Precinct

“...This precinct is currently dual coded R15/50. While there is a relatively high density area located within this precinct, the majority of the precinct consists of single residential development at approximately R15. No opportunities exist to increase the area of this precinct, however, due to its proximity to the town centre, density increases up to R30 are encouraged.”

Hidden Valley Precinct

“...this precinct is zoned R15 and is developed to this density. No significant density increase is warranted to discourage the intrusion of high densities into this relatively low density area...”

These findings are further identified as objectives and recommended specific actions in the LPS.

6.3 Urban Residential Development

Objective

To ensure an adequate supply of residential land within close proximity to established population centres and to encourage a range of development styles that reflect the Kimberley climate and lifestyle.

Specific Actions

Residential densities in Kununurra shall be defined as distinct precincts and shall reflect predominant densities:

- *Ironwood Drive Precinct at R20;*
- *Barringtonia Avenue Precinct at R30;*
- *Hidden Valley Precinct at R15;*
- *Lakeside Precinct at R15;*
- *Future Lakeside stages in accordance with structure planning.*

The proposed scheme amendment is consistent with the objectives and recommended actions with regard to creating a residential density of R30 within the Barringtonia Avenue Precinct. However, the Greybox Crescent site is proposing a higher density than that recommended for the Hidden Valley Precinct.

Parks Plan Policy

The Shire of Wyndham-East Kimberley Parks Plan was prepared as a recommendation of the Shire's Strategic Plan 2004-2008. The objective of the Parks Plan is to improve the quality and usefulness of the Shire's open space assets that best suits the unique needs and aspirations of the local community. The plan considers best practice in park development, reviews existing parks in the town and

makes recommendations as to their future development, removal, upgrading and maintenance accordingly.

Specifically, the plan recommends that the Public Open Space (POS) areas within Greybox Crescent and Sorghum Place (two of the subject sites of this scheme amendment) be sold, with the proceeds used to create, upgrade and maintain other, more appropriate POS areas within the Shire, such as that identified at Lot 2458 Barringtonia Avenue (the other subject site of this amendment).

The proposed scheme amendment is therefore consistent with this policy.

Shire of Wyndham-East Kimberley Kununurra Townsite Policy Areas

The Shire of Wyndham-East Kimberley has identified 23 defined precincts within the Kununurra town area that are to be developed in accordance with specific policy measures. The following precinct is relevant to this proposed scheme amendment:

Precinct 8 – Residential Precinct

Objective To provide for a range of residential densities and redevelopment opportunities.

Policies Promote Residential R50 development adjacent to Town Centre Precinct.

Enable redevelopment of existing housing stock in Barringtonia/Ironwood Drive area to an R20 development level.

Carry out traffic rationalisation/calming techniques on Barringtonia Avenue to reduce impacts of town centre orientated traffic on residential amenity.

Investigate a direct link between Barringtonia Avenue and Konkerberry Drive.

The proposed scheme amendment is not inconsistent with the objectives and policies of this policy document.

Summary

The proposed scheme amendments are consistent with the local planning policy framework, with the minor exception of the increased zoning proposed for Greybox Crescent. This is located within the Hidden Valley Precinct of the LPS, an area that is predominantly R15. This is discussed in the section below.

COMMENT

The sites at Sorghum Place and Greybox Crescent are proposed to be rezoned to residential densities of R30. These will be, essentially, spot zonings within localities that are predominantly R15/50 and R15 respectively. However, given the context of each site, and the benefits that higher densities will bring to Kununurra [given significant land shortages], it is considered these densities can be supported and will not have a detrimental impact on the character or amenity of their respective localities.

Both sites are larger than normal and are shaped such that they will not lend themselves to subdivision into regular shaped – or sized – allotments. A density coding of R30 will allow for grouped dwelling developments that will be of a scale that they are unlikely to create a negative impact on the amenity or character of the locality. To the contrary, developing these sites for residential purposes will represent a higher and better use for land that is currently underutilised, is visually unappealing and has been found to encourage antisocial behaviour.

The creation of a Neighbourhood Park at Lot 2458 Barringtonia Avenue will also represent a higher and better use for a site that has not received market support for residential development. As a park it is of a size, shape and location that will allow for great functionality and casual supervision to accommodate the needs of its locality.

The rezoning and consequent development of these lots will create 13 grouped dwellings that will contribute significantly to housing shortage within Kununurra.

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME

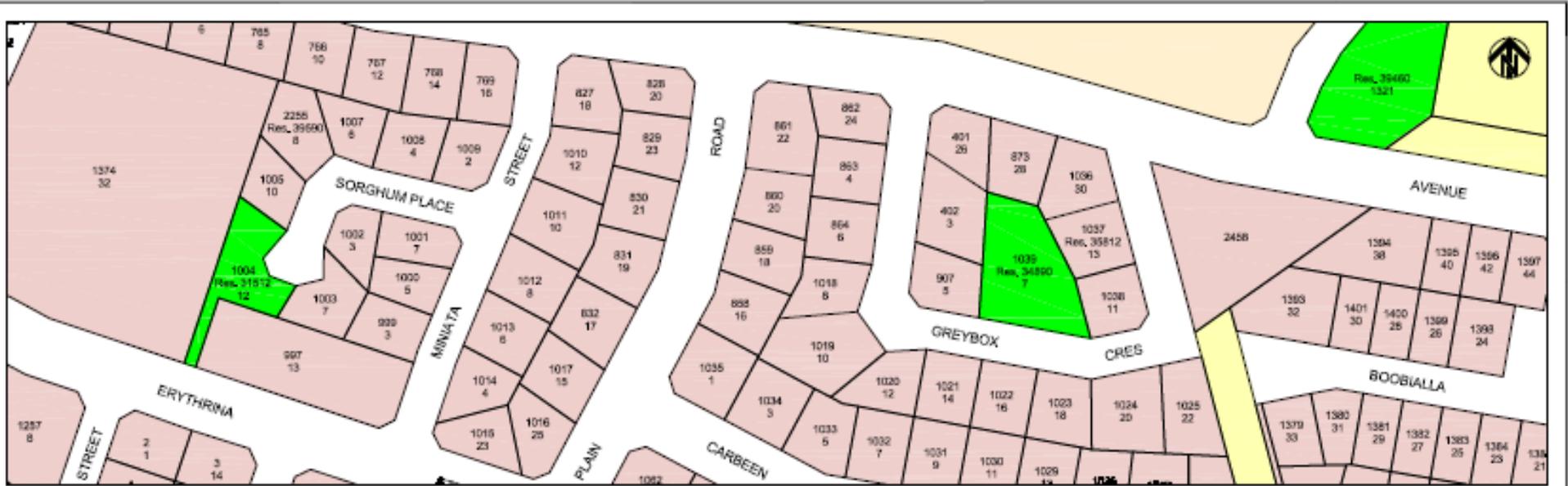
SHIRE OF WYNDHAM-EAST KIMBERLEY

TOWN PLANNING SCHEME NO.7

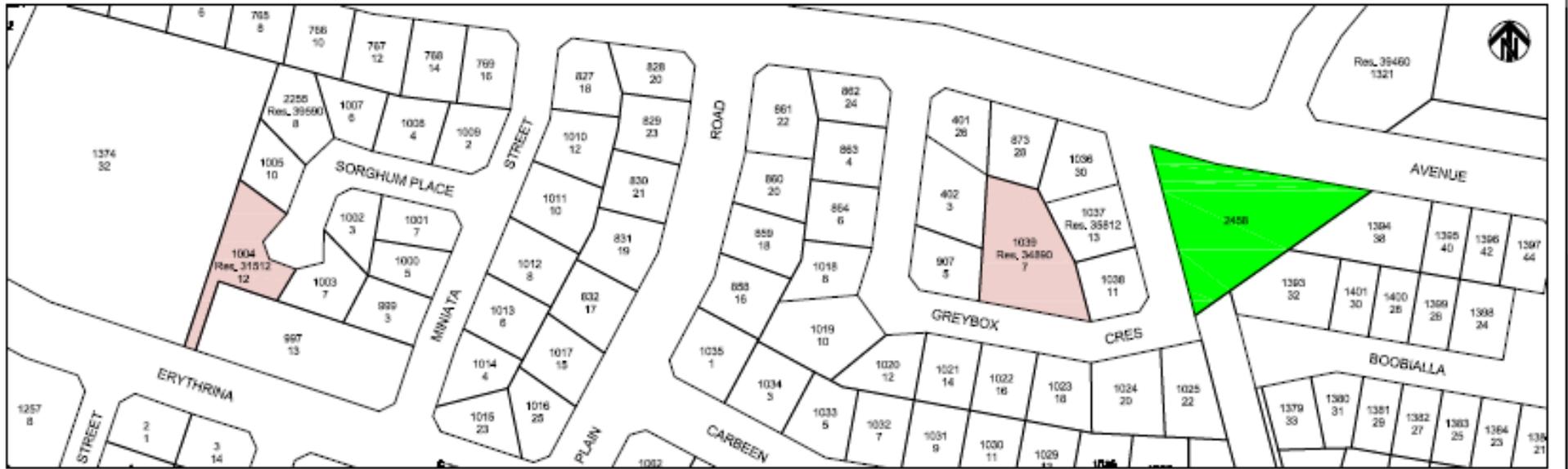
AMENDMENT NO. 19

The Shire of Wyndham-East Kimberley, under and by virtue of the powers conferred upon it on behalf of section 75 of the Planning and Development Act 2005, hereby amends the above Town Planning Scheme by:

- 1. Reclassifying Lot 1039 Greybox Crescent, Kununurra, from Parks and Recreation reservation, to the Residential R30 zone;**
- 2. Reclassifying Lot 1004 Sorghum Place, Kununurra, from Parks and Recreation reserve, to the Residential R30 zone;**
- 3. Reclassifying Lot 2458 Barringtonia Avenue, Kununurra, from Residential R15/50, to Parks and Recreation reserve; and**
- 4. Amend the Planning Scheme map accordingly.**



EXISTING ZONING



PROPOSED ZONING

- LEGEND
- PARKS AND RECREATION
 - PUBLIC PURPOSE
 - RESIDENTIAL
 - CONSERVATION/ENVIRONMENTAL PROTECTION



ADOPTION

Adopted by Resolution of the Council of the Shire of Wyndham-East Kimberley at the Ordinary Meeting of the Council held on the fifteenth day of August 2006.

CHIEF EXECUTIVE OFFICER

Final Approval

Adopted for Final Approval by Resolution of the Shire of Wyndham-East Kimberley at the _____ Meeting of Council held on the _____ day of _____, 20_____.

The Common seal of the Shire of Wyndham-East Kimberley was hereunto affixed in the presence of:

CHIEF EXECUTIVE OFFICER

SHIRE PRESIDENT

Submitted for Final Approval

CHAIRPERSON OF THE WESTERN AUSTRALIAN PLANNING COMMISSION.

Date: _____

Final Approval Granted

MINISTER FOR PLANNING AND INFRASTRUCTURE

Date: _____

ATTACHMENT 3: SCHEDULE OF SUBMISSIONS:

**SHIRE OF WYNDHAM-EAST KIMBERLEY
TOWN PLANNING SCHEME NO. 7**

Amendment No. 19: Rezoning of lots in accordance with the Shire of Wyndham East Kimberley Parks Plan Policy

Schedule of Submissions

SUBMISSION NO. Owner/ Property Details	OBJECTION OR SUPPORT	SUMMARY OF SUBMISSIONS	COMMENTS	RECOMMENDATION
SUBMISSION 1 Department of Water	Comment	(i) Submitter's Comment Department of Water (DoW) will not be providing comment on this scheme amendment as it is required to be referred to the Environmental Protection Authority (EPA) under the <i>Environmental Protection Act 1986</i> . The DoW provides comments, as required, on scheme amendments as part of the EPA's process.	Response Noted. EPA advised changes are not significant enough to warrant formal assessment.	Submission 1 Noted.
SUBMISSION 2 Department of Health	Comment	(i) Submitter's Comment The DOH has no objection to the proposed Amendment subject to the provision of reticulated sewerage to the R30 developments in order to comply with the Country Sewerage Policy.	Response Noted. The lots are able to be serviced with reticulated sewerage.	Submission 2 Noted.

12.2.3 Proposed Kennel – Lot 6 Weaber Plain Road, Kununurra

DATE:	17 April 2007
PROPONENT:	Tom Vickers
LOCATION:	Lot 6 Weaber Plain Road, Kununurra
ATLAS REFERENCE:	Map 44 A2
AUTHOR:	Jo Barkla, Town Planning Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.1983.02
ASSESSMENT NO:	1983

PURPOSE

For Council to consider an application for planning consent for the use and development of the subject land with kennel accommodation.

BACKGROUND

In accordance with the Scheme, the use has been advertised for a period of 21 days and is now able to be considered by Council.

SITE LOCATION

The subject site is located on Weaber Plain Road and zoned Rural Agriculture 2. The land abuts Rural Agriculture 2 zoned land, fronts onto Weaber Plain Road and backs onto the M1 Channel. Land on the opposite side of Weaber Plain Road is zoned for Rural Agriculture 1. See Attachment 1.

PROPOSED LAND USE / DEVELOPMENT

The applicant is seeking approval for the use of the subject land to develop kennel accommodation. The applicant advises a maximum of 12 dogs at any one time will be catered for. See Attachment 2.

The land is currently developed with 130 mango trees and the applicant proposes to develop the kennel where mango trees are currently grown to provide shade for the kennel and a buffer to neighbouring properties. It is not proposed to remove any mango trees from production.

The applicant advises development at 200mm above ground level is proposed and it is not intended to operate the kennels during wet season when the kennels may be at risk of inundation.

A site visit verified there is a donga, shed, dam and new house pad on site which will replace the existing donga as the primary residence.

FINANCIAL IMPLICATIONS

The Application Fee of \$90.00 has been paid.

COMMUNITY CONSULTATION

The use is an SA use under Town Planning Scheme No. 7 – Kununurra and Environs and Council may, at its discretion, permit the use after advertising the proposal for 21 days. The proposal was advertised in the Kimberley Echo for 21 days from 1 March 2007 to 23 March 2007. Surrounding landowners were notified in writing of the proposal and a sign was erected on site.

The applicant submitted a signed notification from abutting Lots 5 and 7 stating they are “OK with the arrangement” to establish a kennel on Lot 6.

There were no submissions of objection or support for the kennel being established on Lot 6.

ATTACHMENTS

Submitted development plans attached.

PLANNING ASSESSMENT

Strategic/Structure Plans

The Local Planning Strategy designates the subject land for agricultural purposes, in which a kennel is an SA use.

Town Planning Scheme No. 7 – Kununurra and Environs

The land is located within the Rural Agriculture 2 Zone. Clause 5.19 of the Town Planning Scheme states that the objectives of this zone are:

To ensure the adequate supply of land for intensive agricultural and horticultural holdings in localities of adequate water supply and suitable soil types;

To promote the use of these lots for the production of horticultural crops and associates uses.

Pursuant to Town Planning Scheme No. 7, the proposed use is listed as a Kennel/Cattery in Table 1 – Zoning Table.

There is no definition for Kennel/Cattery in Appendix 1 – Definitions of the Scheme. However, the use can be reasonably determined to fall within the interpretation of an Animal Establishment which means *premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry – intensive or veterinary centre.*

The definition of Animal Establishment was introduced to the Scheme on 26 October 2004 upon the gazettal of Amendment 13. The intention was to introduce conformity with the definitions contained in the Model Scheme Text. However, this was not carried through to the Zoning Table. Nevertheless, the use of a kennel is permissible in the Zoning Table and Council can consider the application.

Local Laws

There are no local laws relating to the establishment of kennels in regard to environmental health and animal welfare issues. Council's environmental health officer has provided conditions to be included in the development approval relating to the size of individual kennels, maintenance of kennels and a suitable effluent system, based on local laws in another Shire.

CONCLUSION / COMMENT

The proposed use of the land can be considered by Council to be consistent with the objectives and purposes of the Rural Agriculture 2 zone, given that the applicant will not be removing any mango trees from production.

There are animal welfare issues in relation to the size of the kennels, provision of an exercise area, and environmental health issues in relation to effluent disposal. The development approval can be appropriately conditioned to address these concerns.

Animal welfare issues relating to cleanliness and operation of the kennel are outside the scope of the development approval. Animal welfare issues would be the responsibility of the RSPCA to respond to upon receipt of a complaint.

It is considered that any amenity issues relating to noise and odour have been addressed through the citing of the kennels amongst the mango trees being cultivated on the property.

While the applicant advises the kennels will not operate during the wet season due to flooding, it is not feasible to condition the development approval to close the business during January – March each year. It is considered preferable to develop the kennel floors to a height which would avoid most wet season inundation and allow the service to run year round. The location of the site on Weaber Plain Road would require significant floor levels. It is recommended a minimum of 400mm above ground level be required.

The application will provide a service that is not currently available in town, complies with the Scheme, has addressed amenity issues and can be appropriately conditioned to address environmental health and animal welfare requirements.

It is recommended that the proposed use be approved with conditions.

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

1. That Council grants planning consent to Tom Vickers for a Kennel at Lot 6 Weaber Plain Road, Kununurra, to:
 - (i) use the land for the purpose of a Kennel;
 - (ii) commence the development of Kennel Accommodation.

Subject to the following conditions:

1. Allow for and obtain a licence to install a reduced onsite effluent disposal system for the treatment of all liquid waste produced by kennelled dogs.
2. A reduced on-site effluent disposal system shall be constructed in accordance with the following:
 - a. Single 1220mm diameter tank;
 - b. 12 metres of leach area; and
 - c. Compliance with standard setback distances, as outlined in the application.
3. The on-site effluent disposal system is to be used for the disposal of effluent from the kennels only.
4. Solid waste from kennel activities is not permitted to enter the septic tank. All faecal matter and food scraps are to be disposed of in receptacles that are adequately sealed and do not promote the harbourage of pests. Solid waste should be disposed of in sealed plastic bags or containers and taken to the Kununurra landfill.
5. A device or trap shall be fitted to the wash down sump to prevent intractable solids (such as dog hair) from entering the onsite effluent disposal system.
6. On-site effluent disposal system shall be located at least 30 metres away from domestic bores.
7. No more than 12 dogs shall be permitted to board at the kennel accommodation at any one time. A new planning application shall be submitted to Council for assessment prior to development of any additional kennel accommodation.
8. Each kennel shall have at least 2.5m² floor space with access to an exercise yard.
9. The upper surface of the floor of each kennel shall be set at least 400mm above the surface of the surrounding ground level.
10. Any conditions issued under delegated authority from Council's Standard Conditions list.

COUNCIL RESOLUTION

Minute No. 7677

Moved: Cr M. Middap

Seconded: Cr R. Devenish-Meares

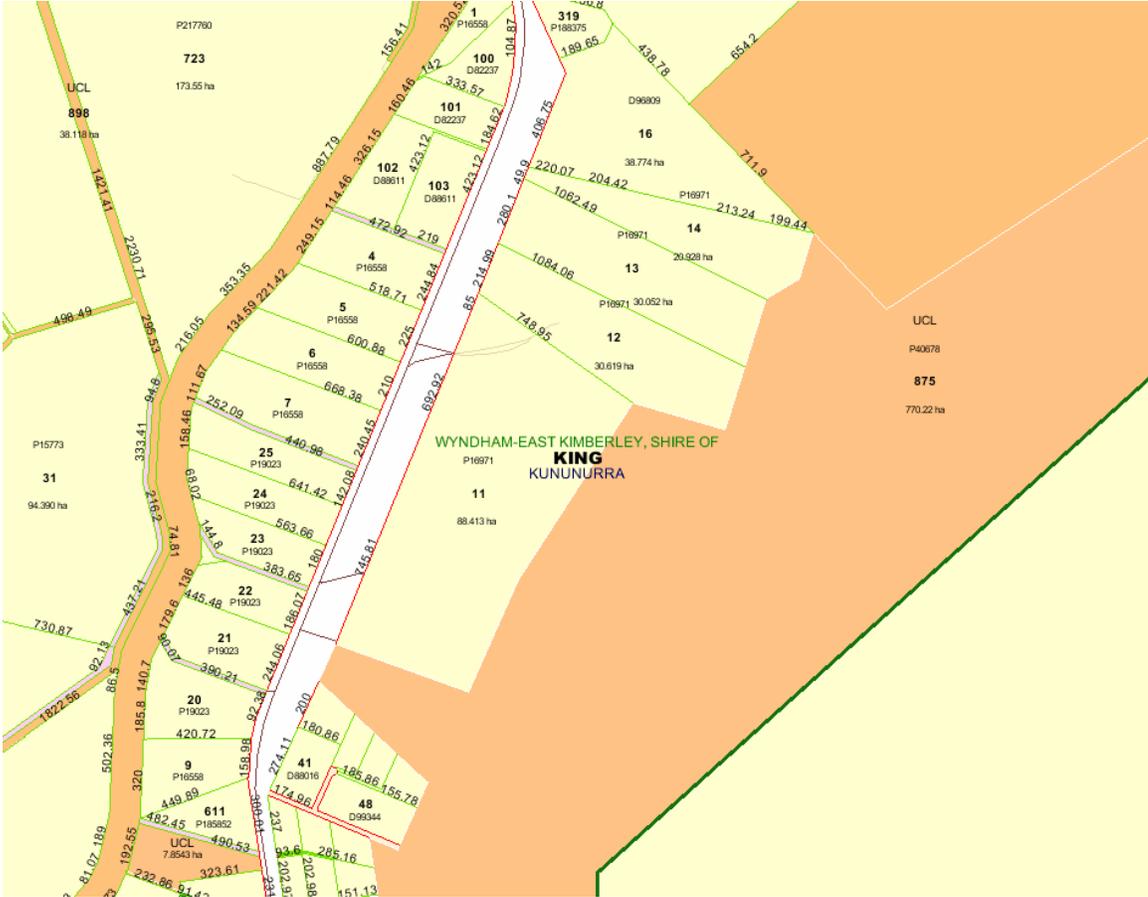
1. That Council grants planning consent to Tom Vickers for a Kennel at Lot 6 Weaber Plain Road, Kununurra, to:
 - (i) use the land for the purpose of a Kennel;
 - (ii) commence the development of Kennel Accommodation.

Subject to the following conditions:

1. Allow for and obtain a licence to install a reduced onsite effluent disposal system for the treatment of all liquid waste produced by kennelled dogs.
2. A reduced on-site effluent disposal system shall be constructed in accordance with the following:
 - a. Single 1220mm diameter tank;
 - b. 12 metres of leach area; and
 - c. Compliance with standard setback distances, as outlined in the application.
3. The on-site effluent disposal system is to be used for the disposal of effluent from the kennels only.
4. Solid waste from kennel activities is not permitted to enter the septic tank. All faecal matter and food scraps are to be disposed of in receptacles that are adequately sealed and do not promote the harbourage of pests. Solid waste should be disposed of in sealed plastic bags or containers and taken to the Kununurra landfill.
5. A device or trap shall be fitted to the wash down sump to prevent intractable solids (such as dog hair) from entering the onsite effluent disposal system.
6. On-site effluent disposal system shall be located at least 30 metres away from domestic bores.
7. No more than 12 dogs shall be permitted to board at the kennel accommodation at any one time. A new planning application shall be submitted to Council for assessment prior to development of any additional kennel accommodation.
8. Each kennel shall have at least 2.5m² floor space with access to an exercise yard.
9. The upper surface of the floor of each kennel shall be set at least 400mm above the surface of the surrounding ground level.
10. Any conditions issued under delegated authority from Council's Standard Conditions list.

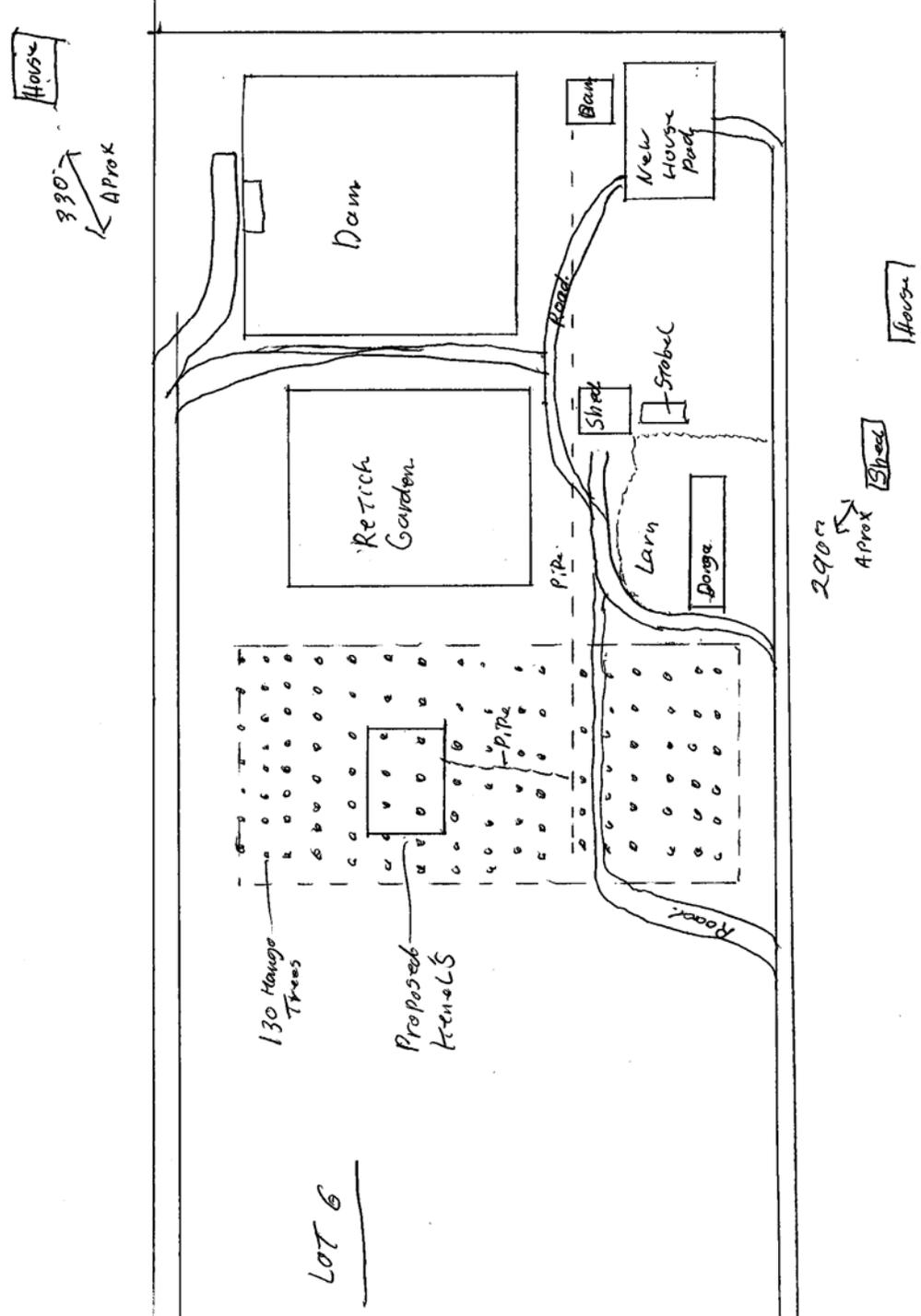
Carried Unanimously: 7/0

Location Plan



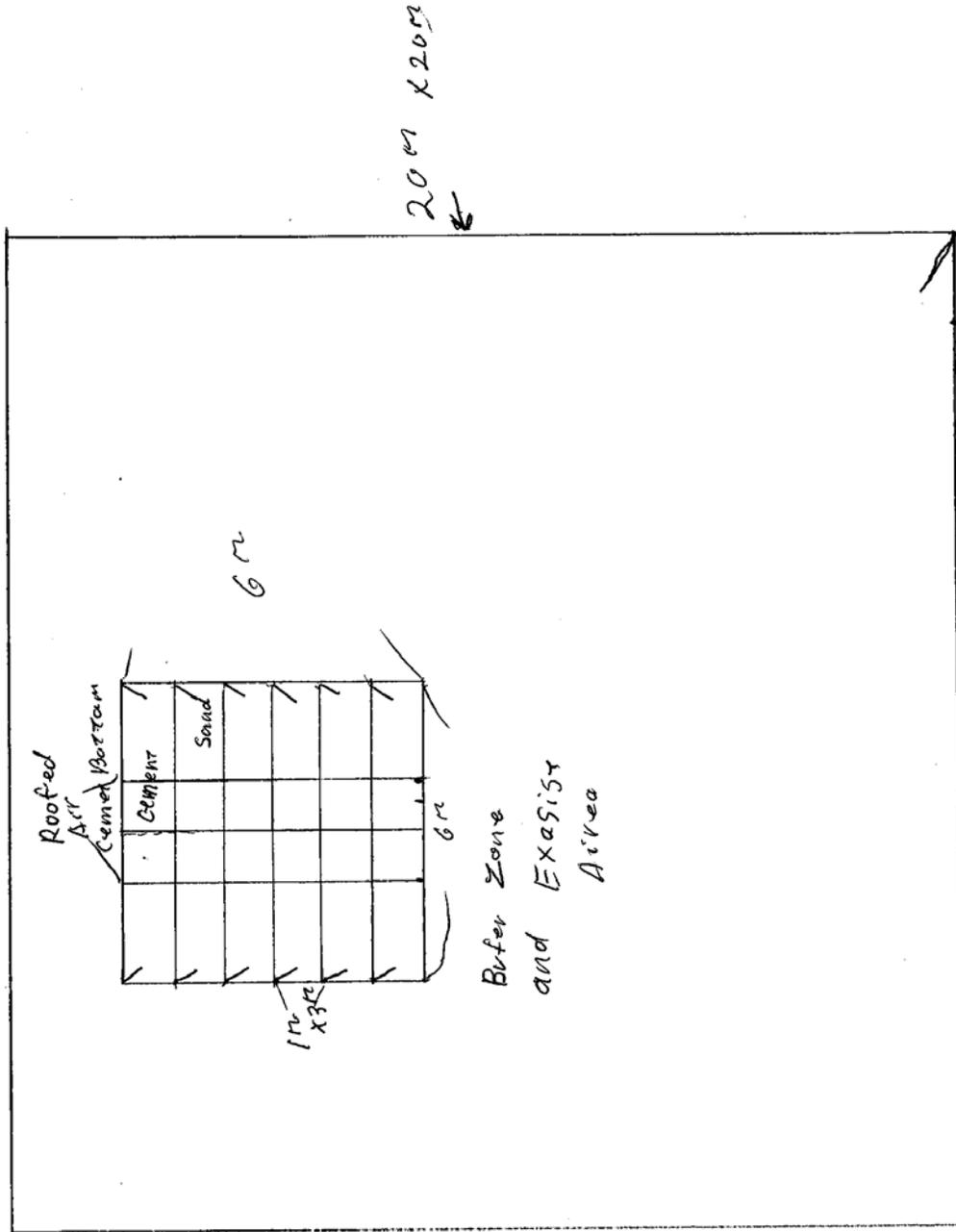
Development Plan (3 pages)

Site Plan

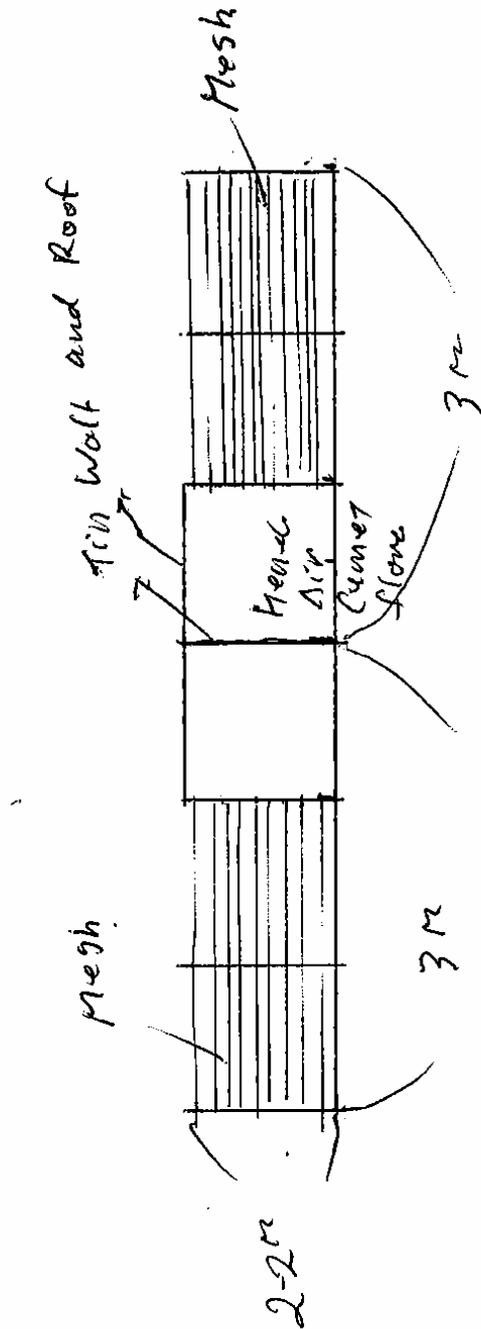


Weaver Plain Road

Kennels and Exercise Yard Area



Kennel Detail



12.2.4 Bandicoot Drive - Lot 971 - Transient Accommodation

DATE:	17 April 2007
PROPONENT:	Woodhead Holdings Pty Ltd
LOCATION:	Lots 1 & 971 Bandicoot Drive, Kununurra
ATLAS REFERENCE:	Map 52 G5
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.6068.02
ASSESSMENT NO:	6068

PURPOSE

For Council to consider an application from JSW Holdings Pty Ltd for planning consent for the use and development of Lots 1 & 971 Bandicoot Drive Kununurra for Transient Accommodation.

