



## MINUTES OF ORDINARY COUNCIL MEETING HELD 20 MAY 2008

I hereby certify that the Minutes of the Ordinary Meeting of Council held 20 May 2008 are a true and accurate record of the proceedings contained therein.

***Shire President Confirmed***

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# SHIRE OF WYNDHAM-EAST KIMBERLEY

## MINUTES

OF TO THE ORDINARY COUNCIL MEETING  
HELD ON TUESDAY 20 MAY 2008 AT 6:00 PM

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

The Shire President declared the meeting open at 6:02pm.

### 2. RECORD OF ATTENDANCE

|                   |   |
|-------------------|---|
| Cr Michele Pucci  | Shire President   |
| Cr Ralph Addis    | Deputy President  |
| Cr Paul Caley     | Councillor  |
| Cr Jane Parker    | Councillor  |
| Cr Fred Mills     | Councillor  |
| Cr John Moulden   | Councillor  |
| Cr John Buchanan  | Councillor  |
| Cr Di Ausburn     | Councillor  |
| Mr Peter Stubbs   | Chief Executive Officer   |
| Ms Jo-Anne Ellis  | Executive Manager of Corporate Services                                 |
| Mr Alex Douglas   | Executive Manager Engineering and Regulatory Services arrived at 6:21pm |
| Ms Karyn Apperley | Executive Manager Community Services arrived at 6:08pm                  |
| Mr Keith Williams | Executive Manager Town Planning arrived at 6:11pm                       |
| Ms Fiona Kuiper   | Executive Support Officer/Minute Taker                                  |

### PUBLIC GALLERY

Jessica Duff  
Les Evans  
Lachlan Dobson arrived at 6:11pm  
Cath Cole arrived at 6:11pm

### APOLOGIES

Cr K Wright

### LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Nil

### 3. DECLARATIONS OF INTEREST

- **Financial Interest**

Cr Paul Caley declared a Financial Interest in Item 13.5.6 Kimberley Zone Proposed Discussion Paper Alcohol Issues as he manages a liquor outlet.

Ms Jo-Anne Ellis declared a Financial Interest in Item 13.2.4 Replacement Vehicles – Prado (P102) and Nissan Tray Top Utility (P328) as one vehicle is part of her salary package.

Cr John Buchanan declared a Financial Interest in Item 13.3.4 Tourist Accommodation Lot 53 Jabiru Road as he has other business dealings with the proponent.

- **Members Impartiality Interest**

Cr John Buchanan declared an Impartiality Interest in Item 13.3.6 Development Plan Rotary Centenary Park as he is a member of Rotary.

Mr Peter Stubbs declared an Impartiality Interest in Item 13.3.1 Cyril Kleinig Drive Car Hire as his wife works at Thrifty Car Hire.

Cr D Ausburn declared an Impartiality Interest in Item 13.5.6 Kimberley Zone Proposed Discussion Paper Alcohol Issues as she is a member of the Liquor Accord Committee.

- **Proximity Interest - Nil**

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

Nil

### 5. PUBLIC QUESTION TIME

Nil

### 6. APPLICATIONS FOR LEAVE OF ABSENCE

### COUNCIL DECISION

Minute No. 8188

Moved: Cr J Parker

Seconded: Cr J Buchanan

*That Council grant Cr D Ausburn and Cr M Pucci a leave of absence for the Ordinary Meeting of Council 15 July, 2008.*

**Carried Unanimously 8/0**

**7. PETITIONS**

Nil

**8. CONFIRMATION OF MINUTES**

**8.1. Confirmation of Minutes of the Ordinary Meeting of Council Held On Tuesday 15 April 2008.**

**RECOMMENDATION**

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 15 April 2008.

**COUNCIL DECISION**

**Minute No. 8189**

**Moved: Cr J Parker**

**Seconded: Cr J Moulden**

***That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 15 April 2008.***

**Carried Unanimously: 8/0**

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

Could I start by congratulating all those associated with this year's Ord Valley Muster and Kimberley Moon Experience held last weekend? What a sensational two weeks of events our region has had. In particular on behalf of Council I thank the Kununurra Chamber of Commerce and Muster Committee for their leadership to bring these events to our region.

Tonight I also have pleasure in announcing that the Commonwealth Government has approved a grant of \$455,000 for flood mitigation works in the Weaber Plains catchment. Council has worked very hard to secure funding for this project to help alleviate flood impacts for residents there. This funding will match the \$455,000 previously committed by the State Government for this work.

I would also like to congratulate Tropical Forestry Services in their very successful inaugural Sandalwood Conference held in Kununurra last week. The conference attracted delegates from France, Indian and China as well as people from all over Australia. Business synergies from the conference may well develop that benefit our region in the future.

The Commonwealth Government's budget in which the Regional Partnership Program has been discontinued is bad news for our region. Our Council had three pending grants with Program for a total of \$1.5M, and projects related to this will be delayed as result of the Commonwealth decision to discontinue this Program.

Lastly, I make comment on the State Government budget also announced in recent weeks. It was disappointing that the projects Council asked to be funded:

Kununurra Visitor Centre  
Fish Ladder  
Wyndham Interpretative Centre  
Airport Extensions  
Youth Services

- were not funded. The message from the State Treasurer is clear. If community groups and industry sectors, in particular tourism, want these projects to occur then they are going to have to lobby their respective Ministers much more than has occurred to date.

The State's announcement of \$15M for the 09/10 year to assist expand the Ord Irrigation area is seen with mixed feelings. On the one hand it may assist get land released and development happening, but far more funding is needed for this project to build the capacity of agriculture in the regions economic for the decades ahead.

I also wish to make a formal presentation of my Kimberley Moon Experience Door Prize to Council for raffling – proceeds to the Kununurra Youth Facility.

**10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS - Nil**

**11. MINUTES OF COUNCIL COMMITTEE MEETINGS**

**11.1. Confirmed Minutes of Airport Committee Meeting 15 April 2008**

**RECOMMENDATION**

That Council note the Minutes of the Airport Committee Meeting held on Tuesday 15 April 2008.

**COUNCIL DECISION**

**Minute No. 8190**

**Moved: Cr F Mills**

**Seconded: Cr J Buchanan**

***That Council note the Minutes of the Airport Committee Meeting held on Tuesday 15 April 2008.***

**Carried Unanimously: 8/0**

**11.2. Unconfirmed Minutes of Airport Committee Meeting 12 May 2008**

**RECOMMENDATION**

That Council note the unconfirmed Minutes of the Airport Committee Meeting held on Monday 12 May 2008.

## **COUNCIL DECISION**

Minute No. 8191

Moved: Cr F Mills

Seconded: Cr J Buchanan

*That Council note the unconfirmed Minutes of the Airport Committee Meeting held on Monday 12 May 2008.*

**Carried Unanimously: 8/0**

### **12. BUSINESS ARISING FROM COUNCIL COMMITTEE MEETINGS**

#### **12.1. Airport Committee Terms of Reference**

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                        |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley                        |
| <b>AUTHOR:</b>            | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>REPORTING OFFICER:</b> | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>FILE NO:</b>           | 20.13.03   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

To set the terms of reference of the newly formed Airport Committee a formal committee of Council established under Section 5.8 of the Local Government Act 1995

#### **BACKGROUND**

At the 18 March Ordinary Council Meeting Council resolved to establish an Airport Committee. The correct section of the Act was not used so this decision was amended at the 15 April 2008 Council Meeting to establish the committee under the correct section of the Act.

At the first meeting of the Airport Committee held following the Council meeting on 15 April 2008 the committee considered the terms of reference that should apply to the committee.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 5.8 Establishment of Committees

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

There is a cost associated with the administrative time taken to prepare agendas and minutes of the Airport Committee. This includes the opportunity cost of the officers

preparing agendas and minutes, attending meetings and not undertaking other important tasks such as implementing council decisions.

### **STRATEGIC IMPLICATIONS**

All Committees should have terms of reference to guide the way the committee operates and the areas they make policy and decisions about.

### **COMMENT**

The Airport Committee was established by Council to consider issues relating to the Airport Operations of Council. Issues that may be considered have been included in the draft terms of reference.

### **ATTACHMENTS**

Draft Terms of Reference

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

That the Terms of Reference of the Airport Committee as appended to this agenda be recommended to the Council for adoption.

### **COMMITTEE DECISION**

**Minute No. AP002**

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

***That the Terms of Reference of the Airport Committee as appended to this agenda be recommended to the Council for adoption.***

**Carried Unanimously: 4/0**

### **COMMITTEE RECOMMENDATION**

That the Terms of Reference of the Airport Committee as appended to this agenda be adopted.

### **COUNCIL DECISION**

**Minute No. 8192**

**Moved: Cr D Ausburn                      Seconded: Cr F Mills**

***That the Terms of Reference of the Airport Committee as appended to this agenda be adopted.***

**Carried Unanimously:8/0**

*AIRPORT COMMITTEE*

*RULES AND TERMS OF REFERENCE  
(April 2008)*

1. *HEAD OF POWER*

*This Committee is constituted in accordance with Section 5.8 of the Local Government Act 1995.*

2. *NAME*

*This Committee is to be known as the "Airport Committee".*

3. *PURPOSE*

*The Committee is to Consider and make recommendations to Council on issues relating to*

- Refurbishment of East Kimberley Regional Airport Terminal Building*
- Extension of Runway 12/30 at East Kimberley Regional Airport*
- Carpark Extensions at East Kimberley Regional Airport*
- Buildings and Landside Grounds at East Kimberley Regional Airport*
- Policy relating to Airport Operations*
- Airports Business Planning*
- Airports Reserve Fund*
- Land Use and Land Development on Airport Land*
- Airport Leases*
- Airport Fees and Charges and other Revenue Opportunities*
- Airport related Grant Funding Opportunities*
- Future of/ Issues relating to Wyndham Airport*

4. *MEMBERSHIP*

*The Committee shall consist of four Councillors to be appointed by council from its members. .*

5. *MEETINGS*

(a) *Ordinary meetings of the Committee shall be held at least every two months.*

(b) *Meetings are usually held at Shire's Kununurra Council Chambers but the Committee may by resolution decide to hold a particular meeting at another place.*

(c) *Meetings will usually commence at 4.30 pm unless otherwise resolved by the Committee.*

(d) *Special meetings of the Committee may be convened by the*

*i. Presiding member, or*

*ii. Any three members of the Committee, or*

*iii. Council,*

*iv. by giving written notice to all members of the Committee not less than 72 hours before the meeting and advising of the matters to be discussed at the meeting.*

(e) *Administrative support for the Committee shall be provided by Council's Corporate Services section.*

6. *PRESIDING MEMBER*

*The members shall elect a Presiding Member and a Deputy Presiding Member in accordance with the Local Government Act 1995 (Part 5.12) from amongst themselves.*

7. *QUORUM*

*The quorum for meetings of the Committee shall be three members.*

8. *MEETING RULES*

a) *Meeting Procedure*

*i. Council's Local-laws relating to Standing Orders shall apply.*

- ii. *For the purposes of recording minutes, a support officer from Councils Administration will attend the meeting.*

b) *Invitees*

- i. *The Chief Executive Officer, Executive Manager Corporate Services, Airports Manager and Airports Operations Officer shall attend the meetings wherever practicable to provide clarification and advice to the Committee*
- ii. *The Presiding Member or the Committee, by resolution, may invite individuals or representatives from organisations to provide advice to the Committee on matters being considered by the Committee.*

c) *Public Attendance*

*As the Committee will not be confirmed the powers of Council is respect of delegated authority and therefore not have the power to make decisions on behalf of the Council, the meetings will not be open to members of the public.*

d) *Minutes*

- i. *Minutes shall be distributed to all members of the Committee.*
- ii. *The minutes of the meeting and any recommendations requiring a Council decision will be referred to Council at the next practical meeting date.*
- iii. *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

## 12.2. Airport Fees and Charges – Budget 2008/09

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                        |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley                        |
| <b>AUTHOR:</b>            | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>REPORTING OFFICER:</b> | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>FILE NO:</b>           | 61.21.01   |

### **PURPOSE**

To consider Airport Committee recommendation of Fees and Charges for 2008/09.

### **BACKGROUND**

Councillors have reviewed fees and charges as part of budget discussions. The draft final fees and charges for 2008/09 were discussed at the 6 May briefing session. It was regarded that the airport committee was the appropriate forum to undertake a detailed review and benchmarking of the airport fees and charges.

### **STATUTORY IMPLICATIONS**

Local Government Act 1995 Sections 6.16 – 6.19

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Charging an appropriate fee level ensures sustainability of airport operations. Fees and charges for the airport should be charged on a commercial basis as if the airport was being run by the private sector.

### **STRATEGIC IMPLICATIONS**

Airport operations are being run as a business and as such the fees and charges are critical for the ongoing maintenance and development of the airports. Future developments should be funded from the Airports Reserve and to do this airport operations need to maximise profits through appropriate level of fees and charges and cost containment.