BACKGROUND

Lots 1 & 971 Bandicoot Drive are used for industrial purposes. An application for the use and development of the land for Transient Accommodation was received on 22 March 2007.

SITE LOCATION

The subject site is located on the southern side of Bandicoot Drive. Lot 1 has an area of 1.2761 hectares and Lot 971 has an area of 8548m². The site is flat and has existing sheds and industrial buildings constructed on site. Surrounding land uses include predominantly light and service industrial uses.

PROPOSED LAND USE / DEVELOPMENT

The applicant is seeking approval for the use and development of the subject land for Transient Accommodation. It is proposed to locate 10 two bedroom transportable 'donga' style buildings on site, as per the attached plan. Each dwelling contains two bedrooms, a kitchen, living and dining room. Laundry and bathroom facilities are combined in one room.

The applicant has stated that there are 25 - 30 employees at any given time working for the company, and that the transient accommodation is required for workers that are employed directly by the company. Most of the workers work off-site, and would utilise the accommodation on return to Kununurra.

A concrete driveway and drain are also proposed, and the 'dongas' would each be fenced with colourbond panel fencing to provide privacy and screening. The applicant has stated that no communal facilities are proposed as the workers work and habitate closely together on site, and privacy is the most important feature of the buildings.

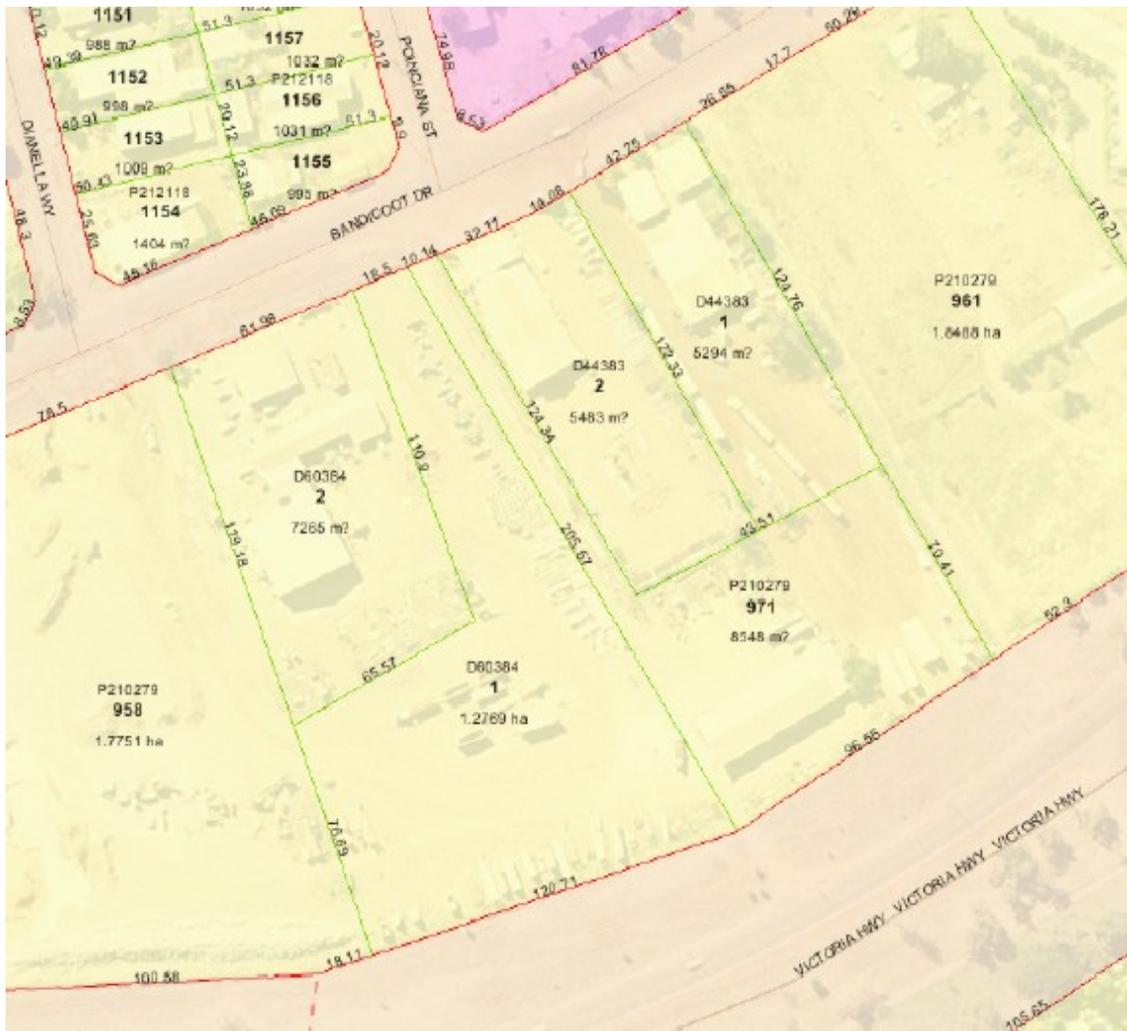
FINANCIAL IMPLICATIONS

An application fee of \$450.00 has been paid, based on an assessment of development costs of \$450 000 by the applicant.

COMMUNITY CONSULTATION

Town Planning Scheme No. 7 – Kununurra and Environs does not require any community consultation for the proposal, unless Council determines that the proposed development should be advertised in the public interest.

ATTACHMENTS



The subject site is shown above. Development plans are also attached.

PLANNING ASSESSMENT

Strategic/Structure Plans

The Local Planning Strategy designates the subject land for Tourism uses.

Town Planning Scheme No. 7 – Kununurra and Environs

The land is located within the Tourist zone. Clause 5.23 specifies the objectives of the Tourist zone:

5.23 TOURIST ZONE

5.23.1 Objective

- (a) *To encourage tourist accommodation and activity in areas adjacent to attractive natural and man-made features.*
- (b) *To encourage tourist uses on land adjacent to the existing town centre and forming the approach to the town centre of Kununurra.*
- (c) *To encourage a high standard of aesthetic quality, landscaping and presentation.*

5.23.2 Residential Use in the Tourist Zone

Council may approve the use of a tourist site in the Tourist Zone for permanent residential purposes to a maximum of 30% of the number of units, rooms or caravans/cabins approved for the site.

Transient Accommodation is listed in the Scheme as an AA, or discretionary use under Table 1 - Zoning Table of the Scheme. Council can approve the development if it considers that the use is consistent with proper and orderly planning, and meets the objectives of the zone.

CONCLUSION / COMMENT

The proposed use is not inherently consistent with the zoning of the land. Notwithstanding this, accommodation for workers is a critical issue within the Shire, and the need for this type of accommodation needs to be weighted with the need for compliance.

Given that the use is an AA, or discretionary use, under the Scheme, Council can approve the proposed development.

Given that the proposed development is not consistent with potential future uses, the development should be conditioned to require relocation upon cessation of the industrial uses on the lots.

It should be noted that although the development is proposed to be located on two lots, no buildings cross and property boundaries.

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

- 1 That Council grant Planning Approval to JSW Holdings Pty Ltd for the use and development of Lots 1 & 971 Bandicoot Drive for Transient Accommodation, subject to the following conditions:
 - 1 The applicant shall enter into a legal agreement to bind the applicant to relocation of the Transient Accommodation to another approved location on cessation of the use of Lot 1 and Lot 971 for industrial purposes.
 - 2 Provision of a minimum of 20m² common area.
 - 3 Compliance with all the requirements of the appropriate Statutory Authorities.
 - 4 Installation of stormwater and drainage systems to mechanically direct stormwater and drainage into Councils stormwater system. Stormwater shall not pond on any open area of the site or against any building or structure.
 - 5 All parking shall be located within the site, with parking and access areas to be constructed, drained and marked to Council's satisfaction. All employee and visitor/customer parking shall be located within the site, and all vehicles associated with the use are to be parked on the site at all times. No parking on the verge shall be permitted.
 - 6 The provision of three visitors parking bays within the boundary of Lot 1 or Lot 971.
 - 7 Crossovers shall be constructed, and shall be constructed to Council's specification.
 - 8 The site shall be landscaped to the satisfaction of Council. All Neem, Rain and Leucaena trees and Calatropis shall be removed from the site if occurring.
 - 9 Proposed signage in excess of exempt Scheme requirements shall be the subject of a separate advertising approval.
 - 10 To ensure that the development remains temporary in nature, the driveway servicing each transportable unit shall be constructed of cracker dust or a similar material approved by the Chief Executive Officer. The surface drain shall be constructed of concrete.
 - 11 Any other conditions issued under delegated authority in accordance with Councils standard conditions list.

COUNCIL RESOLUTION

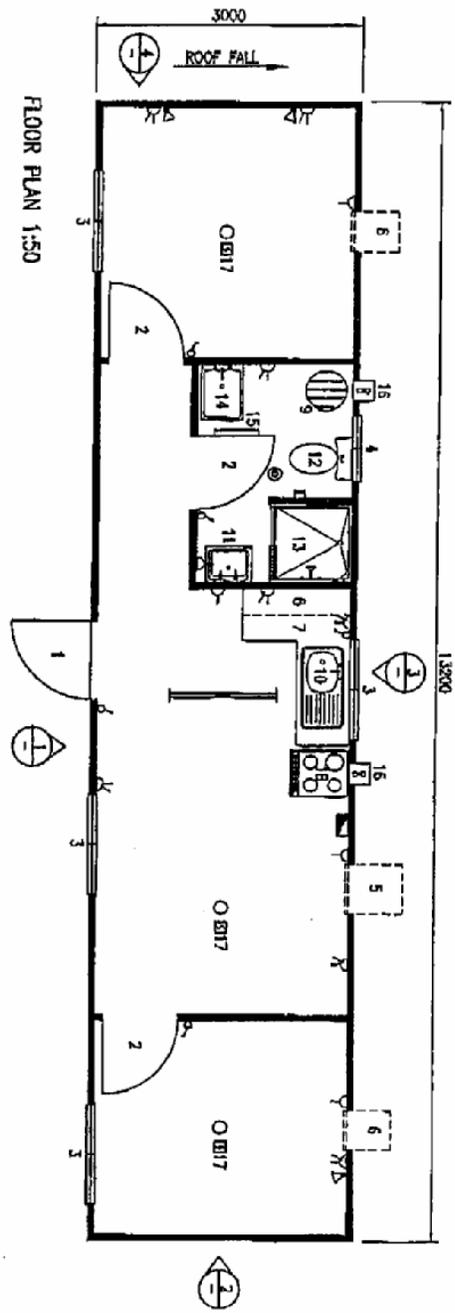
Minute No. 7678

Moved: Cr D. Ausburn

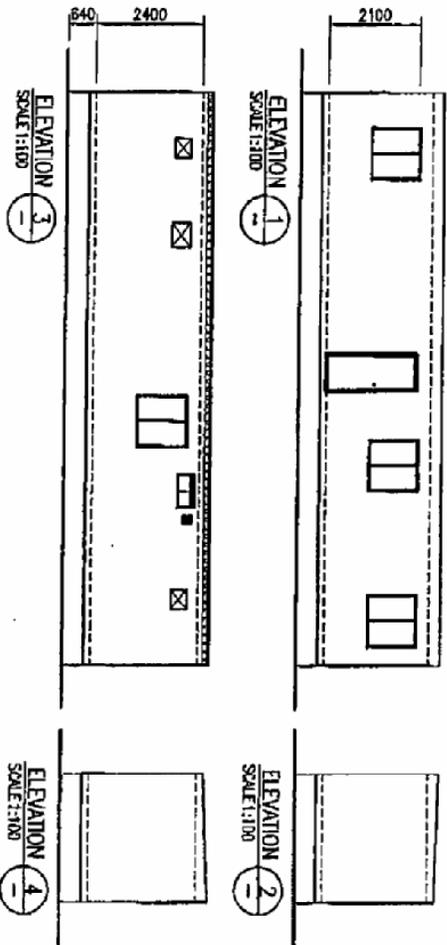
Seconded: Cr M. Middap

- 1 That Council grant Planning Approval to JSW Holdings Pty Ltd for the use and development of Lots 1 & 971 Bandicoot Drive for Transient Accommodation, subject to the following conditions:**
- 1 The applicant shall enter into a legal agreement to bind the applicant to relocation of the Transient Accommodation to another approved location on cessation of the use of Lot 1 and Lot 971 for industrial purposes.**
 - 2 Provision of a minimum of 20m² common area.**
 - 3 Compliance with all the requirements of the appropriate Statutory Authorities.**
 - 4 Installation of stormwater and drainage systems to mechanically direct stormwater and drainage into Councils stormwater system. Stormwater shall not pond on any open area of the site or against any building or structure.**
 - 5 All parking shall be located within the site, with parking and access areas to be constructed, drained and marked to Council's satisfaction. All employee and visitor/customer parking shall be located within the site, and all vehicles associated with the use are to be parked on the site at all times. No parking on the verge shall be permitted.**
 - 6 The provision of three visitors parking bays within the boundary of Lot 1 or Lot 971.**
 - 7 Crossovers shall be constructed, and shall be constructed to Council's specification.**
 - 8 The site shall be landscaped to the satisfaction of Council. All Neem, Rain and Leucaena trees and Calatropis shall be removed from the site if occurring.**
 - 9 Proposed signage in excess of exempt Scheme requirements shall be the subject of a separate advertising approval.**
 - 10 To ensure that the development remains temporary in nature, the driveway servicing each transportable unit shall be constructed of cracker dust or a similar material approved by the Chief Executive Officer. The surface drain shall be constructed of concrete.**
 - 11 Any other conditions issued under delegated authority in accordance with Councils standard conditions list.**

Carried Unanimously: 7/0



FLOOR PLAN 1:50



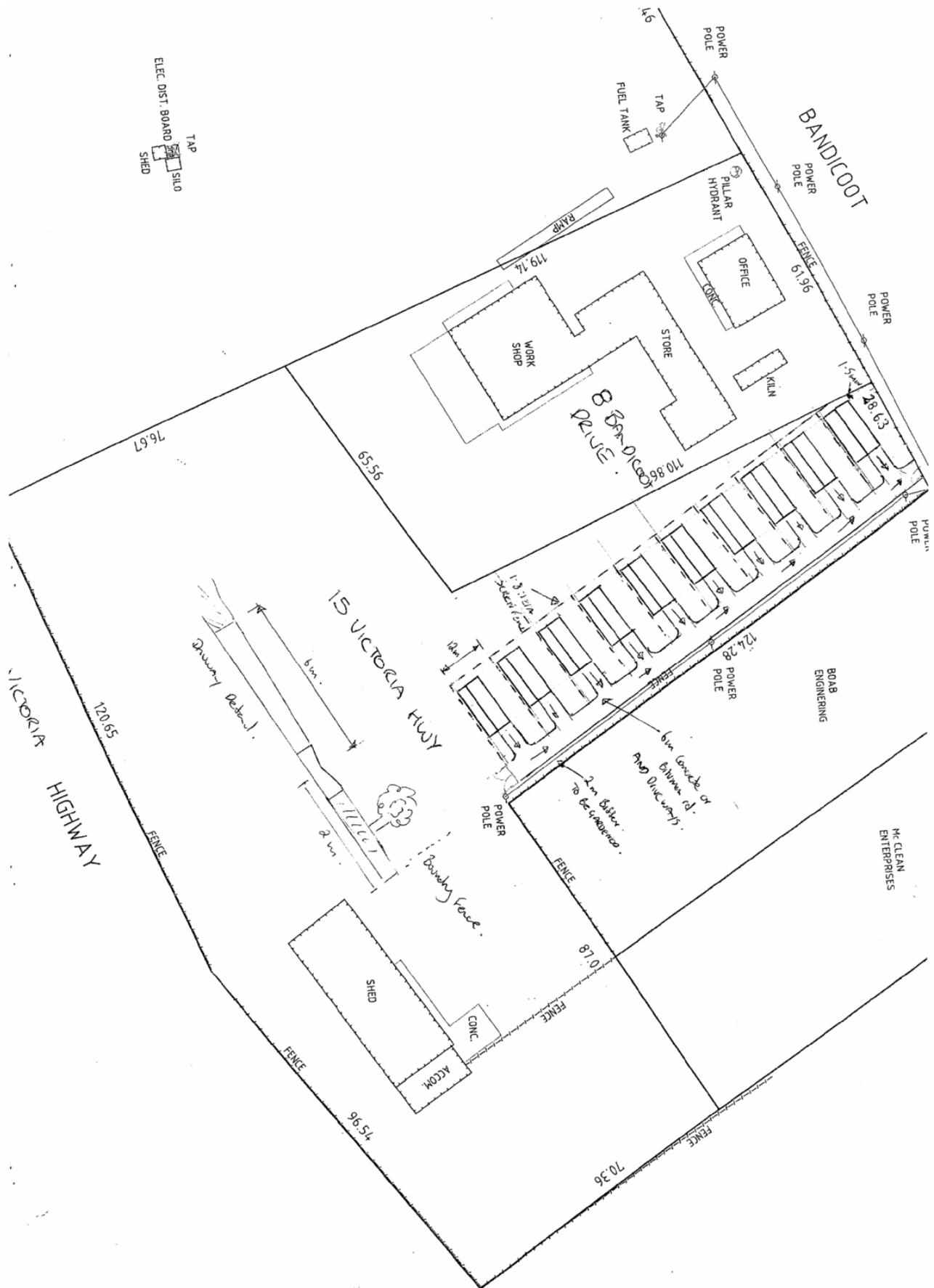
ITEM	QTY	DESCRIPTION
17	3	SINK, ALUM - 240 V
18	2	EXHAUST FAN, WALL MOUNTED - 200mm DIAMETER
15	1	TOWEL RACK
14	1	LAINDRY TUB, SS SINGLE W/ CABINET UNDER
13	1	SHOWER, FIBERGLASS W/ CURTAIN - 900 x 900
12	1	TOILET SLUICE, DUAL FLUSH W/ TOILET PAPER HOLDER
11	1	HANDBASIN, SS HANG W/ MIRROR & PNC SHELF
10	1	SNK & DRAINER, SS (HAC) SINGLE BOWL SINGLE DRAIN - 900
9	1	HOT WATER SERVICE, 80 LITRE - 1 x 3.6 BV
8	1	CUPBOARD, OVERHEAD - 300 DEEP
7	1	CUPBOARD, LAM TOP - 600 DEEP
6	2	AIRCONDITIONER, REVERSE CYCLE - 1.0 HP
5	1	AIRCONDITIONER, REVERSE CYCLE - 1.5 HP
4	1	WINDOW, HS - 350 x 755 PV OPS
3	4	WINDOW, HS - 1075 x 1155 W/ FIBERGLASS
2	3	DOOR, HOLLOW CORE PANKED - 2040 x 820
1	1	DOOR, PLUM METAL - 2035 x 850 W/ ENTRANCE SET

FLOOR PLAN & ELEVATIONS (W41N)

13.2 x 3.0 M 2 BEDROOM LIVING QUARTERS
 AISC0
 L021330
 A

NO	REV	DATE	DESCRIPTION	BY	CHECKED
1	AS NOTED	22/05/07	ISSUED FOR CONSTRUCTION		

THIS DRAWING IS THE PROPERTY OF AISC0
 IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFIC TO THESE DETAILS AND NOT BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF AISC0
 AISC0 IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN



12.2.5 Lakeview Drive - Lots 274, 439, 440 & 441 - Proposed Cabins

DATE:	17 April 2007
PROPONENT:	Beston Parks Management Pty Ltd
LOCATION:	Portion of Reserve 41812 & Lots 274, 439, 440 & 441 Lakeview Drive, Kununurra
ATLAS REFERENCE:	Map
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.0628.02
ASSESSMENT NO:	0628

PURPOSE

For Council to consider granting land use and development consent for tourist accommodation [cabins] on Lots 274, 439, 440 & 441 Lakeview Drive and portion of Reserve 41812.

BACKGROUND

Council received a development application on 23 March 2007 seeking approval for the use and development of Portion of Foreshore Reserve 41812 and Lot 440 for 5 park cabins, and development of 4 cabins located entirely within Lot 440.

9 similar cabins were granted development consent for construction on Lots 274 and 441 under delegated authority on 23 November 2006.

SITE LOCATION

The proposed development is located on Lot 440 and portion of Reserve 41812 [foreshore reserve]. Five of the cabins are located across the boundary of these land parcels, and given that part of the development will be within the foreshore reserve, Council consent is required.

PROPOSED LAND USE / DEVELOPMENT

The applicant is seeking approval for the use and development of the subject land for Tourist Accommodation. 9 cabins are proposed. The cabins consist of 1 bedroom, a combined living, dining and kitchen area, as well as a bathroom.

All cabins are transportable.

FINANCIAL IMPLICATIONS

The Application Fee of \$540.00 has been paid.

COMMUNITY CONSULTATION

Town Planning Scheme No. 7 – Kununurra and Environs does not require any community consultation for the proposal, unless Council determines that advertising of the proposed use is consistent with orderly and proper planning.

ATTACHMENTS

- 1 Development Plan
- 2 Dept of Water correspondence

PLANNING ASSESSMENT

Strategic/Structure Plans

The Local Planning Strategy designates the subject land for Tourism and Foreshore uses.

Town Planning Scheme No. 7 – Kununurra and Environs

The subject development crosses a property boundary. Portion of the land is located within the Tourist zone, while the remainder is located within the Special Foreshore reserve. Clause 5.23 specifies the objectives of the Tourist zone:

5.23 TOURIST ZONE

5.23.1 Objective

- (a) *To encourage tourist accommodation and activity in areas adjacent to attractive natural and man-made features.*
- (b) *To encourage tourist uses on land adjacent to the existing town centre and forming the approach to the town centre of Kununurra.*
- (c) *To encourage a high standard of aesthetic quality, landscaping and presentation.*

5.23.2 Residential Use in the Tourist Zone

Council may approve the use of a tourist site in the Tourist Zone for permanent residential purposes to a maximum of 30% of the number of units, rooms or caravans/cabins approved for the site.

The objectives of the Special Foreshore Reserve are as follows:

2.4.5 Special Foreshore Reserve

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

All development within the Special Foreshore Reserve requires the consent of Council.

CONCLUSION / COMMENT

The proposed use of the land for tourist cabins is consistent with the zoning and reservation of the land. The Department of Water have advised they have no objection to the proposed development, given that none of the development within Reserve 41812 is permanent. A copy of this correspondence is attached.

The development is recommended for approval.

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

1. That Council grant Planning Approval to Beston Parks Pty Ltd for the use and development of Lot 440 Lakeview Drive and Portion of Reserve 41812 for tourist cabins, subject to the following conditions:
 1. No permanent development shall occur within Reserve 41812, in accordance with the lodged plans and material supporting the application.
 2. No native vegetation shall be removed from Reserve 41812 without the written consent of both managing agencies of Reserve 41812.
 3. Compliance with all the requirements of the appropriate Statutory Authorities.
 4. Rain Trees, Neems, Leucaena and Calotropis, shall be removed from the portion of the foreshore reserve leased by Beston Parks Pty Ltd.
 5. Connection of all tourist accommodation units into the current wastewater disposal system.
 6. All septic pits shall be located a minimum of 100 metres from the waterway.
 7. All parking shall be located within the caravan park, with parking and access areas to be constructed, drained and marked to Council's satisfaction. All vehicles associated with the use are to be parked on the site at all times.
 8. Car parking spaces are to be provided for the tourist accommodation at a minimum rate of one bay per two bedrooms of accommodation in accordance with the requirements of the Shire of Wyndham - East Kimberley Town Planning Scheme No. 7 (Kununurra and Environs).
 9. Any other conditions applied under delegated authority in accordance with Council's standard conditions list.

COUNCIL RESOLUTION

Minute No. 7679

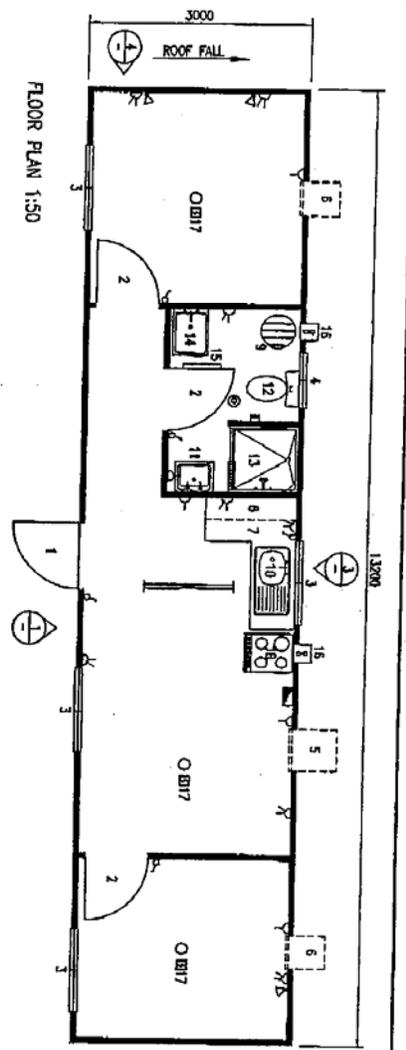
Moved: Cr D. Ausburn

Seconded: Cr R. Devenish-Meares

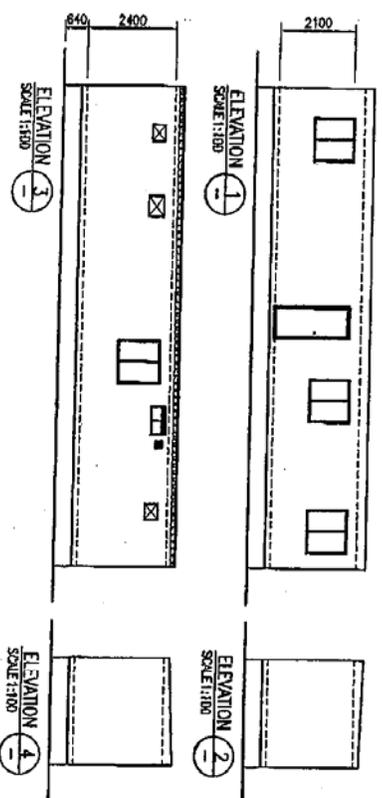
- 1. That Council grant Planning Approval to Beston Parks Pty Ltd for the use and development of Lot 440 Lakeview Drive and Portion of Reserve 41812 for tourist cabins, subject to the following conditions:**
 - 1. No permanent development shall occur within Reserve 41812, in accordance with the lodged plans and material supporting the application.**
 - 2. No native vegetation shall be removed from Reserve 41812 without the written consent of both managing agencies of Reserve 41812.**
 - 3. Compliance with all the requirements of the appropriate Statutory Authorities.**
 - 4. Rain Trees, Neems, Leucaena and Calotropis, shall be removed from the portion of the foreshore reserve leased by Beston Parks Pty Ltd.**
 - 5. Connection of all tourist accommodation units into the current wastewater disposal system.**
 - 6. All septic pits shall be located a minimum of 100 metres from the waterway.**
 - 7. All parking shall be located within the caravan park, with parking and access areas to be constructed, drained and marked to Council's satisfaction. All vehicles associated with the use are to be parked on the site at all times.**
 - 8. Car parking spaces are to be provided for the tourist accommodation at a minimum rate of one bay per two bedrooms of accommodation in accordance with the requirements of the Shire of Wyndham - East Kimberley Town Planning Scheme No. 7 (Kununurra and Environs).**
 - 9. Any other conditions applied under delegated authority in accordance with Councils standard conditions list.**
 - 10. That no development occur until a full signed lease on the portion of Reserve 41812, pertaining to the applicant is in place including the payment of full market value of the lease.**

Carried: 5/2

NOTE: Council included point 10 in its resolution



FLOOR PLAN 1:50

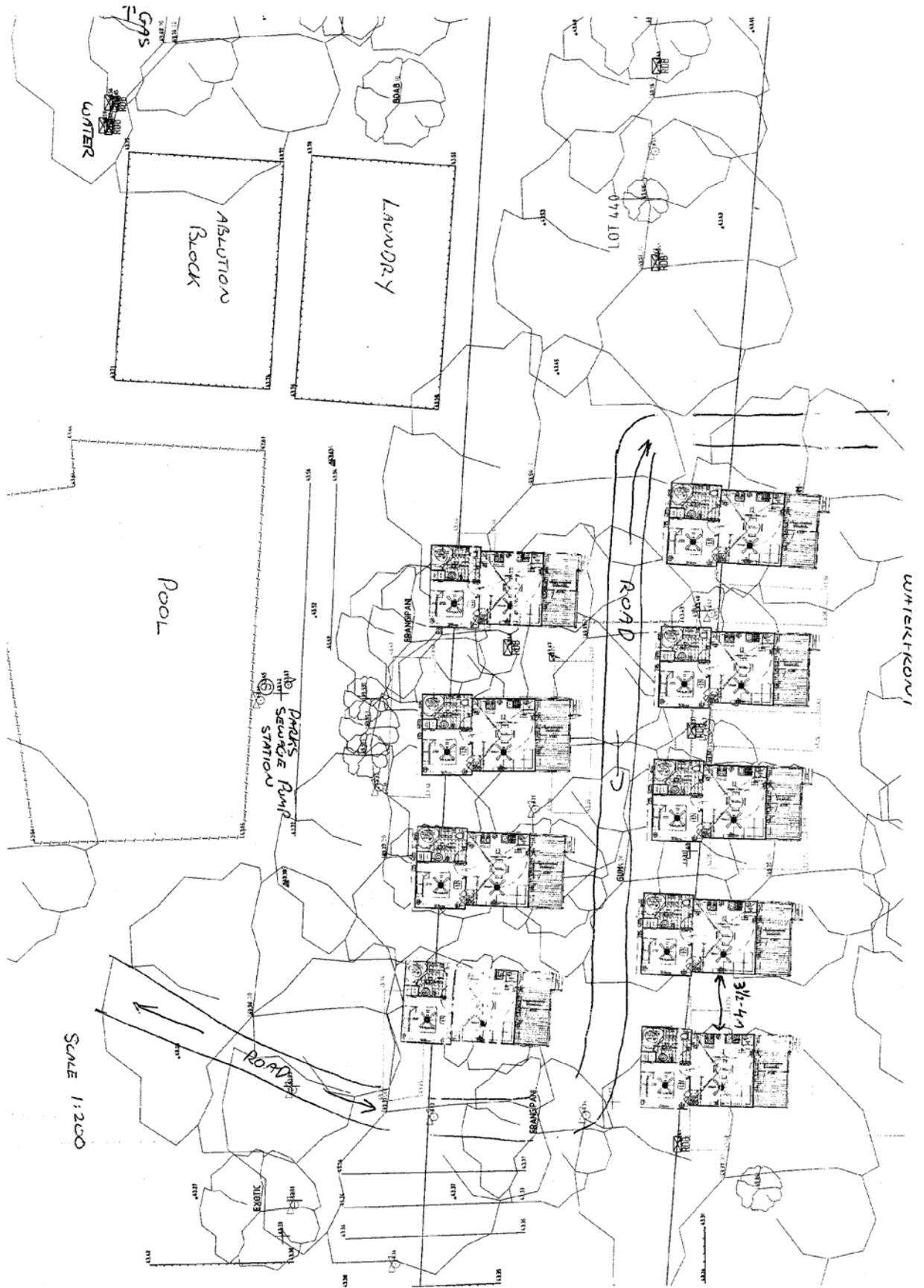


<p>ASSCO</p> <p>THIS DRAWING IS THE PROPERTY OF ASSCO. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ASSCO.</p>	
DATE	22/03/07
SCALE	1:50
PROJECT	13.2 x 3.0 M 2 BEDROOM LIVING QUARTERS
CLIENT	ASSCO
DESIGNER	AJ
CHECKED	AJ
DATE	22/03/07

ITEM	QTY	DESCRIPTION
17	3	SINK ALUMI - 240 V
18	2	EXHAUST FAN, WALL MOUNTED - 200mm DIAMETER
19	1	TOWEL RAIL
14	1	LAMINATE TUB, SS SINGLE W/ CABINET LINER
13	1	SHOWER, FIBERGLASS W/ CURTAIN - 900 x 900
12	1	TOILET SUITE, DUAL FLUSH W/ TOILET PAPER HOLDER
11	1	HANDWASH, SS HED V/ W/ HOOK & PVC SHELF
10	1	SMK & BROWER, SS (H&G) SINGLE BOWL SINGLE DRAIN - 900L
9	1	HOT WATER SERVICE, 80 LITRE - 1 x 3/4" W/
8	1	CUPBOARD, OVERHEAD - 300 DEEP
7	1	CUPBOARD, LOW TOP - 600 DEEP
6	2	AIRCOUNTER, REVERSE CYCLE - 1.0 HP
5	1	AIRCOUNTER, REVERSE CYCLE - 1.5 HP
4	1	WINDOW, HS - 350 x 755 PV ONS
3	4	WINDOW, HS - 1025 x 1165 W/ PERSHBY
2	3	DOOR, HOLLOW CORE PAINTED - 2040 x 820
1	1	DOOR, PLAIN METAL - 2035 x 850 W/ ENTRANCE SET

FLOOR PLAN & ELEVATIONS (W41N)

13.2 x 3.0 M 2 BEDROOM LIVING QUARTERS
 ASSCO
 LQ21330
 A





Department of Water
Government of Western Australia

Mark - For
your records

Your ref:
Our ref: KN1322_Cabin approval
Enquiries: Rachel Nelson 9166 4100

Jo Barkla
Town Planning Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Dear Jo

Kona Waters Holiday Park – Second Tranche Cabin Development

Further to correspondence received from Ben Rosser, Chief Development Officer, Beston Parks Management Pty Ltd, the Department of Water (on behalf of the Water and Rivers Commission) approves the construction of five transportable cabins on a portion of Reserve 41812.

As indicated on the accompanying plans, no permanent features will be erected or installed on the Reserve.

This approval accords with clause 3.7(d) of the lease agreement where the Lessee covenants with the Lessor... "not to erect, construct, build, install or bring any structures or infrastructure of a permanent nature on the Land or make any other alterations, additions or improvements on the Land without the prior written approval of the Lessor..."

Should you have any further queries, please contact Rachel Nelson on 9166 4100.

Yours sincerely



Paul Rosair
Director Business Operations

5 April 2007

cc: Ben Rosser, CDO, Beston Parks Management Pty Ltd

168 St Georges Terrace Perth Western Australia 6000
PO Box K822 Perth Western Australia 6842
Telephone (08) 6364 7600 Facsimile (08) 6364 7601
www.water.wa.gov.au

12.2.6 Ning Bing - Closure Of Roads

DATE:	17 April 2007
PROPONENT:	Department for Planning & Infrastructure
LOCATION:	Ning Bing
ATLAS REFERENCE:	Map
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	42.13.02
ASSESSMENT NO:	NA

PURPOSE

For Council to consider closure of roads for amalgamation with Carlton Hill Station and proposed conservation areas.

BACKGROUND

Council received correspondence from the Department for Planning and Infrastructure requesting closure of roads in the Ning Bing area.

The lots and roads are part of an historic survey undertaken in the 1920's to facilitate the potential release of land for rice production. The release of the land never eventuated. The closure is required as part of the Ord Final Agreement.

SITE LOCATION

The subject roads are located in the Ning Bing area, approximately 70 kilometres north/north west of Kununurra.

PROPOSED LAND USE / DEVELOPMENT

Once the roads and land parcels are closed the land will be used for conservation and pastoral purposes in accordance with the Ord Final Agreement. Part of the land is currently being used for pastoral purposes.

FINANCIAL IMPLICATIONS

No application fee is applicable.

COMMUNITY CONSULTATION

No consultation is required.

ATTACHMENTS

Plans of the area and proposed closures are attached.

VOTING REQUIREMENTS

Simple Majority

CONCLUSION / COMMENT

The roads are redundant reserves created as part of an historic land release that was never finalised. No roads were constructed within the area. Closure of the roads is recommended.

RECOMMENDATION

1. That Council resolve to close all roads within the Ning Bing area on deposited plans 3556 to 3566 inclusive in accordance with the Ord Final Agreement.

COUNCIL RESOLUTION

Minute No. 7680

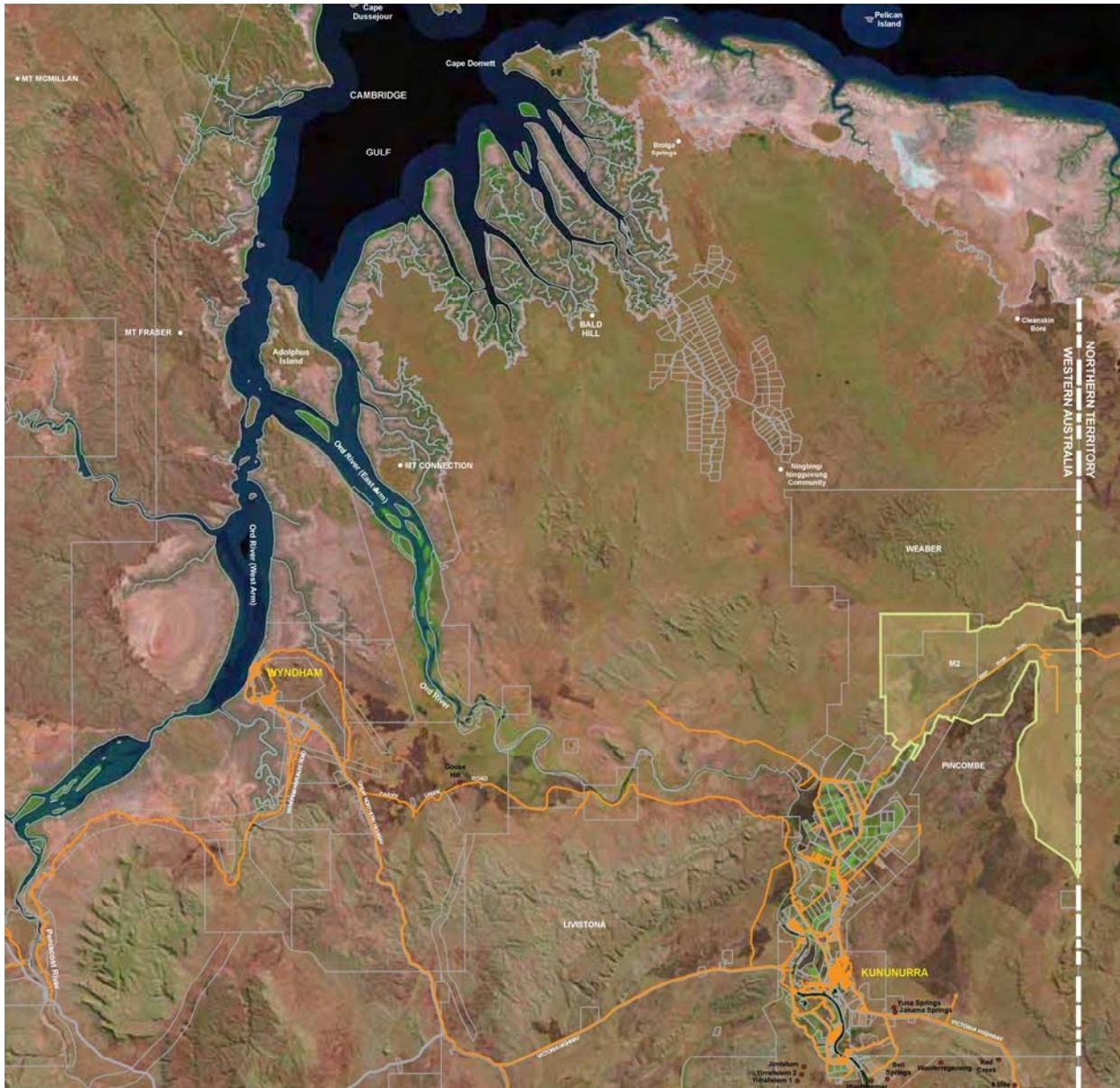
Moved: Cr J. Buchanan

Seconded: R. Devenish-Meares

1. **That Council resolve to close all roads within the Ning Bing area on deposited plans 3556 to 3566 inclusive in accordance with the Ord Final Agreement.**

Carried Unanimously: 7/0





12.3 CORPORATE SERVICES

12.3.1 Monthly Financial Report

DATE:	17 April 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:	Yale Bolto, Executive Manager Corporate Services
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to adopt the Monthly Financial Report for February 2007.

BACKGROUND

Council is required to adopt Monthly Financial Reports, the minimum requirement, as stated in the Local Government (Financial Management) Regulations 1996, is to prepare a "Financial Activity Statement Report". Options were put to the Audit Committee in October 2005 to determine what was to be presented to Council. At this meeting, the Committee decided to present to Council every month the following information:

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

STATUTORY IMPLICATIONS

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

34. Financial activity statement report — s. 6.4

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

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

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

“restricted assets” has the same meaning as in AAS 27.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Nil

COMMENT

At the July 2006 Council meeting Council adopted variance figures of 8% or \$80, 000. To comply with Financial Management Regulation 34(5) officers will comment on the variances below. Please refer to attachment "Statement of Financial Activity by Function" and the comment column.

1. General Purpose Funding – Timing difference, at this stage rates written off is lower than originally expected and Spot Rating expenses have not occurred to date.
2. Governance – Timing difference, funds allocated to the Shire of Wyndham East Kimberley's Branding Project not yet expended.
3. Housing – Minimal expenditure on 67 Koojarra St Wyndham and Airport House, therefore under budget.
4. Transport – Timing difference in completion of various projects.
5. Welfare – Completion of Child Care Centre will allow the Shire to acquit all grants.
6. Housing – Timing difference, approval for country housing grant received, but no money as SWEK needs to provide a title.
7. Community Amenities – Timing difference, contributions Environment
8. Transport – Timing difference, waiting on completion of projects so as acquittals can be completed.
9. Housing – Timing difference on release of land from Landcorp and building of two new shire houses.
10. Recreation and Culture – Projects not yet undertaken (Wyndham boating facility and Kununurra Leisure Centre building upgrade) therefore under budget.
11. Transport – Timing difference on large capital projects not yet expended.
12. Transport – Timing difference on trade in of vehicles, purchasing and trading will occur in 2007.

ATTACHMENTS

Monthly Financial Reports for February 2007.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

1. That Council adopt the Monthly Financial Reports for month end of February 2007.
2. That Council note the following material variances:
 1. General Purpose Funding – Timing difference, at this stage rates written off is lower than originally expected and Spot Rating expenses have not occurred to date.
 2. Governance – Timing difference, funds allocated to the Shire of Wyndham East Kimberley's Branding Project not yet expended.
 3. Housing – Minimal expenditure on 67 Koojarra St Wyndham and Airport House, therefore under budget.
 4. Transport – Timing difference in completion of various projects.

5. Welfare – Completion of Child Care Centre will allow the Shire to acquit all grants.
6. Housing – Timing difference, approval for country housing grant received, but no money as SWEK needs to provide a title.
7. Community Amenities – Timing difference, contributions Environment
8. Transport – Timing difference, waiting on completion of projects so as acquittals can be completed.
9. Housing – Timing difference on release of land from Landcorp and building of two new shire houses.
10. Recreation and Culture – Projects not yet undertaken (Wyndham boating facility and Kununurra Leisure Centre building upgrade) therefore under budget.
11. Transport – Timing difference on large capital projects not yet expended.
12. Transport – Timing difference on trade in of vehicles, purchasing and trading will occur in 2007.

COUNCIL RESOLUTION

Minute No. 7681

Moved: Cr M. Middap

Seconded: Cr R. Devenish-Meaes

1. **That Council adopt the Monthly Financial Reports for month end of February 2007.**
2. **That Council note the following material variances:**
 1. **General Purpose Funding – Timing difference, at this stage rates written off is lower than originally expected and Spot Rating expenses have not occurred to date.**
 2. **Governance – Timing difference, funds allocated to the Shire of Wyndham East Kimberley’s Branding Project not yet expended.**
 3. **Housing – Minimal expenditure on 67 Koojarra St Wyndham and Airport House, therefore under budget.**
 4. **Transport – Timing difference in completion of various projects.**
 5. **Welfare – Completion of Child Care Centre will allow the Shire to acquit all grants.**
 6. **Housing – Timing difference, approval for country housing grant received, but no money as SWEK needs to provide a title.**
 7. **Community Amenities – Timing difference, contributions Environment**
 8. **Transport – Timing difference, waiting on completion of projects so as acquittals can be completed.**
 9. **Housing – Timing difference on release of land from Landcorp and building of two new shire houses.**
 10. **Recreation and Culture – Projects not yet undertaken (Wyndham boating facility and Kununurra Leisure Centre building upgrade) therefore under budget.**
 11. **Transport – Timing difference on large capital projects not yet expended.**
 12. **Transport – Timing difference on trade in of vehicles, purchasing and trading will occur in 2007.**

Carried Unanimously: 7/0

**SHIRE OF WYNDHAM EAST KIMBERLEY
MANAGEMENT REPORT
01/02/2007-28/02/2007**

	G/L	
NET CURRENT ASSETS		
CASH AT BANK	131	\$ 535,806
RESTRICTED CASH	132	\$ 1,949,460
CASH ON HAND	140-150	\$ 1,500
RATES DEBTORS	151	\$ 510,112
DEFERED PENSIONERS		\$ (27,890)
SUNDRY DEBTORS	152	\$ 343,655
ANSETT DEBTOR	155	\$ 163,681
PROVISION FOR DEBTS	153	\$ (220,245)
GST RECEIVABLE	163	\$ 70,616
GST PAYABLE	164	\$ (16,639)
BOND	174	\$ 1,040
ACCRUED INCOME	223	\$ -
PREPAYMENTS	190	\$ -
RATES REFUND CLEARING	191	\$ (194)
INVENTORIES	162	\$ 14,657
SELF SUPPORTING LOAN		\$ 10,955
SUSPENSE		\$ (4,706)
		\$ 3,331,808
LESS PAYABLES		
SUNDRY CREDITORS	281	\$ -
ESL CONTROL	180-181	\$ 14,322.00
ACCRUED EXPENSES	221	\$ -
SUNDRY CREDITOR ATO/SUPER	261-264-267-268	\$ 65,559.00
ACCRUED INTEREST ON LOANS	232	\$ -
ACCRUED SALARIES AND WAGES	233	\$ -
RETENTIONS	270-272	\$ -
RATES REFUND	195	\$ -
SUSPENSE		\$ -
		\$ 79,881.00
NET UNRESTRICTED CASH ASSETS		\$ 3,251,927

**Shire of Wyndham East Kimberley
Statement of Financial Activity by Responsibility**

	Original Budget	Ammended Budget	February Actuals YTD	%
Operating Expenditure				
Aboriginal Environmental Health Officer	169,480	179,480	107,224	60%
Airport Manager	1,484,935	1,484,935	1,023,319	69%
Building Services Inspector	558,440	564,940	358,422	63%
Emergency Services	98,780	94,279	60,530	64%
Environmental Health Officer	177,205	178,205	92,162	52%
Executive	684,405	665,405	388,682	58%
Executive Support Officer	747,600	684,512	389,589	57%
Information Coordinator	213,375	213,375	141,521	66%
Manager Community Services	2,909,750	2,948,950	1,784,313	61%
Manager Financial Services	4,535,020	4,528,932	3,049,079	67%
Manager Technical Services	7,630,465	7,832,465	4,953,330	63%
Rangers	282,725	300,725	191,265	64%
Town Planner	253,700	255,700	114,555	45%
Total Operating Expenditure	19,745,880	19,931,903	12,653,992	63%
Operating Revenue				
Aboriginal Environmental Health Officer	(100,950)	(100,950)	(90,562)	1
Airport Manager	(1,868,025)	(1,868,025)	(1,249,690)	67%
Building Services Inspector	(775,160)	(805,460)	(156,120)	19%
Emergency Services	(49,360)	(26,852)	(18,052)	67%
Environmental Health Officer	(28,650)	(29,650)	(15,813)	53%
Executive	(7,500)	(4,000)	(25,981)	650%
Executive Support Officer	(1,250)	(1,250)	(1,763)	141%
Information Coordinator	(1,100)	(1,100)	(73)	7%
Manager Community Services	(1,962,400)	(1,164,400)	(307,356)	26%
Manager Financial Services	(12,491,560)	(12,518,660)	(9,942,997)	79%
Manager Technical Services	(5,908,435)	(5,063,094)	(2,261,267)	45%
Rangers	(25,500)	(25,500)	(16,025)	63%
Town Planner	(33,400)	(44,900)	(34,601)	77%
Total Operating Revenue	(23,253,290)	(21,653,841)	(14,120,300)	65%
Operating Surplus	(3,507,410)	(1,721,938)	(1,466,309)	85%
Non Operating Expenditure				
Aboriginal Environmental Health Officer	0	10,000	0	0%
Airport Manager	577,445	577,445	36,162	6%
Building Services Inspector	1,147,900	339,900	88,437	26%
Executive	9,800	9,800	0	0%
Executive Support Officer	4,500	104,500	0	0%
Information Coordinator	118,200	118,200	15,078	13%
Manager Community Services	4,467,050	3,473,950	2,063,130	59%
Manager Financial Services	140,000	145,000	21,185	15%
Manager Technical Services	4,603,955	2,995,303	929,346	31%
Total Non Operating Expenditure	11,068,850	7,764,098	3,153,339	41%

Non Operating Income

Aboriginal Environmental Health Officer	0	(10,000)	0	0%
Airport Manager	(194,355)	(194,355)	(50,000)	26%
Building Services Inspector	(630,000)	(30,000)	0	0%
Executive	(316,000)	(332,000)	(332,655)	100%
Information Coordinator	0	0	0	999%
Manager Community Services	(504,200)	(304,200)	(31,820)	10%
Manager Financial Services	(5,100)	(5,100)	0	0%
Manager Technical Services	(511,975)	(377,568)	(39,990)	11%
Total Non Operating Income	(2,161,630)	(1,243,223)	(454,464)	37%
Depreciation	(2,704,800)	(2,704,800)	(1,800,636)	67%
(Profit)/Loss on sale	514,000	514,000	0	0%
	(2,190,800)	(2,190,800)	(1,800,636)	82%
Surplus B/F	(3,209,010)	(2,683,857)	(2,683,857)	100%
Surplus C/F	0	(75,720)	(3,251,927)	

**Shire of Wyndham East Kimberley
Statement of Financial Activity by Function**

	Original Budget	Amended Budget	February Budget YTD	February Actuals YTD	% Variance	\$ Variance	Note
Operating Expenditure							
General Purpose							
Funding	362,900	339,812	190,000	149,019	28%	40,981	1
Governance	747,600	684,512	447,000	389,589	15%	57,411	2
Law, Order and Public Safety	381,505	395,004	256,000	251,795	2%	4,205	
Health	349,405	360,405	218,000	203,478	7%	14,522	
Welfare	322,525	328,525	211,000	216,967	-3%	(5,967)	
Housing	213,705	196,205	150,000	125,250	20%	24,750	3
Community Amenities	1,858,390	2,105,390	1,110,000	1,032,697	7%	77,303	
Recreation & Culture	3,111,895	3,195,595	1,979,000	1,912,757	3%	66,243	
Transport	3,959,205	3,897,205	2,925,000	2,631,655	11%	293,345	4
Economic Services	402,500	395,000	298,000	277,379	7%	20,621	
Public Works							
Overhead	6,551,315	6,549,315	4,365,000	4,440,088	-2%	(75,088)	
Airports	1,484,935	1,484,935	1,036,000	1,023,319	1%	12,681	
Total Operating Expenditure	19,745,880	19,931,903	13,185,000	12,653,992			
Operating Revenue							
General Purpose							
Funding	(7,383,160)	(7,400,260)	(6,501,000)	(6,495,970)	0%	(5,030)	
Governance	(1,250)	(1,250)	(550)	(1,763)	0%	0	
Law, Order and Public Safety	(74,860)	(52,352)	(36,000)	(34,077)	6%	(1,923)	
Health	(129,600)	(130,600)	(114,000)	(106,376)	7%	(7,624)	
Welfare	(344,500)	(344,500)	(306,000)	(53,055)	477%	(252,945)	5
Housing	(698,360)	(723,660)	(155,000)	(99,955)	55%	(55,045)	6
Community Amenities	(1,041,800)	(1,224,300)	(1,032,000)	(937,779)	10%	(94,221)	7
Recreation & Culture	(1,741,180)	(926,180)	(310,000)	(242,961)	28%	(67,039)	
Transport	(3,275,240)	(2,265,899)	(1,500,000)	(150,042)	900%	(1,349,958)	8
Economic Services	(79,400)	(94,400)	(60,000)	(68,141)	0%	8,141	
Public Works							
Overhead	(6,615,915)	(6,622,415)	(4,925,000)	(4,680,492)	5%	(244,508)	
Airports	(1,868,025)	(1,868,025)	(1,310,000)	(1,249,690)	5%	(60,311)	
Total Operating Revenue	(23,253,290)	(21,653,841)	(16,249,550)	(14,120,300)			
Operating Surplus	(3,507,410)	(1,721,938)		(1,466,309)			
Non Operating Expenditure							
General Purpose							
Funding	140,000	140,000	0	0	0%	0	
Governance	4,500	104,500	600	0	0%	600	
Law, Order and Public Safety	0	0	0	0	0%	0	
Health	0	0	10,000	0	0%	10,000	
Welfare	1,512,300	1,501,350	1,372,000	1,360,528	1%	11,472	
Housing	1,057,900	257,900	283,000	88,437	220%	194,563	9
Community Amenities	145,000	137,000	30,000	0	0%	30,000	
Recreation & Culture	3,286,550	2,180,400	890,000	692,446	29%	197,554	10
Transport	4,184,755	2,700,103	1,980,000	909,560	118%	1,070,440	11

Economic Services	14,900	14,900	22,500	21,351	5%	1,149	
Public Works							
Overhead	145,500	150,500	45,000	44,855	0%	145	
Airports	577,445	577,445	45,000	36,162	0%	8,838	
Total Non Operating Expenditure	11,068,850	7,764,098	4,678,100	3,153,339			
Non Operating Income							
Health	0	(10,000)	0	0	0%	0	
Welfare	0	0	0	0	0%	0	
Housing	(600,000)	0	0	0	0%	0	
Community Amenities	(138,415)	(138,415)	0	0	0%	0	
Recreation & Culture	(501,800)	(289,300)	(10,300)	(10,469)	-2%	169	
Transport	(391,060)	(269,153)	(110,000)	(39,990)	175%	(70,010)	12
Economic Services	(14,900)	(14,900)	(20,000)	(21,351)	-6%	1,351	
Public Works							
Overhead	(321,100)	(337,100)	(350,000)	(332,655)	5%	(17,345)	
Airports	(194,355)	(194,355)	(50,000)	(50,000)	0%	0	
Total Non Operating Income	(2,161,630)	(1,243,223)	(540,300)	(454,464)			
Depreciation	(2,704,800)	(2,704,800)		(1,800,636)	67%		
(Profit)/Loss on sale	514,000	514,000		0	0%		
	(2,190,800)	(2,190,800)		(1,800,636)	82%		
Surplus B/F	(3,209,010)	(2,683,857)		(2,683,857)	100%		
Surplus C/F	0	(75,720)		(3,251,927)			

BANK RECONCILIATION AS AT 28/02/07

	\$
Balance as per	
Cash at Bank (131)	535,805.91
Restricted Cash	1,949,460.00
TOTAL	2,485,265.91
Balance as per	
Trading Account	1,208,834.50
TERM DEPOSIT	256,612.22
TERM DEPOSIT	356,490.24
TERM DEPOSIT	750,000.00
SUB TOTAL	2,571,936.96
Add: Outstanding Deposits	14,314.81
Less: Outstanding Cheques	109,588.68
TOTAL	2,476,663.09
Rounding	
Variance	8,602.82
TOTAL	2,485,265.91

Variance made up of:

INWARDS DISHONOUR FEE	10.00
CHEQUE	0.10
Rounding 01.09.06	(0.63)
Interest receipted twice	12,363.76
visa payments	12.00
***22.11.06	100.00
11.01 eft	1.38
rounding	0.19
Property recpts 5.02.07	(6,796.36)
Property refund 05.02.07	6,798.96
visa advance	8,000.00
TD Interest at breaking	(2,227.00)
TD Interest accrued	(8,035.07)
07.02.07-rounding	(0.01)
23.02.07 dep 24/10/06 (wyn 20/10/06)	(1,467.00)
23.02.07 rounding	(1.00)
27.02 eft	(84.50)
28.02 eft	(72.00)

Total	8,602.82
--------------	-----------------

MUNICIPAL OUTSTANDINGS

Outstanding Cheques

36448-36468	511.98
36637-36656	46.96
36710-36725	120.00
36771-36783	831.95
37172-37193	795.57
37240-37252	4,414.07
37296-37312	1,922.96
37371-37379	525.00
37395-37405	205.30
37406-37414	(105.30)
37415-37425	179.75
37464-37488	(50.00)
37489-37494	515.70
37495-37504	67.53
37505-37514	(17.53)
37515-37527	0.00
37528-37542	1,814.95
37543-37553	687.57
37554	0.00
37555-37561	96,767.46
37562	354.76
	<hr/>
	109,588.68
	<hr/>

MUNICIPAL OUTSTANDINGS

Outstanding Deposits

rounding	1.81
11.08 dr rec	15
25.09 dr rec	10538.48
26.09 dr rec	-2597.58
27.09 dr rec	1195.51
04.10 dr rec	-2698.26
12.10 dr rec	652.5
20.10 dr rec	2614
25.10 dr rec	-2814.24
26.10 dr rec	-95.54
27.10 dr rec	-66

31.10 dr rec	1978.94
02.11 dr rec	2.2
28.11 dr rec	-392
01.12 dr rec	288
06.12 dr rec - rounding	0.01
12.01 dr rec	0.01
16.01 dr rec	0.01
19.01 dr rec	0.03
12.02 dr rec	781.68
27.02 dr rec	-309.57
28.02 dr rec	5219.82
	<u>14,314.81</u>

12.3.2 Payments and Debtors for the Period Ended 31st March 2007

DATE:	17 April 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Gill Old, Senior Finance Officer
REPORTING OFFICER:	Yale Bolto, Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

To present the listing of Accounts for Payment and Sundry Debtors for the period ended 31st March 2007 in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

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

BACKGROUND

The List of Payments presented for endorsement covers;

• Municipal cheques numbered 037563 to 037652	\$	89,182.35
• EFT payments numbered EP010985 to EP011269	\$	589,653.47
• Direct bank debits	\$	209,291.88
Total Payment of Accounts totalling	\$	888,127.70
•		
Total cancelled cheques for the month	\$	0.00
Outstanding Invoices at month end	\$	0.00
Outstanding over 90 days Sundry Debtors as at month end	\$	99,407.31

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 6.4 (2)

The financial report is to:

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

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

Clause 35(1) –

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

POLICY IMPLICATIONS

Policy F7 – Significant Accounting Policies

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

FINANCIAL IMPLICATIONS

Ongoing management of Council funds.

STRATEGIC IMPLICATIONS

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

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

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

COMMUNITY CONSULTATION

N/A

COMMENT

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

ATTACHMENTS

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

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

1. That the Accounts for payment as at 31st March 2007 totalling \$888,127.70 (GST inclusive) be received.
2. That the Outstanding Sundry Debtors' over 90 days as at 31st March 2007 totalling \$99,407.31 (GST inclusive) be received.