### **COMMENT**

Airport fees and charges have been relatively steady over the past few years with only a 3 % increase in 2006/07 and no increase in 2007/08. A detailed review and benchmarking is timely.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

That the Airport Committee recommends the following fees and charges to Council to be included in the Fees and Charges Schedule for 2008/09.

| <b>KUNUNURRA &amp; WYNDHAM AIRPORTS</b>                               |            |                   |
|---|------------|-------------------|
|   | <b>GST</b> | <b>\$</b>         |
| <b>Plant Hire</b>   |            |                   |
| <b>Kununurra Airport</b>  |            |                   |
| Truck 3.5 Tonne   | √          | <b>\$100.00</b>   |
| Tractor John Deere 6310   | √          | <b>\$120.00</b>   |
| Tractor - Kubota  | √          | <b>\$110.00</b>   |
| Line Marking Machine (2 men)  | √          | <b>\$220.00</b>   |
| Roller Multi tyre - Machine Drawn                                     | √          | <b>\$200.00</b>   |
| Loxon Slasher   | √          | <b>\$40.00</b>    |
| Slasher Superior  | √          | <b>\$20.00</b>    |
| Pacific Road Broom  | √          | <b>\$35.00</b>    |
| <b>Wyndham Airport</b>  |            |                   |
| Tractor MF  | √          | <b>\$120.00</b>   |
| Pacific Road Broom  | √          | <b>\$35.00</b>    |
| <i>Mobilisation / Demobilisation Charges also apply</i>               | √          |                   |
| <b>Aircraft Landing Fees</b>  |            |                   |
| [MTOW = Maximum take off weight]                                      | √          |                   |
| <b>Fixed Wing Aircraft (per landing)</b>                              |            |                   |
| 8.999kg (MTOW) per tonne and part thereof                             | √          | <b>\$18.00</b>    |
| 9.000 tonnes (MTOW) and over, per tonne and part thereof              | √          | <b>\$25.00</b>    |
| <b>Rotary Wing Aircraft (per landing)</b>                             |            |                   |
| 2.499 tonnes (MTOW), per tonne and part thereof                       | √          | <b>\$18.00</b>    |
| 2.500 tonne (MTOW) and over per tonne and part thereof                | √          | <b>\$25.00</b>    |
| <b>Passenger Taxes</b>  |            |                   |
| Passenger Head Tax  | ×          | <b>\$20.00</b>    |
| Passenger Screening Tax   | ×          | <b>STBA</b>       |
| <b>Parking Fees</b>   |            |                   |
| Non-airport resident charter operators (per annum, plus landing fees) | √          | <b>\$1,000.00</b> |
| Private owners (non-commercial) (includes landing fees)               | √          | <b>\$1,000.00</b> |
| <b>Call Out Fees</b>  |            |                   |
| Kununurra Airport, after hours, per hour                              | √          | <b>\$90.00</b>    |
| Wyndham Airport, after hours, per hour                                | √          | <b>\$90.00</b>    |

| <b>Terminal Usage Fee</b>              |   |                 |
|--|---|-----------------|
| Aircraft 0-9 seats                     | √ | <b>\$180.00</b> |
| Aircraft 10-29 seats                   | √ | <b>\$580.00</b> |
| Aircraft over 30 seats                 | √ | <b>\$600.00</b> |
| Kununurra Terminal Key Fee (per annum) | √ | <b>\$110.00</b> |

### **COMMITTEE DECISION**

Minute No: AP 008

Moved: Cr Keith Wright

Seconded: Cr Paul Caley

That the Airport Committee recommends that:

1. having conducted a detailed review and benchmarking process of Airport Fees and Charges the following fees and charges are recommended to Council to be included in the Fees and Charges Schedule for 2008/09.
2. the Airport Fees and Charges apply for two timeframes being 1 July 2008 to 31 December 2008 and 1 January 2009 to 30 June 2009 to enable adequate planning/budgeting for increase in Aircraft Landing Fees by local tourism operators.
3. advice be given to all local airport users of the new fees and charges and the reasons for the increases, including infrastructure maintenance and improvements such as Taxi-way F, Sand Seals, Terminal Redevelopment and Runway Extensions.
4. airport usage fees should not apply to Medical EVAC services such as the Royal Flying Doctors.
5. Passenger Screening Tax should apply to all passengers on all flights that are subject to passenger screening, including non jet services that take off during times that screening is required by legislation.

Carried Unanimously: 4/0

### **COUNCIL DECISION**

Minute No. 8193

Moved: Cr F Mills

Seconded: Cr D Ausburn

***That Council:***

1. ***having considered the detailed review and benchmarking process of Airport Fees and Charges undertaken by the Airport Committee includes the following fees and charges in the Draft Fees and Charges Schedule for 2008/09.***
2. ***considers that the Airport Fees and Charges should apply for two timeframes being 1 July 2008 to 31 December 2008 and 1 January 2009 to 30 June 2009 to enable adequate planning/budgeting for increase in Aircraft Landing Fees by local tourism operators.***
3. ***requests the Executive Manager Corporate Services to advise all local airport users of the new fees and charges and the reasons for the increases, including infrastructure maintenance and improvements***

*such as Taxi-way F, Sand Seals, Terminal Redevelopment and Runway Extensions.*

- 4. endorses that airport usage fees should not apply to Medical EVAC services such as the Royal Flying Doctors.**

*considers Passenger Screening Tax should apply to all passengers on all flights that are subject to passenger screening, including non jet services that take off during times that screening is required by legislation.*

**Carried Unanimously:8/0**

**KUNUNURRA & WYNDHAM AIRPORTS**

|   | GST | \$<br>1/7/2008 | \$<br>1/1/2009 |
|---|-----|----------------|----------------|
| <b>Plant Hire</b>   |     |                |                |
| <b>Kununurra Airport</b>  |     |                |                |
| Truck 3.5 Tonne   | √   | \$100.00       | \$100.00       |
| Tractor John Deere 6310   | √   | \$120.00       | \$120.00       |
| Tractor - Kubota  | √   | \$110.00       | \$110.00       |
| Line Marking Machine (2 men)  | √   | \$220.00       | \$220.00       |
| Roller Multi tyre - Machine Drawn                                     | √   | \$200.00       | \$200.00       |
| Loxon Slasher   | √   | \$40.00        | \$40.00        |
| Slasher Superior  | √   | \$20.00        | \$20.00        |
| Pacific Road Broom  | √   | \$35.00        | \$35.00        |
| <b>Wyndham Airport</b>  |     |                |                |
| Tractor MF  | √   | \$120.00       | \$120.00       |
| Pacific Road Broom  | √   | \$35.00        | \$35.00        |
| <i>Mobilisation / Demobilisation Charges also apply</i>               | √   |                |                |
| <b>Aircraft Landing Fees</b>  |     |                |                |
| [MTOW = Maximum take off weight]                                      | √   |                |                |
| <b>Fixed Wing Aircraft (per landing)</b>                              |     |                |                |
| 8.999kg (MTOW)per tonne and part thereof                              | √   | \$10.50        | \$18.00        |
| 9.000 tonnes (MTOW) and over, per tonne and part thereof              | √   | \$25.00        | \$25.00        |
| <b>Rotary Wing Aircraft (per landing)</b>                             |     |                |                |
| 2.499 tonnes (MTOW), per tonne and part thereof                       | √   | \$10.50        | \$18.00        |
| 2.500 tonne (MTOW) and over per tonne and part thereof                | √   | \$25.00        | \$25.00        |
| <b>Passenger Taxes</b>  |     |                |                |
| Passenger Head Tax  | ×   | \$18.50        | \$18.50        |
| Passenger Screening Tax   | ×   | \$18.50        | \$18.50        |
| <b>Parking Fees</b>   |     |                |                |
| Non-airport resident charter operators (per night, plus landing fees) | √   | \$1,000.00     | \$1,000.00     |
| Non-airport resident charter operators (per annum, plus landing fees) |     | \$50.00        | \$50.00        |
| Private owners (non-commercial) (per night, includes landing fees)    | √   | \$1,000.00     | \$1,000.00     |
| Private owners (non-commercial) (per night, includes landing fees)    |     | \$50.00        | \$50.00        |
| <b>Call Out Fees</b>  |     |                |                |
| Kununurra Airport, after hours, per hour                              | √   | \$90.00        | \$90.00        |
| Wyndham Airport, after hours, per hour                                | √   | \$90.00        | \$90.00        |
| <b>Terminal Usage Fee</b>   |     |                |                |
| Fee is calculated on number of seats in aircraft ( per seat)          | √   | \$18.50        | \$18.50        |
| Kununurra Terminal Key Fee (per annum)                                | √   | \$110.00       | \$110.00       |

## **COMMITTEE RECOMMENDATION**

That Council:

1. having considered the detailed review and benchmarking process of Airport Fees and Charges undertaken by the Airport Committee includes the following fees and charges in the Draft Fees and Charges Schedule for 2008/09.
2. considers that the Airport Fees and Charges should apply for two timeframes being 1 July 2008 to 31 December 2008 and 1 January 2009 to 30 June 2009 to enable adequate planning/budgeting for increase in Aircraft Landing Fees by local tourism operators.
3. requests the Executive Manager Corporate Services to advise all local airport users of the new fees and charges and the reasons for the increases, including infrastructure maintenance and improvements such as Taxi-way F, Sand Seals, Terminal Redevelopment and Runway Extensions.
4. endorses that airport usage fees should not apply to Medical EVAC services such as the Royal Flying Doctors.
5. considers Passenger Screening Tax should apply to all passengers on all flights that are subject to passenger screening, including non jet services that take off during times that screening is required by legislation.

**KUNUNURRA & WYNDHAM AIRPORTS**

|   | GST | \$<br>1/7/2008 | \$<br>1/1/2009 |
|---|-----|----------------|----------------|
| <b>Plant Hire</b>   |     |                |                |
| <b>Kununurra Airport</b>  |     |                |                |
| Truck 3.5 Tonne   | √   | \$100.00       | \$100.00       |
| Tractor John Deere 6310   | √   | \$120.00       | \$120.00       |
| Tractor - Kubota  | √   | \$110.00       | \$110.00       |
| Line Marking Machine (2 men)  | √   | \$220.00       | \$220.00       |
| Roller Multi tyre - Machine Drawn                                     | √   | \$200.00       | \$200.00       |
| Loxon Slasher   | √   | \$40.00        | \$40.00        |
| Slasher Superior  | √   | \$20.00        | \$20.00        |
| Pacific Road Broom  | √   | \$35.00        | \$35.00        |
| <b>Wyndham Airport</b>  |     |                |                |
| Tractor MF  | √   | \$120.00       | \$120.00       |
| Pacific Road Broom  | √   | \$35.00        | \$35.00        |
| <i>Mobilisation / Demobilisation Charges also apply</i>               | √   |                |                |
| <b>Aircraft Landing Fees</b>  |     |                |                |
| [MTOW = Maximum take off weight]                                      | √   |                |                |
| <b>Fixed Wing Aircraft (per landing)</b>                              |     |                |                |
| 8.999kg (MTOW)per tonne and part thereof                              | √   | \$10.50        | \$18.00        |
| 9.000 tonnes (MTOW) and over, per tonne and part thereof              | √   | \$25.00        | \$25.00        |
| <b>Rotary Wing Aircraft (per landing)</b>                             |     |                |                |
| 2.499 tonnes (MTOW), per tonne and part thereof                       | √   | \$10.50        | \$18.00        |
| 2.500 tonne (MTOW) and over per tonne and part thereof                | √   | \$25.00        | \$25.00        |
| <b>Passenger Taxes</b>  |     |                |                |
| Passenger Head Tax  | ×   | \$18.50        | \$18.50        |
| Passenger Screening Tax   | ×   | \$18.50        | \$18.50        |
| <b>Parking Fees</b>   |     |                |                |
| Non-airport resident charter operators (per night, plus landing fees) | √   | \$1,000.00     | \$1,000.00     |
| Non-airport resident charter operators (per annum, plus landing fees) |     | \$50.00        | \$50.00        |
| Private owners (non-commercial) (per night, includes landing fees)    | √   | \$1,000.00     | \$1,000.00     |
| Private owners (non-commercial) (per night, includes landing fees)    |     | \$50.00        | \$50.00        |
| <b>Call Out Fees</b>  |     |                |                |
| Kununurra Airport, after hours, per hour                              | √   | \$90.00        | \$90.00        |
| Wyndham Airport, after hours, per hour                                | √   | \$90.00        | \$90.00        |
| <b>Terminal Usage Fee</b>   |     |                |                |
| Fee is calculated on number of seats in aircraft ( per seat)          | √   | \$18.50        | \$18.50        |
| Kununurra Terminal Key Fee (per annum)                                | √   | \$110.00       | \$110.00       |

### 12.3. Auction of Vacant Land at East Kimberley Regional Airport

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                        |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley                        |
| <b>AUTHOR:</b>            | Brian Sargeant, Airport Operations Officer             |
| <b>REPORTING OFFICER:</b> | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>FILE NO:</b>           | 20.03.01   |

#### **PURPOSE**

To determine the reserve price of vacant land to be auctioned at East Kimberley Regional Airport.

#### **BACKGROUND**

**Minute No. 8157**

**Move: Cr D Ausburn Seconded: Cr J Buchanan**

***That Council seek to encourage further development of the region's aviation sector by advertising to dispose by public auction of vacant Lots, 307 and 313 at the East Kimberley Regional Airport.***

**Carried Unanimously: 9/0**

Three local agents, Elders, East Kimberley Real Estate and First National Real Estate were invited to submit proposals to hold an Auction. Two submissions have been received so far, these will be tabled at the meeting.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 3.58

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Funds raised from the sale of airport land is returned the Airports Reserve account for further enhancement of aviation related infrastructure services to the region. Council should seek to maximise the return for the land being sold but needs to be mindful of the amount people are prepared to pay and ensure the commissions involved do not erode the profits substantially.

#### **STRATEGIC IMPLICATIONS**

The East Kimberley Regional Airport is the only airport providing jet services to the region. As such, it is a strategic asset for the region. Continued development of the airport and related businesses is considered to be strategically important.

## **COMMENT**

Marketing Plans have been received from East Kimberley Real Estate and Elders Real Estate. Both firms have responded verbally to the Airport Operations Officer that they believe the best way to sell this land is by public tender and not auction.

A marketing strategy and a fee structure has been proposed by each firm. They will not give an indication to reserve that should be set as they believe it will be leaked into the public arena and reduce the benefits of auction.

Sale by public tender will potentially gain a similar sale value as sale by auction without the fees associated with an auctioneer \$1,400, and commissions of 2.8%. Both submissions required advertising to be an out of pocket expense from the Shire and we are capable of undertaking this ourselves.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION**

That it the Airport Committee recommends to Council:

1. to rescind motion 8157.
2. that to encourage further development of the region's aviation sector by advertising to dispose by public tender vacant Lots, 307 and 313 at the East Kimberley Regional Airport.

## **COMMITTEE DECISION**

Minute No: AP 010

Moved: Cr Paul Caley

Seconded: Cr Keith Wright

That the Airport Committee recommends to Council that in relation to the disposal by public auction of vacant lots 307 and 313 at the East Kimberley Regional Airport that the Chief Executive Officer and Chairperson of the Airport Committee sets the reserve on the day of the auction.

Carried Unanimously: 4/0

## **COMMITTEE RECOMMENDATION**

That in relation to the disposal by public auction of vacant lots 307 and 313 at the East Kimberley Regional Airport that the Chief Executive Officer and Chairperson of the Airport Committee sets the reserve on the day of the auction.

**COUNCIL DECISION**

**Minute No. 8194**

**Moved: Cr F Mills**

**Seconded: Cr J Moulden**

***That in relation to the disposal by public auction of vacant lots 307 and 313 at the East Kimberley Regional Airport that the Chief Executive Officer and Chairperson of the Airport Committee set the reserve price on the day of the auction.***

**Carried Unanimously:8/0**

## 13. REPORTS

### 13.1. CORPORATE SERVICES

#### 13.1.1. Monthly Financial Report

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                        |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley                        |
| <b>AUTHOR:</b>            | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>REPORTING OFFICER:</b> | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>FILE NO:</b>           | 60.14.04   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to note and accept the Monthly Financial Report for March 2008.

#### **BACKGROUND**

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

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

#### **STATUTORY IMPLICATIONS**

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

34. Financial activity statement report — s. 6.4

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

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

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

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

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

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

## **STRATEGIC IMPLICATIONS**

Nil

## **COMMENT**

Nil

## **ATTACHMENTS**

1. Rate Setting Statement as at 31 March 2008
2. Net Current Assets as at 31 March 2008
3. Explanation of Material Variances as at 31 March 2008
4. Municipal Bank Reconciliation as at 31 March 2008

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council accept the Monthly Financial Reports for month end of March 2008.