COUNCIL RESOLUTION

Minute No. 7682

Moved: Cr D. Ausburn

Seconded: Cr R. Devenish-Meares

- 1. That the Accounts for payment as at 31st March 2007 totalling \$888,127.70 (GST inclusive) be received.**
- 2. That the Outstanding Sundry Debtors' over 90 days as at 31st March 2007 totalling \$99,407.31 (GST inclusive) be received.**

Carried Unanimously: 7/0

LIST OF ACCOUNTS PAID BY COUNCIL SUBMITTED TO THE COUNCIL MEETING ON 17 APRIL 2007

CHEQUE	EFT	CREDITOR	DETAILS	MUNI (\$)	TRUST (\$)	AUTH
37563	2/03/2007	PRITCHARD BOOK BINDERS	GENERAL BINDING FOR LIBRARY	56.10		EMCMS
		LOCAL GOVT COMMUNITY SERVICE				
37564		ASSOC	ANNUAL MEMBERSHIP	120.00		EMCMS
37565		HORIZON POWER	ELECTRICITY ACCOUNTS	6366.95		EMCPS
37566		KUNUNURRA T WELD	REPAIRS TO SLASHER	528.00		CEO
37567		LABOUR REVIEW PUBLICITY	ADVERTISING	544.50		CEO
37568		NARELLE YOUNG	RATES REFUND	592.17		EMCPS
37569		HUNTER WETLANDS CENTRE	CONFERENCE - WETLAND MANAGEMENT	150.00		CEO
37570		DUNLOP SPORTS	STOCK - LEISURE CENTRE	497.20		EMCMS
37571		TELSTRA	TELSTRA ACCOUNTS	670.38		EMCPS
37572		PETTY CASH KUNUNURRA OFFICE	PETTY CASH IMPREST	198.50		EMCPS
			ACCOMMODATION ENVIRONMENTAL HEALTH			
37573		IVANHOE VILLAGE CARAVAN RESORT	TRAINEE	1280.00		CEO
37574		PETTY CASH WYNDHAM CHILDCARE	PETTY CASH IMPREST	50.00		EMCPS
37575		RIC SPRY	TELEPHONE SUBSIDY CLAIM	39.28		EMCPS
37576		AUSTRALIA POST	POST OFFICE BOX RENEWALS	82.00		EMCPS
37577		SOUTH WEST FIRE UNITS	SUPPLY HOSE REEL & LATCH	1013.38		CEO
37578	9/03/2007	KUNUNURRA AMCAL PHARMACY	FRAMES FOR AUSTRALIA DAY CERTIFICATES	11.90		EMCMS
37579		KIMBERLEY FINE DIAMONDS	GIFT AS PER POLICY	200.00		EMCPS
37580		HORIZON POWER	ELECTRICITY ACCOUNTS	2258.80		EMCPS
37581		ST JOSEPHS SCHOOL	QUICK GRANT WAKAKIRRI FESTIVAL	500.00		EMCMS
37582		SPECTRUM DISTRIBUTORS	CYLINDER RENTAL - CHLORINE	140.15		EMCPS
			EQUIPMENT FOR WYNDHAM RECREATION			
37583		THE CRICKET AND FOOTBALL SHOP	CENTRE	78.00		EMCPS
37584		WAYNE BROWN	CONTRIBUTION TO CROSSOVER	291.75		CEO
		LOCAL GOVT COMMUNITY SERVICES				
37585		ASSOC	REGISTRATION FOR CONFERENCE	35.00		EMCMS
37586		BP ORD RIVER ROADHOUSE	FUEL PURCHASE-WY11650	66.87		CEO
37587		VAGG'S LIQUOR STORE	REFRESHMENTS FOR BRIEFING SESSION	107.50		CEO
37588		AUSTRALIA POST	POST OFFICE BOX RENEWAL	15.00		EMCPS
37589		AUST GOVT NATIONAL MEASUREMENT	WATER ANALYSIS & HANDLING FEES	1447.71		CEO

	INSTIT.			
37590	SHIRE OF WYNDHAM EAST KIMBERLEY	STAFF SALARY DEDUCTION PAYMENTS	945.25	EMCPS
37591	GLOBALSTAR AUSTRALIA	SATELLITE PHONE ACCOUNT	368.00	EMCPS
37592	16/03/2007 KUNUNURRA AMCAL PHARMACY	SCALES & BATTERIES FOR LEISURE	55.48	EMCMS
37593	OFFICE LINE	DISPLAY BOARDS	1654.40	EMCMS
37594	KUNUNURRA PLUMBING & GAS FITTING	PLUMBING REPAIRS RIVERFIG AVENUE UNIT	72.66	CEO
37595	HORIZON POWER	ELECTRICITY ACCOUNTS	7917.20	EMCPS
37596	SMALL BUSINESS CENTRE	SHORT COURSE - K FEWSTER	77.00	CEO
37597	EDUCATIONAL EXPERIENCE	VARIOUS CRAFT & DISPLAY ITEMS (LIBRARY)	498.85	EMCMS
37598	REGAL APARTMENTS	ACCOMMODATION - K WILLIAMS	882.00	CEO
37599	WINDSOR LODGE COMO	ACCOMMODATION - A.TRENGOVE, Y BOLTO	840.20	CEO
37600	PETTY CASH KUNUNURRA DEPOT	PETTY CASH IMPREST	90.36	EMCPS
37601	GEHA	REFUND OF BOND - 11 KWINANA ST WYNDHAM	600.00	EMCPS
	DEPT FOR PLANNING &			
37602	INFRASTRUCTURE	WY NUMBER PLATES	130.00	EMCPS
37603	BUDGET RENT A CAR	CAR HIRE - K WILLIAMS	804.00	CEO
37604	SHIRE OF ROEBOURNE	STAFF LEAVE ENTITLEMENTS	1489.75	EMCPS
	DEPT FOR PLANNING &			
37605	INFRASTRUCTURE	VOUCHER ONLY - SEE CHQ 37606	0.00	EMCPS
	DEPT FOR PLANNING &			
37606	16/03/2007 INFRASTRUCTURE	VEHICLE REGISTRATIONS	6376.20	EMCPS
37607	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37608	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37609	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37610	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37611	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37612	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37613	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37614	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37615	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37616	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37617	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37618	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37619	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37620	CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37621	22/03/2007 KIMBERLEY BOOKSHOP	KIMBERLEY PUBLICATION (LIBRARY)	22.95	EMCMS

37622	GRAB A BARGAIN VARIETY STORE	DISPLAY ITEMS EMPLOYMENT EXPO	14.85	EMCPS
37623	ANGUS & ROBERTSON CASUARINA	PUBLICATION & POSTAGE (LIBRARY)	27.19	EMCMS
37624	COUNCILLOR MAXINE MIDDAP	THIRD QUARTER ALLOWANCES	1500.00	CEO
37625	KUNUNURRA PLUMBING & GAS FITTING	DISHWASHER CONNECTION HIBISCUS DRIVE	161.42	CEO
37626	HORIZON POWER	ELECTRICITY ACCOUNTS	288.80	EMCPS
37627	COUNCILLOR GRAHAM GREEN	THIRD QUARTER ALLOWANCES	1500.00	CEO
37628	COUNCILLOR DI AUSBURN	THIRD QUARTER ALLOWANCES	1500.00	CEO
37629	LARRY J INGLE	REFUND PART DOG REGISTRATION (STERILISED)	57.00	EMCPS
37630	DEBBIE I JONES	REIMBURSE TRAVEL EXPENSE TRAINING	472.94	EMCMS
37631	CHOICE	SUBSCRIPTION (LIBRARY)	118.00	EMCMS
37632	TELSTRA	TELEPHONE ACCOUNTS	4934.26	EMCPS
37633	CASH - PETTY CASH KUNUNURRA AIRPORT	PETTY CASH IMPREST	93.80	EMCPS
37634	AUSTRALIA POST	POST OFFICE BOX RENEWAL IVANHOE BFB	15.00	CEO
37635	AUST GOVT NATIONAL MEASUREMENT INSTIT.	STORM WATER SAMPLE ANALYSIS	1173.42	CEO
37636	COUNCILLOR MICHELE PUCCI	THIRD QUARTER ALLOWANCES	5125.00	CEO
37637	30/03/2007 CANCELLED CHEQUE	DAMAGED BY PRINTER	0.00	EMCPS
37638	AUSTRALIA POST (WYNDHAM)	POST OFFICE BOX RENEWAL	15.00	EMCPS
37639	THE MUSIC & MOTION STUDIO	AEROBICS MUSIC LEISURE CENTRE	115.50	EMCMS
37640	FURINI, KIM	REFUND SCHOOL HOLIDAY PROGRAM FEES	60.00	EMCMS
37641	DR ROBERT REED	EMPLOYMENT MEDICAL (WYNDHAM CHILDCARE)	260.00	EMCMS
37642	HORIZON POWER	ELECTRICITY ACCOUNTS	21525.90	EMCPS
37643	MONCRIEFF	FOUR DESKTOP COMPUTERS & MONITORS	5584.92	CEO
37644	SMALL BUSINESS CENTRE	GRANT EAST KIMBERLEY SMALL BUSINESS AWARDS (QUICK GRANTS)	550.00	EMCMS
37645	DUNLOP SPORTS	SPORTING EQUIPMENT LEISURE CENTRE	973.96	EMCMS
37646	RACHEL WORNES	COURSE REGISTRATION	480.00	CEO
37647	KUNUNURRA FREEDOM CHURCH	GRANT PURCHASE OF EQUIPMENT (QUICK GRANTS)	484.55	EMCMS
37648	STRUTT, SARAH	REFUND PART DOG REGISTRATION (STERILISED)	57.00	EMCPS
37649	TELSTRA	TELEPHONE ACCOUNTS	1413.04	EMCPS
37650	KENYON & COMPANY PTY LTD	REVOLVING BEACONS	341.00	CEO
37651	SOUTH WEST FIRE UNITS	LEFT HAND HOSE GUIDE	131.56	CEO
37652	DEPT FOR PLANNING & INFRASTRUCTURE	VEHICLE REGISTRATION	42.80	EMCPS

		TOTAL CHEQUE PAYMENTS		89,182.35	
2/03/2007	EP010985	MCLEAN ENTERPRISES	ALUMINIUM WELDING RODS	102.30	CEO
	EP010986	AIR LIQUIDE WA	WELDING GASES	302.35	CEO
	EP010987	KIMBERLEY GROUP TRAINING	TRAINEESHIP WAGES	3469.86	EMCPS
	EP010988	KNICKEL GARDENING SERVICES	PARKS AND GARDEN MAINTENANCE	26683.35	CEO
	EP010989	ROGERS MACHINERY SERVICE	MAJOR SERVICING, BACKHOE REPAIRS	8431.85	CEO
	EP010990	KIMBERLEY WASTE SERVICES	WASTE COLLECTION CONTRACTS	45752.95	CEO
	EP010991	BOAB CARPENTRY MAINTENANCE	REPLACE SHOWER SCREEN STAFF HOUSING	247.50	CEO
	EP010992	KIMBERLEY INDUSTRIES METALAND	STEEL SUPPLIES	1341.29	CEO
	EP010993	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES	267.35	CEO
	EP010994	STITCHED UP EMBROIDERY SERVICES	UNIFORM EMBROIDERY	30.80	EMCPS
	EP010995	SADANIK PTY LTD	NETCOMM ADSL ROUTER	495.00	EMCPS
	EP010996	OFFICE NATIONAL KUNUNURRA	COPY COUNT CHARGES FOR JANUARY	740.61	EMCPS
	EP010997	KINGS CROWN INSTRUMENTATION	ELECTRICAL REPAIRS, IDENTIFY & LABEL CIRCUITS	1007.04	CEO
	EP010998	KUNUNURRA COURIERS	WATER FOR ADMINISTRATION AREA	30.00	EMCPS
	EP010999	THORLEY'S STORE	INTER OFFICE FREIGHT	323.40	EMCPS
	EP011000	ORD ELECTRICAL SPARES	120 WATT FLOODLIGHT	53.52	CEO
	EP011001	CIVIC LEGAL	LEGAL FEES	3590.42	CEO
	EP011002	BOAB REFRIGERATION AND AIR-CONDITIONING	NEW AIR CONDITIONERS, OTHER REPAIRS	5846.50	CEO
	EP011003	ORIA ORCHARDS	FLOWER DISPLAY	30.00	EMCPS
	EP011004	CAREWEST	ANNUAL MEMBERSHIP FEE 2007	150.00	EMCMS
	EP011005	AUSTRALIAN DRUG FOUNDATION	SEMINAR REGISTRATION - THINKING DRINKING	700.00	CEO
	EP011006	ASHWORTHS OFFICE FURNITURE	NEW FURNITURE FOR DEPOT OFFICE	2266.00	CEO
	EP011007	LANDGATE	PROPERTY ENQUIRIES	4.60	EMCPS
	EP011008	FRONTIER POST & NEWS	POSTAGE ACCOUNTS	214.80	EMCPS
	EP011009	BRANKO BP MOTORS	FUEL PURCHASES & HARDWARE JANUARY 2007	1701.35	CEO
	EP011010	EAST KIMBERLEY PLUMBING	PLUMBING MAINTENANCE AT POOL & EXALOO	396.00	CEO
	EP011011	JSW HOLDINGS PTY LTD	PLANT, EQUIPMENT HIRE AND MATERIALS	23908.39	CEO
	EP011012	KUNUNURRA SECURITY SERVICE	SECURITY SERVICES	417.00	CEO
	EP011013	KIMBERLEY STOCK-OLIVER	SUPPLY RETICULATION FITTINGS	2716.60	CEO
	EP011014	ORD RIVER DIST CO-OP	CHEMICALS	937.20	CEO

EP011015	GUERINONI & SON	ROCK FOR WEABER PLAINS, SHED PAD	1691.03	CEO
EP011016	COVENTRYS	CONSUMABLES FOR DEPOT	331.08	CEO
EP011017	TOP END MOTORS	SERVICING OF VEHICLES X 3	794.22	CEO
EP011018	SHELF SUPPLY	DOG BISCUITS	250.00	CEO
EP011019	BLACKWOODS ATKINS	VACUUM BAGS, FACE PLATES	143.28	CEO
EP011020	GET STUCK SKID STEER HIRE	LEVELLING SOIL FOR CHILDCARE YARD	1270.50	CEO
EP011021	TELFORD INDUSTRIES	POOL CHEMICALS	52.14	EMCMS
EP011022	FLAMETREE NURSERY	REPLACEMENT PLANTS FOR 112 HIBISCUS ST	149.00	CEO
EP011023	CARPET VINYL & TILE CENTRE	TILING DEPOT , PAINTING SUPPLIES	9337.19	CEO
EP011024	KUNUNURRA REFRIGERATION	TEST AIR CONDITIONER AND REPAIR	165.00	CEO
EP011025	ALLGEAR MOTORCYCLES	REPAIRS TO POST POLE DIGGER, SNIPPER CORD	552.60	CEO
EP011026	THE KIMBERLEY ECHO	ADVERTISING	618.00	EMCPS
EP011027	JASON SIGNMAKERS LTD	PLAQUES FOR BABY TREES	508.20	CEO
		REFRESHMENTS FOR VISITING AUTHOR		
EP011028	GULLIVERS TAVERN	PROGRAM	242.18	EMCMS
EP011029	ORD RIVER ELECTRICS	ELECTRICAL REPAIRS, TEST CHLORINE SYSTEM	3129.89	EMCMS
EP011030	KIMBERLEY COMMUNICATIONS	SUPPLY & INSTALL SATELLITE DISH	450.00	EMCPS
EP011031	TOLL WEST	FREIGHT CHARGES	2509.38	EMCPS
EP011032	TRAVELWORLD	AIRFARES INCLUDING VISITING AUTHORS	13570.69	CEO
EP011033	TUCKERBOX/RETRAVISION	TUCKERBOX JANUARY ACCOUNT	1302.69	EMCPS
		REPAIR WATER COOLER, AIRCONDITIONER		
EP011034	KIMBERLEY KOOL REFRIGERATION	MAINT.	794.20	CEO
EP011035	FRANMOR CONSTRUCTIONS	SUPPLY & INSTALL DOWNPIPE	1262.05	CEO
EP011036	BETTY MCKINLAY	REIMBURSEMENT FOR POLICE CHECKS	86.00	EMCMS
EP011037	VANDERFIELD MACHINERY	VARIOUS PARTS FOR PLANT REPAIR	2408.98	CEO
EP011038	CABCHARGE	CABCHARGE FEES	55.29	EMCPS
EP011039	BEAUREPAIRES	BATTERY FOR KUBOTA TRACTOR	427.00	CEO
EP011040	MODERN TEACHING AIDS	CRAFT SUPPLIES FOR LIBRARY PROGRAMS	435.38	EMCMS
EP011041	KIMBERLEY MARKETING	DRY ICE FOR FOOD SAMPLING	280.50	CEO
EP011042	KUNUNURRA DIESEL SERVICES	MAJOR SERVICE - WY11194	347.40	CEO
EP011043	CORPORATE EXPRESS	JANUARY 2007 STATIONARY ORDER	4.49	EMCPS
EP011044	WYNDHAM TELECENTRE	LAMINATING	12.00	EMCPS
EP011045	BOSS FLUID POWER	CONSUMABLES FOR PUBLIC CONVENIENCES	2684.70	CEO
EP011046	BERM BACKHOE HIRE	BACKHOE HIRE	605.00	CEO
EP011047	PIERCE POOL SUPPLIES	HANDLE FOR POOL VACUUM	84.15	EMCMS
EP011048	EAST KIMBERLEY TOWING	TILT TRAY HIRE-PICKUP VEHICLE	88.00	CEO

	EP011049	ORD RIVER MEAT SUPPLY	REFRESHMENTS FOR MEETING	64.12	CEO
	EP011050	DAVEY TYRE AND BATTERY	NEW TYRE FOR TRUCK	669.12	CEO
	EP011051	JAMES O'KENNY AUCTIONEER	HIRE OF AMENITIES ROOM FOR CHILDCARE	3300.00	EMCMS
	EP011052	SPORTSWORLD OF WA	STOCK - LEISURE CENTRE	303.60	EMCMS
	EP011053	SHERIDAN'S FOR BADGES	NAME BADGES	116.82	EMCPS
	EP011054	FARMERS FRUIT & VEG - MART	CATERING FOR MEETING	90.01	CEO
	EP011055	HOST DIRECT	CHAFING FUEL	108.90	CEO
	EP011056	THE SMART SECURITY COMPANY	SECURITY SYSTEM-KUNUNURRA LIBRARY	171.60	CEO
	EP011057	KIMBERLEY TREE SERVICES	REMOVE OVERHANGING TREE	715.00	CEO
9/03/2007	EP011058	BOC GASES AUSTRALIAN LIMITED	WELDING GASES	190.66	CEO
	EP011059	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES	1538.05	CEO
	EP011060	NETWORK DRAFTING	DRAFTING SERVICES	2516.25	CEO
	EP011061	KIMBERLEY METAL RECYCLERS	LANDFILL MANAGEMENT	21103.50	CEO
	EP011062	BOAB BOOKS	GIFT VOUCHERS FOR ENVIRONMENTAL PROGRAM	150.00	CEO
	EP011063	OFFICE NATIONAL KUNUNURRA	DIARIES FOR LEISURE CENTRE	180.24	EMCMS
	EP011064	Y BOLTO	ELECTRICITY SUBSIDY CLAIM	135.82	CEO
	EP011065	MARTIN PRINT	BUSINESS CARDS	78.00	EMCPS
	EP011066	ATO CHILD SUPPORT AGENCY	STAFF SALARY DEDUCTION CONTRIBUTIONS	104.54	EMCPS
	EP011067	ATO CHILD SUPPORT AGENCY	STAFF SALARY DEDUCTION CONTRIBUTIONS	75.96	EMCPS
	EP011068	ATO CHILD SUPPORT AGENCY	STAFF SALARY DEDUCTION CONTRIBUTIONS	490.54	EMCPS
	EP011069	FROSTLINE REFRIGERATION SERVICE	WATER FILTER KIT & FREIGHT	297.00	CEO
	EP011070	ATO CHILD SUPPORT AGENCY	STAFF SALARY DEDUCTION CONTRIBUTIONS	24.54	EMCPS
	EP011071	JESSICA FORREST	REFUND BOND HIRE OF RECREATION CENTRE	200.00	EMCPS
	EP011072	BRENDAN JOHNS ELECTRICS	ELECTRICAL REPAIRS	747.75	CEO
	EP011073	RAW DANCE COMPANY	DANCE WORKSHOPS FOR WYNDHAM	2081.48	EMCMS
	EP011074	JABIRU HUMAN RESOURCES PTY LTD	PERFORMANCE MANAGEMENT WORKSHOP	1650.00	EMCPS
	EP011075	CAVAYE COMMUNITY DEVELOPMENT	COMMUNITY PRACTITIONER SHORT COURSE	1580.00	CEO
	EP011076	DELRON CLEANING PTY LTD	GENERAL CLEANING - FEBRUARY 2007	199.10	CEO
	EP011077	LANDGATE	RATES VALUATIONS	766.33	EMCPS
	EP011078	EAST KIMBERLEY PLUMBING	INSPECT TOILET FOR FAULTS WYNDHAM	140.80	CEO
	EP011079	KUNUNURRA SECURITY SERVICE	SECURITY PATROLS FOR JANUARY	2949.00	CEO
	EP011080	ORD RIVER DIST CO-OP	20LTRS POWER MAX & 5LTRS KAMBA	495.00	CEO
	EP011081	GUERINONI & SON	SAND FOR CHILDCARE CENTRE	5280.00	CEO
	EP011082	TNT AUSTRALIA PTY LIMITED	FREIGHT FOR HEALTH SAMPLING	331.26	CEO
	EP011083	KUNUNURRA REFRIGERATION	AIR CONDITIONER FILTER MATERIAL	28.60	CEO

	EP011084	CHADSON ENGINEERING	TESTING CONSUMABLES - EHO	216.70	CEO
	EP011085	KIMBERLEY INDUSTRIES	STAINLESS STEEL TURN BUCKLES	47.10	CEO
	EP011086	KIMBERCRUST BAKERY	LAMINGTONS FOR AUSTRALIA DAY	33.00	EMCMS
	EP011087	ALLGEAR MOTORCYCLES	SUPPLY 2 HONDA 4 STROKE BRUSH CUTTERS	1297.00	CEO
	EP011088	THE KIMBERLEY ECHO	ADVERTISING	612.49	EMCPS
	EP011089	GULLIVERS TAVERN	REFRESHMENTS-COUNCIL MEETING	33.99	CEO
	EP011090	WESTERN AUSTRALIAN TREASURY	LOAN REPAYMENT	10468.74	EMCPS
	EP011091	NEAT N TRIM UNIFORMS	STAFF UNIFORMS	1294.12	EMCPS
	EP011092	KUNUNURRA FIBREGLASS	POOL VACUUM HOSE	136.00	EMCMS
	EP011093	L.G.R.C.E.U	STAFF CONTRIBUTIONS FEBRUARY	30.60	EMCPS
	EP011094	AUSTRALIAN SERVICES UNION	STAFF CONTRIBUTIONS FEBRUARY	275.20	EMCPS
	EP011095	ATO CHILD SUPPORT AGENCY	STAFF SALARY DEDUCTION CONTRIBUTIONS	139.64	EMCPS
	EP011096	MIDWEST SOLUTIONS PTY LTD	AIRPORT SECURITY CONSULTANCY	1000.00	EMCPS
	EP011097	KIMBERLEY COMMUNICATIONS	RESET SATELLITES	110.00	EMCPS
	EP011098	TRAVELWORLD KUNUNURRA	AIRFARES FOR TRAINING COURSES	3352.02	EMCPS
	EP011099	KIMBERLEY KOOL REFRIGERATION	REPAIR FAULTY SOLENOID ON ICEMAKER	77.00	CEO
	EP011100	FRANMOR CONSTRUCTIONS	CEMENT SHEET FOR GROTTTO TOILET FLOOR SERVICE PUMP FOR IVANHOE BUSHFIRE	80.30	CEO
	EP011101	SEARLES MECHANICAL REPAIRS	BRIGADE	41.25	CEO
	EP011102	KUNUNURRA DIESEL SERVICES	MAJOR SERVICE-1BAT764	1187.20	CEO
	EP011103	WA TELECENTRE KUNUNURRA	VIDEO CONFERENCE 16.02.07	220.00	EMCPS
	EP011104	ARGYLE MOTORS	15,000 KM SERVICE - WY11630	251.80	CEO
	EP011105	KUNUNURRA PEST MANAGEMENT	PEST CONTROL	110.00	CEO
	EP011106	SHIRE OF MURRAY	STAFF SALARY DEDUCTION PAYMENT	56.00	EMCPS
12/03/2007	EP011107	NORTHERN INFORMATION TECHNOLOGY	IT SUPPORT	1727.00	EMCPS
16/03/2007	EP011108	KIMBERLEY GROUP TRAINING	TRAINEESHIP WAGES	3465.20	EMCPS
	EP011109	KNICKEL GARDENING SERVICES	GARDEN MAINTENANCE CONTRACT REPLACE DAMAGED WINDOWS IN WYNDHAM ADMIN	18881.87	CEO
	EP011110	BOAB CARPENTRY MAINTENANCE	GENERAL CLEANING FOR FEB 07	4233.46	CEO
	EP011111	K & M ALLCLEAN	MATERIALS FOR TREE GUARDS	7747.48	CEO
	EP011112	KIMBERLEY INDUSTRIES METALAND	HARDWARE SUPPLIES	42.53	CEO
	EP011113	EAST KIMBERLEY HARDWARE	STAFF UNIFORMS	333.25	CEO
	EP011114	STITCHED UP EMBROIDERY SERVICES	ADVERTISING	111.00	EMCPS
	EP011115	HALLMARK EDITIONS	DRAFTING SERVICES	198.00	EMCPS
	EP011116	NETWORK DRAFTING	CHAMBERS FURNITURE & STATIONERY	2310.00	CEO
	EP011117	OFFICE NATIONAL KUNUNURRA		1009.74	EMCPS

EP011118	KUNUNURRA COURIERS	WATER FOR ADMINISTRATION AREA	60.00	EMCPS
EP011119	COUNCILLOR JANE PARKER	TRAVELLING EXPENSES CLAIM	1652.70	CEO
EP011120	BOAB REFRIGERATION AND AIR- CONDITIONING	SUPPLY & INSTALL SPLIT SYSTEM AIRCONDITIONERS	3916.00	CEO
EP011121	BOOLA-NJEE ABORIGINAL CORPORATION	FINDING MY PLACE CONSULTANCY SUPPLY & INSTALL ELECTRICS NEW AIRCONDITIONERS	80.00	EMCMS
EP011122	BRENDAN JOHNS ELECTRICS	PEST CONTROL	1151.60	CEO
EP011123	FRONTIER PEST CONTROL	SHADES SALES FOR CHILDCARE CENTRE	352.00	CEO
EP011124	WESTARP	KUNUNURRA AIRPORT LOCK-UP	11764.50	CEO
EP011125	NORTHERN AIRPORT SERVICES	GENERAL CLEANING FOR FEBRUARY 2007	308.00	EMCPS
EP011126	DELRON CLEANING PTY LTD	REPLACEMENT WATER FILTERS	5000.07	CEO
EP011127	EAST KIMBERLEY PLUMBING	DEGREASER	174.46	CEO
EP011128	BLACKWOODS ATKINS PTY LTD	REFRESHMENTS FOR LIBRARY FUNCTION	92.46	CEO
EP011129	KIMBERCRUST BAKERY	SENIOR FIRST AID COURSE	50.00	EMCMS
EP011130	ST JOHN AMBULANCE	UNIFORMS	145.00	EMCMS
EP011131	NEAT N TRIM UNIFORMS	EARTHWORKS FOR WEABER PLAINS RD	863.68	EMCMS
EP011132	JAB INDUSTRIES	FREIGHT CHARGES	572.00	CEO
EP011133	TOLL WEST	TRAVEL FOR R.SPRY CONFERENCE	56.88	EMCPS
EP011134	TRAVELWORLD KUNUNURRA	STAFF UNIFORMS	2172.20	EMCPS
EP011135	BUSH CAMP SURPLUS STORES	WATER SUBSIDY CLAIM	197.00	EMCPS
EP011136	BETTY MCKINLAY	SERVICE JOHN DEERE - 1AKA930	244.95	EMCPS
EP011137	LANGFORD MACHINERY	SUPPLIES FOR EMPLOYMENT EXPO	1000.00	CEO
EP011138	KIMBERLEY MARKETING	SUPPLY & FINISH CONCRETE FOOTPATH	68.15	EMCPS
EP011139	NOMAD CONCRETING	FBT TAX SEMINAR 14TH FEBRUARY 2007	3700.00	CEO
EP011140	WA LOCAL GOVERNMENT ASSOCIATION	CLEAN DOWN NETBALL COURTS	395.00	EMCPS
EP011141	KUNUNURRA VOLUNTEER FIRE BRIGADE	CONTRACT PARKS & GARDEN MAINTENANCE	165.00	EMCMS
22/03/2007 EP011142	KNICKEL GARDENING SERVICES	SERVICE & REPAIR MACHINERY	15774.55	CEO
EP011143	ROGERS MACHINERY SERVICE	CONTRACT LITTER COLLECTION SERVICES	1691.25	EMCPS
EP011144	KIMBERLEY WASTE SERVICES	CONTRACT CLEANING WYNDHAM	8272.00	CEO
EP011145	PARDOE-BELL, ALLAN	THIRD QUARTER ALLOWANCES	1875.11	CEO
EP011146	COUNCILLOR JOHN BUCHANAN	FLEXI STEEL (WYNDHAM)	1500.00	CEO
EP011147	KIMBERLEY INDUSTRIES METALAND	HARDWARE SUPPLIES	597.70	CEO
EP011148	EAST KIMBERLEY HARDWARE	RAM MEMORY	757.31	CEO
EP011149	SADANIK PTY LTD	DRUM MUSTER & ASBESTOS/MEDICAL WASTE	85.00	EMCPS
EP011150	KIMBERLEY METAL RECYCLERS	STATIONERY (LIBRARY) & OFFICE CHAIR (ADMIN.)	502.35	CEO
EP011151	OFFICE NATIONAL KUNUNURRA		584.58	EMCMS

EP011152	DYMOCKS CASUARINA	PUBLICATIONS (LIBRARY)	135.36	EMCMS
EP011153	KINGS CROWN INSTRUMENTATION	ELECTRICAL REPAIRS WYNDHAM AIRPORT & EFFLUENT	806.30	CEO
EP011154	COUNCILLOR JANE PARKER	THIRD QUARTER ALLOWANCES	1500.00	CEO
EP011155	STUBBS, PETER	REFUND COURSE FEE (LEISURE CENTRE)	150.00	EMCMS
EP011156	AUSTRALIAN FEDERAL POLICE	POLICE CHECKS SECURITY CARDS (AIRPORT)	98.02	EMCPS
EP011157	APPERLEY, KARYN	REIMBURSE TRAINING & RECRUITMENT EXPENSES	478.60	CEO
EP011158	BOAB REFRIGERATION AND AIR-CONDITIONING	SUPPLY & INSTALL 2.5KW SPLIT SYSTEM KOOJARRA ST	1705.00	CEO
EP011159	TRIPP, KATYA M	REIMBURSE ELECTRICITY SUBSIDY	200.50	EMCPS
EP011160	ORIA ORCHARDS	FLOWER DISPLAY	45.00	CEO
EP011161	KUNUNURRA HOME HARDWARE	HARDWARE SUPPLIES	118.43	CEO
EP011162	JOANNE BARKLA	REIMBURSE ELECTRICITY SUBSIDY	182.75	EMCPS
EP011163	DOUGLAS, ALEXANDER	REIMBURSEMENT RECRUITMENT EXPENSES	1025.77	CEO
EP011164	RURAL IMAGE	AERIAL PHOTOGRAPHS KUNUNURRA	3000.00	EMCPS
EP011165	LANDGATE	PROPERTY VALUATIONS & LAND ENQUIRIES	249.74	EMCPS
EP011166	BRANKO BP MOTORS	REPAIRS TO SLASHER & SWEEPER (WYNDHAM)	248.70	EMCPS
EP011167	EAST KIMBERLEY PLUMBING	REPAIRS, PVC PIPE (CHILDCARE), RELOCATE FOUNTAIN	2453.57	CEO
EP011168	JSW HOLDINGS PTY LTD	WATER CART HIRE	198.00	CEO
EP011169	KUNUNURRA SECURITY SERVICE	ALARM LEASES & SECURITY PATROLS	2471.00	CEO
EP011170	KIMBERLEY STOCK-OLIVER	ACCESSORIES (LIBRARY)	104.09	EMCMS
EP011171	ORD RIVER DIST CO-OP	POWERMAX & KAMBA	495.00	EMCPS
EP011172	JORRITSMA H & CO	KEYS	95.00	CEO
EP011173	PLANT HIRE SERVICES PTY LTD	HIRE GRADER/TRUCK/ROLLER & SUPPLY GRAVEL	9878.00	CEO
EP011174	TOP END MOTORS	VEHICLE SERVICING	1963.72	CEO
EP011175	BLACKWOODS ATKINS PTY LTD	ELECTRICAL SUPPLIES, CONDUIT	197.74	EMCPS
EP011176	ZIPFORM PTY LTD	PRE-PRINTED STATIONERY FINANCE	621.50	EMCPS
EP011177	WA LIBRARY SUPPLIES	STATIONERY (LIBRARY)	198.60	EMCMS
EP011178	TELFORD INDUSTRIES	POOL CHEMICALS	771.94	EMCMS
EP011179	RB DESSERT SEED CO	LAWN SEED CHILDCARE CENTRE	220.00	CEO
EP011180	ROYAL LIFE SAVING (WA BRANCH)	LIFEGUARD REQUALIFICATIONS	675.00	EMCMS
EP011181	KIMBERLEY INDUSTRIES	MATERIALS PACKSADDLE BUSHFIRE BRIGADE	48.22	CEO
EP011182	KUNUNURRA DISTRICT HIGH SCHOOL	P/T TEACHER KUNUNURRA LIBRARY 29/1/07-	14500.00	EMCPS

		06/07/07		
	ALLGEAR MOTORCYCLE & SMALL ENGINE CTR	SMALL PLANT PARTS & FIRE PUMP (IVANHOE BFB)	1236.55	CEO
	EP011183	ADVERTISING	964.08	CEO
	EP011184	DIRECTION SIGNAGE	522.50	CEO
	EP011185	AUTOMATIC POOL CLEANER WYNDHAM POOL	6955.00	CEO
	EP011186	ELECTRICAL REPAIRS EUCALYPTUS CLOSE	468.05	CEO
	EP011187	THIRD QUARTER ALLOWANCES	1500.00	CEO
	EP011188	EXCAVATOR HIRE WEABER PLAINS DRAIN	900.00	CEO
	EP011189	AIRTRAVEL K WILLIAMS	895.55	CEO
	EP011190	REPAIR WATER COOLER (KUNUNURRA AIRPORT)	565.40	EMCPS
	EP011191	UNIFORMS & WORKBOOTS	186.00	EMCPS
	EP011192	REPLACE GLASS DOOR SQUASH COURT	788.33	EMCMS
	EP011193	TYRE REPAIRS	56.25	CEO
	EP011194	RELOCATE ABANDONED VEHICLE	99.00	CEO
	EP011195	BAS FEBRUARY 2007	2427.00	CEO
	EP011196	HYDRAULIC REPAIRS	356.80	CEO
	EP011197	STATIONERY	1042.32	EMCPS
	EP011198	GLOBES KUNUNURRA AIRPORT	93.45	EMCPS
	EP011199	THIRD QUARTER ALLOWANCES	1500.00	CEO
	EP011200	PROTECTIVE CLOTHING	319.00	CEO
	EP011201	LIGHT SET SPRAY UNIT	103.80	CEO
	EP011202	TYRE REPAIR & NEW TYRE	302.00	CEO
	EP011203	THIRD QUARTER ALLOWANCES	2125.00	CEO
	EP011204	IT MAINTENANCE & SUPPORT	990.00	EMCPS
	EP011205	SPORTS SHOES (LEISURE CENTRE STOCK)	117.15	EMCMS
	EP011206	FINANCIAL REPORTING MANUAL & DISC	506.00	EMCPS
	EP011207	POWER RECOVERY GWNTV, SBSTV, GWNR	811.45	EMCPS
	EP011208			
	EP011209	ADVERTISING VACANT POSITION	726.00	CEO
		REMOVAL OF FALLEN TREES (KUNUNURRA LEISURE)	357.50	EMCMS
30/03/2007	EP011210	INDUSTRIAL BOTTLE RENTAL	172.28	CEO
	EP011211	TRAINEESHIP WAGES	1138.20	EMCPS
	EP011212	CONTRACT MOWING	18881.87	CEO
	EP011213	CONTRACT STREET SWEEPING & REFUSE	43874.85	CEO
	EP011214			

EP011215	CREDIPAC AUSTRALIA BOAB CARPENTRY MAINTENANCE	COLLECTION DEBT COLLECTION SERVICES	179.04	EMCPS
EP011216	SERVICE	REPLACE DOORS, REPAIR WINDOWS & FENCE	2283.47	EMCPS
EP011217	KEITH WILLIAMS	REIMBURSE ELECTRICITY SUBSIDY	339.20	CEO
EP011218	EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES	465.05	CEO
EP011219	STITCHED UP EMBROIDERY SERVICES	SHIRE UNIFORM LOGO	44.00	CEO
EP011220	HALLMARK EDITIONS	ADVERTISING VACANT POSITION	198.00	EMCPS
EP011221	SADANIK PTY LTD	ADSL ROUTER, HARD DISK DRIVE	450.00	EMCPS
EP011222	KIMBERLEY METAL RECYCLERS	CONTRACT LANDFILL MNGMNT & WASTE OIL DISPOSAL	21118.90	CEO
EP011223	KP PUMPS & IRRIGATION	RETICULATION FITTINGS	1090.34	CEO
EP011224	OFFICE NATIONAL KUNUNURRA	STATIONERY & COPY COUNT CHARGE	2787.53	EMCPS
EP011225	AUSTRALIAN FEDERAL POLICE	POLICE CHECKS SECURITY CARDS (AIRPORT)	245.05	EMCPS
EP011226	HALLS CREEK HERALD	ADVERTISING COMMUNITY GRANTS	126.50	EMCPS
EP011227	KUNUNURRA HOME HARDWARE	HARDWARE SUPPLIES	24.20	CEO
EP011228	BRENDAN JOHNS ELECTRICS	ELECTRICAL SAFETY CHECK WYNDHAM CHILDCARE	137.50	EMCMS
EP011229	BRANKO BP MOTORS	FUEL, VEHICLE SERVICING & REPAIRS, HARDWARE	3106.44	CEO
EP011230	JSW HOLDINGS PTY LTD	TOPSOIL & CRACKERDUST	2323.20	CEO
EP011231	KIMBERLEY STOCK-OLIVER	RETICULATION FITTINGS	2353.89	CEO
EP011232	ORD RIVER DIST CO-OP	ROUNDUP & AMMUNITION	539.00	CEO
EP011233	TNT AUSTRALIA PTY LIMITED	FREIGHT CHARGES	263.41	CEO
EP011234	JORRITSMA H & CO	RETICULATION FITTINGS	39.45	CEO
EP011235	KIMBERLEY MOTORS AUSTRALIA POST,ACCOUNTS	FUEL WYNDHAM	5718.70	CEO
EP011236	RECEIVABLE	POSTAGE ACCOUNTS	580.30	CEO
EP011237	SHELF SUPPLY WYNDHAM TOURIST INFORMATION	DOG & CHICKEN FOOD	71.00	CEO
EP011238	CENTRE	TOURIST INFORMATION WYNDHAM	476.66	EMCPS
EP011239	ROYAL LIFE SAVING (WA BRANCH)	LIFEGUARD QUALIFICATIONS	495.00	EMCMS
EP011240	KIMBERLEY INDUSTRIES	FABRICATION FOR SPRAY UNIT	279.65	CEO
EP011241	WYNDHAM SUPERMARKET	CONSUMABLES WYNDHAM	201.95	EMCMS
EP011242	ALLGEAR MOTORCYCLE & SMALL ENGINE CTR	LAWNMOWER & PARTS	1831.30	CEO

EP011243	CROCODILE SIGNS AUSFUEL AUSTRALIAN FUEL	DOG HEALTH POSTERS	352.00	CEO
EP011244	DISTRIBUTORS	FUEL	11347.43	CEO
EP011245	ARGYLE IRRIGATION PTY LTD	DAVEY FIRE PUMP	984.50	CEO
EP011246	GULLIVERS TAVERN	REFRESHMENTS	294.58	EMCMS
EP011247	NEAT N TRIM UNIFORMS	UNIFORMS	986.82	EMCPS
EP011248	ACCOR ALL SEASONS KUNUNURRA WA LOCAL GOVERNMENT	ACCOMMODATION J MORTENSEN	106.00	EMCMS
EP011249	SUPERANNUATION	SUPERANNUATION LOAD & DELIVER ROADBASE KUNUNURRA	26904.01	CEO
EP011250	ORD RIVER CONTRACTING	CHILDCARE	104.50	CEO
EP011251	TOLL WEST	FREIGHT CHARGES	234.76	EMCPS
EP011252	LOCK, STOCK & FARRELL LOCKSMITH	MASTER PADLOCKS	1052.04	CEO
EP011253	TRAVELWORLD KUNUNURRA	TRAVEL R BAIRSTOW	458.15	EMCMS
EP011254	BUSH CAMP SURPLUS STORES	UNIFORM SHORTS	165.00	CEO
EP011255	FRANMOR CONSTRUCTIONS PTY LTD	REPAIR DOORS LEISURE CENTRE	361.90	EMCMS
EP011256	GYM CARE UNIT	EXERCISE BIKE HUBS LEISURE CENTRE	68.81	EMCMS
EP011257	VANDERFIELD MACHINERY PTY LTD	REPAIRS SPRAY UNIT	164.49	CEO
EP011258	CABCHARGE	CABCHARGE FEES	215.57	EMCPS
EP011259	BEAUREPAIRES (KUNUNURRA)	NEW TYRE, WHEEL ALIGNMENT	413.50	CEO
EP011260	KIMBERLEY MARKETING	DRY ICE FOR FOOD SAMPLING	82.50	CEO
EP011261	KIMBERLEY PUMPING SERVICE KUNUNURRA CHAMBER OF COMMERCE &	NEW VALVE CHANNEL TANK FILL PUMP GRANT SPONSORSHIP OF KIMBERLEY REGIONAL	374.00	CEO
EP011262	IND.	SBA	550.00	EMCMS
EP011263	KUNUNURRA NEWSAGENCY	DIARY	16.90	EMCMS
EP011264	WA TELECENTRE KUNUNURRA	VIDEO CONFERENCE	176.00	EMCPS
EP011265	AUTO PRO KUNUNURRA	REVOLVING LAMP & SPARK PLUG	607.10	EMCPS
EP011266	PIERCE POOL SUPPLIES	POOL EQUIPMENT WYNDHAM & KUNUNURRA	528.72	EMCMS
EP011267	SHAWS DARWIN TRANSPORT	RELOCATION R BAIRSTOW	1150.00	EMCMS
EP011268	JAMES O'KENNY AUCTIONEER	HIRE AMENITIES ROOM	3300.00	EMCMS
EP011269	SPORTSWORLD OF WA	CONSUMABLES FOR SALE LEISURE CENTRE	443.52	EMCMS
TOTAL OF EFT PAYMENTS			589,653.47	
TOTAL PAYMENTS			678,835.82	

DIRECT DEBITS - MARCH 2007

RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	1,126.66
BANK FEES	216.20
SALARY AND WAGES	185,487.79
VISA PAYMENT	8,910.80
WESTNET P/L	634.39
MOBILE OIL AUSTRALIA	12,916.04
TOTAL DIRECT DEBITS	209,291.88

OUTSTANDING INVOICES AS AT 31 MARCH 2007

TOTAL OUTSTANDING 0.00

CANCELLED CHEQUES

22/03/2007	37607	DAMAGED BY PRINTER	0
	37608	DAMAGED BY PRINTER	0
	37609	DAMAGED BY PRINTER	0
	37610	DAMAGED BY PRINTER	0
	37611	DAMAGED BY PRINTER	0
	37612	DAMAGED BY PRINTER	0
	37613	DAMAGED BY PRINTER	0
	37614	DAMAGED BY PRINTER	0
	37615	DAMAGED BY PRINTER	0
	37616	DAMAGED BY PRINTER	0
	37617	DAMAGED BY PRINTER	0
	37618	DAMAGED BY PRINTER	0
	37619	DAMAGED BY PRINTER	0
	37620	DAMAGED BY PRINTER	0
	37637	DAMAGED BY PRINTER	0
		TOTAL CANCELLED CHEQUES	0.00

Sundry Debtors as of March 2007

Sundry Debtor	Amounts Over 90 Days Outstanding	Balance @ 31st March 2007	Debt Collection Status for Debts over 90 Days
ARGYLE KIMBERLEY RESORT	11750.00	11750.00	Debtor with Administrator
BELL SPRINGS COMMUNITY	15.00	15.00	Final Notice Issued
BIRD HEATHER	53.09	53.09	Being paid through debt collector - Credipac
CAVANAGH PAUL & NORMA	5,189.33	5,189.33	Intention to Summons Issued
CHADWICK, STEVE	5,186.09	5,949.96	Debtor with Credipac
GILETE G & B CIVIL PTY LTD	215.00	215.00	Company with Administrator.
LANDCORP	1,386.00	1,386.00	Final Notice Issued
KIMBERLEY METAL RECYCLERS	30.00	195.00	Final Notice Issued
KEN MACDONALD	68.52	68.52	Debtor with Credipac
KUNUNURRA CRUISES	825.00	1,650.00	Intention to Summons Issued
KUNUNURRA SOCCER CLUB	890.00	890.00	Debtor in discussion with Executive Manager Community Services
KUNUNURRA SOFTBALL CLUB	490.00	490.00	Paid 4th April 2007
KUNUNURRA PEST MANAGEMENT	7.50	7.50	Reminder Notice Issued
JOOROOK NGARNI ABORIGINAL CORP	94.00	94.00	Final Notice Issued
NEIL LAVERS	1,380.00	1,380.00	Debtor with Credipac
ORD AIR CHARTER PTY LTD	55,343.70	56,334.77	Debtor with Credipac
ORD RIVER SPORTS CLUB	9,234.93	9,234.81	Monthly Repayments are being made
PADDYS MARKET	440.00	440.00	Reminder Notice Issued
SOSBY JOHN	130.00	130.00	Debtor with Credipac
THE SHELL COMPANY OF AUSTRALIA	275.00	425.00	Reminder Notice Issued
TACHELL MARTIN	216.16	216.16	Debtor with Credipac
YELTARA DEVELOPMENTS	487.50	532.50	Reminder Notice Issued
WEST KIMBERLEY LANDSCAPING	1,490.00	1,490.00	Debtor with Administrator
WYNDHAM COMMUNITY CLUB	4,010.49	4,010.49	Payment Plan on Hold
WYNDHAM POLICE STATION	200.00	200.00	Reminder Notice Issued
	99,407.31	102,347.13	

12.3.3 Sundry Debtors Write Off

DATE:	21 March 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Nicole O'Connor, Payroll / Debtors Officer
REPORTING OFFICER:	Yale Bolto, Executive Manager Corporate Services
FILE NO:	61.23.02
ASSESSMENT NO:	N/A

PURPOSE

To seek Councils approval to write off unrecoverable debts.

BACKGROUND

Write Off Avdata Sundry Debt

Vamroll PTY LTD (Avdata file for Airport usage @ Wyndham Airport) - Avdata have generated and issued accounts for airport landing fees and tried to collect monies on behalf of the Shire of Wyndham-East Kimberley, Wyndham Airport. After following Avdata's debt collection procedure to recover funds, this debtors' information was forward on to the Debt Collectors, Credipac. All debt recovery actions have been exhausted and both Avdata and Credipac have recommended we write off the above mentioned debt.

Write Off Sundry Debts

Debtor 82747 John Sosby was sent to our Debt Collector, Credipac after following Councils Debtor Policy to recover funds of \$130.00 this was not successful in 2003. All debt recovery actions have been exhausted. Debtor can not be located. Credipac recommend write off as expense involved in continued attempts to locate debtor could exceed debt.

Debtor 3318 Martin Charles Tatchell was sent to our Debt Collector, Credipac after following Councils Debtor Policy to recover funds of \$216.00 this was not successful in 2003. All debt recovery actions have been exhausted. Debtor can not be located. Credipac recommend write off as expense involved in continued attempts to locate debtor could exceed debt.

Debtor 96350 Gilete G and B Civil Pty Ltd went into liquidation and sent to the Administrators Ferrier Hodgson in January 2006. The Debtor has debts outstanding with the Shire to the value of \$215.00 and the Administrators advised that the large debts will be a deed of priority.

Debtor 96284 Kenneth MacDonald was sent to our Debt Collector, Credipac in May 2006 after following Council's Debtor Policy to recover funds to the value of \$511.18. Credipac have recover funds of \$442.66, all debt recovery actions have now been exhausted. Debtor can not be located at either their residential or postal address. Credipac recommend write off the outstanding expense of \$68.52 as expenses involved to continue attempts to locate debtor will exceed debt.

STATUTORY IMPLICATIONS

- 6.12 Power to defer, grant discounts, waive or write off debts
- 1 Subject to subsection (2) and any other written law, a local government may –
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,

which is owed to the local government.

**absolute majority required*

POLICY IMPLICATIONS

Sundry Debt Collection Policy – F15

FINANCIAL IMPLICATIONS

Should Council resolve to write off this debt, it is recommended that the write off be applied against the Shire's provision for doubtful debts. The provision was accounted for in the last financial year and has no impact on the current year operating statement.

STRATEGIC IMPLICATIONS

Nil

COMMENT

Councils Debt collectors, Credipac, have recommended that VAMROLL PTY LTD be written off due to being unable to make any contact with the above debtor company and the last known postal address is no longer current. A company search has revealed that this company became deregistered on 25/03/2005. Outstanding debt of \$5000.00.

Debtor 82747 John Sosby
20/05/03 Annual Subscription for Agenda \$130.00

Councils Debt collectors, Credipac have advised the Shire that in 2005 a Credit Default Listing was placed on John Sosby and will remain on the Credit Rating for 5 years. If Mr Sosby applies for Credit he will have to pay the Shire of Wyndham-East Kimberley first.

Debtor 3318 Martin Charles Tatchell
03/05/03 News Paper Advertising \$116.16
23/09/03 2003/2004 Itinerant Food \$100.00

Councils Debt collectors, Credipac advised that in 2005 a Credit Default Listing was placed on Martin Tatchell and will remain on the Credit Rating for 5 years. If Mr Tatchell applies for Credit he will have to pay the Shire of Wyndham-East Kimberley first.

Debtor 96350 Gilete G and B Civil Pty Ltd
04/10/05 September Tipping Fees \$90.00
31/10/05 October Tipping Fees \$125.00

The Administrators of G & B Civil Pty Ltd have advised that there will be no return to creditors due to insufficient assets from the business.

Debtor 96284 Kenneth MacDonald
25/05/06 Residence Phone March 2006 and Water Usage \$511.18
13/12/06 Payment \$442.66

Councils Debt Collectors, Credipac advise that a Credit Default Listing will be placed on Mr Kenneth MacDonald and will remain on the Credit Rating for 5 years. If Mr Kenneth MacDonald applies for a Credit he will have to pay the Shire of Wyndham-East Kimberley first.

ATTACHMENTS

N/A

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

Council write off the debts for:

- | | |
|----------------|---|
| 1. Avdata Debt | Vamroll Pty Ltd, Landing Fees \$5000 |
| 2. Sundry Debt | John Sosby, Annual Subscription for Agenda \$130 |
| 3. Sundry Debt | Martin Tatchell, News Paper/Itinerant Food \$216.16 |
| 4. Sundry Debt | Gilete G & B Civil Pty Ltd, Tipping Foods \$215.00 |
| 5. Sundry Debt | Kenneth MacDonald, Phone & Water Usage \$68.52 |

COUNCIL RESOLUTION

Minute No. 7683

Moved: Cr D. Ausburn

Seconded: Cr R. Devenish-Meares

Council write off the debts for:

- | | |
|-----------------------|---|
| 1. Avdata Debt | Vamroll Pty Ltd, Landing Fees \$5000 |
| 2. Sundry Debt | John Sosby, Annual Subscription for Agenda \$130 |
| 3. Sundry Debt | Martin Tatchell, News Paper/Itinerant Food \$216.16 |
| 4. Sundry Debt | Gilete G & B Civil Pty Ltd, Tipping Foods \$215.00 |
| 5. Sundry Debt | Kenneth MacDonald, Phone & Water Usage \$68.52 |

Carried Unanimously:7/0

12.3.4 Housing Tender T06 06/07

DATE:	17 April 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Kununurra
ATLAS REFERENCE:	N/A
AUTHOR:	Yale Bolto, Executive Manager Corporate Services
REPORTING OFFICER:	Yale Bolto, Executive Manager Corporate Services
FILE NO:	66.55.06
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the outcomes of housing tender T06 06/07.

BACKGROUND

Council adopted the 2006/2007 budget with a commitment to build two new three bedroom, two bathroom staff houses. The trigger for the staff houses to be built was the successful application for grant funding from the Country Housing Authority. The grant for the two new staff houses has been successful and administration presented tender specification to Council at the Ordinary Council meeting held on the 21 November 2006.

Tenders were originally advertised on the 25 November 2006, tender closed on the 17 January 2007, no tenders were received.

Tenders were again advertised on the 18 January 2007, tenders closed on the 1 March 2007.

Details of the tenders received were presented at the Council Briefing Session held on the 3 April 2007.

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 3.57

Tenders for providing goods or services

3.57 . Tenders for providing goods or services

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100,000.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Within the 2006/2007 budget Council adopted to build two staff houses with a combined land and house value of \$710,000. Part of this funding package includes the sale of two existing homes in Boobialla St Kununurra. A \$100,000 grant has been secured for the project.

Within the 2006/2007 budget Council has a net expenditure of \$10,000 for the building of two new houses. The tenders received by Council range from \$352,180 - \$428,560 (inc GST) per house plus land of approximately \$100,000 - \$120,000. The sale of the two Boobialla houses can expect to net around \$720,000.

STRATEGIC IMPLICATIONS

The recruitment of professional staff is one of the largest sustainability factors effecting Local Government. The Shire of Wyndham East Kimberley can position itself to be an employer of choice by providing new and attractive housing to prospective and current employees.

The Shire can also play a contributing role to increasing the overall housing availability in Kununurra by rolling over its older housing and regularly building new accommodation.

COMMUNITY CONSULTATION

N/A

COMMENT

Kununurra is experiencing rapid growth in building activity. The Shire received no tenders on the first round of tendering. Three tenders were submitted as part of the second round from Colin Wilkinson Developments Pty Ltd (CWD), Marvic Constructions and ICF Qik-Build. These three tenders offered seven options only one of which was conforming being from CWD.

Because of delays in land release from LandCorp, delays in re-tendering T06 06/07, increase in building costs and time frame of Country Housing Authority (CHA) grant the Shire is not in a position to award any tenders.

Given these delays it is wise for the Shire to investigate further the building of staff housing. Investigations need to occur into the cost of buying a house off the plan and not specifying to the builders what the Shire is wanting. Because of time frames with land release and building, investigations also need to occur into the cost of transporting pre built transportable housing into Kununurra.

As per General Conditions of Tender - **1.6 Tender to Remain Valid** - states "...remain valid and capable of acceptance by the principle for a period of sixty days from the close of tender period". The tender closed on the 1 March 2007 and thus is valid until the 30 April 2007. Negotiations need to occur with the County Housing Authority in relation to the grant time frame, LandCorp in relation to time frame of released land, a guarantee of land for the Shire, as well as local builders into the pricing of Speculative homes. These negotiations will not be completed before the 30 April 2007, thus leaving Council no option but to not accept tenders for T06 06/07.

ATTACHMENTS

Summary of tenders received.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

1. That Council not accept any tenders for T06 06/07 as the Shire needs confirmation of extension of grant funding from the County Housing Authority, written confirmation of availability of land from LandCorp, and that tenders become invalid on the 30 April 2007.
2. Write to current tenders advising that no tenders have been accepted.
3. Apply to the Country Housing Authority for an extension from the 30/06/2007 to the 30/06/2008 to lodge titles with the Authority.
4. Approach LandCorp for written confirmation that they will hold two blocks of land at Lakeside Stage Three development for the Shire of Wyndham East Kimberley.
5. Investigate the purchase of new pre constructed or speculative housing from local builders.
6. Investigate the transportation of pre built transportable housing to Kununurra.

COUNCIL RESOLUTION

Minute No. 7684

Moved: Cr D. Ausburn

Seconded: Cr J. Parker

1. That Council not accept any tenders for T06 06/07 as the Shire needs confirmation of extension of grant funding from the County Housing Authority, written confirmation of availability of land from LandCorp, and that tenders become invalid on the 30 April 2007.
2. Write to current tenders advising that no tenders have been accepted.
3. Apply to the Country Housing Authority for an extension from the 30/06/2007 to the 30/06/2008 to lodge titles with the Authority.
4. Approach LandCorp for written confirmation that they will hold two blocks of land at Lakeside Stage Three development for the Shire of Wyndham East Kimberley.
5. Investigate the purchase of new pre constructed or speculative housing from local builders.
6. Investigate the transportation of pre built transportable housing to Kununurra.

Carried: 6/1

Conforming Tenders

Company	Design	Tender Sum	Prime Cost Item	Amount (GST Excl)	Nominated Extras	Amount (GST Excl)	Total Floor Area	Comments
Colin Wilkinson Developments Pty Ltd		\$366,339.09 (GST Excl) \$402,973 (inc GST)	<ul style="list-style-type: none"> • Kitchen Carpentry • Plumbing fixtures/fittings • Tiling • Landscaping 	N/A N/A \$35.00m2 \$12,727.27	<ul style="list-style-type: none"> • Study • Granite bench tops • Dishwasher • Spa bath • Bay window • Solar generated electrical system - 	(not included) \$5,454.55 \$909.09 \$1981.82 \$1818.18 TBA	168.42 m2	<ul style="list-style-type: none"> ➤ Lounge separated from kitchen / living / dining area. ➤ Walk in robe & ensuite direct access from bedroom 1. ➤ Bedroom 1 opens direct onto living area.

Alternative Tenders

Company	Design	Tender Sum (per dwelling)	PC Item	Amount (GST Excl)	Nominated Extras	Amount (GST Excl)	Total Floor Area	Comments
Colin Wilkinson Developments Pty Ltd	Alternative A	\$338,920.91 (GST Excl) \$372,812 (inc GST)	<ul style="list-style-type: none"> • Kitchen Carpentry • Plumbing fixtures/fittings • Tiling • Landscaping 	N/A N/A \$35.00m2 \$12,727.27	<ul style="list-style-type: none"> • Study • Granite bench tops • Dishwasher • Spa bath • Bay window • Solar generated electrical system - 	(not included) \$5,454.55 \$909.09 \$1981.82 \$1818.18 TBA	153.92 m2	<ul style="list-style-type: none"> • No separate living room
Colin Wilkinson Developments Pty Ltd	Alternative B	\$320,163.64 (GST Excl) \$352,180 (inc GST)	<ul style="list-style-type: none"> • Kitchen Carpentry • Plumbing fixtures/fittings • Tiling • Landscaping 	N/A N/A \$35.00m2 \$12,727.27	<ul style="list-style-type: none"> • Study • Granite bench tops • Dishwasher • Spa bath • Bay window • Solar generated electrical system - 	(not included) \$5,454.55 \$909.09 \$1981.82 \$1818.18 TBA	144.00 m2	<ul style="list-style-type: none"> • Bedroom 1 & Home theatre direct access from living/ dining area • No walk in robe

Alternative Tenders Continued

Company	Design	Tender Sum (per dwelling)	PC Item	Amount (GST Excl)	Nominated Extras	Amount (GST Excl)	Total Floor Area	Comments
Colin Wilkinson Developments Pty Ltd	Alternative C	\$322,300.00 (GST Excl) \$354,530 (inc GST)	<ul style="list-style-type: none"> • Kitchen Carpentry • Plumbing fixtures/fittings • Tiling • Landscaping 	N/A N/A \$35,000m2 \$12,727.27	<ul style="list-style-type: none"> • Study • Granite bench tops • Dishwasher • Spa bath • Bay window • Solar generated electrical system - 	(not included) \$5,454.55 \$909.09 \$1981.82 \$1818.18 TBA	145.13 m2	<ul style="list-style-type: none"> • Living / dining conjoined • No walk in robe
Marvic Constructions	Alternative Type B floor plan	\$389,600 (GST Excl) \$428,560 (inc GST)	<ul style="list-style-type: none"> • Kitchen Carpentry • Plumbing fixtures/fittings • Tiling • Landscaping 	\$15,000 \$7,500 \$19,500 \$6,000	<ul style="list-style-type: none"> • Study • Granite bench tops • Dishwasher • Spa bath • Bay window • Solar generated electrical system - 	\$8,000 \$1,000 per lm \$1,125 \$3,500 \$2,100 \$40,000	182.00m2	<ul style="list-style-type: none"> • Clerestory Roofline @ 10o • Large ensuite – accessed via walk in robe. • No separate lounge • NB: Study/Bedroom 4, Dish washer, • Spa bath in ensuite & electric roller doors included in price

Alternative Tenders Continued

Company	Design	Tender Sum (per dwelling)	PC Item	Amount (GST Excl)	Nominated Extras	Amount (GST Excl)	Total Floor Area	Comments
Marvic Constructions	Alternative Type C floor plan	\$389,600 (GST Excl) \$428,560 (inc GST)	<ul style="list-style-type: none"> • Kitchen Carpentry • Plumbing fixtures/fittings • Tiling • Landscaping 	\$15,000 \$7,500 \$19,500 \$6,000	<ul style="list-style-type: none"> • Study • Granite bench tops • Dishwasher • Spa bath • Bay window • Solar generated electrical system - 	\$8,000 \$1,000 per m \$1,125 \$3,500 \$2,100 \$40,000	178.00 m2	<ul style="list-style-type: none"> • Clerestory Roofline @ 10o • Large ensuite – accessed via walk in robe. • No separate lounge • NB: Study/Bedroom 4, Dish washer, • Spa bath in ensuite & electric roller doors included in price
ICF QIK-BILD	Alternative	\$289,668.56 (GST Excl) \$318,634 (inc GST)	<ul style="list-style-type: none"> • Kitchen Carpentry • Plumbing fixtures/fittings • Tiling • Landscaping 	\$12,000 Included \$10,510 \$10,900	Nil Stated		110.50 m2	<ul style="list-style-type: none"> • Insulated foam concrete block formwork. • 37m2 breezeway included in floor area • No ensuite or walk in robe. • 2nd toilet provided • Kitchen & living areas only • Ceiling fans & air conditioners to all rooms NOT INCLUDED

12.3.5 Sale of Lot 316 Cyril Kleinig Drive

DATE:	17 April 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Lot 316 Cyril Kleinig Drive, Kununurra Airport
ATLAS REFERENCE:	Map 58 5G
AUTHOR:	Yale Bolto, Executive Manager Corporate Services
REPORTING OFFICER:	Yale Bolto, Executive Manager Corporate Services
FILE NO:	01.5832.04
ASSESSMENT NO:	5832

PURPOSE

For council to consider the sale of Lot 316 Cyril Kleinig Drive, Kununurra Airport to Mr Geoff Johns or associated entity.

BACKGROUND

An offer to purchase Lot 316 Cyril Kleinig Drive has been received from Mr Geoff Johns for the amount of \$51 000 exclusive of GST.

The block is within the Kununurra Airport and is zoned Airport special use, thus all uses of the land must be related to the functions of the airport. Within Mr John's letter he states the "block would be used for the purpose of a car hire business & / or vehicle storage", thus complying with the use of the land under the current zoning.

STATUTORY IMPLICATIONS

Local Government Act 1995

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

All proceeds will be deposited into the airport reserve.

STRATEGIC IMPLICATIONS

Implications on the sale of airport land are that Council will increase its airport reserve for future development of the East Kimberley Regional Airport. It will also help alleviate parking at the airport if a secure site is established close to the terminal.

COMMUNITY CONSULTATION

The proposed disposal will be advertised in accordance with the Act if an agreement can be reached.

COMMENT

An independent valuation was obtained on Lot 316 Cyril Kleinig Drive following advice from Mr Johns that he was interested in purchasing the property. The current valuation is for \$67,000 exclusive of GST or \$73,700 inclusive of GST.