## **COUNCIL DECISION**

**Minute No. 8195**

**Moved: Cr J Moulden**

**Seconded: Cr D Ausburn**

***That Council accept the Monthly Financial Reports for month end of March 2008.***

**Carried Unanimously: 8/0**

**Shire of Wyndham East Kimberley**  
**Rate Setting Statement**  
As at 31 March 2008

|  | 2007/08<br>Adopted<br>Budget | Budget Review<br>Projected<br>Budget | YTD Budget<br>31 March 2008 | YTD Actual<br>31 March 2008 | Variance<br>Budget less<br>Actual |
|--|------------------------------|--------------------------------------|-----------------------------|-----------------------------|-----------------------------------|
|  | \$                           | \$                                   | \$                          | \$                          | \$                                |
| <b>Operating</b>                           |                              |                                      |                             |                             |                                   |
| <i>Recurrent Revenue - Excluding Rates</i> |                              |                                      |                             |                             |                                   |
| Governance                                 | 85,050                       | 89,950                               | 64,881                      | 70,608                      | (5,727)                           |
| General Purpose Funding                    | 3,690,170                    | 3,665,670                            | 2,632,376                   | 2,656,447                   | (24,071)                          |
| Law, Order, Public Safety                  | 82,675                       | 84,675                               | 44,671                      | 46,453                      | (1,782)                           |
| Health                                     | 142,600                      | 142,600                              | 111,933                     | 123,365                     | (11,432)                          |
| Education and Welfare                      | 686,523                      | 1,109,023                            | 89,520                      | 94,072                      | (4,552)                           |
| Housing                                    | 825,342                      | 71,929                               | 55,240                      | 54,475                      | 765                               |
| Community Amenities                        | 1,510,100                    | 1,809,600                            | 1,362,069                   | 1,329,124                   | 32,945                            |
| Recreation and Culture                     | 442,400                      | 428,400                              | 307,567                     | 315,755                     | (8,188)                           |
| Transport                                  | 109,000                      | 1,092,310                            | 109,000                     | 118,472                     | (9,472)                           |
| Economic Services                          | 141,873                      | 292,873                              | 115,674                     | 184,041                     | (68,367)                          |
| Other Property and Services                | 1,561,304                    | 1,736,904                            | -                           | 4,404                       | (4,404)                           |
| Airport Operations                         | 1,947,351                    | 2,386,351                            | 1,376,286                   | 1,719,862                   | (343,576)                         |
|  | <u>11,224,388</u>            | <u>12,910,285</u>                    | <u>6,269,217</u>            | <u>6,717,077</u>            | <u>(447,861)</u>                  |
| <i>Recurrent Expenditure</i>               |                              |                                      |                             |                             |                                   |
| Governance                                 | (838,378)                    | (793,378)                            | (572,793)                   | (534,400)                   | (38,393)                          |
| General Purpose Funding                    | (293,776)                    | (261,776)                            | (220,317)                   | (176,971)                   | (43,346)                          |
| Law, Order, Public Safety                  | (372,021)                    | (420,021)                            | (264,881)                   | (276,858)                   | 11,977                            |
| Health                                     | (390,073)                    | (397,073)                            | (295,325)                   | (281,695)                   | (13,630)                          |
| Education and Welfare                      | (341,969)                    | (346,669)                            | (271,603)                   | (232,571)                   | (39,032)                          |
| Housing                                    | (175,308)                    | (168,808)                            | (147,140)                   | (141,317)                   | (5,823)                           |
| Community Amenities                        | (2,318,871)                  | (2,525,871)                          | (1,618,515)                 | (1,574,611)                 | (43,904)                          |
| Recreation & Culture                       | (2,796,266)                  | (3,052,066)                          | (2,114,456)                 | (2,167,200)                 | 52,744                            |
| Transport                                  | (2,914,235)                  | (3,469,235)                          | (2,075,056)                 | (2,332,931)                 | 257,875                           |
| Economic Services                          | (612,066)                    | (765,466)                            | (491,801)                   | (464,727)                   | (27,075)                          |
| Other Property and Services                | (74,990)                     | (12,590)                             | (523,331)                   | (470,114)                   | (53,216)                          |
| Airport Operations                         | (1,780,344)                  | (1,930,644)                          | (1,272,159)                 | (1,242,259)                 | (29,900)                          |
|  | <u>(12,908,296)</u>          | <u>(14,143,596)</u>                  | <u>(9,867,377)</u>          | <u>(9,895,652)</u>          | <u>28,275</u>                     |

**Shire of Wyndham East Kimberley**  
**Rate Setting Statement**  
As at 31 March 2008

|  | 2007/08<br>Adopted<br>Budget | Budget Review<br>Projected<br>Budget | YTD Budget<br>31 March 2008 | YTD Actual<br>31 March 2008 | Variance<br>Budget less<br>Actual |
|--|------------------------------|--------------------------------------|-----------------------------|-----------------------------|-----------------------------------|
|  | \$                           | \$                                   | \$                          | \$                          | \$                                |
| <b>Capital</b>                               |                              |                                      |                             |                             |                                   |
| <i>Sale of Assets / Land Held for Resale</i> | 3,413,000                    | 3,335,500                            | 2,398,000                   | 2,634,578                   | (236,578)                         |
| <i>Capital Grants/Contributions</i>          | 3,103,080                    | 3,262,080                            | 1,033,580                   | 634,044                     | 399,536                           |
|  | 6,516,080                    | 6,597,580                            | 3,431,580                   | 3,268,622                   | 162,958                           |
| <b>Capital Expenditure (by Class)</b>        |                              |                                      |                             |                             |                                   |
| Land and Buildings                           | (1,782,400)                  | (1,133,400)                          | (901,398)                   | (949,807)                   | 48,409                            |
| Infrastructure Assets - Roads                | (2,974,200)                  | (3,211,900)                          | (929,000)                   | (873,444)                   | (55,556)                          |
| Infrastructure Assets - Other                | (2,916,890)                  | (2,815,660)                          | (1,011,153)                 | (248,424)                   | (762,729)                         |
| Plant and Equipment                          | (944,000)                    | (1,102,814)                          | (527,747)                   | (612,213)                   | 84,466                            |
| Furniture and Equipment                      | (95,000)                     | (95,000)                             | (92,000)                    | (62,378)                    | (29,622)                          |
|  | (8,712,490)                  | (8,358,774)                          | (3,461,298)                 | (2,746,264)                 | (715,034)                         |
| <b>Adjustments</b>                           |                              |                                      |                             |                             |                                   |
| Debenture Principal Repayments               | (174,039)                    | (174,039)                            | (142,405)                   | (142,237)                   | (168)                             |
| Proceeds from New Debentures                 | 250,000                      | 250,000                              | -                           | -                           | -                                 |
| Community Loans                              | 16,224                       | 16,224                               | 14,337                      | 30,940                      | (16,603)                          |
| Transfers from Reserves                      | 689,155                      | 718,969                              | -                           | -                           | -                                 |
| Transfers to Reserves                        | (1,263,289)                  | (2,204,289)                          | -                           | -                           | -                                 |
|  | (481,949)                    | (1,393,135)                          | (128,069)                   | (111,297)                   | (16,771)                          |
| <b>Adjustments and Accruals</b>              |                              |                                      |                             |                             |                                   |
| Depreciation                                 | 2,704,800                    | 2,704,800                            | 2,028,600                   | 2,028,600                   | -                                 |
| Accruals                                     | -                            | -                                    | (140,604)                   | (140,604)                   | (0)                               |
| Profit/Loss on Sale of Assets                | (2,964,676)                  | (2,928,863)                          | -                           | -                           | -                                 |
| Opening Funds - (Deficit) Surplus            | 498,317                      | 971,686                              | 498,317                     | 971,686                     | (473,369)                         |
| Closing Funds - (Deficit) Surplus            | 218,366                      | 754,175                              | 2,972,559                   | 4,336,250                   | (1,363,691)                       |
| Amount Raised from Rates                     | 4,342,193                    | 4,394,193                            | 4,342,193                   | 4,244,082                   | 98,111                            |

# Shire of Wyndham East Kimberley

## Notes to Statement of Financial Activity

For the Period Ended 31 March 2008

|  | YTD Actual<br>2007/08<br>\$ | Brought Forward<br>1 July 2007<br>\$ |
|--|-----------------------------|--------------------------------------|
| Note 1. Net Current Assets                       | \$                          | \$                                   |
| <i>Composition of Net Current Asset Position</i> |                             | <i>Audited</i>                       |
| <i>Current Assets</i>                            |                             |                                      |
| Cash - Unrestricted                              | 3,606,469                   | 891,342                              |
| Cash - Reserves                                  | 3,167,572                   | 3,167,572                            |
| Cash - Restricted Unspent Grants                 |                             |                                      |
| Investments - Restricted                         |                             |                                      |
| Receivables                                      | 1,525,142                   | 964,261                              |
| Inventories                                      | 10,188                      | 13,143                               |
| Land Held for Resale                             | -                           | -                                    |
|  | 8,309,371                   | 5,036,317                            |
| <i>Less</i>                                      |                             |                                      |
| <i>Current Liabilities</i>                       |                             |                                      |
| Payables   | (805,549)                   | (897,059)                            |
|  | (805,549)                   | (897,059)                            |
| <i>Less</i>                                      |                             |                                      |
| <i>Restricted Reserves</i>                       |                             |                                      |
| Cash   | (3,167,572)                 | (3,167,572)                          |
| Investments                                      | -                           | -                                    |
|  | 4,336,250                   | 971,686                              |
| <b>Net Current Asset Position</b>                | <b>4,336,250</b>            | <b>971,686</b>                       |

# Shire of Wyndham East Kimberley

## Notes to Statement of Financial Activity

For the Period Ended 31 March 2008

### Explanation of Material Variances

Variances +/- \$80,000

#### Operating

##### Recurrent Revenue - Excluding Rates

###### *Airport Operations \$358,707 additional revenues*

This increased income for relates to Head Tax (\$150,000), Landing Fees (\$137,000) and unbudgeted income of \$120,000 from Passenger Screening Fees. Offset by a reduction of \$44,000 in fuel sales at Wyndham Airport due to previous lessee not purchasing fuel currently.

These variances were included in the Budget Review adopted by Council on 18 March 2008

#### Recurrent Expenditure

###### *Transport \$257,875 additional expenditure*

There is a material variance in Transport due to seasonal expenditure in the areas of Road Maintenance and Drainage Maintenance prior to the Wet Season exceeding expectations. This will result in a \$300,000 spend over original budget as per Budget Review adopted by Council on 18 March 2008.

These variances were included in the Budget Review adopted by Council on 18 March 2008

#### Capital

##### Sale of Assets / Land Held for Resale

###### *\$236,578 additional revenue*

There is a material variance in Sale of Assets / Land held for resales due to the sale of the Ewin Centre not being finalised to date as estimated when budgeting.

This is offset by additional unbudgeted revenues for sale of plant of \$62,500 (as per Budget Review)

Increased revenue from sale of parks of \$150,000 and Airport Land of \$120,000

These variances were included in the Budget Review adopted by Council on 18 March 2008

##### Capital Grants / Contributions

###### *\$399,536 less revenue*

There is material variance in Capital Grants / Contributions due to some capital grants having not been received as estimated when budgeting due to project delays

##### Capital Expenditure (by Class)

###### *Infrastructure Assets - Other \$762,729 less expenditure*

Primarily relates to projects at the Airport budgeted to be completed prior to Wet Season but delayed due to other commitments on officers time and awaiting confirmation of grant applications.

\$400,000 relates to carpark upgrade and \$306,000 to TaxiWay Foxtrot

###### *Plant and Equipment - \$84,466 additional expenditure*

As detailed in the Budget Review document adopted by Council on 18 March 2008 items of light plant tendered in 2006/07 but not delivered prior to 30 June were not included in 2007/08 budget as an oversight. This impacts on the budget by \$152,000. This is partially offset by savings in purchase of security screening equipment of \$40,000

#### Adjustments

There are no material variances requiring explanation

#### Adjustments and Accruals

There is a material variance in our opening surplus due to the finalisation of audited figures by audit which increase the estimated opening funds figure.

**Shire of Wyndham East Kimberley  
Bank Reconciliation  
as at 31 March 2008**

|   |                   |
|---|-------------------|
| Balance as per  |                   |
| Municipal Fund Bank Account (131)   | 902,098.82        |
| <b>Add</b>  |                   |
| Outstanding Cheques   | 12,079.27         |
| Credit Card Journal posting (will clear in April)   | 1,777.07          |
| Cancelled cheques - timing will clear   |                   |
| ~ Chq 38348 - Dept Planning & Infrastructure cancelled April                                      | 5,472.40          |
| Deposits in bank not in GL  |                   |
| ~ Kimberley Exhaust direct deposit not receipted (waiting instructions)                           | 260.00            |
| ~ Bill Express deposited end of March receipted April   | 3,470.35          |
| ~ Leisure Centre EFTPOS banked end of March receipted in April                                    | 1,539.68          |
| <b>Less</b>   |                   |
| Outstanding Deposits  |                   |
| ~ Knx & Wyn banking receipted 31/3/08 deposited Apr - will clear Apr (\$4238.75 Knx \$229.20 Wyn) | 4,467.95          |
| -Wyn Receipting Banking 28/3/08 - will clear in April   | 1,714.00          |
| Visa card transactions for Dec ( EMCMS \$3572.16) yet to be entered - waiting receipts            | 3,572.16          |
| Visa card payment 2/1/08 - transactions yet to be entered - waiting receipts                      | 111.40            |
|   | -                 |
| Reversed receipt (will clear in April)  | 185.90            |
| <b>Account 131 Adjusted total</b>   | <b>916,646.18</b> |
| Balance as per  |                   |
| Trading Account as per bank statement   | 916,646.18        |
| Variance  | <hr/> <hr/> -     |

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

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | 20 May 2008   |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                     |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley                     |
| <b>AUTHOR:</b>            | Sue Dillon, Finance Officer                         |
| <b>REPORTING OFFICER:</b> | Jo-Anne Ellis, Executive Manager Corporate Services |
| <b>FILE NO:</b>           | 60.14.03  |
| <b>ASSESSMENT NO:</b>     | N/A   |

#### **PURPOSE**

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

#### **BACKGROUND**

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

#### **STATUTORY IMPLICATIONS**

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

#### **POLICY IMPLICATIONS**

Delegation 18 – Payment of Creditors

#### **FINANCIAL IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

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

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

#### **COMMUNITY CONSULTATION**

N/A

## **COMMENT**

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

## **ATTACHMENTS**

List of Accounts Paid Under Delegation 18

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

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

|   |                     |
|---|---------------------|
| Municipal cheques 038378 - 038415 (10 April 2008 to 24 April 2008)) | \$41,588.97         |
| EFT 102765 to EFT102917 (10 April 2008 to 24 April 2008))           | \$327,193.75        |
| Payroll (26 March 2008 to 23 April 2008)                            | \$212,978.38        |
| Direct bank debits (1 to 30 April 2008)                             | \$13,519.84         |
| <b>Total</b>  | <b>\$595,280.94</b> |

## **COUNCIL DECISION**

Minute No.8196

Moved: Cr F Mills

Seconded: Cr P Caley

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

|  |                     |
|--|---------------------|
| <i>Municipal cheques 038378 - 038415 (10 April 2008 to 24 April 2008))</i> | <i>\$41,588.97</i>  |
| <i>EFT 102765 to EFT102917 (10 April 2008 to 24 April 2008))</i>           | <i>\$327,193.75</i> |
| <i>Payroll (26 March 2008 to 23 April 2008)</i>                            | <i>\$212,978.38</i> |
| <i>Direct bank debits (1 to 30 April 2008)</i>                             | <i>\$13,519.84</i>  |
| <i>Total</i>   | <i>\$595,280.94</i> |

**Carried Unanimously: 8/0**

## List of Accounts Paid Under Delegation 18

### List of accounts submitted to Council 20/05/2008

| Chq/EFT   | Date       | Name                                  | Description  | Amount    |
|-----------|------------|---------------------------------------|--|-----------|
| EFT102765 | 10/04/2008 | ADVANCED WEIGHING TECH NT PTY LTD     | TEST & CERTIFY CHECK IN COUNTERS AT AIRPORT        | 253.00    |
| EFT102766 |            | ALLGEAR MOTORCYCLES                   | 4 X 250MT BRUSHCUTTER CORD, 3 SETS MOWER BLADES    | 716.00    |
| EFT102767 |            | ATO CHILD SUPPORT AGENCY              | PAYROLL DEDUCTIONS                                 | 41.55     |
| EFT102768 |            | AUSTRALIA POST                        | POSTAGE CHARGES - MARCH 2008                       | 429.43    |
| EFT102769 |            | AUSTRALIAN FEDERAL POLICE             | CHARACTER CHECK                                    | 32.73     |
| EFT102770 |            | AUSTRALIAN SERVICES UNION             | PAYROLL DEDUCTIONS                                 | 194.70    |
| EFT102771 |            | BEAUREPAIRES (KUNUNURRA)              | SUPPLY & FIT 4 TYRES - WY11630, 1 TYRE - WY10432   | 839.00    |
| EFT102772 |            | BERM BACKHOE HIRE                     | SLASHING RURAL VERGES AROUND KNX - MARCH 2008      | 15,048.00 |
| EFT102773 |            | BOAB BOOKS                            | COFFEE TABLE BOOKS - GIFTS, CITIZENSHIPS           | 274.75    |
| EFT102774 |            | BOAB CARPENTRY MAINTENANCE SERVICE    | REGLAZE WINDOW WCCC;REPLACE STEP 16 KIMBERLEY ST   | 418.00    |
| EFT102775 |            | CARPET VINYL & TILE CENTRE            | REPLACE 7 X VENETIAN BLINDS AT 6 EUGENIA           | 1,201.20  |
| EFT102776 |            | CHEFMASTER AUSTRALIA                  | GARBAGE BAGS & BIN LINERS                          | 1,469.45  |
| EFT102777 |            | CREDIPAC AUSTRALIA                    | DEBT COLLECTION FEES - JANUARY 2008                | 350.86    |
| EFT102778 |            | EAST KIMBERLEY HARDWARE               | COOLER JUG, CLEANER, DEMINERALISED WATER           | 173.60    |
| EFT102779 |            | EAST KIMBERLEY PLUMBING               | REPAIRS TO LEAKING TOILET - CHILD CARE CENTRE      | 223.10    |
| EFT102780 |            | FISCHER, CYNTHIA                      | MONTHLY CLEANING OF WYNDHAM CONVENIENCES           | 3,642.37  |
| EFT102781 |            | FRANMOR CONSTRUCTIONS PTY LTD         | REPLACE DAMAGED FENCE 3 EUCALYPTUS DR              | 1,811.00  |
| EFT102782 |            | ICEAGE REFRIGERATION & AIRCON         | REPAIRS TO AIR CONDITIONER AT 1/57 RIVERFIG AVE    | 478.50    |
| EFT102783 |            | K & M ALLCLEAN                        | MONTHLY CLEANING FACILITIES IN KUNUNURRA           | 13,374.22 |
| EFT102784 |            | KIMBERLEY AREA CONSULTATIVE COMMITTEE | GRANT WRITING WORKSHOP                             | 325.00    |
| EFT102785 |            | KIMBERLEY BOAB KREATIONS              | 500 BOAB CHOCOLATE SINGLES                         | 500.00    |
| EFT102786 |            | KIMBERLEY HYDRAULICS                  | SUPPLY 24 VOLT ELECTRIC PUMP & MACHINING - 1BAX455 | 1,155.00  |
| EFT102787 |            | KIMBERLEY MARKETING                   | CHOCOLATES, LOLLIES, CHIPS FOR SALE IN KIOSK       | 649.75    |
| EFT102788 |            | KIMBERLEY PUMPING SERVICE             | SERVICE FILTERS AT CELEBRITY TREE PARK & LAKESIDE  | 3,859.90  |
| EFT102789 |            | KINGS CROWN INSTRUMENTATION & ELECT   | REPLACE CEILING EXTRACT FAN                        | 151.80    |
| EFT102790 |            | KNICKEL GARDENING SERVICES            | SUPPLY CONCRETE PAVERS 19/02/08                    | 30.00     |
| EFT102791 |            | KUNUNURRA DIESEL SERVICES             | SERVICE, S/MOTOR, ALTERNATOR, BATTERIES - GRADER   | 3,374.80  |

|           |  |   |           |
|-----------|--|---|-----------|
| EFT102792 | KUNUNURRA HOME HARDWARE                  | RETICULATION FITTINGS                               | 72.00     |
| EFT102793 | KUNUNURRA LOCK & KEY                     | REPAIR LOCK AIRPORT FRONT AUTO DOORS                | 187.00    |
| EFT102794 | KUNUNURRA PEST MANAGEMENT                | PEST INSPECTIONS, SERVICES X 3                      | 605.00    |
| EFT102795 | KUNUNURRA REFRIGERATION                  | SERVICING OF AIR CONDITIONERS - KNX CHILD CARE CTRE | 1,045.35  |
| EFT102796 | KUNUNURRA SECURITY SERVICE               | SECURITY CALLOUT 15/02/08                           | 66.00     |
| EFT102797 | L.G.R.C.E.U                              | PAYROLL DEDUCTIONS                                  | 15.30     |
| EFT102798 | LAYTON TECHNOLOGY PTY LTD                | HELP BOX & AUDITWIZARD ANNUAL SUPPORT               | 595.00    |
| EFT102799 | MEGAN HUNT                               | WEEKLY CLEANING OF WYNDHAM SHIRE FACILITIES         | 1,864.50  |
| EFT102800 | ORD RIVER ELECTRICS                      | REPAIR AIR CON - EWIN CENTRE, ELECTRICAL FAULT KCC  | 1,512.21  |
| EFT102801 | R.KERR CONTRACTING                       | OPENING GRADE OF KALUMBURU ROAD                     | 8,250.00  |
| EFT102802 | RED SUN SPORTS                           | SWIMMING GOGGLES FOR SALE                           | 247.35    |
| EFT102803 | ROYAL LIFE SAVING (WA BRANCH)            | LIFEGUARD COURSES                                   | 660.00    |
| EFT102804 | SEASONS OF PERTH                         | ACCOM&MEALS CRS PUCCI/MILLS KIMB PILB JOINT FORUM   | 941.50    |
| EFT102805 | SETON AUSTRALIA PTY LTD                  | TERMINAL FLOOR SIGNS                                | 480.98    |
| EFT102806 | SHERIDAN'S FOR BADGES                    | NAME BADGES FOR 11 STAFF                            | 172.29    |
| EFT102807 | SHIRE OF DERBY-WEST KIMBERLEY            | REIMBURSEMENTS 1/3 SHARE OF EXPO STAND              | 1,442.45  |
| EFT102808 | SHIRE OF WYNDHAM EAST KIMBERLEY          | PAYROLL DEDUCTIONS                                  | 245.00    |
| EFT102809 | THE MANGROVE HOTEL                       | ACCOMMODATION - MOSQUITO FOGGING COURSE             | 2,100.00  |
| EFT102810 | TOLL EXPRESS                             | FREIGHT CHARGES FOR WEEK ENDING 16/03/08            | 590.71    |
| EFT102811 | TOTAL EDEN - KP PUMPS                    | RETICULATION FITTINGS                               | 273.52    |
| EFT102812 | TRIPP, KATYA MARIE                       | CONFERENCE - REIMBURSEMENT OF PARKING & PETROL      | 197.10    |
| EFT102813 | TUCKERBOX/RETRAVISION                    | VIDEO CAMERA, FOOD & DRINKS VARIOUS FUNCTIONS       | 2,305.48  |
| EFT102814 | VANDERFIELD MACHINERY PTY LTD            | PARTS FOR JOHN DEERE MOWER & TRAILER                | 182.24    |
| EFT102815 | WA LOCAL GOVERNMENT SUPER PLAN           | SUPERANNUATION CONTRIBUTIONS                        | 17,880.77 |
| EFT102816 | 17/04/2008 AQUATIC CONSTRUCTION SERVICES | WYNDHAM POOL INVESTIGATIVE STUDY                    | 24,200.00 |
| EFT102817 | AUSFUEL AFD AUSTRALIAN FUEL DIST         | FUEL PURCHASED MARCH 2008                           | 1,009.63  |
| EFT102818 | ACTION LASER CUTTING                     | CAMELS FOR WYNDHAM APPROACH DISPLAY                 | 4,749.16  |
| EFT102819 | B VISUAL MEDIA                           | 35 COPIES OF MY HOME MY HEART                       | 679.19    |
| EFT102820 | BEAUREPAIRES (KUNUNURRA)                 | 2 X RIMS & 4 X NEW TYRES FOR PATCHING TRAILER       | 480.00    |
| EFT102821 | BOAB CARPENTRY MAINTENANCE SERVICE       | REPLACE BACK DOOR, REPAIR DOORS & LOCKS WCCC        | 1,099.00  |
| EFT102822 | BRENDAN JOHNS ELECTRICS                  | ELECTRICAL WORK TO REPLACE AIR CON 3B DRYANDRA      | 296.55    |
| EFT102823 | CIVIC LEGAL                              | PROFESSIONAL FEES RECOVERY                          | 310.00    |

|           |                                       |   |          |
|-----------|---------------------------------------|---|----------|
| EFT102824 | CORPORATE EXPRESS                     | STATIONERY SUPPLIED - APRIL 2008                      | 1,272.13 |
| EFT102825 | EAST KIMBERLEY HARDWARE               | GARDENING TOOLS FOR WYNDHAM DEPOT                     | 740.50   |
| EFT102826 | EAST KIMBERLEY PLUMBING               | REPAIR BURST WATER METER STANDPIPE AT AIRPORT         | 216.70   |
| EFT102827 | FEWSTER, KELLY                        | REIMBURSEMENT OF COSTS - HEALTH CONFERENCE            | 710.50   |
| EFT102828 | IOR PETROLEUM PTY LTD                 | 4100L DIESEL DELIVERED TO KUNUNURRA AIRPORT           | 6,661.68 |
| EFT102829 | JOOROOK NGARNI ABORIGINAL CORPORATION | HIRE OF BOBCAT AND DRILL ATTACHMENT                   | 330.00   |
| EFT102830 | JORRITSMA H & CO                      | RETIC FITTINGS FOR CHILD CARE CENTRE                  | 295.20   |
| EFT102831 | KIMBERLEY ECHO-ALBANY ADVERTISER      | ADVERTISING FOR RATES FINANCE OFFICER - 13/03/08      | 320.40   |
| EFT102832 | KIMBERLEY INDUSTRIES METALAND         | SWIVEL BRACKET FOR PATCHING TRAILER                   | 45.08    |
| EFT102833 | KIMBERLEY MARKETING                   | LARGE BIN BAGS FOR COMMUNITY CLEAN UP                 | 91.41    |
| EFT102834 | KIMBERLEY VET CENTRE                  | SENTINEL CHICKEN CONSULT & EUTHANASIA                 | 80.00    |
| EFT102835 | KUNUNURRA BETTA ELECTRICAL & GAS      | SANDWICH PRESS & KETTLE FOR LIBRARY                   | 79.90    |
| EFT102836 | KUNUNURRA HOME HARDWARE               | FINE THREAD TAP FITTING                               | 10.90    |
| EFT102837 | KUNUNURRA MOBILE WELDING SERVICE      | REPLACE OLD SHADE SAIL POLE OVER BABY POOL            | 544.50   |
| EFT102838 | KUNUNURRA PANEL BEATING WORKS WA P/L  | EXCESS PAYABLE ON REPAIRS TO WY12495                  | 300.00   |
| EFT102839 | KUNUNURRA PEST MANAGEMENT             | TERMITE INSPECTIONS                                   | 220.00   |
| EFT102840 | LANDGATE                              | GRV VALUATIONS CHARGABLE 9/2/08 - 7/3/08              | 163.78   |
| EFT102841 | MARTIN PRINT                          | BUSINESS CARDS FOR STAFF MEMBERS                      | 312.00   |
| EFT102842 | MCKINLAY, BETTY                       | REIMBURSEMENT OF ELECTRICITY SUBSIDY                  | 348.08   |
| EFT102843 | OFFICE NATIONAL KUNUNURRA             | REPAIRS TO FAX MACHINE AT ADMINSTRATION               | 95.00    |
| EFT102844 | ORD LAND AND WATER INCORPORATED       | EQUIPMENT WEED CONTROL ON LAKE KUNUNURRA              | 292.62   |
| EFT102845 | ROGERS MACHINERY SERVICE              | 2 BOLTS FOR KUBOTA TRACTOR WY10434                    | 58.60    |
| EFT102846 | SHELF SUPPLY                          | MEATY BITES FOR POUND                                 | 63.50    |
| EFT102847 | SPORTSWORLD OF WA                     | WATER POLO BALLS                                      | 61.05    |
| EFT102848 | TNT AUSTRALIA PTY LIMITED             | FREIGHT OF PROMOTIONAL MATERIALS FOR EXPO             | 450.68   |
| EFT102849 | TOLL EXPRESS                          | FREIGHT OF LIBRARY EXCHANGE                           | 106.46   |
| EFT102850 | TOTAL EDEN - KP PUMPS                 | POOL SALT FOR WYNDHAM POOL, RETIC FITTINGS            | 605.66   |
| EFT102851 | VANDERFIELD MACHINERY PTY LTD         | REPAIR SLASHER KUNUNURRA AIRPORT                      | 328.04   |
| EFT102852 | WA LOCAL GOVERNMENT ASSOCIATION       | ADVERTISING - MARCH 2008                              | 2,983.67 |
| EFT102853 | 24/04/2008 APPERLEY, KARYN            | REIMBURSEMENT OF WATER SUBSIDY                        | 240.73   |
| EFT102854 | ARGYLE MOTORS                         | 10,000KM SERVICE - WY12248, 5,000KM SERVICE - WY12646 | 470.70   |
| EFT102855 | ATTORNEY-GENERAL'S DEPT AUSCHECK      | ASIC CARD CHECK FOR AIRPORT STAFF                     | 328.00   |