The current offer is below the valuation obtained by a licensed valuer.

The proponent wishes to develop the block into a car hire business or vehicle storage. The two functions which the proponent is purchasing the block for are positives for the airport and tourism industry.

ATTACHMENTS

Letter from Mr Geoff Johns, with the valuation assessment attached

VOTING REQUIREMENT

Simple majority

RECOMMENDATION

1. That the Chief Executive Officer be given delegated authority to negotiate with Mr Johns to purchase Lot 316 Cyril Kleinig Drive for not less than \$67,000 (excl of GST).
2. On successful completion of negotiations the Chief Executive Officer sells Lot 316 Cyril Kleinig Drive in accordance with Section 3.58 of the Local Government Act.

COUNCIL RESOLUTION

Minute No. 7685

Moved: Cr D. Ausburn

Seconded: Cr J. Buchanan

1. That the Chief Executive Officer be given delegated authority to negotiate with Mr Johns to purchase Lot 316 Cyril Kleinig Drive for not less than \$67,000 (excl of GST).
2. On successful completion of negotiations the Chief Executive Officer sells Lot 316 Cyril Kleinig Drive in accordance with Section 3.58 of the Local Government Act.

Carried Unanimously: 7/0

GM & SL Johns Pty Ltd

220 Riverfarm Road
P O Box 871
Kununurra WA 6743
Ph: 08 9168 2046
Mobile: 0408 682 046
Fax: 08 9169 2132
e-mail: yakkanana@westnet.com.au

ACN	083 744 165
Date	05/03/07
Officer	XMAS
Response	
File	D1.5832.04

7th March 2007

The CEO
SWEK
P O Box 614
Kununurra WA 6743

Attention: Yale Bolto

Dear Yale

OFFER OF PURCHASE: LOT 316 KUNUNURRA AIRPORT

We hereby offer the Shire of Wyndham East Kimberley \$51,000 (fifty one thousand dollars) to purchase the above block of land.

This block would be developed for the purpose of a car hire business &/or vehicle storage.

This offer is valid to 7th May 2007.

Yours sincerely



Geoff Johns
Director/Manager

P L BOLTO & CO
PO Box 702
Katanning WA 6317
ABN 008 768 885

VACANT AIRPORT LAND VALUATION
(AUSTRALIAN PROPERTY INSTITUTE STANDARD)

Shire of Wyndham – East Kimberley

INSTRUCTING OFFICER: P. STUBBS CEO **BRANCH:** KUNUNURRA
NAME OF APPLICANTS: SHIRE OF WYNDHAM-EAST **VALUER:** IR BOLTO
 KIMBERLEY
ADDRESS OF SECURITY: LOT 316 LAINE JONES DRIVE,(CNR CYRIL KLEINIG
 DRIVE) KUNUNURRA. WA 6743

LOAN NUMBER: **INV NO. :** 00-

- | | | | |
|--|---|-------------------------|---|
| 1. SECURITY ADDRESS: | LOT 316 LAINE JONES DRIVE,(CNR CYRIL KLEINIG DRIVE)
KUNUNURRA WA 6743 | | |
| 2. TITLE DETAILS: | Lot: 316 | Plan: 21744 | Volume: 2095 Folio: 206 |
| Encumbrances/Restrictions Considered: Nil | | | |
| 3. DIMENSIONS/AREA: | 36.06m x 73.13m | Local Govt Area: | Wyndham – East Kimberley
Area 2672m2 |
| 4. ZONING & PLANNING INSTRUMENT: | Shire of Wyndham – East Kimberley:- Airport related uses. | | |
| EFFECT: Vacant Lot | | | |
| 5. LOCATION/NEIGHBOURHOOD: | The lot is situated 3km west of Kununurra, at the East Kimberley Regional Airport. It is suitable for use by airport related business's, adjoining lots have this development also. | | |
| 6. SITE DESCRIPTION & TOPOGRAPHY: | Cleared, level, no flooding, loam. Street sealed and kerbed on both corners. | | |
| Services Available: | Water, phone, power, all available- Special sewer unit at airport. | | |
| Environmental Hazards: | None evident | | |
| 7. MAIN BUILDING: | VACANT LOT | | |

AREAS **VACANT LOT ONLY**

8. OBSERVATIONS: VACANT LOT ONLY

9. CAR ACCOMMODATION: N/A

10. ANCILLARY IMPROVEMENTS AND CONDITION:
 VACANT LOT ONLY.

ADDRESS OF PROPERTY: Lot 316 Laine Jones Drive, Kununurra, WA 6743

11. REPAIRS/REQUIREMENTS: Nil

EST COST: \$ Nil

12. COMMENTS ON THE PROPERTY:

The lot is situated 3km west of Kununurra at the East Kimberley Regional Airport. It is in the airport related business area, close to the main terminal area and with good road access – on a corner with both streets sealed. It is suitable for its current use.

Kununurra is a regional centre for the north east Kimberley area, with a population in the town of 4,500 people and for the Shire of 7,775 people. It is located 3214km north east of Perth, on the main Highway No. 1 – Victoria Highway. The closest other main centers are Broome to the south west and Darwin to the north east. It has good amenities for a town of its size. The town and area appear to be growing, with irrigation, farming, mining, tourism and providing services to the adjoining communities giving a very strong basis for development. The airport also has a strategic location and there is increasing use of its facilities. There are jet services into the town, plus turbo prop services.

The zoning of the lot – being Airport related uses – is suitable for its current use. But it does reduce the demand and value for the lot, in comparison to lots in the main town area – which have a far wider range of actual and potential uses.

The actual lot is cleared, level, not subject to any flooding and has all the usual services available or connected. I have shown the available sales evidence in (13). There are only 3 sales of similar land at the airport – but none are recent and in the same situation at the airport. Lot 308 is a recent sale, smaller area, has air side access, but access from road is not as good. Shows \$25.60m2. Lots 314/315 is an older sale, directly across the street, has similar good access and no air side access. Shows \$15.73m2. The other sale of Lot 301 is an old transaction in 1/1999 and shows \$20m2 for a much larger area of 5,556m2. This lot had air side access.

There are 4 vacant land sales shown in the town area with general industry zoning. These all show higher values – in particular the 3 lots in Bandicoot Drive. These are very close to town centre and have a wide range of potential uses – as noted. They have a higher appeal, demand and value. These sales show a much higher value – between \$79m2 and \$100m2. In making this valuation I have taken into account the increased activity at the airport and the very real potential of further increase in air side and business activity. There has also been a rapid rise in commercial land values in the town. The older sales at the airport were before this increase in demand and values. I understand there is interest in other land available in the area.

After consideration of these sales, I assess the current market value for vacant land in this location – with an area of between 1,500m2 and 2,000m2 to be \$25.60m2 I assess the subject lot has a slightly higher value on a m2 basis, because of its smaller size – This I assess to be \$1,150.

The subject lot does not have air side access, but some businesses do not require this. It does have the advantage of being a corner lot with Cyril Kleinig Drive has direct access onto the Victoria Highway. These factors increase the appeal and demand of the lot and give it a similar value to lots with tarmac access.

The subject lot is currently vacant and has no development on it. There are buildings in the area. The lot does not access onto the apron, but does have good road access on 2 sides and is suitable for development for uses approved under the zoning.

I declare that I have no interest in the property.

13. SALES EVIDENCE:		Lot 316 Laine Jones Drive, Kununurra WA 6743	
		Note – Sales exclude GST consideration	
<i>Address:</i>		<i>Date:</i>	<i>Price:</i>
1. Lot 308 – Airport – Dusty Rankin Drive		8/2006	\$50,000
Sold as vacant lot, improvements not included in sale. Not a rectangular shape, area 1956m ² . Good access by road and on airside. Use limited to that associated with airport purposes. Shows \$25.60m ² . This is the best comparison.			
2. Lot 301 – Airport – Victoria Highway		3/1999	\$110,000
Sold as vacant lot, improvements not included in sale. Not rectangular, area 5,556m ² , but does not restrict the development or use of site. Good access by road and on airside. Use limited to that associated with airport purposes. Old sale – shows \$20m ² .			
3. Lot 314/315 Cyril Kleinig Drive/Peter Reid Drive		6/2002	\$66,000
Sale included GST. Vacant adjoining lots across street from subject lot, combined area of 3,814m ² . Older sale, at lower values, when less demand. Shows \$15.73m ² . Does not have tarmac access.			
4. Lot 2320 Salacca Street		7/2004	\$80,000, \$72,727 less GST
Vacant lot, general industry zoning, area 2650m ² . Situated in elevated area, on north east edge of town. Suitable for industrial use and wider range of uses, higher value, old sale, shows \$27.45m ² .			
5. Sale of 3 vacant lots in Bandicoot Drive			
Central general industry area and zoning. Also suitable for retail, commercial and light industry. Much higher value and appeal, as adjoins town centre on south. Values shown exclude GST. Each lot has area of 1931m ² .			
39 Bandicoot Drive		5/2005	\$158,000
Vacant, shows \$81.80m ² .			
43 Bandicoot Drive		8/2004	\$154,000
Vacant, shows \$79.75m ² , older sale.			
45 Bandicoot Drive		9/2005	\$193,100
Vacant, shows \$100m ² , most recent central sale.			

ADDRESS OF PROPERTY: Lot 316 Laine Jones Drive, Kununurra. WA 6743

VALUATION CAUTIONS: Nil		VALUATION:	
EXISTING PROPERTY			
Land Value:	\$	67,000	MARKETABILITY <u>Sound</u>
Main Buildings:			
Other:			
Market Value:	\$	67,000	
Excluding GST consideration.			QUALITY <u>Good</u>

INVESTMENT PROPERTY: The market rental is considered to be N/A pw. The market value of the property subject to the longterm lease detailed under heading 12 comments (with valuation calculations) is assessed to at \$ N/A

INSURANCE ESTIMATE: \$Nil An estimated amount for replacement and reinstatement insurance, including allowances for professional fees, anticipated costs movements and removal of debris.

We hereby certify that we have inspected the above property on **6/1/2007** and subject to the terms of the Australian Property Institute Supporting Memorandum to this valuation report, we assess the Market Value of the property as above and recommend it for an appropriate mortgage advance. The valuation is for the use only of the party to which it is addressed and its mortgage insurers for mortgage purposes and is not to be used for any other purpose. No responsibility is accepted or undertaken to any third parties in relation to this valuation and report. The valuers inspection and report does not constitute a structural survey and is not intended as such. This report is also provided on the basis that we will not be liable for losses resulting from market fluctuations.

VALUER: I.R. BOLTO
AAPI
PRACTISING VALUER
LICENSED VALUER NO 00247

29/3/2007

DATE:

ADDRESS: PO Box 702 Katanning WA 6317

SIGNATURE:



PHONE: 98 211566

12.3.6 Purchasing Policy

DATE:	17/4/2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Gill Old, Senior Finance Officer
REPORTING OFFICER:	Yale Bolto, Executive Manager Corporate Services
FILE NO:	60.02.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider amendment to Policy F19 Purchasing and Tendering.

BACKGROUND

Policy F19 was adopted at Ordinary Council Meeting 15 August 2006.

Circular received from Department of Local Government and Regional Development advising publication of Local Government (Functions and General) Amendment Regulations 2007 in February 2007 advising of amendments to tendering threshold legislation as at 30 March 2007. Tendering threshold has been increased from \$50,000 to \$100,000.

STATUTORY IMPLICATIONS

Section 3.57 Local Government Act 1995

POLICY IMPLICATIONS

Accept amended Policy F19.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The purpose of amending the policy is to bring the Shire's existing purchasing policy into line with changes to Local Government regulations.

COMMUNITY CONSULTATION

Nil

COMMENT

In accordance with the gazetted amendment to the Local Government (Functions & General) Regulations 1996, amended Policy F19 will continue to allow transparency and accountability for purchases up to \$99 999. Purchase of goods and services

over this limit will need to follow Local Government guidelines and be placed out to tender.

ATTACHMENTS

Attachment One: Department for Local Government & Regional Development Circular 3-2007.

Attachment Two: Existing Policy F19 adopted 15/8/2006.

Attachment Three: Amended Policy F19.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council adopt amended Policy F19 as per attachment three.

COUNCIL RESOLUTION

Minute No. 7686

Moved: Cr D. Ausburn

Seconded: Cr G. Green

That Council adopt amended Policy F19 as per attachment three.

Carried Unanimously: 7/0



Department of Local Government and Regional Development
Government of Western Australia

Doc No.	008290
Date	6 FEB 2007
Officer	xmc5
Response	
File	61-13-03

TO ALL LOCAL GOVERNMENTS

CIRCULAR N^o 3-2007

AMENDMENTS TO TENDER REGULATIONS

The *Local Government (Functions and General) Amendment Regulations 2007* were published in the *Government Gazette* on 2 February 2007. A copy is attached for your reference.

This legislation comes into operation on 30 March 2007.

The amendments increase the current tender threshold from \$50,000 to \$100,000 and require local governments to have a purchasing policy for amounts under the new threshold.

The Western Australian Local Government Association (WALGA) has distributed a new model purchasing policy to local governments to assist with the implementation of these Regulations. The Department has been working with WALGA in ensuring that the model policy complies with the requirements of the legislation.

Councils will need to adopt a purchasing policy during February or March to operate in time for the 30 March 2007 change to the Regulations.

Should you have any queries about this matter, please contact either Ms Carolyn Gatward, Principal Legislation Officer on 9217 1575, email carolyn.gatward@dlgrd.wa.gov.au or Ms Jenni Law, Manager Local Government Support and Development on 9217 1531, email jenni.law@dlgrd.wa.gov.au.

Cheryl Gwilliam
DIRECTOR GENERAL

5 February 2007

att

1st Floor, 2 Newcastle Street WEST PERTH WA 6005
GPO Box R1280 PERTH WA 6004
Tel: (08) 9217 1500 Fax: (08) 9217 1555
FreeCall - Country only: 1800 620 811
E-mail: info@dlgrd.wa.gov.au
www.dlgrd.wa.gov.au

Attachment Two: Current Policy

POLICY No:	F19
DIVISION	Finance
SUBJECT:	Purchasing and Tendering Policy
REPORTING OFFICER	Executive Manager of Corporate Services

Objective:

To provide clear guidelines to the council and its officers (or Consultants on behalf of the council) for procuring goods or services through direct purchasing where the value is expected to be less than \$50,000 and where the value is expected to be \$50,000 or more through Public Tender.

Policy:

The scope of this policy includes the procurement of goods or services pursuant to Section 3.57 of the Local Government Act 1995, where the value is expected to be more than \$50,000 (excluding GST) and not exempted under Regulation.

The Chief Executive officer will undertake to ensure that compliance with legislative requirements is maintained and that the procedures implemented are capable of withstanding scrutiny and provide appropriate transparency of the Councils practices toward the procurement of goods or services.

The Chief Executive Officer will undertake to put in place competent practises to ensure best value for money, best practise in management, transparency, environmental performance and that appropriately qualified staff resources, together with training are provided in support of these practises.

1. Procedure for the procurement of goods or services through direct purchasing.

The three categories where the value of procurement is, or is expected to be:

- a) Less than \$1000- one verbal quotation is required.
- b) Between \$1001 and \$9,999 – at least two written quotations are required.
- c) Between \$10,000 and 49,999 – at least three written quotations are required.

- (a) Less than \$1000

Where the value of procurement of goods or services does not exceed \$1,000, one verbal quotation is required to be obtained, however it is recommended to use professional discretion

and occasionally undertake market testing to ensure best value is maintained. For the purchase of simple low value, low risk goods and services or “Petty Cash” type purchases under \$1000, accountability is basically proof of purchase by way of receipt.

(b) Between \$1001 and \$9,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1001 and \$9,999. At least two written quotes are required (*but where it is not practical e.g. due to limited suppliers it must be noted in the process.*)

The CEO may, at his discretion, waive the requirements to obtain two quotes providing that written, justifiable reasons for such waiver are provided by the officer responsible, and file noted accordingly.

(c) Between \$10,000 and \$49,999

For the procurement of goods or services where the value exceeds \$10,000 but is less than \$49,999 it is required that the purchaser obtain at least three written quotes (*but where it is not practical e.g. due to limited suppliers it must be noted in the process.*)

The CEO may, at his discretion, waive the requirements to obtain three quotes providing that written, justifiable reasons for such waiver are provided by the officer responsible, and file noted accordingly.

For the procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, state of the art technology, maintenance requirements, organisation’s capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

Notes

- The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any audit and/or record keeping requirements.
- As far as practicable, the price should not be the only criterion for selection of a quote.

(2) Procedure for the procurement of goods or services through public tendering.

The preferred “best practise” tendering processes for the procurement of goods or services are detailed in the West Australian Local Government Association’s purchasing and Tender Guide.

ADOPTED: 15/08/2006
REVIEWED:
AMENDED:

Attachment Three: Amended Policy

POLICY No:	F19
DIVISION	Finance
SUBJECT:	Purchasing and Tendering Policy
REPORTING OFFICER	Executive Manager of Corporate Services

Objective:

To provide clear guidelines to the council and its officers (or Consultants on behalf of the council) for procuring goods or services through direct purchasing where the value is expected to be less than \$100,000 and where the value is expected to be \$100,000 or more through Public Tender.

Policy:

The scope of this policy includes the procurement of goods or services pursuant to Section 3.57 of the Local Government Act 1995, where the value is expected to be more than \$100,000 (excluding GST) and not exempted under Regulation.

The Chief Executive officer will undertake to ensure that compliance with legislative requirements is maintained and that the procedures implemented are capable of withstanding scrutiny and provide appropriate transparency of the Councils practices toward the procurement of goods or services.

The Chief Executive Officer will undertake to put in place competent practises to ensure best value for money, best practise in management, transparency, environmental performance and that appropriately qualified staff resources, together with training are provided in support of these practises.

2. Procedure for the procurement of goods or services through direct purchasing.

The three categories where the value of procurement is, or is expected to be:

- d) Less than \$1000- one verbal quotation is required.
- e) Between \$1000 and \$9,999 – at least two written quotations are required.
- f) Between \$10,000 and 99,999 – at least three written quotations are required.

- (a) Less than \$1000

Where the value of procurement of goods or services does not exceed \$1,000, one verbal quotation is required to be obtained, however it is recommended to use professional discretion and occasionally undertake market testing to ensure best value is maintained. For the purchase of simple low value, low risk goods and services or “Petty Cash” type purchases under \$1000, accountability is basically proof of purchase by way of receipt.

(b) Between \$1001 and \$9,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$1001 and \$9,999. At least two written quotes are required (*but where it is not practical e.g. due to limited suppliers it must be noted in the process.*)

The CEO may, at his discretion, waive the requirements to obtain two quotes providing that written, justifiable reasons for such waiver are provided by the officer responsible, and file noted accordingly.

(c) Between \$10,000 and \$99,999

For the procurement of goods or services where the value exceeds \$10,000 but is less than \$99,999 it is required that the purchaser obtain at least three written quotes (*but where it is not practical e.g. due to limited suppliers it must be noted in the process.*)

The CEO may, at his discretion, waive the requirements to obtain three quotes providing that written, justifiable reasons for such waiver are provided by the officer responsible, and file noted accordingly.

For the procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, state of the art technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

Notes

- The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any audit and/or record keeping requirements.
- As far as practicable, the price should not be the only criterion for selection of a quote.

(2) Procedure for the procurement of goods or services through public tendering.

The preferred "best practise" tendering processes for the procurement of goods or services are detailed in the West Australian Local Government Association's purchasing and Tender Guide.

ADOPTED:
REVIEWED:
AMENDED:

12.3.7 Biosecurity Levy Cap

DATE:	20 March 2007
PROPONENT:	Kununurra Crop Pest Control Committee
LOCATION:	Ord Valley Irrigation Area
ATLAS REFERENCE:	N/A
AUTHOR:	Yale Bolto, Executive Manager Corporate Services
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	50.08.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider capping the Biosecurity levy, introduced by Council to assist the agricultural sector in the East Kimberley manage Biosecurity threats, at its present level of \$100,000.

BACKGROUND

At the Council Meeting held on 15 March 2005 Council considered the raising of a Biosecurity Levy. The following minute is a record of this decision –

Minute No 7077

Moved Cr J Nelson/J Buchanan

That:

- 1. Council agree in principal to the concept of implementing a rating structure whereby rate funds are specifically collected for the implementation of regional bio-security programs and initiatives.*
- 2. Prior to the adoption of the 2005/06 Shire Budget, officers work with the Kununurra Crop Pest Control Committee to develop a proposal that is both financially and legally feasible.*

CARRIED UNANIMOUSLY (7-0)

As a consequence of the above minute Council has raised \$50,000 in the 2005/2006 budget and \$50,000 in the 2006/2007 budget.

In 2005/2006 the \$50,000 was put in Trust as this would allow a rapid response. If it was put in a Reserve it would need a Council resolution to draw on the funds. The Shire auditors advised that the funds need to be held in Reserve and not Trust, thus as at 30/06/2007 the Shire will have a Biosecurity Reserve with a balance of \$100,000. This reserve will attract interest of around \$6,000 per year compounding.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

At present \$50,000 is raised through rates, the Shire has a Reserve with \$100,000 which will attract interest into the future.

STRATEGIC IMPLICATIONS

Council is aware of the implications of raising a Biosecurity Levy for the East Kimberley. This report is not to discuss the benefits of the levy but to discuss the capping of the levy.

If Council is to cap the levy then it will have an additional \$50,000 to put into strategic projects for the 2007/2008 budget.

COMMUNITY CONSULTATION

Nil

COMMENT

The Shire of Wyndham East Kimberley has many pressures over the allocation of limited resources throughout the community. Council needs to make the decision if it wishes to allocate more resources to this Reserve or allow the interest to compound and the Reserve will increase through this mechanism.

This report is not to discuss the positives or negatives of the Biosecurity Levy; it is simply for Council to decide on a cap to the levy.

In the 2006/2007 budget Council allocated 1.3% of its rates income towards the Biosecurity Levy. In 2007/2008 as the rates base increases it will allocate between 1% – 1.3% of its rates income towards the Bio Security Reserve fund.

The issue of capping the Biosecurity Levy was considered by Council's Audit Committee at its Committee meeting on Tuesday 13th March 2007. The Audit Committee recommendation to Council is included with this report along with the Officer Recommendation.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council cap the Biosecurity Reserve at \$100,000 and do not raise a Biosecurity Levy through rates in the 2007/2008 budget.

AUDIT COMMITTEE RECOMMENDATION

Moved: Cr Keith Wright

Seconded: John Buchanan

That it be recommended to Council that the Biosecurity levy continue until such time as the Bio Security reserve attains \$200,000.

Carried: 3/1

COUNCIL RESOLUTION

Moved: Cr J. Buchanan

Seconded: Cr J. Parker

AUDIT COMMITTEE RECOMMENDATION

Moved: Cr Keith Wright

Seconded: John Buchanan

That Audit Committee Recommendation to Council that the Biosecurity levy continue until such time as the Bio Security reserve attains \$200,000 be adopted.

Carried: 3/1

Cr Middap foreshadowed the following motion:

That a plan on how the Bio Security reserve will be used and for what pests it will be used is drawn up.

Cr Middap withdrew the foreshadow of motion.

Cr Buchanan and Cr Parker withdrew the Audit Committee recommendation.

COUNCIL RESOLUTION

Minute No. 7687

Moved: Cr J. Buchanan

Seconded: Cr J. Parker

That Council consults with the Chairman of the Ord Guard Committee regarding how Bio Security funds would be used and under what circumstances.

Carried Unanimously: 7/0

Peter Stubbs, Yale Bolto, Karyn Apperley, Keith Williams, Amanda Trengove, Kelly Fewster and Katya Tripp of the Shire of Wyndham East Kimberley left the meeting room at 7:11pm.

Alex Douglas declared a financial interest in Item 12.3.8 and left the meeting room at 7:11pm.

12.3.8 Retention of Contract Staff

DATE:	20 March 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:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

To discuss implementing a policy that addresses the issues of retention of contract staff who are entitled to Council housing and reduction in the housing shortage.

BACKGROUND

Council currently provide Council owned housing for some positions within the contract staff team. At present all of the houses owned by the Council have a position allocated to that property. We also have a staff member who is eligible to live in a Council owned house but is living in their own home and receiving a housing allowance and another staff member living in a house that is rented by the Council for that position.

We have two houses that have been ear marked for upgrade this financial year.

Staff retention remains an issue within contract staff, with four out of the twelve positions that are provided housing turning over within the next 4 months.

The attached Draft Policy is intended to both improve staff retention and to relieve the housing shortage within the Shire. This policy is not intended as a tool to sell off council property rather to increase Economic Development within the Shire of Wyndham East Kimberley.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Expenses -\$12,000 cash in hand expense plus PAYG or FBT depending on employees' contract type as negotiated under the expertise of the Executive Manager Corporate Services.

Savings - Relocation, Corporate Knowledge and Economic Development will incur savings, however placing a value on this is difficult.

Total cost to Council will vary depending on marginal tax and Fringe Benefits rates but with current tax rates, Fringe Benefits Rates and Fringe Benefits Gross Up rates it will not exceed \$17,500.

STRATEGIC IMPLICATIONS

Nil

COMMENTS

Encouraging contract staff to purchase property within the Shire of Wyndham East Kimberley has two enormous benefits to Council and the growth within the Shire of Wyndham East Kimberley

Firstly, if contract staff are encouraged to purchase a property in which to live in they are more likely to think of the Shire of Wyndham East Kimberley as their place of permanent residence. This would increase the chance of those staff members staying in their position for the full duration of their contract and longer.

Secondly, if Council are able to sell a property with the intention of reinvesting that money into building another property within the Shire the number of houses available in the community increases.

These benefits place the Shire of Wyndham East Kimberley as a leader in encouraging Economic Development within the building sector and as an Employer of choice within the Professional Employment Market. Whilst the Broome Shire offers an opportunity for staff to purchase or rent their own property they do not also offer the choice as we do for employees to Salary Sacrifice rental payments of Shire owned property.

As tax rates and Fringe Benefits Rates and Gross Ups are changing every two to three years it would be prudent to review this policy every two years.

ATTACHMENTS

Draft Retention of Contract Staff Policy

AUDIT COMMITTEE RECOMMENDATION

The Audit Committee recommend that staff present the proposed Retention of Contract Staff Policy to Council for adoption.

Moved: KW

Seconded: JB

The Audit Committee recommend that staff present the proposed Retention of Contract Staff Policy to council for adoption, with the

following word changes to point 2 of the proposed policy; The employee provides a certificate of title to the Executive Manager of Corporate Services with the name of either the employee or a representative entity of which the employee is a recognised beneficiary on the title.

Vote: 3/2

Motion passed with the casting vote from the Chair.

RECOMMENDATION

That Council accept the Retention of Contract Staff Policy with changes as recommended by the Audit Committee.

COUNCIL RESOLUTION

Minute No. 7688

Moved: Cr M. Middap

Seconded: Cr J. Parker

- 1. That Council do not accept the Retention of Contract Staff Policy with changes as recommended by the Audit Committee.**
- 2. That the item be presented at a Briefing Session for further discussion and clarification with Councillors.**

Carried Unanimously: 7/0

Peter Stubbs, Yale Bolto, Karyn Apperley, Keith Williams, Amanda Trengove, Kelly Fewster and Katy Tripp returned to the meeting room at 7:15pm.

Alex Douglas returned to the meeting room at 7:15pm.

POLICY No:	HR 21
DIVISION:	Human Resources
SUBJECT:	Retention of Contract Staff
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995 Section 5.36

OBJECTIVE

To improve retention of contract staff within the Shire of Wyndham East Kimberley whilst at the same time making a positive contribution to relieving the housing shortage in the Shire of Wyndham East Kimberley.

POLICY

Staff who are eligible to have a Council residence provided to them through their contract of employment are:-

Chief Executive Officer
 Executive Manager Corporate Services
 Executive Manager Engineering & Development
 Executive Manager Community Services
 Manager Financial Services
 Manager Technical Services
 Town Planners
 Building Surveyors
 Environmental Health Officers
 Wyndham Operations Coordinator
 Wyndham Child Care Coordinator

The above listed staff will be given the option of residing in a Council owned house and paying rent to Council at 40% of the Gross Rental Value. The contract employee who is entitled to a Council residence will be given the option to purchase their own property within the Shire of Wyndham East Kimberley. If it is used as their permanent place of residence the staff member will receive an increase in salary to the after tax value of \$12,000 to compensate for that choice. The increase in salary, of \$12,000 tax free, will replace the \$8000 housing allowance. The employee must first contact the Executive Manager of Corporate Services to ensure that the cost to Council will not exceed \$17,500 in PAYG or FBT including the \$12,000 tax free payment. This amount (\$12,000) will be made payable to the employee through payroll on a fortnightly basis when -

1. The employee moves out of their Council owned residence.
2. The employee provides a certificate of title to the Executive Manager of Corporate Services with the name of either the employee or a representative entity of which the employee is a recognised beneficiary on the title.

ADOPTED:

12.4 COMMUNITY SERVICES

12.5 CHIEF EXECUTIVE OFFICER

12.5.1 Kimberley Economic Forum

DATE:	17 April 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Broome
ATLAS REFERENCE:	N/A
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider supporting representation at the Kimberley Economic Forum to be held in Broome, Wednesday 2 May 2007.

BACKGROUND

The 2007 Kimberley Economic Forum is an initiative of the Broome Chamber of Commerce and is driven by a desire for the business sector to obtain the very latest information on industry trends and major developments in the Kimberley Region. It is intended for the forum to become an annual event.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

\$154 registration per delegate plus airfares and two night's accommodation to come from CEO professional Development and Councillor Training and Conferences.

STRATEGIC IMPLICATIONS

Key Result Area 3 - Economic Development
Goal 2 – Business Development

COMMENT

The attendance of the Chief Executive Officer and the Shire President is recommended.

Issues will be addressed at the forum include economic development primary production, responsible management and resources and innovation.

The forum will also provide an opportunity for networking with key public and private sector representatives from a range of industry sectors.

ATTACHMENTS

Kimberley Economic Forum Registration Brochure

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the Shire President and the Chief Executive Officer represent the Shire of Wyndham East Kimberley at the Kimberley Economic Forum, to be held in Broome on Wednesday 2 May 2007.