|           |                               |   |           |
|-----------|-------------------------------|---|-----------|
| EFT102856 | AUSTRALIAN SERVICES UNION     | PAYROLL DEDUCTIONS                                  | 177.00    |
| EFT102857 | AUSTRALIAN TAXATION OFFICE    | BAS - MARCH 2008                                    | 45,934.00 |
| EFT102858 | AVDATA SERVICES               | SCANNER FOR AVDATA MACHINE AT AIRPORT               | 346.50    |
| EFT102859 | BEAUREPAIRES (KUNUNURRA)      | REPAIR TYRE, SUPPLY & FIT TYRE LARGER PLANT TRAILER | 456.88    |
| EFT102860 | BLACKWOODS ATKINS PTY LTD     | 20L PLASTIC JERRY CAN                               | 33.30     |
| EFT102861 | BOAB BOOKS                    | NATIVE PLANTS FOR TOP END GARDENS BOOK              | 49.45     |
| EFT102862 | BOC GASES AUSTRALIAN LIMITED  | MONTHLY RENTAL FOR INDUSTRIAL GAS BOTTLES           | 398.12    |
| EFT102863 | BRANKO BP MOTORS              | CARRY OUT 200H SERVICE ON WY12280, FUEL MARCH 08    | 3,125.19  |
| EFT102864 | BRUCE HARDING                 | REIMBURSEMENT OF ELECTRICITY SUBSIDY                | 31.65     |
| EFT102865 | CHEMISTRY CENTRE (WA)         | REPORT ON WATER SAMPLE RECEIVED                     | 165.00    |
| EFT102866 | CIVIC LEGAL                   | LEGAL ADVICE  | 6,717.55  |
| EFT102867 | CORPORATE EXPRESS             | FILING OUTGUIDES, STANLEY TRIMMER BLADES            | 135.29    |
| EFT102868 | CROCODILE SIGNS               | STREET SIGNS, FIRE PREVENTION SIGN                  | 2,710.40  |
| EFT102869 | CSG                           | CRYSTAL REPORTS TRAINING KEN COTTER                 | 1,210.00  |
| EFT102870 | DERRICK STEENSON              | SUPPLY & FIT RAIL TO RAMP AT THORLEY'S STORE        | 918.50    |
| EFT102871 | EAST KIMBERLEY HARDWARE       | 100 METRES OF ROPE, HARDWARE                        | 363.55    |
| EFT102872 | EAST KIMBERLEY PLUMBING       | REMOVE BLOCKAGE FROM EXALOO KONKERBERRY DR          | 176.00    |
| EFT102873 | FEWSTER, KELLY                | REIMBURSEMENT OF ELECTRICITY SUBSIDY                | 130.74    |
| EFT102874 | FRANMOR CONSTRUCTIONS PTY LTD | TILING CHANGE ROOMS L/CENTRE, SHELVING UNIT ADMIN   | 4,387.75  |
| EFT102875 | FYSH GRADER HIRE              | OPENING SURFACE GRADES                              | 8,373.75  |
| EFT102876 | GARY MCCARNEY                 | REIMBURSEMENT OF ELECTRICITY SUBSIDY                | 74.42     |
| EFT102877 | HART SPORT                    | 6 HEAVY DUTY BASKETBALL RINGS                       | 1,050.00  |
| EFT102878 | JASON SIGNMAKERS LTD          | 2 X WELCOME TO THE SHIRE SIGNS                      | 979.55    |
| EFT102879 | JH COMPUTER SERVICES          | HEWLETT-PACKARD: LTO4 ULTRIUM 1.6TB RW DATA TAPE    | 1,469.05  |
| EFT102880 | JUDIUS PTY LTD                | OUT OF SCHOOL CARE RESOURCES                        | 333.46    |
| EFT102881 | KIMBERLEY COMMUNICATIONS      | REMOVE & INSTALL UHF RADIO WY10432 & WY12646        | 865.70    |
| EFT102882 | KIMBERLEY GROUP TRAINING      | HOST EMPLOYERS CONTRIBUTION                         | 661.75    |
| EFT102883 | KIMBERLEY INDUSTRIES METALAND | MATERIALS TO REBUILD TRAILER                        | 1,670.69  |
| EFT102884 | KIMBERLEY KOOL REFRIGERATION  | REPAIRS TO ICE MACHINE AT DEPOT                     | 330.00    |
| EFT102885 | KIMBERLEY METAL RECYCLERS     | DISPOSAL OF MEDICAL WASTE - MARCH 2008              | 396.00    |
| EFT102886 | KIMBERLEY MOTORS              | FUEL PURCHASED MARCH 2008                           | 2,660.59  |
| EFT102887 | KIMBERLEY WASTE SERVICES      | WASTE COLLECTION MARCH 2008                         | 48,970.08 |

|           |                                      |  |                   |
|-----------|--------------------------------------|--|-------------------|
| EFT102888 | KUNUNURRA DIESEL SERVICES            | REPLACE NEW TYRE TO RIM - TIP TRUCK WY11160        | 784.50            |
| EFT102889 | KUNUNURRA PEST MANAGEMENT            | ANNUAL TERMITE INSPECTIONS                         | 880.00            |
| EFT102890 | KUNUNURRA SECURITY SERVICE           | AIRPORT BAGGAGE & SCREENING 12/3/08 - 25/3/08      | 14,531.00         |
| EFT102891 | L.G.R.C.E.U                          | PAYROLL DEDUCTIONS                                 | 15.30             |
| EFT102892 | LANDGATE                             | RURAL UV INTERIM VALUATIONS 16/2/08-14/3/08        | 246.40            |
| EFT102893 | MCKINLAY, BETTY                      | REIMBURSEMENT OF WATER SUBSIDY                     | 68.04             |
| EFT102894 | MEGAN HUNT                           | WEEKLY CLEANING OF WYNDHAM SHIRE FACILITIES        | 2,046.00          |
| EFT102895 | MIRIMA COUNCIL, LANGUAGE & CULTURE   | CULTURAL AWARENESS COURSE B FLYNN                  | 165.00            |
| EFT102896 | OFFICE NATIONAL KUNUNURRA            | CARD FOR INVITIATIONS TO YOUTH CENTRE OPENING      | 59.82             |
| EFT102897 | ORD RIVER ELECTRICS                  | INSTALL W/PROOF HD P/POINT-ROOF SWIMBEACH TOILETS  | 814.00            |
| EFT102898 | ORD RIVER MEAT SUPPLY                | SAUSAGES FOR NATIONAL YOUTH WEEK                   | 132.74            |
| EFT102899 | ORIA ORCHARDS                        | DELIVERY OF FLOWERS TO KNX ADMINISTRATION          | 60.00             |
| EFT102900 | PEERLESS JAL PTY LTD                 | HAND TOWELS, PLASTIC CUPS ETC                      | 747.30            |
| EFT102901 | PLANT HIRE SERVICES PTY LTD          | MACHINERY HIRE COSTS TO REPAIR EROSION             | 13,585.00         |
| EFT102902 | PROFESSIONAL SUPPORT COORDINATOR WA  | ANNUAL MEMBERSHIP                                  | 110.00            |
| EFT102903 | RACHEL WORNES                        | REIMBURSEMENT OF ELECTRICITY SUBSIDY               | 230.08            |
| EFT102904 | ROCKTOWN MUSIC                       | REPLACED POWER SUPPLY&BATTERIES - CHIAVO VICTORY   | 506.00            |
| EFT102905 | ROGERS MACHINERY SERVICE             | SERVICE WY10434,WY11719,REELHOSE&PARTS SPRAYUNIT   | 2,358.00          |
| EFT102906 | SHIRE OF WYNDHAM EAST KIMBERLEY      | PAYROLL DEDUCTIONS                                 | 245.00            |
| EFT102907 | SLINGAIR PTY LTD                     | AERIAL INSPECTION OF KALUMBURU ROAD                | 2,127.50          |
| EFT102908 | STUBBS, PETER                        | REIMBURSEMENT OF WATER SUBSIDY                     | 85.28             |
| EFT102909 | TNT AUSTRALIA PTY LIMITED            | FREIGHT OF WATER SAMPLES FOR WEEK ENDING 5/4/08    | 161.32            |
| EFT102910 | TOLL EXPRESS                         | FREIGHT COSTS FOR WEEK ENDING 30/3/08              | 109.86            |
| EFT102911 | TONY'S PLUMBING & EXCAVATION PTY LTD | DRAIN/WATER MAIN REPAIRS AT WYNDHAM POOL&DEPOT     | 575.30            |
| EFT102912 | TOP END MOTORS                       | 50,000KM SERVICE 1CQN 641, LICENCE INSPECT TRAILER | 425.90            |
| EFT102913 | TRENGOVE, AMANDA JANE                | REIMBURSEMENT OF ELECTRICITY SUBSIDY               | 346.48            |
| EFT102914 | TROPICAL PEST CONTROL                | MOSQUITO FOGGING FOR FEB - MARCH 2008 (23 HOURS)   | 4,994.00          |
| EFT102915 | WYNDHAM SUPERMARKET                  | REFRESHMENTS - MARCH COUNCIL MEETING               | 45.90             |
| EFT102916 | WYNDHAM TOURIST INFORMATION CENTRE   | SUPPLY OF TOURIST INFORMATION MARCH 2008           | 476.66            |
| EFT102917 | WYNDHAM TOWN HOTEL                   | ACCOMMODATION FOR R BAIRSTOW BRONZE COURSE         | 359.00            |
|           |                                      | <b>Total EFT Payments</b>                          | <b>327,193.75</b> |

| Chq/EFT | Date       | Name                                    | Description                                     | Amount    |
|---------|------------|---|---|-----------|
| 38378   | 10/04/2008 | BUSBY INVESTMENTS T/A BUDGET RENT A CAR | HIRE OF DUAL CAB RODEO FOR FEB 20-19 MARCH 2008 | 2,249.12  |
| 38379   |            | CASH - PETTY CASH KNX AIRPORT           | REIMBURSEMENT OF PURCHASES PETTY CASH AIRPORT   | 74.85     |
| 38380   |            | GARNDUWA AMBOORNY WIRNAN                | QUICK GRANT FUNDING SCHOOL SOFTBALL CARNIVAL    | 550.00    |
| 38381   |            | HORIZON POWER                           | ELECTRICITY SUPPLIED                            | 13,892.55 |
| 38382   |            | MLC THE RETIREMENT PLAN                 | SUPERANNUATION CONTRIBUTIONS                    | 165.54    |
| 38383   |            | MONSOON ARCHITECTURAL                   | TERMINAL MASTER PLAN FOR KUNUNURRA AIRPORT      | 4,198.00  |
| 38384   |            | REST SUPER                              | SUPERANNUATION CONTRIBUTIONS                    | 372.93    |
| 38385   |            | RICK SPRY                               | REIMBURSEMENT OF ELECTRICITY SUBSIDY            | 271.80    |
| 38386   |            | VAGG'S WYNDHAM LIQUOR                   | REFRESHMENTS FOR COUNCIL MEETING                | 57.96     |
| 38387   |            | VICSUPER                                | SUPERANNUATION CONTRIBUTIONS                    | 157.34    |
| 38388   | 17/04/2008 | BROOME RESORT DEVELOPMENT CORP P/L      | REFUND OVERPAYMENT OF RATES                     | 113.69    |
| 38389   |            | BUSBY INVESTMENTS T/A BUDGET RENT A CAR | CAR HIRE CONFERENCES-K TRIPP,K FEWSTER,CR PUCCI | 836.46    |
| 38390   |            | CARLTON HILL STATION PTY LTD            | REFUND OVERPAYMENT OF RATES                     | 1,164.58  |
| 38391   |            | CHOICE                                  | ANNUAL CHOICE MAGAZINE SUBSCRIPTION             | 125.00    |
| 38392   |            | DONNA PATRICIA FUNNEL                   | REFUND OVERPAYMENT OF RATES                     | 68.20     |
| 38393   |            | HORIZON POWER                           | ELECTRICITY SUPPLIED                            | 33.05     |
| 38394   |            | PROCOPY                                 | POWERPOINT PRESENTATION MASTER CD & 200 COPIES  | 495.00    |
| 38395   |            | TELSTRA                                 | LANDLINE TELEPHONE EXPENSES - MARCH 2008        | 2,828.47  |
| 38396   |            | WYNDHAM FAMILY SUPPORT                  | MATERIALS FOR REPLACEMENT CUSHION COVERS        | 70.00     |
| 38397   | 24/04/2008 | BUSBY INVESTMENTS T/A BUDGET RENT A CAR | HIRE OF VEHICLE FOR E MCKINLAY FOR CONFERENCE   | 117.33    |
| 38398   |            | CANNING BRIDGE AUTO LODGE               | ACCOMMODATION FOR L WANSTALL RECORDS TRAINING   | 390.00    |
| 38399   |            | DPI                                     | ISSUE OF LOCAL GOVERNMENT PLATES WY566          | 130.00    |
| 38400   |            | EDUCATIONAL EXPERIENCE PTY LTD          | CRAFT ITEMS FOR STORYTIME                       | 275.72    |
| 38401   |            | EWIN CENTRE CHILDREN SERVICES           | AFTERNOON FEES - CLOSED DUE TO AIR CON FAULT    | 407.00    |
| 38402   |            | HORIZON POWER                           | ELECTRICITY SUPPLIED                            | 250.05    |
| 38403   |            | CHEQUE RAISED IN ERROR - CANCELLED      |   | 0.00      |
| 38404   |            | LAURINE WANSTALL                        | REIMBURSEMENT OF EXPENSES RECORDS TRAINING      | 131.49    |
| 38405   |            | MLC THE RETIREMENT PLAN                 | SUPERANNUATION CONTRIBUTIONS                    | 165.54    |
| 38406   |            | NELSONS OF BRIDGETOWN                   | ACCOMMODATION FOR K TRIPP NRM CONFERENCE        | 250.00    |

|       |                                  |   |                         |
|-------|----------------------------------|---|-------------------------|
| 38407 | ORICA AUSTRALIA PTY LTD          | MONTHLY SERVICE FEE FOR CHLORINE CYLINDERS    | 314.07                  |
| 38408 | ORD VALLEY TURF                  | TURF FOR KNX YOUTH CENTRE LANDSCAPING         | 3,465.00                |
| 38409 | REST SUPER                       | SUPERANNUATION CONTRIBUTIONS                  | 371.98                  |
| 38410 | SHIRE OF ROEBOURNE               | KIMBERLEY-PILBARA JOINT FORUM DELEGATES FEES  | 1,050.00                |
| 38411 | TELSTRA                          | MOBILE PHONE CHARGES                          | 1,165.92                |
| 38412 | TOWNSVILLE ENGRAVING WORX        | LASER ETCHED PLAQUES FOR KUNUNURRA CHILD CARE | 435.49                  |
| 38413 | VICSUPER                         | SUPERANNUATION CONTRIBUTIONS                  | 157.34                  |
| 38414 | WATER CORPORATION                | WATER USAGE                                   | 4,727.00                |
| 38415 | WESFARMERS KLEENHEAT GAS PTY LTD | ANNUAL RENTAL OF 45KG CYLINDER FOR KLC BBQ    | 60.50                   |
|       |                                  | <b>Total Cheque Payments</b>                  | <b><u>41,588.97</u></b> |

**Payroll**

|         |            |                               |                          |
|---------|------------|-------------------------------|--------------------------|
| PAYROLL | 26/03/2008 | FORTNIGHTLY PAYROLL           | 483.30                   |
| PAYROLL | 09/04/2008 | FORTNIGHTLY PAYROLL           | 106,057.95               |
| PAYROLL | 23/04/2008 | FORTNIGHTLY PAYROLL           | 106,437.13               |
|         |            | <b>Total Payroll Payments</b> | <b><u>212,978.38</u></b> |

|              |  |                         |
|--------------|--|-------------------------|
| DIRECT DEBIT | RENT 12/33 KONKERBERRY DRIVE KUNUNURRA | 1,473.33                |
| DIRECT DEBIT | BANK FEES                              | 189.70                  |
| DIRECT DEBIT | MESSAGES ON HOLD                       | 507.00                  |
| DIRECT DEBIT | MERCHANT FEES                          | 370.19                  |
| DIRECT DEBIT | BILL EXPRESS                           | 27.50                   |
| DIRECT DEBIT | VISA PAYMENT                           | 9,972.73                |
| DIRECT DEBIT | WESTNET P/L                            | 979.39                  |
|              | <b>TOTAL DIRECT DEBIT PAYMENTS</b>     | <b><u>13,519.84</u></b> |

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### 13.1.3.Council Fees and Charges 2008/09

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                        |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley                        |
| <b>AUTHOR:</b>            | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>REPORTING OFFICER:</b> | Jo-Anne Ellis, Executive Manager<br>Corporate Services |
| <b>FILE NO:</b>           | 60.21.01   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

To adopt Council Fees and Charges for 2008/09

#### **BACKGROUND**

Fees and Charges are included as part of the budget and as such can only be applied from the date of budget adoption. To enable the fees and charges for 2008/09 to be charged from 1 July 2008 Council needs to adopt them prior to this date and advertise the intention to impose such fees and charges.

Councillors reviewed Fees and Charges recommendations at the 1<sup>st</sup> Budget Workshop on Tuesday 8 April 2008. That document had prior year fees, CPI increase and recommended fee columns. The document was revised based on Councillor feedback and presented again at the briefing session on 6 May.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 Sections 6.16 – 6.19

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Fees and Charges at appropriate quantum add to the financial sustainability of a Local Government.

#### **STRATEGIC IMPLICATIONS**

Imposing an appropriate fee or charge for the goods and services provided by Council is in keeping with the provisions of the Local Government Act, Competition Policy and good Corporate Governance.

#### **COMMUNITY CONSULTATION**

Local Public Notice will be given to the community to ensure they are informed that new fees and charges will apply from 1 July 2008. Additionally, where appropriate, letters will be written to persons/groups that are impacted by a new fee or change in fee structure.

## **COMMENT**

Councillors have reviewed the Proposed Fees and Charges on two occasions and the Airport Committee has undertaken a benchmarking and detailed review process on the Airport Fees and Charges with a recommendation in this agenda.

## **ATTACHMENTS**

Proposed Fees and Charges 2008-09

## **VOTING REQUIREMENT**

Absolute Majority

## **RECOMMENDATION**

That Council

1. Adopt the proposed fees and charges for 2008-09 as appended to this agenda.
2. Give Local Public Notice of the intention to impose these fees effective 1 July 2008.

## **COUNCIL DECISION**

Minute No. 8197

Moved: Cr D Ausburn

Seconded: Cr J Moulden

*That Council*

1. *Adopt the proposed fees and charges for 2008-09 as appended to this agenda.*
2. *Give Local Public Notice of the intention to impose these fees effective 1 July 2008.*

**Carried by Absolute Majority: 8/0**

**Keith Williams left the meeting at 6:20pm.**

**Alex Douglas entered the meeting and Keith Williams returned to the meeting at 6:21pm.**

# SHIRE OF WYNDHAM-EAST KIMBERLEY

## Proposed Schedule of Fees & Charges 2008/2009

*Fees and Charges are set by Council as part of the budget setting process  
and may be amended from time to time.*

***These Fees and Charges can only be modified at the discretion of Council or the Chief Executive Officer.***

***All requests for concessions on Fees and Charges must be made in advance, in writing.***

***Requests should be addressed to the Chief Executive Officer.***

|   | GST | 2008/09<br>\$ |
|---|-----|---------------|
| <b>GENERAL PURPOSE FUNDING</b>  |     |               |
| Change of Ownership Advices - Rates   |     | 28.00         |
| Change of Ownership Advices - Building  |     | 60.00         |
| Copies of Rate Notices  | √   | 17.00         |
| Rate Book (Hard Copy)   | √   | 315.00        |
| Rate Book (Disc Copy)   | √   | 12.00         |
| Rate Book (Real Estate Disc Copy - New copy sent each update)                     | √   | 105.00        |
| <b>ADMINISTRATION</b>   |     |               |
| <b>Photocopying</b>   |     |               |
| A4 (single sided) per copy  | √   | 0.50          |
| A4 (double sided) per copy  | √   | 1.00          |
| A3 (single sided) per copy  | √   | 1.00          |
| A3 (double sided) per copy  | √   | 2.00          |
| A2 (single sided) per copy  | √   | 2.50          |
| A1 (single sided) per copy  | √   | 5.00          |
| A0 (single sided) per copy  | √   | 10.00         |
| Tender documents (where cost specified in tender advertisement)                   | √   | 55.00         |
| <b>Electoral Roll</b>   |     |               |
| To apply to everyone other than Councillors and Candidates for election purposes. | √   | 30.00         |
| <b>Council Meeting Room</b>   |     |               |
| Government Departments & Private Organisations (as per policy MC4)                |     |               |
| Kununurra (per use per day)   | √   | 150.00        |
| Wyndham (per use per day)   | √   | 100.00        |
| <b>Council Minutes &amp; Agendas</b>  |     |               |
| <i>Minutes and Agendas are available for free on the Councils Website</i>         |     |               |
| Agenda Only (per meeting)   | √   | 20.00         |
| Minutes Only (per meeting)  | √   | 20.00         |
| Minutes & Agenda (per meeting)  | √   | 35.00         |
| Agenda Only (per annum)   | √   | 175.00        |
| Minutes Only (per annum)  | √   | 175.00        |
| Minutes & Agendas (per annum)   | √   | 340.00        |
| (No charge to media)  |     |               |
| <b>Other Council Publications</b>   |     |               |
| <i>Local Laws can be downloaded free from State Publisher Website</i>             |     |               |
| Local Laws  | √   | 22.00         |
| <b>Number Plates</b>  |     |               |
| Special Series Number Plates  |     | 250.00        |

## KUNUNURRA LIBRARY

### Library Services

|   |   |      |
|---|---|------|
| <i>Photocopier is owned by KDHS and they retain the revenue</i>             |   |      |
| Photocopying A4 (single sided) per copy                                     | √ | 0.20 |
| Photocopying A3 (single sided) per copy                                     |   | 0.40 |
| Printing A4 (single sided) per copy   | √ | 0.20 |
| Internet - 30 minute usage  | √ | 4.00 |
|   |   |      |
| Lost & Damaged books/items Admin fee<br>(plus depreciated replacement cost) | √ | 2.00 |

### Temporary Members Deposits (fully refundable)

|                     |       |
|---------------------|-------|
| Deposit for 2 books | 20.00 |
| Deposit for 5 books | 50.00 |

### WYNDHAM CHILD CARE CENTRE

|                          |        |
|--------------------------|--------|
| Child Care - Full Week   | 241.50 |
| Child Care - Full Day    | 57.75  |
| Child Care - Half Day    | 38.85  |
| Child Care - Hourly Rate | 8.40   |

### LAW, ORDER & PUBLIC SAFETY

*One year licenses paid after 1st of May are 50% of the above fee.*

#### Sterilised Dog

##### One Year

|                      |       |
|----------------------|-------|
| Normal Fee           | 10.00 |
| Pensioner Concession | 5.00  |
| Working Dogs         | 2.50  |

##### Three Years

|                      |       |
|----------------------|-------|
| Normal Fee           | 18.00 |
| Pensioner Concession | 9.00  |
| Working Dogs         | 4.50  |

#### Unsterilised Dog

##### One Year

|                      |       |
|----------------------|-------|
| Normal Fee           | 30.00 |
| Pensioner Concession | 15.00 |
| Working Dogs         | 7.50  |

##### Three Years

|                      |       |
|----------------------|-------|
| Normal Fee           | 75.00 |
| Pensioner Concession | 37.50 |
| Working Dogs         | 18.75 |

#### Replacement Dog Tags

|  |   |       |
|--|---|-------|
|  | √ | 10.00 |
|--|---|-------|

#### Schedule of Dog Infringement Fees

|  |       |
|--|-------|
| Dog Seizure Fees   | 50.00 |
| <i>in addition to Infringement Fees as per Dog Act 1976 and Dog Regulations 1976</i> |       |

#### Dog Pound Charges

|   |   |       |
|---|---|-------|
| Each day thereafter   | √ | 15.00 |
| Destruction of dog  | √ | 50.00 |
| <i>Impounded animals are destroyed after 72 hours of detention.</i> |   |       |

#### Cat Traps

|          |     |
|----------|-----|
| Hire Fee | Nil |
|----------|-----|

|  |   |                    |
|--|---|--------------------|
| Bond   |   | 30.00              |
| <b>Vehicle Charges</b>   |   |                    |
| Abandoned Vehicle Infringement                                     |   | 120.00             |
| Towing Abandoned Vehicle - In addition to Infringement             | √ | Full Cost Recovery |
| Poundage Charges, each day   | √ | 12.50              |
| <b>FIRE CONTROL</b>  |   |                    |
| <b>Fire Penalties</b>  |   |                    |
| Fire Break Penalty   |   | 250.00             |
| Fire Break Orders  | √ | Full Cost Recovery |
| <b>HEALTH</b>  |   |                    |
| <b>Asbestos Disposal</b>   |   |                    |
| Application for Asbestos Disposal                                  | √ | 55.00              |
| Disposal Fee for Asbestos Disposal, per cubic metre                | √ | 20.00              |
| <b>Caravan Parks</b>   |   |                    |
| Registration Per Camp Site / annum                                 |   | 3.00               |
| Registration Per Short Stay Site / annum                           |   | 6.00               |
| Registration Per Long Stay Site / annum                            |   | 6.00               |
| Registration Per Overflow Site / annum                             |   | 1.50               |
| *\$200 minimum overall fees / annum*                               |   |                    |
| Transfer of Caravan Park Licence                                   |   | 100.00             |
| <b>Eating Houses</b>   |   |                    |
| Application for approval to construct a food premise               | √ | 100.00             |
| Eating House Licence / annum                                       |   | 200.00             |
| Alfresco Dining fee, per table                                     |   | 25.00              |
| Transfer of Eating Houses Licence                                  |   | 50.00              |
| <b>Effluent Disposal</b>   |   |                    |
| Local Government Application Fee                                   | √ | 104.00             |
| Permit to use an Apparatus   |   | 104.00             |
| Health Department Application Fee (with a Local Government report) | √ | 358.00             |
| <b>Water Sampling required under Health Act</b>                    |   |                    |
| Sampling of pools - officer time per hour (minimum of 1 hr)        | √ | 60.00              |
| Sampling of pools (mileage, and freight)                           | √ | Full Cost Recovery |
| <b>Private Water Sampling</b>                                      |   |                    |
| Chemical / Bacterial; officer per hour (minimum of 1 hr)           | √ | 60.00              |
| Chemical / Bacterial; laboratory charge, mileage and freight       | √ | Full Cost Recovery |
| <b>Temporary Food Stall Permit</b>                                 |   |                    |
| Monthly Licence (minimum)  |   | 30.00              |
| Annual Licence   |   | 300.00             |
| <b>Itinerent Food Vendor</b>                                       |   |                    |
| Monthly Permit (minimum)   |   | 40.00              |
| Annual Permit  |   | 400.00             |
| <b>Other Health Fees and Charges</b>                               |   |                    |
| Lodging House Registration/ annum                                  |   | 200.00             |
| Transfer of Lodging House Licence                                  | √ | 50.00              |

|   |   |        |
|---|---|--------|
| Inspection Fee (as requested by settlement agents)                | √ | 110.00 |
| General Application Fee (outdoor festivals, liquor licence)       |   | 110.00 |
| Liquid Waste License (so as to collect, transport and dispose of) |   | 60.00  |
| Offensive Trade Registration - Slaughterhouses                    |   | 170.00 |

#### REFUSE CHARGES

##### Refuse Charges

|   |   |       |
|---|---|-------|
| Domestic bin - once weekly service (per bin per annum)  |   | TBA   |
| Commercial bin- once weekly service (per bin per annum) |   | TBA   |
| Additional Bins (per bin ) (GST applied)                | √ | TBA   |
| Waste Management Levy                                   |   | TBA   |
| Replacement of Bin (per bin at cost) (GST applied)      | √ | TBA   |
| Repairs to Bin (per repair at cost)                     | √ | 30.00 |
| Domestic Waste Disposal Fee - per m3                    |   | 8.00  |
| Commercial Waste Disposal Fee - per m3                  | √ | 10.00 |
| Liquid Waste (per 1000 ltrs)                            | √ | 60.00 |
| Medical Waste - per m3                                  | √ | 65.00 |
| Compact Waste - per m3                                  | √ | 13.00 |
| Car Bodies  | √ | Free  |
| Car Tyres   | √ | 5.00  |
| 4WD Tyres   | √ | 6.00  |
| Truck Tyres   | √ | 18.00 |
| Earthmoving Tyres                                       | √ | 50.00 |