COUNCIL RESOLUTION

Minute No. 7689

Moved: Cr R. Devenish-Meares

Seconded: Cr D. Ausburn

- 1. That the Shire President and the Chief Executive Officer represent the Shire of Wyndham East Kimberley at the Kimberley Economic Forum, to be held in Broome on Wednesday 2 May 2007.**
- 2. That the 1 May Briefing Session be moved to the 8 May 2007.**

Carried Unanimously: 7/0



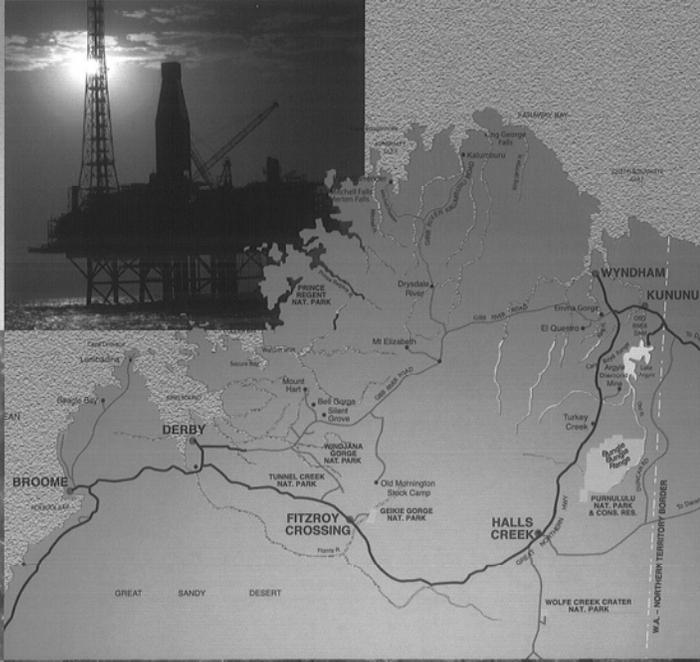
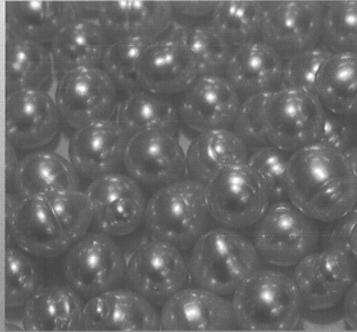
Kimberley Economic Forum

'Shaping Our Future'

An initiative driven by the Broome Chamber of Commerce



REGISTRATION BROCHURE



Cable Beach Club Resort
Sam Male Room
Wednesday 2nd May 2007



Kimberley Economic Forum

'Shaping Our Future'

It is with great pleasure that I introduce to you the 2007 Kimberley Economic Forum. This event is an initiative of the Broome Chamber of Commerce and driven by a desire to provide an opportunity for the business sector to obtain the very latest information on industry trends and major developments in the Kimberley region.

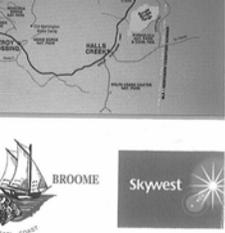
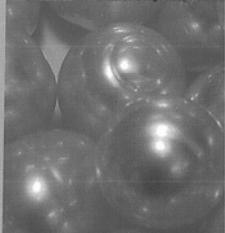
In terms of the programme we have endeavoured to provide both geographical balance and diversity of industry to ensure the event reflects a truly regional perspective. The event has received great support through both the public and private sector and we are optimistic that many new partnerships across a range of industry sectors can be forged through this event.

You have a great opportunity to be a part of this unique forum, which brings together many highly qualified and experienced speakers that would normally be restricted to the capital cities.

This is a first for the Kimberley region and I therefore strongly urge you to register for participation in what promises to be an informative and rewarding day. The event brings together many industry leaders and decision makers in the Kimberley region and combined with the opportunity to engage with major industries is one not to be missed.

I trust I will see you there on the day and look forward to what will be an important event in the annual business calendar.


Patrick Imbert
President
Broome Chamber Of Commerce



Official Programme

Wednesday 2nd May, 2007

- 7.30 am Registration Desk Open
8.30 am Arrival Coffee
Master of Ceremonies - George Manning
8.50 am Welcome Address
Patrick Imbert - President of Broome Chamber of Commerce
- Session 1 – Economic Development And Community Outcomes**
9.00am David Parker – Director, Chamber of Minerals & Energy WA
Session Introduction
9.10 am Tim O’Neill – Regional Participation Manager, Argyle Diamond Mine
Increased development and local employment initiatives
9.35 am Niegel Grazia - General Manager, Project Facilitation Woodside
Balancing organizational goals with community expectations
10.00 am Shaun Kildare – Group Manager External Affairs, Inpex
Resource developments and community benefits
10.25 am Session 1 Panel – Questions and Answers
10.45 am Morning Coffee Break
- Session 2 – Primary Production**
11.05 am Paul Platt – Project Manager, Department of Industry and Resources
Ord Stage 2 – What the future holds
11.25 am Daniel Fels – Agribusiness Market Analyst, BankWest
AgEconomics
11.45 am Jack Burton and Philip Hams – Yeeda Station
Pastoral – The changing landscape
12.05 am Justin Bellanger – Manager Tropical Research and Development, Fisheries WA
Aquaculture – Dreams or reality
12.25 pm Session 2 Panel – Questions and Answers
12.45 pm Lunch
- Session 3 – Responsible Management and Industry Growth**
1.30 pm Steve Crawford – Director Policy and Planning, Tourism WA
Australia’s North West Tourism – Opportunities and pitfalls
1.50 pm Joanne Paprocki – Deputy State Director, Department of Foreign Affairs and Trade
Trade – Taking the Kimberley to the world
2.10 pm Peter Fairclough – Executive Director, Telstra Country Wide
Communications and Technology – Staying ahead of the game
2.30 pm Ian Murchison – Director, Foundation Capital
Venture capital
2.50 pm Session 3 Panel – Questions and Answers
3.10 pm Afternoon Tea Break
- Session 4 – Resources and Innovation**
3.30 pm Senator Bill Heffernan – Liberal Senator for New South Wales
Water – Our precious natural resource
3.50 pm Mark Jonker – Project Manager, Energy Developments
Power generation and the future – alternative sources, emerging trends
4.10 pm Ron Sedon – Business Manager of Hospitality, Hawaiian
Building techniques and sustainable housing
4.30 pm Session 4 Panel – Questions and Answers
4.50 pm Closing Address
Patrick Imbert - President of Broome Chamber of Commerce
5.30 pm Networking Cocktail Party – Sam Male Verandah



Justin Bellanger Jack Burton Pat Imbert Peter Fairclough Ron Sedon Nigel Grazia



Kimberley Economic Forum

'Shaping Our Future'

PASTORAL - TOURISM - MINING - PEARLING - AGRICULTURE

David Parker – Director, Chamber of Minerals & Energy WA - David Parker is the Director, Policy and External Relations at the Chamber of Minerals & Energy. He is responsible for the CME's Government and Public Affairs, Competitiveness, Land Access and Environment portfolios. He is also the Secretary of the CME's Goldfields-based, Eastern Regional Council, CME representative on the State Ministerial Council on Local Content and CME representative on the ISOWA Advisory Board. He holds a Master of Business Administration from Monash University, Melbourne and a Bachelor of Business degree from Curtin University.

Tim O'Neill – Regional Participation Manager, Argyle Diamond Mine - Tim O'Neill is the Regional Participation Manager of Argyle Diamonds and has the challenging role of managing Argyle's interface with the local East Kimberley community where the mine is located. This encompasses community relations; work readiness of newly recruited staff; Indigenous employment issues; local business development; communications planning; and housing. He is also Co-Chairperson of the Traditional Owner Relationship Committee and has over 20 years experience in the mining industry.

Nigel Grazia – General Manager, Project Facilitation Woodside Energy Ltd - Nigel Grazia is the General Manager – Project Facilitation - and has worked at Woodside for the past 7 years in the Government and Public Affairs disciplines. His assignments have covered Woodside's interests in the Timor Sea, West Africa and most recently the Pluto LNG Project in the Pilbara. As General Manager, Project Facilitation, Nigel is now responsible for the government and public affairs elements of Woodside's emerging LNG opportunities including the Browse LNG Development.

Shaun Kildare - Group Manager External Affairs, Inpex - Inpex has been involved in oil and gas for more than four decades and has many interests around the world. Inpex is planning to develop world class gas and condensate reserves in the Browse Basin, 200 kilometres off the Kimberley coast. This is a ground-breaking project offering significant growth opportunity for the Kimberley. The Kimberley LNG Project proposes an offshore facility, subsea pipeline, a land based liquefied natural gas (LNG) plant and LNG shipping facilities. The preferred location for this LNG plant is the unoccupied Maret Islands in the Shire of Wyndham East Kimberley.

Paul Platt – Project Manager, Department of Industry and Resources - After fourteen years in the private sector, located in rural Australia, Paul joined the State Government. His main role within the Department is to progress economic development opportunities associated with Western Australia's natural resources. This includes identifying suitable areas for downstream processing and associated community infrastructure, obtaining Government approvals, liaising with project proponents and local stakeholders and seeking funding for multi-user and community infrastructure. Specific projects include the industrial areas in the Pilbara and infrastructure support for the Ravensthorpe Nickel Project. Paul joined the Ord Project in April 2006.

Daniel Fels – Agribusiness Market Analyst, BankWest - BankWest Agribusiness Market Analyst Daniel Fels is a qualified agribusiness specialist with more than 15 years experience in economic analysis. He has worked for BankWest since 2001 and produces the annual BankWest Benchmark Survey. This respected survey draws on a range of financial and production performance measures that assist WA farmers in identifying areas where farm profitability can be improved. With an agribusiness career across both government and private sectors, Daniel has two degrees and a Masters in the areas of Economics and Science. This formal knowledge coupled with his practical experience makes him sought after for his understanding of Agri Economics.

Jack Burton – Pastoralist - Jack Burton is a horticulturalist and pastoralist who developed Killo Station into a substantial horticultural and fodder business. In 2000 Jack entered into a partnership and purchased the neighboring property "Yeeda Station" and "Mt Jowlaenga Station". In 2003 he purchased four properties (Springvale, Texas, Alice Downs and Mabel Downs) in the east Kimberley and this has taken the total cattle numbers to more than 50,000. Jack is interested in vertically integrating the breeding of cattle to value add the sale animals to suit the higher-valued segments of the live export market. He is eventually looking to produce a clean, green, high quality, boxed product encompassing all production aspects from conception to consumption, without leaving the Kimberley. Jack completed a Rangelands Management Course at the University of Arizona, USA and was awarded the Minister for Agriculture Fellowship in 1989.

Justin Bellanger – Manager Tropical Research and Development, Fisheries WA - Justin Bellanger is an Aquaculture Research and Development Officer with the Department of Fisheries in Broome. In this role he provides services to aquaculture proponents across the Kimberley. Justin commenced with Fisheries WA in 1996 and has authored or co-authored more than 30 publications for the aquaculture and the fishing industries. He relocated to Broome in September 2003 bringing with him wide ranging experience with development and support for the aquaculture industry. Justin has formal qualifications in his field with a Bachelor of Science with a double Major in Zoology and Marine Biology, a First Class Honour degree in Aquaculture from James Cook University of North Queensland, and recently completed a PhD in Aquaculture through the University of WA.

Steve Crawford – Director, Policy and Planning Tourism Western Australia - Steve Crawford is currently the Director Policy and Planning for Tourism Western Australia – the State's tourism authority charged with the responsibility for marketing and developing tourism in Western Australia. Having worked in the tourism industry for the past 25 years, Steve has a wealth of experience in such areas as research, marketing, product development, visitor servicing, and planning and infrastructure development. He has represented the Government on numerous State and National committees and taskforces in such areas as Indigenous tourism, ecotourism, backpacking, cultural tourism and cruise shipping. He is a recognized leader in developing environmental sensitive tourism. He holds four tertiary level qualifications including an MBA and is currently completing a doctorate in business administration.

Joanne Paprocki – Deputy State Director, Department of Foreign Affairs and Trade - Joanne Paprocki is currently the Deputy State Director of the Department of Foreign Affairs and Trade in Western Australia. She has been working for the Australian Government for almost 10 years, with a focus on international business - specializing in export strategies, investment attraction, trade negotiations and trade finance. She has a B.Com from UWA, a BA in Language Studies from ECU and a M. Mgt from ANU.

Peter Fairclough - Executive Director, Telstra Country Wide - Peter Fairclough is currently Executive Director of Telstra Country Wide in Western Australia leading a team of regionally based employees who are dedicated to working with Telstra's regional customers and communities. In WA Telstra has over 600,000 customers and generates well over \$1 billion in revenue each year, employs over 3,000 people located from Kununurra to Esperance and over the last 5 years Telstra's capital expenditure in WA has ranged from \$350-500 million per annum. It is estimated Telstra's impact on the WA economy is approximately \$3.4 billion a year. Prior to joining Telstra Peter had a long association with the WA minerals and resources industry.

Ian Murchison – Investment Director, Foundation Capital - Ian Murchison is a founding shareholder and investment director of Foundation Capital, a Western Australian venture capital and private equity investment funds manager. Since 1994 Foundation has made over 40 investments totaling over \$100 million in Western Australian companies. In 2001 Foundation Capital was awarded an Innovation Investment Fund licence by the Australian Government. Ian Murchison has over 30 years experience in the establishment and funding of private and publicly listed companies including many of W.A.'s most successful industrial companies including Austal Limited, Allight Pty Ltd and Kinetic Limited. He was formerly the Chairman of directors of Mount Romance Australia, a pioneer of the Australian sandalwood oil industry. He is also a director of the listed companies TFS Corp Ltd (a Kununurra based sandalwood plantation developer) and Atlas South Sea Pearls.

Senator Bill Heffernan – Liberal Senator for New South Wales - Bill Heffernan was appointed to the Senate on 18 September 1996 and has held the positions of Deputy Government Whip, Parliamentary Secretary to Cabinet and is currently Chairman of the Senate Standing Committee on Rural and Regional Affairs and Transport. On 25 January 2007, Bill Heffernan was appointed Chairman of the Prime Minister's Taskforce to examine the potential and opportunities for further land and water development in Northern Australia. Senator Heffernan brings to the Senate a wide range of experience and this is reflected by his extensive understanding and knowledge of rural and regional issues.

Mark Jonker – Project Manager, Energy Developments - Mark Jonker is currently project managing the engineering, procurement, construction and commissioning of the Power Facilities component of the West Kimberley Power Project (WKPP). The WKPP is owned and operated by Energy Developments for a 20 year term and provides gas fired power generation to the towns of the West Kimberley. Mark has completed a bachelor's degree in mechanical engineering and has also completed a diploma in financial economics and markets. He has worked in a number of roles within the domestic and international energy industry with his core skills covering financial analysis, project engineering and project management.

Ron Sedon – Business Manager of Hospitality, Hawaiian P/L - A veteran of 25 years in the Hospitality industry, Ron's background in Hotel & Hospitality management extends as far afield as New Zealand, Queensland, NSW, W.A. & South Australia. Ron currently oversees the financial and strategic development and direction of Western Australia's iconic Cable Beach Club Resort as the resort's General Manager. Ron's portfolio also encompasses the role of Business Manager - Hospitality on behalf of parent company Hawaiian Management, overseeing the strategic development of subsidiary companies Eco-Structures P/L & Ecommodation P/L. Both Ron and Hawaiian have taken the view that establishment of a suitable alternative to more traditional accommodation models in regional areas will prove absolutely fundamental to meeting local economic development whilst simultaneously protecting the delicate balances of nature and indigenous culture.

PASTORAL - TOURISM - MINING - PEARLING - AGRICULTURE

Kimberley Economic Forum

'Shaping Our Future'



12.5.2 Genetically Modified Crops

DATE:	17 April 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	42.09.01, 50.11.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider establishing a formal position on the issue of Genetically Modified crops given the wider Australian debate on this issue and the relevance it may have to the future of agriculture in the East Kimberley region.

BACKGROUND

The issue of Genetically Modified (GM) crops continues to receive considerable public debate in Western Australia, as indicated by the example media coverage attached to this report.

The GM crop issue often covers commentary on the Ord River Irrigation Area.

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

GM cotton has been grown on a research basis in the Ord Irrigation Area under permit and supervised by the State Department of Agriculture and Food for the past 12 years. Summary details of the findings from that research are attached to this report. 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.

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 broadacre crops. Sustainable broadacre crops are likely to be the driver of agriculture for the expansion for the Ord Irrigation Area, if it is 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.

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

Cotton is a further broadacre 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 broadacre crops to be important and sustainable industries.

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

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.

There is a naïve belief in some circles that the GM Moratorium will be overturned when it's reviewed in 2008 and therefore GM cotton will be grown in Ord Stage 2. This logic is fundamentally flawed because there is no evidence of political will to cancel the moratorium and without tangible support for change, change is unlikely.

It is not possible or appropriate to speculate on what crops will grow in the proposed M2 area; 16,000 ha expansion currently before the State Government as a result of the Expression of Interest process. However, GM crop opportunities have been excluded from consideration.

It has been suggested that debate about GM policy is best left aside until the current sugar industry in the Ord River Irrigation Area expands and consolidates. This view implies that cotton and sugar may be competitive and mutually exclusive. While the sugar industry is currently lacking business critical mass, its prospects are good and, should it develop to the point of cogeneration of power, for which there are good prospects, this changes the economic situation favourably for the industry. It can be further sustained if biofuel and or ethanol production can be introduced was well.

Sugar cane is also the subject of genetic modification and its future profitability may depend on GM technology. There are two research projects currently underway in Queensland. One project, managed by the Bureau of Sugar Experiment Stations, aims to improve water and nitrogen use efficiency. The other project, developed by the University of Queensland with CSR, enables the plant to produce a high value isomer of sucrose called isomaltulose. If successful and approved, these GM sugar cane varieties would be grown in Queensland, but not permitted in WA due to the moratorium.

Notwithstanding arguments to the contrary, it is considered that if Council is to meaningfully engage with the State and Commonwealth on the future of the region it should establish a formal position on the GM issue.

It is therefore recommended that Council request the State Government of Western Australia to review 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.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

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.

COUNCIL RESOLUTION

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

12.5.3 Yardungarrl Land

DATE:	17 April 2007
PROPONENT:	Department for Planning and Infrastructure
LOCATION:	Old Duncan Road, South East of Kununurra
ATLAS REFERENCE:	Map 29
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	N/A
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a request by the Department of Planning and Infrastructure to have a proposed Lot 997 created, as an 'Access Way' through Yardungarrl Land to be transferred freehold to the Yawoorrong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (Miriuwung Gajerrong Corporation), as agreed in the Ord Final Agreement and for this 'Access Way' to be vested to the Shire of Wyndham East Kimberley.

BACKGROUND

The Ord Final Agreement signed in October 2005 details numerous land exchange agreements between the State Government of Western Australia, Miriuwung Gajerrong Corporation and other parties.

The Shire of Wyndham East Kimberley is not a signatory to the Agreement and was not asked to be a signatory.

The Yardungarrl land subject to the Agreement is 52,807 Ha. It is currently Crown Land and is proposed to be transferred as freehold land owned by the Miriuwung Gajerrong Corporation. The proposed Access Way through this land appears to be in the vicinity of 26 Km in length.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Unclear

STRATEGIC IMPLICATIONS

Increased freehold land in the region is seen a positive development.

COMMENT

It is anticipated that there will be a number of access way and road implications emanating out of the Ord Final Agreement that Council will be asked to consider. This highlights the oversight of the Shire of Wyndham East Kimberley Council not being included in the development of the Ord Final Agreement and being a signatory to it.

There are number of issues not the clear in regards to the Department's request.

Clarification from the Grants Commission is being sought as to what if any increased funding allocation would be made to Council should it accept a Management Order for the proposed access way .

Should Council accept the vesting of Lot 977 as a proposed Access Way it would mean that Council is responsible for its care, management, and control of the access way. That is an added responsibility and liability for Council and the community. Consistent with the sustainability issues associated with Local Government, it is advised that Council should only accept this sort of increased responsibility and liability if appropriate funding is provided to support this.

It is not clear what the intended purpose of the proposed freehold Yardungarrl land is to be. The Miriuwung Gajerrong Corporation have recently been enquiring with the Shire about rate exemptions for other freehold land (for example the former Main Roads Depot site in Bandicoot Drive, Kununurra) as part of the Ord Final Agreement, on the basis of the Corporation being a 'charitable purpose'. The Shire administration has declined this request, but it is in dispute and needing legal clarification at present. This raises the prospect of the Corporation seeking rate exemptions from this Yardungarrl land in the future as well. Should rate exemption apply, then funding to support to care, maintenance and control of the access way would not come from this source of funding.

Given that:

1. Council was not involved in the development of the Ord Final Agreement;
2. Council is not a signatory to the Agreement;
3. Consistent with sustainability issues for Local Government, and the lack of clarity about funding to support the care, maintenance and control of any Access Way;
4. It is unclear if the Yardungarrl land will be subject to rates to support the care, maintenance and control of any Access Way;
5. It is unclear what the land will be used for; and
6. It is unclear why the other agencies such as the Department of Planning and Infrastructure should not be responsible for the Access Way,

the Department of Planning and Infrastructure should be advised that there is insufficient information at present for Council to consider accepting a Management Order over the Department's proposed creation of Lot 997 as an 'Access Way' through what is known as Yardungarrl land under the Ord Final Agreement.

ATTACHMENTS

1. Email from Department of Planning and Infrastructure titled Ord Final Agreement Yardungarrl Land Transfer and Associated Matters - Kununurra, 1 March 2007.
2. Letter from the Department of Planning and Infrastructure titled Ord Final Agreement Yardungarrl Land Transfer and Associated Matters- Kununurra, 4 April 2006.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council advise the Department of Planning and Infrastructure that there is insufficient information at present for it to consider accepting a Management Order over the Department's proposed creation of Lot 997 as an 'Access Way' through what is known as Yardungarrl land under the Ord Final Agreement.

COUNCIL RESOLUTION

Minute No. 7691

Moved: Cr J. Buchanan

Seconded: Cr M. Middap

That Council advise the Department of Planning and Infrastructure that there is insufficient information at present for it to consider accepting a Management Order over the Department's proposed creation of Lot 997 as an 'Access Way' through what is known as Yardungarrl land under the Ord Final Agreement.

Carried Unanimously: 7/0

Peter Stubbs

From: Andrioff, John [John.Andrioff@dpi.wa.gov.au]
Sent: Thursday, 1 March 2007 1:12 PM
To: Peter Stubbs
Subject: Ord Final Agreement - Yardungarrl Land Transfer & Associated Matters, Kununurra
Attachments: SCAN3008_000.tif



SCAN3008_000.tif
(120 KB)

Good afternoon Mr Peter Stubbs,

My name is John Andrioff acting Team Leader within the Ord Stage Two team here at Department for Planning and Infrastructure (Midland Office) and the reason for this message is to obtain confirmation as to whether the Shire of Wyndham/East Kimberley has received feedback from the Grants Commission in relation to Shire accepting Management Order over Lot 997 on Deposited Plan 37024 following reservation. It is proposed to set aside this area as a reserve for the purpose of "access way".

The attachment below has copies of our agency's previous correspondence dated 4 April 2006, Deposited Plan identifying Lot 997 and the whole of the Yardungarrl land transfer and finally a copy of your email response dated 11 April 2006 regarding this particular matter.

Please be advised that our records indicate that a response from Shire regarding this matter has not been received to date.

At your earliest convenience it would be appreciated if your office was able to confirm whether Shire has obtained approval for additional funding will be provided via the Grant Commission for the maintenance of the proposed "Access Way" stated above.

Hopefully this information is sufficient for your record purposes.

If you require any further information regarding this matter, please do not hesitate to contact me on telephone (08) 9347 5183, fax (08) 9347 5002 or email address at john.andrioff@dpi.wa.gov.au

Regards

John Andrioff
Acting Team Leader
Ord Stage Two - Kimberley Region
State Land Services
Department for Planning and Infrastructure



Department for Planning and Infrastructure
 Government of Western Australia
 State Land Services - Kimberley Regional Office

Your ref: 52218 : 01.8271.02 : TP357
 Our ref: 1558-1999 Job No 054489
 Enquiries: Jennifer Ninyette
 Ph: (08) 9168 0603 Fax: (08) 9168 0600
 Email: Jennifer.Ninyette@dpl.wa.gov.au

Doc No.	057800
Date	26 MAR 2007
Officer	TP CEO
Response	RR
File	01.6271.02

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

Keith

Please Respond

Dear Peter,

APPLICATION TO LEASE UCL ADJOINING KING LOCATION 718

The Bell Springs Aboriginal Corporation has previously applied to lease the above-mentioned area of unallocated Crown land (UCL), shown highlighted red on the attached tenure plan, which adjoins their leasehold property King Location 718.

Their original application was to develop approximately 200ha of the land for irrigated horticulture, with ancillary uses of cattle and horse grazing and tourism, for which your agency previously provided comments. A copy of your previous response is enclosed for your reference.

Bell Springs have since revised their proposal and now plan to develop the land for horse breeding/rearing and tourism. They have also indicated that this may include minimal cattle grazing.

Development for the horse project will entail a small barn and horse enclosures, and is planned to be located in the north-west corner of the proposal area. The only clearing proposed will be for the fence lines for the paddocks, with the majority of the requested area to remain as natural bushland.

The tourism project, which is envisaged to include indigenous cultural horse treks, bush camp accommodation and a food outlet, is to be implemented at a later date and is expected to be located in the vicinity of the proposed horse paddocks.

This office would therefore appreciate your earliest comment and advice on the revised proposal.

If you require further information, please do not hesitate to contact this office on 91680603.

4489jn.doc

Cnr Bandicoot Drive and Messmate Way, Kununurra, Western Australia 6743
 Postal Address: PO Box 630, Kununurra, Western Australia 6743
 Tel: (08) 9168 0602 www.dpl.wa.gov.au ABN 40 996 710 314

08/07/07



Department for Planning and Infrastructure
Government of Western Australia

Ord Stage II

Your ref:
Our ref: 50223-2005 (Job No 061245)
Enquiries: Kevin Emrose Ph: (08) 9347 5085
Fax: (08) 9347 5005
Email: Kevin.emrose@dpl.wa.gov.au

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

Dear Sir

ORD FINAL AGREEMENT – YARDUNGARRL LAND TRANSFER AND ASSOCIATED MATTERS - KUNUNURRA

In a ceremony held in Kununurra on 6 October 2005 the then acting Premier Eric Ripper, MLA, signed the Ord Final Agreement (OFA) for and on behalf of the State of Western Australia. This Agreement is the culmination of two years of intense engagement between the respective parties and provides a compensation package for the Miriung Gajerrong people (MG Corp) in return for the acquisition, extinguishment and impairment of native title for agricultural development in the Ord Stage II project area. The Agreement also provides for the expansion of Kununurra Townsite by gaining consent to 'future acts' for the provision of residential, commercial and industrial lands.

Part of the above mentioned compensation package is the proposed transfer in fee simple of about 52,807 hectares of unallocated Crown land known locally as Yardungarri to Yawoorroong Miriung Gajerrong Yirrgab Noong Dawang Aboriginal Corporation. The proposed transfer is to be progressed under the provisions of section 74 of the *Land Administration Act 1997* (LAA), as stipulated under the OFA, where the land subject to the transfer is now depicted as Lots 994, 995 and 996 on Deposited Plan 37024. *(Note the boundaries of Lots 994 and 995 may be subject to change to reflect outcome of negotiations with the mining tenement applicant, area affected anticipated to be in the vicinity of the northern boundaries of these Lots.)*

Deposited Plan 37024 will also be utilised to:-

1. Create Lot 997, which will have a boundary 100 metres wide (50 metres either side of the formed track). It is proposed to set this area aside as a reserve for the purpose of "Access Way".
2. Create Lot 1003, which will remain as unallocated Crown land. Within this area are three mining leases, M80/227, M80/175 and M80/576.

1 Midland Square, Midland, Western Australia 6056
Postal Address: PO Box 1575, Midland, Western Australia 6936
Tel: (08) 9347 5000 www.dpl.wa.gov.au ABN 40 996 710 314

3. Create Lots 998, 999, 1000, 1001 and 1002, which will remain as unallocated Crown land. These areas abut a larger area of unallocated Crown land being the environs of Lake Argyle.
4. Support the placement of an easement over that portion of Lot 996 shown as © EASEMENT (20 metres wide) to protect access by the mining tenement holder (M80/227 – Stjepan Vuk) - located so as to contain the existing track.

Your early comments on the proposals to be supported by Deposited Plan 37024 would be most appreciated please. With regard to Lot 997 please advise whether Council is willing to accept a 'management order' over the land following reservation. A copy of draft Deposited Plan 37024 is attached for your convenience.

Yours sincerely



Kevin Emrose
A/Team Leader
Ord Stage II Project
4 April 2006

Encl

Emrose, Kevin

From: Emrose, Kevin
Sent: Tuesday, 11 April 2006 9:29 AM
To: 'Peter Stubbs'
Subject: RE: Ref 50223-2006

Mr Peter Stubbs, thank you for your early response on this matter. Your further advice, once Grants Commission stance is known, is awaited.
Regards.

Kevin Emrose
Acting Team Leader
Ord Project
PH 9347 5085
Facs 9347 5001

-----Original Message-----

From: Peter Stubbs [mailto:CEO@thelastfrontier.com.au]
Sent: Monday, 10 April 2006 5:17 PM
To: Emrose, Kevin
Cc: Dan Hulands; Steven Chadwick
Subject: Ref 50223-2006

Kevin,

Thankyou for your letter Ref 50223-2006 regarding the Ord Final Agreement Yardungarrl Land Transfer

In relation to Councils willingness to accept a Management Order over an easement over Lot 997 being an "Access Way" 100m wide, and about 30km in length I advise the following.

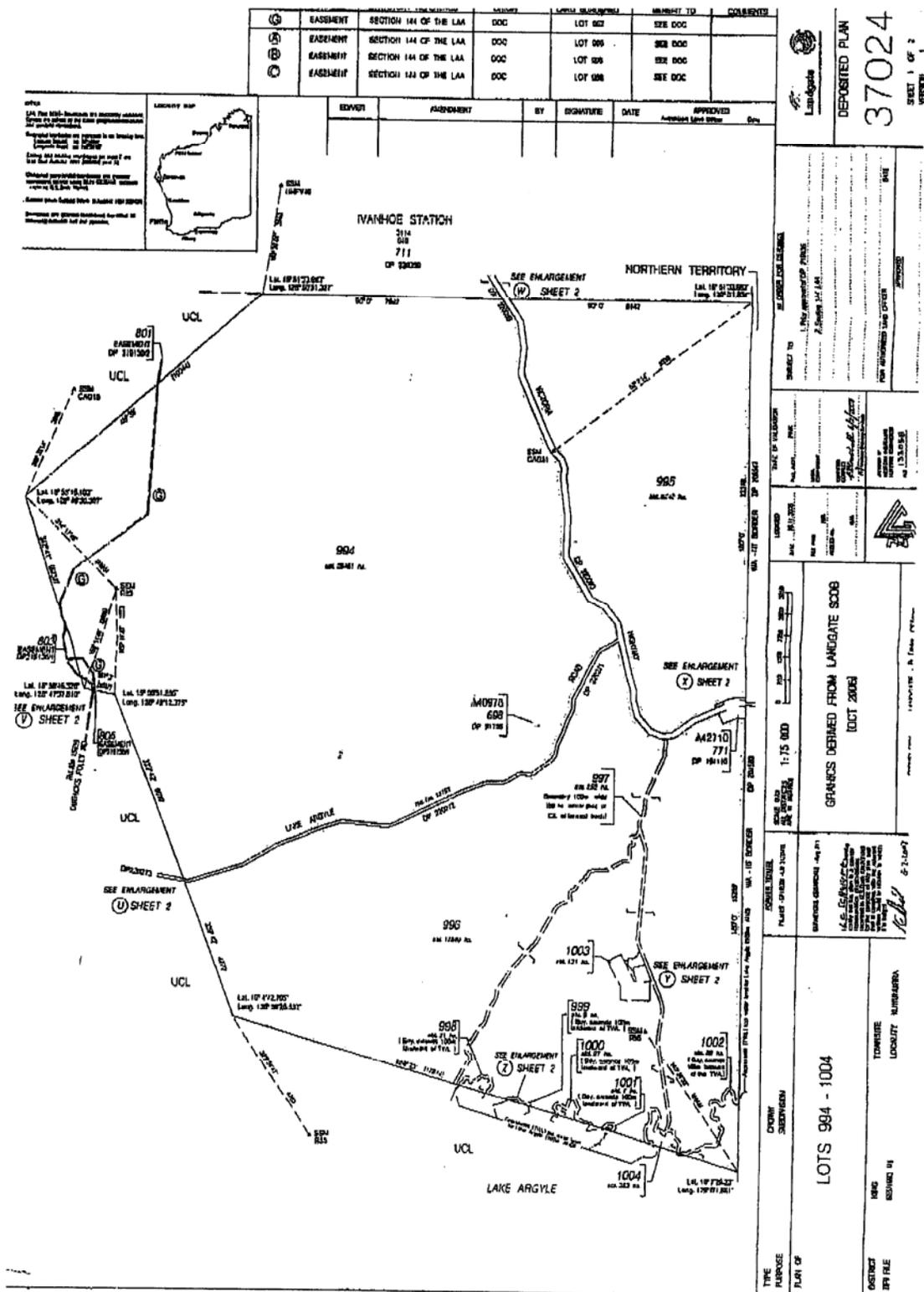
Presumably if Council accepts the Management Order it will be responsible for the *care, management and control* of the access way. That will come at a cost and increased liability to Council, and if Council agrees to accept this Order it is reasonable to assume that expectations about its standards will rise over time. Placing pressure on Council to upgrade it.