#### PLANNING

##### Planning Fees & Charges

###### Land use and/or Development Application

|   |   |                              |
|---|---|------------------------------|
| Application - 0.1% of the estimated cost of the development, with a minimum fee of \$100.00 |   | Formula<br>3 x Cost of<br>DA |
| Retrospective Application - Introduced to discourage unlawful development                   |   | 80.00                        |
| Change of Use Only  |   | 500.00                       |
| Extractive Industry   |   | 1,000.00                     |
| Penalty for development of Extractive Industry without Planning Consent (App'n additional)  |   | 100.00                       |
| Home Occupation   |   | 50.00                        |
| Initial Application   |   | 200.00                       |
| Annual Renewal  |   | 50.00                        |
| Penalty for conduction Home Occupation without Planning Consent (Application additional)    |   | 50.00                        |
| Property Settlement Questionnaire   |   | 200.00                       |
| Non-Conforming Use  |   | 400.00                       |
| Penalty for carrying out or commencing non conforming use without Planning Consent          |   |                              |
| <b>Scheme Amendment (Rezoning Fees)</b>   |   |                              |
| Initial Application   |   | 500.00                       |
| If Adopted - must be paid prior to council resolution                                       |   | 1,000.00                     |
| Advertising   | √ | at cost                      |
| <b>Structure Plan</b>   |   |                              |
| Initial Application   |   | 500.00                       |
| If Adopted - must be paid prior to council resolution                                       |   | 1,000.00                     |
| Advertising   | √ | at cost                      |
| <b>Subdivision / Strata Clearance (per lot)</b>   |   |                              |
| Not more than 5 lots / first 5 lots (per lot)   |   | 50.00                        |

|  |   |          |
|--|---|----------|
| More than 5 lots but not more than 195 lots [Lots 6 - 195 (per lot)]                 |   | 25.00    |
| More than 195 lots   |   | 6,000.00 |
| Site Inspection for Clearances   | √ | 100.00   |
| <b>Other Planning Fees</b>   |   |          |
| Zoning Certificate   |   | 50.00    |
| Zoning Enquiries - Valuer's, Real Estate Agents and Government Departments (per lot) |   | 100.00   |
| Written Zoning Enquiries for Ratepayers  |   | 50.00    |
| Section 40 Liquor License Certificate  |   | 100.00   |
| Permanent Road Closure Application   |   | 200.00   |
| <b>Temporary Stall Permit</b>  |   |          |
| Monthly Licence (minimum)  |   | 30.00    |
| Annual Licence   |   | 300.00   |
| <b>Itinerant Vendor</b>  |   |          |
| Monthly Permit (minimum)   |   | 40.00    |
| Annual Permit  |   | 400.00   |

### CEMETERIES

#### Public Cemeteries

|  |   |        |
|--|---|--------|
| 1. On application for an order for burial the following fees shall be payable: |   |        |
| (a) For sinking grave 1.83 m deep (Adult)                                      | √ | 890.00 |
| (b) For sinking grave 1.83 m deep (Child under 10 years)                       | √ | 680.00 |
| (c) For sinking grave 1.4 m deep (Stillborn child)                             | √ | 470.00 |
| (d) Surcharge for weekend interments   | √ | 680.00 |
| 2. For sinking grave deeper than normal depth (per metre or part thereof)      | √ | 185.00 |
| Re-opening of an Ordinary grave - as for interment                             | √ | 890.00 |
| Interment in a new grave after exhumation                                      | √ | 365.00 |
| 3. a Undertakers Annual License Fee (no GST applied)                           |   | 260.00 |
| 3.b Undertakers Ad Hoc licence fee   |   | 60.00  |
| 4. (a) Permission to erect headstone or to enclose any grave with a slab       |   | 26.50  |
| (b) Registration of Right of Burial (25 years)                                 |   | 130.00 |
| (c) Copy of Right of Burial  |   | 26.50  |

#### Roadside Memorial

|                                   |   |        |
|-----------------------------------|---|--------|
| Installation of Roadside Memorial | √ | 250.00 |
|-----------------------------------|---|--------|

### PETER REID MEMORIAL HALL

#### Whole Complex

##### Functions/Activities with food and/or alcohol

|                             |   |          |
|-----------------------------|---|----------|
| Community Group (per hour)  | √ | 43.50    |
| Commercial group (per hour) | √ | 62.00    |
| Bond                        |   | 1,000.00 |

##### Functions/Activities without food and/or alcohol

|                             |   |        |
|-----------------------------|---|--------|
| Community Group (per hour)  | √ | 27.00  |
| Commercial group (per hour) | √ | 38.50  |
| Bond                        |   | 100.00 |

#### Equipment Hire

|                              |   |      |
|------------------------------|---|------|
| Chair hire per chair per day | √ | 1.10 |
|------------------------------|---|------|

#### Meeting Room

|                                   |   |       |
|-----------------------------------|---|-------|
| Community Groups & Clubs Per Hour | √ | 16.00 |
|-----------------------------------|---|-------|

KUNUNURRA LEISURE CENTRE

Gymnasium

|  |   |        |
|--|---|--------|
| Membership - 1 Month   | √ | 50.00  |
| Membership - 3 Months  | √ | 145.00 |
| Membership - 6 Months  | √ | 275.00 |
| Membership - 12 Months   | √ | 500.00 |
| <b>Concession is available on production of proof of eligibility for concession</b>  |   |        |
| Membership - 1 Month (Concession)  | √ | 45.00  |
| Membership - 3 Months (Concession)   | √ | 125.00 |
| Membership - 6 Months (Concession)   | √ | 235.00 |
| Membership - 12 Months (Concession)  | √ | 425.00 |
| <b>Gold membership includes access to gymnasium, squash courts, all fitness classes, swimming pool, all aqua aerobics classes, initial and quarterly fitness program updates</b> |   |        |
| Gold Membership - 1 Month  | √ | 80.00  |
| Gold Membership - 3 Months   | √ | 230.00 |
| Gold Membership - 6 Months   | √ | 440.00 |
| Gold Membership - 12 Months  | √ | 800.00 |
| <b>Concession is available on production of proof of eligibility for concession. .</b>   |   |        |
| Gold Membership - 1 Month (Concession)   | √ | 70.00  |
| Gold Membership - 3 Months (Concession)  | √ | 195.00 |
| Gold Membership - 6 Months (Concession)  | √ | 375.00 |
| Gold Membership - 12 Months (Concession)   | √ | 680.00 |
| Casual use of Gym  | √ | 7.00   |
| Non-Member Program and/or Appraisal  | √ | 45.00  |
| Personal Training - per hour session   | √ | 60.00  |

Classes

|                         |   |        |
|-------------------------|---|--------|
| Recreation Programs     | √ | POA    |
| Aquatic Fitness Classes | √ | 7.00   |
| Fitness Classes         | √ | 7.00   |
| Book of 10 passes       | √ | 60.00  |
| Book of 20 passes       | √ | 100.00 |

Equipment Hire

|                         |   |       |
|-------------------------|---|-------|
| Squash Rackets          | √ | 6.70  |
| Squash Balls            | √ | 2.00  |
| Tables (per day)        | √ | 5.70  |
| Chairs (per day)        | √ | 1.10  |
| Pin up boards (per day) | √ | 5.50  |
| Badminton (per hour)    | √ | 11.00 |

Function Hall

**Community group: (Discount rate) Not for profit organisations who do not charge fees for participants.**

**Commercial group: (Standard rate) Individuals, associations or organisations that charge a fee for the purpose of income making or where the sum of the fees charged is in excess of the hire fee (eg Sporting Competitions)**

Functions with food/liquor

|                             |   |          |
|-----------------------------|---|----------|
| Community Group - per hour  | √ | 50.00    |
| Commercial Group - per hour | √ | 75.00    |
| Bond                        |   | 1,000.00 |

|  |   |        |
|--|---|--------|
| <b>Functions without food/liquor</b>   |   |        |
| Community Group - per hour   | √ | 42.00  |
| Commercial Group - per hour  | √ | 60.00  |
| Bond   |   | 100.00 |
| <b>Sporting Activities</b>   |   |        |
| Community Group - per hour   | √ | 27.00  |
| Commercial Group - per hour  | √ | 42.00  |
| <b>Box Office Fees and Charges</b>   |   |        |
| <b>Other (or) Additional Fees</b>  |   |        |
| Function Hall Cleaning Charge  | √ | 125.00 |
| Set up Fee (per hour)  | √ | 54.00  |
| Staffing (per hour per staff member)   | √ | 50.00  |
| <b>Squash Courts</b>   |   |        |
| Hire of Viewing Area (per hour + \$100 Bond)   | √ | 32.50  |
| Bond - Viewing Area.   |   | 100.00 |
| 1 Token, half hour   | √ | 6.70   |
| 2 Tokens, full hour  | √ | 12.00  |
| Squash Club Hire, 3 courts and foyer (per hour)  | √ | 31.00  |
| <b>Use of Toilet Facilities</b>  |   |        |
| Persons not paying to use Leisure Centre or Swimming Complex   | √ | 2.00   |
| <b>KUNUNURRA SWIMMING COMPLEX</b>  |   |        |
| Adult swimmers   | √ | 3.00   |
| Child swimmers (under 16)  |   | 2.00   |
| Under 3 yrs  | √ | Free   |
| Spectators/non swimmers  | √ | Free   |
| Hire of Lane Space (per lane/hour)   | √ | 11.00  |
| Equipment Hire (per hour)  |   | 11.00  |
| <b>Education Department</b>  |   |        |
| <b><i>Vac Swim/In Term Swimming Classes/school activities (includes lane and equipment hire)</i></b> |   |        |
| Students   | √ | 2.70   |
| Supervising Teachers   |   | Free   |
| <b>Ticket Books</b>  |   |        |
| <b>Adult</b>   |   |        |
| Book of 10   | √ | 28.00  |
| Book of 20   | √ | 54.00  |
| Book of 50   | √ | 126.00 |
| Book of 100  | √ | 225.00 |
| <b>Child</b>   |   |        |
| Book of 10   | √ | 18.00  |
| Book of 20   | √ | 33.00  |
| Book of 50   | √ | 77.00  |
| Book of 100  | √ | 126.00 |
| <b>Swim School</b>   |   |        |
| Swimming Lessons ( 1/2 hour) Individual  |   | 25.00  |
| 1 Series (8 sessions), per child   | √ | 70.00  |
| 1 Series (8 sessions), 2 children from same family enrolled in same series, per child                | √ | 60.00  |

|   |   |        |
|---|---|--------|
| 1 Series (8 sessions), 3 or more children from same family enrolled in same series, per child | √ | 50.00  |
| Bronze Medallion, full course   | √ | 156.00 |
| Bronze Medallion, requalification   | √ | 62.00  |
| <b>Private Function Hire</b>  |   |        |
| Day rate per hour (includes qualified pool attendant)   | √ | 82.00  |
| Night rate per hour (includes qualified pool attendant)                                       | √ | 110.00 |
| Bond  |   | 500.00 |
| Swimming Club Light Charges   | √ | 66.00  |
| <i>Discounts may be offered for promotions or during non peak period to maximise use</i>      |   |        |

#### WYNDHAM SWIMMING POOL

|                         |   |      |
|-------------------------|---|------|
| Adult swimmers          | √ | 2.50 |
| Child swimmers          | √ | 1.60 |
| Under 3 yrs             |   | Free |
| Spectators/non swimmers |   | Free |
| Mini Golf               | √ | 2.00 |

#### Ticket Books

##### Adult

|             |   |        |
|-------------|---|--------|
| Book of 10  | √ | 21.50  |
| Book of 20  | √ | 42.00  |
| Book of 50  | √ | 105.00 |
| Book of 100 | √ | 205.00 |

##### Child

|             |   |        |
|-------------|---|--------|
| Book of 10  | √ | 13.50  |
| Book of 20  | √ | 27.00  |
| Book of 50  | √ | 60.00  |
| Book of 100 | √ | 120.00 |

#### Activities and Programs

|                             |   |        |
|-----------------------------|---|--------|
| Recreation Programs         | √ | POA    |
| Aqua Fitness Classes        | √ | 7.00   |
| Classes - Book of 10 passes | √ | 60.00  |
| Book of 20 passes           | √ | 100.00 |

#### Private Function Hire

|  |   |        |
|--|---|--------|
| Day rate per hour (includes qualified pool attendant)    | √ | 55.00  |
| Night rate per hour with Qualified Pool Manager & Lights | √ | 80.00  |
| Bond   |   | 500.00 |

#### WYNDHAM RECREATION CENTRE

|   |   |       |
|---|---|-------|
| Community / Sporting activities per hour    | √ | 12.00 |
| Commercial group per hour                   | √ | 30.00 |
| Casual Entry (per Person)                   | √ | 2.00  |
| Hire of Enclosed activities area (per hour) | √ | 8.00  |

#### HARD COURT & RESERVE HIRE FEES

#### Oval - Kununurra and Wyndham

##### Casual Hire

##### Oval Kununurra

|                             |   |        |
|-----------------------------|---|--------|
| Community Groups - per hour | √ | 22.00  |
| - per day                   | √ | 110.00 |

|   |   |                |
|---|---|----------------|
| Commercial Groups (per day) plus \$200 bond   | √ | 330.00         |
| Oval Surrounds, per day   | √ | 110.00         |
| Bond  |   | 200.00         |
| <b>Oval Wyndham</b>   |   |                |
| Community Groups - per hour   | √ | 22.00          |
| - per day   | √ | 110.00         |
| Commercial Groups (per day) plus \$200 bond   | √ | 330.00         |
| Oval Surrounds, per day   | √ | 110.00         |
| Bond  |   | 200.00         |
| <b>Seasonal Hire (charge per team)</b>  |   |                |
| Oval Hire Kununurra & Wyndham (Policy R4)   | √ | As per Formula |
| <i>Formula</i>  |   |                |
| <i>No. of Teams x No. of Players/Participants in Standard Team x No. of Weeks Required x No. of Sessions per Week including Training and Games x Individual Usage Fee x Applicable Discount</i> |   |                |
| Individual Usage Fee at \$0.40 for 2008/09  |   |                |
| Junior Sports (50% discount)  |   |                |
| Newly formed sports groups (25% discount).  |   |                |
| Oval Lights (per pole per hour) - Kununurra   | √ | 11.00          |
| Oval Lights (per hour) - Wyndham  | √ | 22.00          |
| <b>Netball/Basketball/Tennis Courts for Kununurra and Wyndham</b>   |   |                |
| Court Hire (per court, per hour) Wyndham  | √ | 11.00          |
| Court Hire (per court per hour) - Kununurra Leisure Centre  | √ | 11.00          |
| Tennis Courts Casual Use (per court, per hour)  | √ | 13.50          |
| Tennis Courts (per court, per hour - members of Kununurra Tennis Association)   | √ | 6.00           |
| <i>Night rate per hour for lighting in addition to any hire fees.</i>   | √ |                |
| Night rate per hour for lighting in addition to any hire fees. Kununurra  | √ | 6.50           |
| Night rate per hour for lighting in addition to any hire fees. Wyndham  | √ | 6.50           |
| <b>Whitegum Park</b>  |   |                |
| Markets - per day or part thereof, includes access to power and water   | √ | 250.00         |
| Other activities, per hour or part thereof, includes access to power and water  | √ | 10.00          |
| <b>Celebrity Tree Park</b>  |   |                |
| All activities, per hour or part thereof includes access to power & Water   | √ | 10.00          |
| <b>ECONOMIC SERVICES</b>  |   |                |
| <b>Water Supply/Reticulation Charges</b>  |   |                |
| Water supply/retic charges, per kilolitre   | √ | 0.47           |
| Reticulation Water fees - Agricultural Society Oval per annum   | √ | 2,000.00       |
| <b>Other</b>  |   |                |
| Road Closure - Events   |   | no charge      |
| <b>BUILDING</b>   |   |                |
| Building License as per Building Regulations (0.35% of 10/11 Domestic and 0.2% of 10/11 Commercial building cost or minimum charge of \$40)   |   | Calculation    |
| Amended building License - 50% of full fee (minimum of \$20)  |   | 20.00          |
| Demolition - per storey   |   | 50.00          |
| Annual Swimming Pool Fee - \$55 every 4 years   | √ | 55.00          |
| Building License - Copy of Full License   |   | 31.50          |