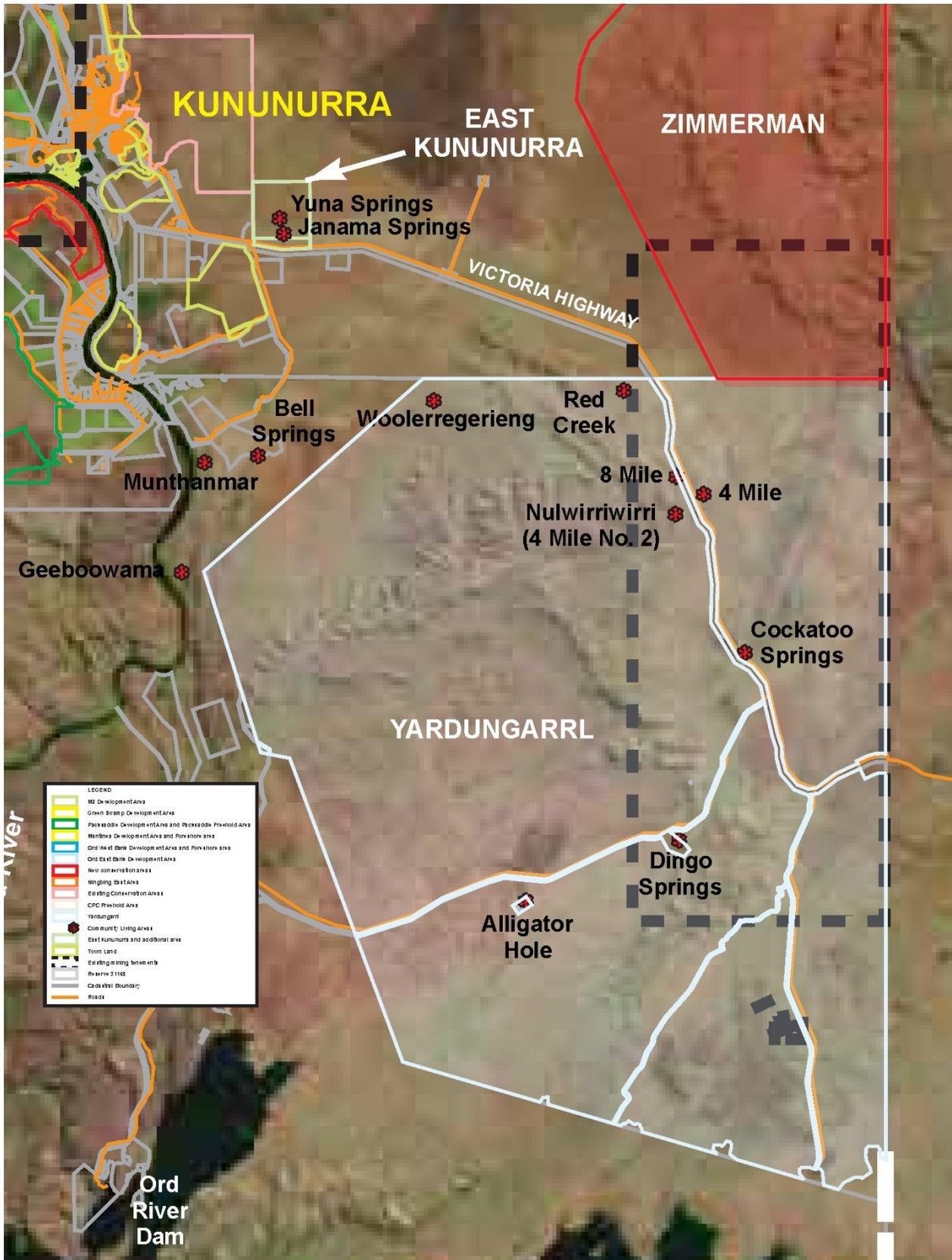
Council will therefore seek confirmation from the Grants Commission about what level of additional funding will be provided via the Commission for maintenance of this access way if it is to accept a Management Order.

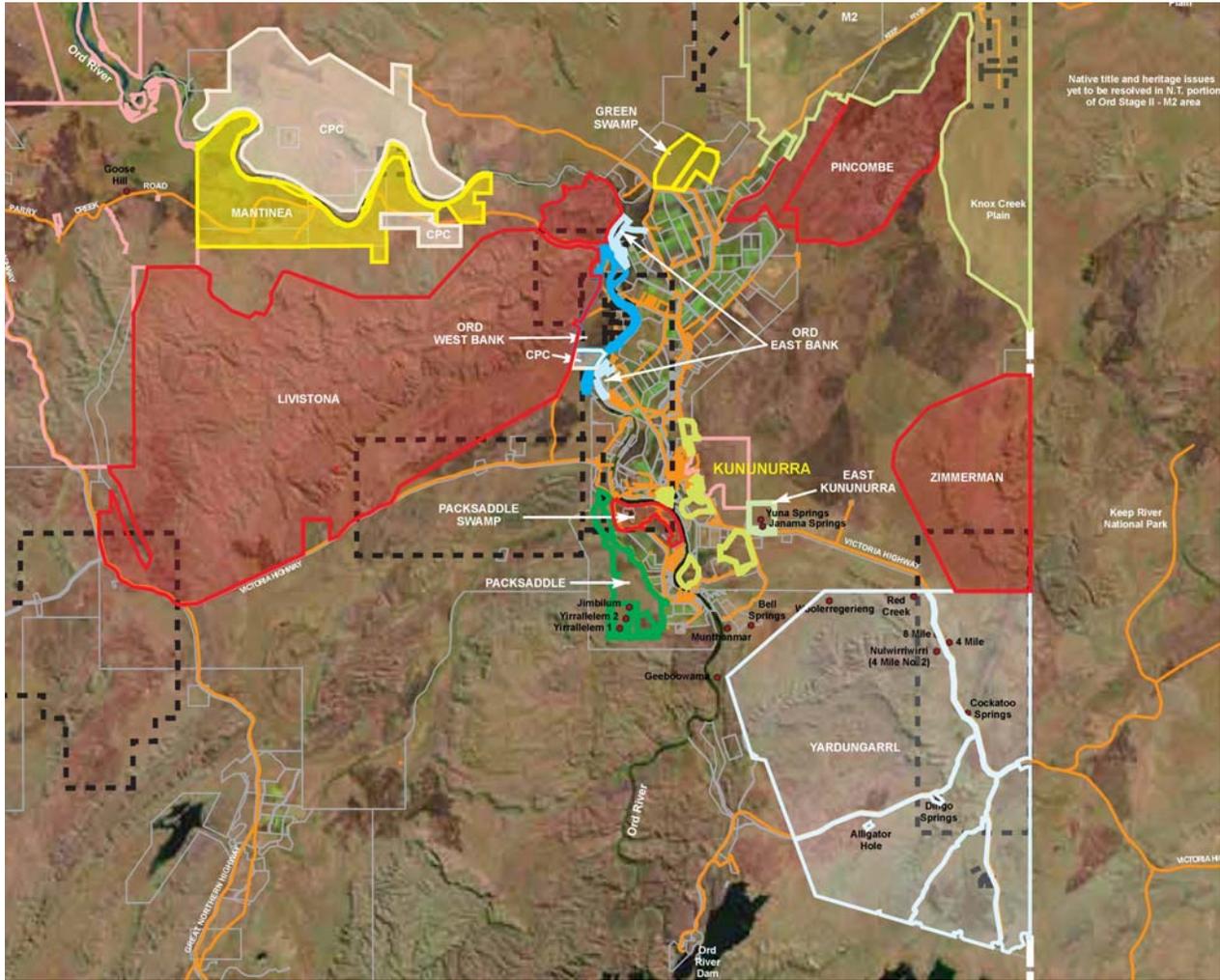
Further advice will be provide once the Grant Commission feedback is obtained.

Peter Stubbs
CEO
Shire of Wyndham East Kimberley
91884109
0417 952 629

11/04/2006







12.5.4 Delegated Authority Report

DATE:	17 April 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
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 March to 31 March 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

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

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

N/A

COMMENT

The attached reports outline use of Delegated Authority by relevant Council Officers for endorsement by Council.

ATTACHMENTS

Delegated Authority Report

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

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

COUNCIL RESOLUTION

Minute No. 7692

Moved: Cr D. Ausburn

Seconded: Cr J. Parker

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

Carried Unanimously: 7/0

DELEGATED PLANNING APPROVALS

1 MARCH 2007 TO 31 MARCH 2007

App/Del No.	Approval Type	Applicant	Owner	Property Address	Development	Asses. No.	Approval Date
07/07	P Devt	BC & BG Spackman	BC & BG Spackman	Lot 201 Cottontree Avenue	Variation to Existing Planning Approval	1041	08-Mar-07
08/07	P Devt	Kimberley Property Valuers	Trevor Loersch	Lot 140 Jilingbang Link	Home Occupation - Valuations Consultancy	2251	15-Mar-07
09/07	P Devt	Phill Rogers	PG & DA Rogers	Lot 51 Weaber Plains Road	Caretakers Dwelling	1670	23-Mar-07

12.5.5 Use Of Common Seal

DATE:	17 April 2007
PROPONENT:	N/A
LOCATION:	Shire of Wyndham East Kimberley
ATLAS REFERENCE:	N/A
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 1 March to 31 March 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:

- Contract of Employment Alex Douglas – 1 copy
- Transfer of Land Lot 100, Deposited Plan 54435 – 1 copy
- Contract of Employment Jesse Mortensen – 1 copy

STATUTORY IMPLICATIONS

Local Government Act 1995

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Strategy 3:

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

As does Goal 6 – Legislation:

Strategy 3:

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

COMMENT

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

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 1 March to 31 March 2007.

COUNCIL RESOLUTION

Minute No. 7693

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 1 March to 31 March 2007.

Carried Unanimously: 7/0

12.6 ELECTED MEMBERS REPORTS

Cr Di Ausburn – Councillor Report for March 2007.

Late February 2007: Met with Kevin Thompson regarding the East Kimberley regional and Wyndham Airports.

Attended the Thinking Drinking Conference held in Melbourne.

March 2007: LandCorp Future Planning Meeting.

Inpex Browse Ltd update held at the Country Club PowerPoint Presentation on all the studies that have been undertaken on the islands e.g. Turtle counting, plant species, lizards and tidal activities.

Fire Conference held at the Ord River Sports Club and Ariel display the previous day.

Use of Bambi Bucket and Water Bombing Plane.

Discussion on urgent requirement on suppression of fires in the district.

DEHAC Meeting held at the Hospital.

Broome Zone Meeting held in Broome Meeting with Shelley Archer, Carol Martin and Civic Legal.

KACC Meeting met at the All Seasons to discuss Funding applications for Kimberley projects.

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

COUNCIL RESOLUTION

Minute No. 7694

Moved: Cr D. Ausburn

Seconded: Cr M. Middap

That Council move into Camera for consideration of the report and motion by Cr Keith Wright regarding Council Meeting and Council Committee Minutes.

Carried Unanimously: 7/0



Shire of Wyndham East Kimberley Notice of Motion Form

To be completed and handed to the Chief Executive Officer at least three clear days prior to the Council meeting at which it is to be considered (Monday for a Thursday meeting).

DATE:	Thursday, 12 April 2007
SUBJECT:	Council meeting and Council committee minutes
PROPOSED BY COUNCILLOR:	Cr Wright
SIGNATURE:	

PURPOSE OF THE MOTION:

To enhance the appearance and accuracy of Council and Council committee meeting minutes placed in the public arena

BACKGROUND TO THE ISSUE:

Over a period of possibly up to 3 years there has been a gradual deterioration in the quality and accuracy of council minutes.

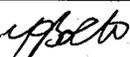
MOTION:

"That the CEO or other senior contracted officer physically check the Council meeting minutes for accuracy of both content and governance procedure before release to eliminate inaccurate, incomplete or incorrect minute publication being placed in the public arena, also that such checking will in no way detract from the requirement within the Local Government Regulations (reg 13) for unconfirmed minutes to be released within 10 working days following any Council meeting or 5 days in the case of a Council committee meeting."

COMMENT:

A few years ago the Shire of Wyndham East Kimberley was commended publicly at the Local Government Week forum for the "high quality of preparation of both agenda and minutes"

This quality presentation has diminished dramatically. The release of unchecked material into the public domain may very well promote the perception in the eyes of the public, as well as in the eyes of higher authorities that there is a lack of attention to detail within the administration of the Shire and a lack of understanding of good governance as outlined in the Local Government Act (and regulations)

RECEIVED IN OFFICE ON: BY (OFFICER'S SIGNATURE)	 12/4/07 (date)	(time) 4 pm
--	--	-------------

G:\Corporate Services\Council Meetings\Templates\Notice of Motion form.doc

The Chief Executive Officer was invited back into the meeting room at 7:35pm.

COUNCIL RESOLUTION

Minute No. 7695

Moved: Cr J. Parker

Seconded: Cr J. Buchanan

That the Chief Executive Officer provide written advice to elected members on actions taken to ensure accuracy of Minutes and Agendas.

Carried Unanimously: 7/0

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

Nil

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

COUNCIL RESOLUTION

Minute No. 7696

Moved: Cr D. Ausburn

Seconded: Cr J. Parker

That the Late Item 15.1 River Farm Road, Lot 208 – Reduce Setback be accepted.

Carried Unanimously: 7/0

Cr John Buchanan left the meeting room at 7:41pm.

15.1 Late Item - Riverfarm Road - Lot 208 - Reduced Setback

DATE:	17 April 2007
PROPONENT:	LG & FE Heading
LOCATION:	Lot 208 River Farm Road
ATLAS REFERENCE:	Map 37 E 5
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Peter Stubbs - Chief Executive Officer
FILE NO:	01.0106.02
ASSESSMENT NO:	0106

PURPOSE

For Council to consider granting Land Use and Development consent to an application from LG & FE Heading for a Nursery on Lot 208 River Farm Road Kununurra.

BACKGROUND

An application for the use and development of the land for a Nursery was received on the 11th of April 2007. After discussions with the applicant officers agreed to prepare a late item for Council to consider the application.

SITE LOCATION

The subject site is located on the southern side of River Farm Road. The lot has an area of 5.5648ha. The site is flat and has an existing house and small sheds. Surrounding land uses include predominantly agricultural and residential uses.

The property has frontage to Crown Land and the Ord River runs through the Crown Land.

PROPOSED LAND USE / DEVELOPMENT

The proposed development consists of a Nursery, constructed of cabled netting, as well as buildings used for a laboratory and offices and water tanks.

Lot 208 River Farm Road is not currently used for predominantly agricultural purposes, however, the Nursery is proposed to be a commercial nursery used for the growing and sale of plants to be cultivated on farms around the Ord Irrigation Scheme.

Plans of the proposed development are attached.

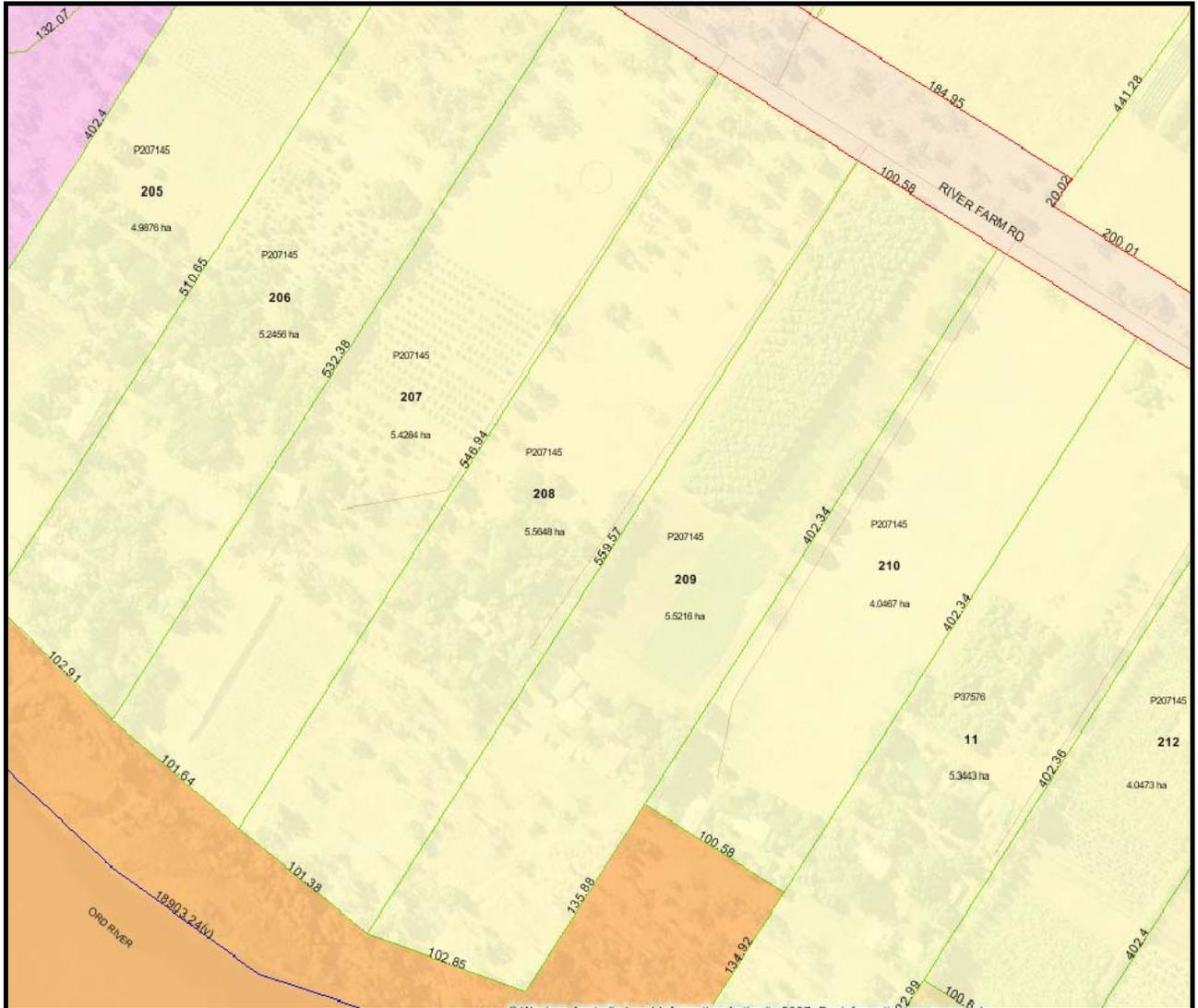
FINANCIAL IMPLICATIONS

An application fee of \$250.00 has been paid, based on an assessment of development costs of \$250 000 by the applicant.

COMMUNITY CONSULTATION

Town Planning Scheme No. 7 – Kununurra and Environs does not require any community consultation for the proposal, although Council has the power to determine that the proposed development should be advertised in the public interest.

ATTACHMENTS



The subject site is shown above. Development plans are also attached.

PLANNING ASSESSMENT

Strategic/Structure Plans

The Local Planning Strategy designates the subject land for agricultural uses.

Town Planning Scheme No. 7 – Kununurra and Environs

The subject land is zoned Rural Agriculture 1 under Town Planning Scheme No 7 - Kununurra and Environs. The Scheme lists the following objectives for this zone:

5.19 RURAL AGRICULTURE 2 ZONE

5.19.1 Objectives

- (a) *to ensure the adequate supply of land for intensive agricultural and horticultural holdings in localities of adequate water supply and suitable soil types;*
- (b) *to promote the use of these lots for the production of horticultural crops and associated uses;*

A Nursery - Plant is a P use under the current Scheme provisions. There are two definitions in the Scheme for a Nursery:

Nursery: means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.

Plant Nursery: means any land or buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden activities.

Either definition is applicable [this issue is being resolved as part of Amendment 18].

The use of the land cannot be refused as it is permitted. However, all new development requires the approval of Council, and the applicant has requested a reduced setback, and this also requires the consent of Council.

CONCLUSION / COMMENT

The proposed use of the land is a P or Permitted use under the current provisions of the Planning Scheme, and cannot be refused. Council is considering only the physical development of the nursery. The Nursery complies with Scheme provisions with the exception of a reduced setback on the eastern boundary. The applicant has requested a 5 metre setback, reduced from 20 metres, and contends that the nature of the development will result in very little impact from the reduced setback.

The reduced setback is supported, but only subject to vegetation screening.

Similarly, the proposed soil bunker requires either a setback reduction or relocation. Discussions with the applicant indicate no objection to relocation of the bunker.

Given that the use will generate additional traffic in excess of usual agricultural uses, it is also recommended that the development be conditioned to require a sealed crossover.

VOTING REQUIREMENT

If accepted as a late item, a Simple Majority is required to approve the development.

RECOMMENDATION

That Council grant Planning Approval to LG and FE Heading for the use and development of Lot 208 River Farm Road for a Nursery, with reduced setbacks to the eastern boundary of 5 metres in accordance with the submitted plans, and subject to the following conditions:

- 1 Native vegetation shall be planted to screen the development to adjoining properties, with specific screening to the reduced setback, to the satisfaction of Council.
- 2 The soil Bunker shall be relocated to the satisfaction of the Chief Executive Officer. Revised plans should be submitted to show the proposed relocation site.
- 3 Compliance with all the requirements of the appropriate Statutory Authorities.
- 4 Stormwater shall not pond on any open area of the site or against any building or structure.
- 5 All parking shall be located within the site, with parking and access areas to be constructed, drained and marked to Council's satisfaction. All employee and visitor/customer parking shall be located within the site, and all vehicles associated with the use are to be parked on the site at all times. No parking on any Council verge shall be permitted.
- 6 A sealed crossover shall be constructed to River Farm Road, and shall be constructed to Council's specification.
- 7 Any other conditions issued under Delegated Authority by the Chief Executive Officer in accordance with Councils Standard Conditions List.

COUNCIL RESOLUTION

Minute No. 7697

Moved: Cr G. Green

Seconded: Cr D. Ausburn

That Council grant Planning Approval to LG and FE Heading for the use and development of Lot 208 River Farm Road for a Nursery, with reduced setbacks to the eastern boundary of 5 metres in accordance with the submitted plans, and subject to the following conditions:

- 1 Native vegetation shall be planted to screen the development to adjoining properties, with specific screening to the reduced setback, to the satisfaction of Council.**
- 2 The soil Bunker shall be relocated to the satisfaction of the Chief Executive Officer. Revised plans should be submitted to show the proposed relocation site.**
- 3 Compliance with all the requirements of the appropriate Statutory Authorities.**

- 4 Stormwater shall not pond on any open area of the site or against any building or structure.
- 5 All parking shall be located within the site, with parking and access areas to be constructed, drained and marked to Council's satisfaction. All employee and visitor/customer parking shall be located within the site, and all vehicles associated with the use are to be parked on the site at all times. No parking on any Council verge shall be permitted.
- 6 A sealed crossover shall be constructed to River Farm Road, and shall be constructed to Council's specification.
- 7 Any other conditions issued under Delegated Authority by the Chief Executive Officer in accordance with Councils Standard Conditions List.
- 8 Subject to confirmation from neighbours that they have no objections to reduced setbacks as per the submitted plans.
- 9 All Neem, Leucaena, Calatropis and Rain trees shall be removed from Lot 208 where occurring.

Carried Unanimously: 6/0

NOTE: Council included conditions 8 and 9 in the Resolution in addition to officer recommendations. Inclusion of condition 8 was made to ensure clarity with neighbour views. Inclusion of condition 9 was made to encourage control of pest trees.

Cr John Buchanan returned to the meeting room at 7:50pm.



Lincoln & Felicity Heading
P.O. Box 1045
Kununurra WA 6743
Ph (08) 9169 1595 FAX (08) 9169 1593
Email: lincfel@bigpond.com

Keith Williams
 Shire Planning Officer
 Shire of Wyndham East Kimberley
 PO Box 614
 Kununurra, WA 6743

Doc No.	057950
Date	11 APR 2007
Officer	TP
Response	
File	01 0106.02

11th April, 2007

Re: Application for Planning Approval for Lot 208 River Farm Rd, Kununurra.

Dear Keith,

Further to our conversation yesterday, we would like to request that the attached planning proposal be submitted for consideration at the next shire council meeting on the 17th April, 2007.

The issue to be addressed is the 5 metre setback we require to our common boundary. The 5 metre setback is required to fit our nursery equipment and infrastructure in to our block. This falls inside the 20 metre setback stipulation.

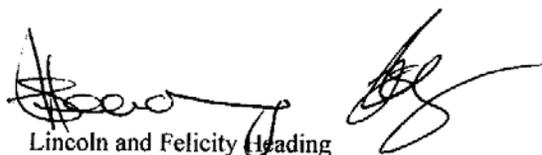
The main restrictions to our site development are related to the Police communications hut placed on our property by the previous owners. This communications equipment delivers state-wide back up for the WA police HF radio network.

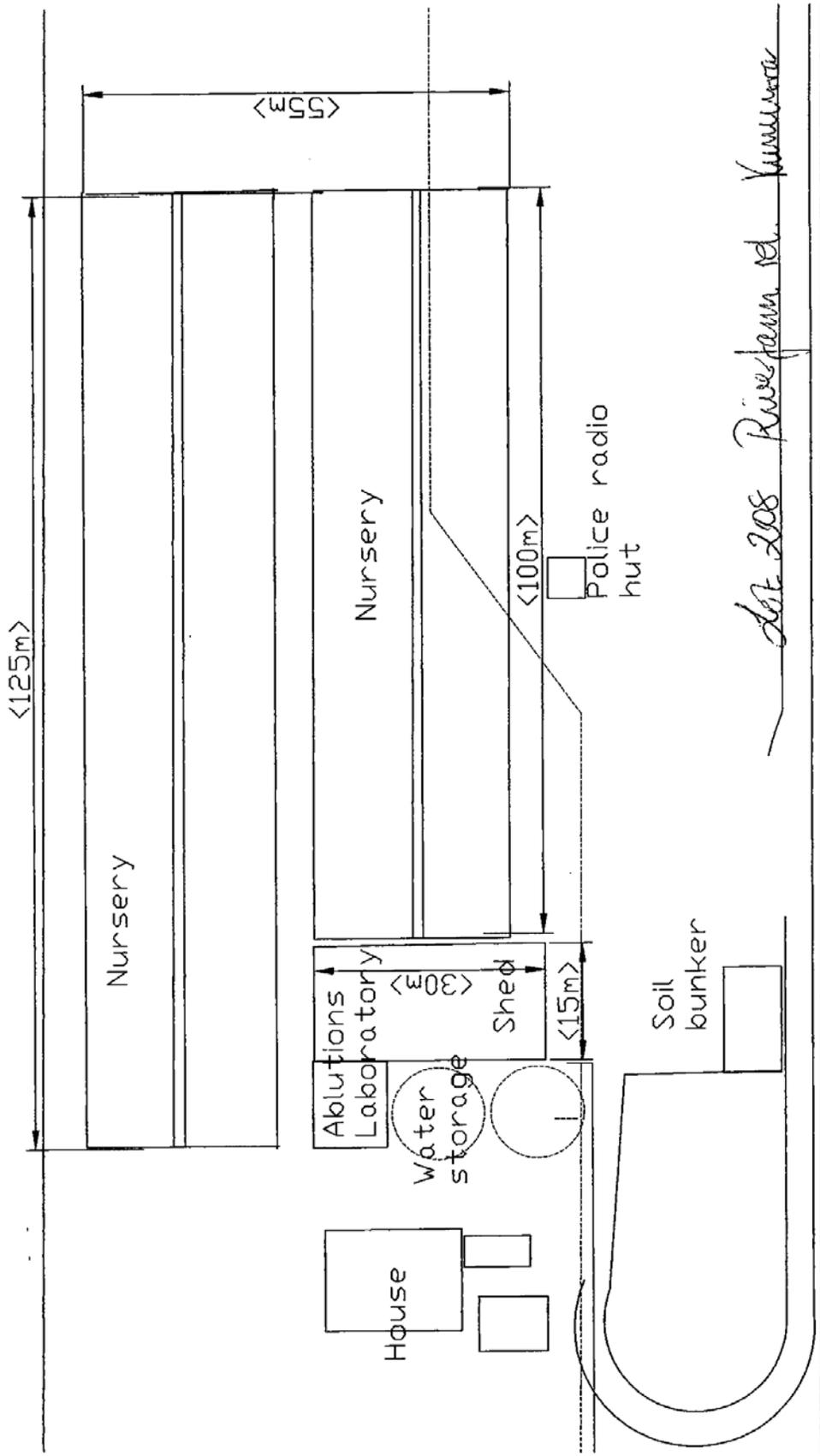
The proposed structure will offer minimal visual impact, and operations in the nursery offer little or no noise impacts on the neighbourhood beyond the construction phase. Major structures such as sheds and water storage all occur well outside the 20 metre setback from all boundaries. Further still the nursery structure will be more than 100 metres from existing neighbourhood dwellings (refer aerial photo).

It is our intention to plant windbreaks on our common boundaries utilising native sheoak trees (*Casuarina latifolia*). This will offer dust suppression, wind break and visual aesthetics to and from neighbourhood road access to properties adjoining ours.

Thank you in anticipation,

Yours Sincerely


 Lincoln and Felicity Heading



16. MATTERS BEHIND CLOSED DOORS

Cr Maxine Middap left the meeting room at 7:50pm.

COUNCIL RESOLUTION

Minute No. 7698

Moved: Cr R. Devenish-Meares

Seconded: Cr D. Ausburn

That Council move into Camera for consideration of Item related to debt recovery associated with Ord Air Pty Ltd.

Carried Unanimously: 6/0

16.1 Ord Air Pty Ltd

Item 15.1 was considered in Camera due to legal issues related to it.

COUNCIL RESOLUTION

Minute No. 7699

Moved: Cr R. Devenish-Meares

Seconded: Cr D. Ausburn

That Council notes debt collection proceedings against Ord Air Pty Ltd.

Carried Unanimously: 6/0

16.2 Appointment of Executive Manager of Corporate Services

Item 16.2 was considered behind closed doors as it relates to salary package for a senior contract staff officer.

COUNCIL RESOLUTION

Minute No. 7700

Moved: Cr R. Devenish-Meares

Seconded: Cr D. Ausburn

That Council support Chief Executive Officer's recommendation that Council offer a 5 year contract of employment as Executive Manager of Corporate Services to Ms Joanne Ellis as per the recommended salary package, less a \$600 recommended communication allowance.

Carried Unanimously: 6/0

COUNCIL RESOLUTION

Minute No. 7701

Moved: Cr G. Green

Seconded: Cr D. Ausburn

That Council move out of camera at 8:00pm.

Carried Unanimously: 6/0

Cr Maxine Middap returned to the meeting room at 8:04pm.

17. CLOSURE

The Presiding Member declared the meeting closed at 8:06pm.