|   |   |             |
|---|---|-------------|
| Inspection Fees   | √ |             |
| Builder registration board levy   |   | 37.00       |
| Building and Construction Industry Training Fund (0.2%of construction value over \$20,000.) |   | Calculation |
| <b>Standard Signs</b>   |   |             |
| Pylon Sign  | √ | 29.00       |
| Illuminated Sign  | √ | 23.50       |
| Hoardings per annum   | √ | 47.00       |
| Portable sign   | √ | 23.50       |
| Development sign  | √ | 23.50       |
| Any other sign  | √ | 13.00       |
| <b>Non Standard Signs</b>   |   |             |
| Pylon Sign  | √ | 57.50       |
| Illuminated Sign  | √ | 47.00       |
| Hoardings per annum   | √ | 94.00       |
| Portable sign   | √ | 47.00       |
| Development sign  | √ | 47.00       |
| Any other sign  | √ | 23.50       |
| Instructional Sign  | √ | 13.00       |
| Confiscated sign  | √ | 23.50       |
| <b>Hire of Signs</b>  |   |             |
| Temporary Hire of SWEK Signs (per sign/ per week)   | √ | 5.25        |
| Bond  |   | 31.00       |
| <b>Deposit to Repair Damage to Footpath, Kerb, Road or Road Reserve</b>                     |   |             |
| Footpath and kerb bond (policy E12)   |   |             |
| Single Residential Block, having one street boundary  |   | 250.00      |
| Single Residential Block, having two street boundaries                                      |   | 350.00      |
| Duplex Block, having one street boundary  |   | 350.00      |
| Duplex Block, having two street boundaries  |   | 450.00      |
| Multi Residential Block, up to maximum  |   | 800.00      |
| Services Trades and Commercial, up to maximum   |   | 1,500.00    |
| <b>PLANT HIRE</b>   |   |             |
| <b>Kununurra Depot (with operator) fuel extra</b>   |   |             |
| Cat Grader 12h  | √ | 155.00      |
| Cat Loader  | √ | 155.00      |
| Case Backhoe  | √ | 115.00      |
| Truck 7 Tonne   | √ | 115.00      |
| Truck 3.5 Tonne   | √ | 90.00       |
| Truck 10 Tonne  | √ | 144.00      |
| Labour Only   | √ | 55.00       |
| <b>Wyndham Depot</b>  |   |             |
| Backhoe Case  | √ | 115.00      |
| Truck 7 Tonne   | √ | 115.00      |
| Truck 3.5 Tonne   | √ | 90.00       |
| Tractor MF - 4225   | √ | 104.00      |
| Mower John Deere  | √ | 92.00       |
| Slasher   | √ | 13.50       |
| <b>Mobilisation / Demobilisation Charges also apply</b>                                     |   |             |

**KUNUNURRA & WYNDHAM AIRPORTS**

|   |   | Effective<br>1 July<br>2008 | Effective<br>1 Jan 2009 |
|---|---|-----------------------------|-------------------------|
| <b>Plant Hire</b>   |   |                             |                         |
| <b>Kununurra Airport</b>  |   |                             |                         |
| Truck 3.5 Tonne   | √ | 100.00                      | 100.00                  |
| Tractor John Deere 6310   | √ | 120.00                      | 120.00                  |
| Tractor - Kubota  | √ | 110.00                      | 110.00                  |
| Line Marking Machine (2 men)  | √ | 220.00                      | 220.00                  |
| Roller Multi tyre - Machine Drawn                                     | √ | 200.00                      | 200.00                  |
| Loxon Slasher   | √ | 40.00                       | 40.00                   |
| Slasher Superior  | √ | 20.00                       | 20.00                   |
| Pacific Road Broom  | √ | 35.00                       | 35.00                   |
| <b>Wyndham Airport</b>  |   |                             |                         |
| Tractor MF  | √ | 120.00                      | 120.00                  |
| Pacific Road Broom  | √ | 35.00                       | 35.00                   |
| <b><i>Mobilisation / Demobilisation Charges also apply</i></b>        |   |                             |                         |
| <b>Aircraft Landing Fees</b>  |   |                             |                         |
| [MTOW = Maximum take off weight]                                      | √ |                             |                         |
| <b>Fixed Wing Aircraft (per landing)</b>                              |   |                             |                         |
| 8.999kg (MTOW) per tonne and part thereof                             | √ | 10.50                       | 18.00                   |
| 9.000 tonnes (MTOW) and over, per tonne and part thereof              | √ | 25.00                       | 25.00                   |
| <b>Rotary Wing Aircraft (per landing)</b>                             |   |                             |                         |
| 2.499 tonnes (MTOW), per tonne and part thereof                       | √ | 10.50                       | 18.00                   |
| 2.500 tonne (MTOW) and over per tonne and part thereof                | √ | 25.00                       | 25.00                   |
| <b>Passenger Taxes</b>  |   |                             |                         |
| Passenger Head Tax  |   | 18.50                       | 18.50                   |
| Passenger Screening Tax   |   | 18.50                       | 18.50                   |
| <b>Parking Fees</b>   |   |                             |                         |
| Non-airport resident charter operators (per annum, plus landing fees) | √ | 1,000.00                    | 1,000.00                |
| Non-airport resident charter operators (per night, plus landing fees) | √ | 50.00                       | 50.00                   |
| Private owners (non-commercial) (per annum, includes landing fees)    | √ | 1,000.00                    | 1,000.00                |
| Private owners (non-commercial) (per night, includes landing fees)    | √ | 50.00                       | 50.00                   |
| <b>Call Out Fees</b>  |   |                             |                         |
| Kununurra Airport, after hours, per hour                              | √ | 90.00                       | 90.00                   |
| Wyndham Airport, after hours, per hour                                | √ | 90.00                       | 90.00                   |
| <b>Terminal Usage Fee</b>   |   |                             |                         |
| Fee is calculated on number of seats in aircraft (per seat)           | √ | 18.50                       | 18.50                   |
| Kununurra Terminal Key Fee (per annum)                                | √ | 110.00                      | 110.00                  |

## 13.2. REGULATORY SERVICES

### 13.2.1. East Kimberley Regional Airport – Proposed Increased Car Park Capacity

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley  |
| <b>LOCATION:</b>          | Kununurra  |
| <b>AUTHOR:</b>            | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>REPORTING OFFICER:</b> | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>FILE NO:</b>           | 66.56.19   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to consider quotations design and estimate options for extensions to the car parking capacity.

#### **BACKGROUND**

An allocation of \$400,000 has been made in the 2007/08 Budget for new car parking. A number of design options have been considered previously and a new layout has been developed based on the possible requirement to stage the construction of the car park extensions due to budget constraints.

The Airport Committee has not yet been provided the opportunity to review the design.

#### **STATUTORY IMPLICATIONS**

Not applicable.

#### **POLICY IMPLICATIONS**

There are no specific policies relating to this report.

#### **FINANCIAL IMPLICATIONS**

Construction costs have been escalating at an unprecedented rate in the past two years and recent tenders for road works have demonstrated this all too clearly.

The budget of \$400,000 is required to provide for construction of sealed, kerbed and drained car parking bays together with lighting, landscaping and footpaths.

In order to maximise construction value, the car park will be directly managed by the Executive Manager Engineering and Regulatory Services so as to avoid expenditure on independent consultants as the cost of tender documentation could be as much as \$70,000.

## **STRATEGIC IMPLICATIONS**

Not applicable

## **COMMENT**

The proposed design contains the following elements: -

- Widening of the existing entrance road, and retention of the two way traffic movements
- Four compartments of 45 degree parking bays with alternating one way traffic movement (a minimum of 32 bays per compartment)
- The compartments intersect with the existing (but widened) entrance road and have a connecting, one way road on the west end which connects to the internal road near the west end of the existing car park
- Construction of embayed parking for buses and tourist coaches adjacent the existing car park (requires alteration of water services and hydrant) OR construction of two 35 metre bays on the north side of the existing road (in front of the Airport Works Depot) with a connection to the existing car park from the west side
- A central footpath within the new car park to link to the existing car park and main terminal entrance
- Lighting to the new parking areas
- Reticulated landscaping (shade trees and ground covers)

The construction of coach bays to the west of the existing carpark will allow coaches to minimise turning movements within the general carpark areas however it will require use of Cyril Kleinig Drive and Laine Jones Drive as a 'one-way loop'. This may require the provision of a west bound passing lane on Victoria Highway at Cyril Kleinig Drive which will be further investigated.

The allocated funding (\$400,000) is anticipated to be able to construct the coach bays, existing car park link (from the west) and two new car park 'compartments' providing approximately 64 new bays.

A more detailed estimate and plans will be distributed separate to the Agenda due to time constraints in finalising the documentation.

The allocation of additional funds to construct the full design however the number of bays to be provided in this first stage (64) plus the coach parking is considered to satisfy present and medium term demand. Also, the funds are required for other works already in the planning stages such as repairs to Taxiway Foxtrot and resealing the General Aviation Apron.

## **ATTACHMENTS**

- 1 Car Park Layout Plan - to be distributed separately
- 2 Cost Estimates - to be distributed separately

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

That Council approve the Car Park extensions to the East Kimberley Regional Airport to a maximum cost of \$400,000 to provide: -

- Widening of the existing entrance road, and retention of the two way traffic movements
- Two compartments of 45 degree parking bays with alternating one way traffic movement (a minimum of 32 bays per compartment)
- The compartments intersecting with the existing (but widened) entrance road and having a connecting, one way road on the west end which connects to Laine Jones Drive near the west end of the existing car park
- Construction of two 35 metre bays on the north side of Laine Jones Drive (in front of the Airport Works Depot) with a connection to the existing car park from the west side
- A central footpath within the new car park to link to the existing car park and main terminal entrance
- Lighting to the new parking areas
- Reticulated landscaping (shade trees and ground covers)

### **COUNCIL DECISION**

**Minute No. 9198**

**Moved: Cr J Buchanan**

**Seconded: Cr J Parker**

***That Council:***

1. ***in accordance with the Local Government Act 1995, s5.8, s5.16 and s5.17 delegate authority to the Airport Committee for the purpose of considering the car park concept drawing ES10-08, and approving the final design to enable the works to proceed within the present budget allocation of \$400,000.***

**Carried Unanimously:8/0**

**NOTE: Managers tabled an alternative recommendation to Council as there remained design and cost variables at the time of the Council meeting. Delegation the Airport Committee allows the project to be clarified and the progress at the earliest opportunity.**

**Peter Stubbs left the meeting at 6:25pm.**

**Peter Stubbs returned to the meeting at 6:27pm.**

### 13.2.2. Proposed Roundabout at Konkerberry Drive and Ebony Street Intersection – National BlackSpot Program

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley  |
| <b>LOCATION:</b>          | Kununurra  |
| <b>AUTHOR:</b>            | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>REPORTING OFFICER:</b> | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>FILE NO:</b>           | 21.08.03   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to consider options for the project following preliminary design investigation to progress the project.

#### **BACKGROUND**

Council was successful in applying for federal funds to construct a roundabout at the Konkerberry Drive/Ebony Street intersection.

The federal program funds road safety projects to 100% of the estimated cost and the basis of the application was to address identified traffic movements in the section of Konkerberry Drive from Banksia Street to Papuana Street.

The Executive Manager Engineering and Regulatory Services has evaluated the practicality of placing a roundabout at the intersection and is concerned that the provision of a roundabout to allow large articulated and rigid trucks that do require access to this section of the business district will have significant and detrimental impacts on access to adjacent car parks.

#### **STATUTORY IMPLICATIONS**

There are no specific statutory implications associated with the Managers' Recommendation.

#### **POLICY IMPLICATIONS**

There are no specific policies relating to this report.

#### **FINANCIAL IMPLICATIONS**

The approved project estimate is \$91,900, and as stated previously is fully funded by the Federal government.

#### **STRATEGIC IMPLICATIONS**

Not applicable

#### **COMMENT**

There is no doubt that the traffic circulation in this section of Konkerberry Drive requires a detailed assessment that will require intersection modifications.

The Executive Manager Engineering and Regulatory Services prepared a number concept sketches for the 6 May 2008 Council Briefing Session highlighting the number of turning movements and the footprint of a suitably sized roundabout (similar to the Leichhardt St/Konkerberry Drive intersection).

The recommended action in view of the unavoidable negative impacts on adjoining car park areas near the intersection is to prepare a report on options for Konkerberry Drive between Messmate Way and Leichhardt Street considering options such as: -

- A dual carriageway,
- Development of off-street parking (within the Konkerberry Drive road reserve) consistent with a future dual carriageway (e.g. cross falls, pavement design, drainage structures etc),
- One and two-way traffic directions,
- Intersection treatments,
- Pedestrian movements,
- Street lighting

A substantial amount of work has been undertaken in the past and the proposed report will endeavour to utilise as much of this information with the above listed considerations.

Given that the report will be developed during the balance of 2008, the appropriate action is to advise the Federal government that the project is not now anticipated to proceed and the funds be allocated to another local government.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

That Council:

- 1 Advise the Federal Government that the approved project is to be reviewed as part of a broader planning project for the Kununurra business district and as such the project is unlikely to proceed or not proceed for the foreseeable future and the funds are no longer required,
- 2 The Executive Manager Engineering and Regulatory Services undertake a review of Konkerberry Drive between Messmate Way and Leichhardt Street, to be presented to Council no later than December 2008, to include the following issues: -
  - a. A dual carriageway,
  - b. Development of off-street parking (within the Konkerberry Drive road reserve) consistent with a future dual carriageway (e.g. cross falls, pavement design, drainage structures etc),
  - c. One and two-way traffic directions,
  - d. Intersection treatments,
  - e. Pedestrian movements,
  - f. Street lighting

## **COUNCIL DECISION**

Minute No. 8199

Moved: Cr D Ausburn

Seconded: Cr J Moulden

*That Council:*

- 1 Advise the Federal Government that the approved project is to be reviewed as part of a broader planning project for the Kununurra business district and as such the project is unlikely to proceed or not proceed for the foreseeable future and the funds are no longer required,**
- 2 The Executive Manager Engineering and Regulatory Services undertake a review of Konkerberry Drive between Messmate Way and Leichhardt Street, to be presented to Council no later than December 2008, to include the following issues: -**
  - a. A dual carriageway,**
  - b. Development of off-street parking (within the Konkerberry Drive road reserve) consistent with a future dual carriageway (e.g. cross falls, pavement design, drainage structures etc),**
  - c. One and two-way traffic directions,**
  - d. Intersection treatments,**
  - e. Pedestrian movements,**
  - f. Street lighting**

**Carried Unanimously:8/0**

### 13.2.3. Replacement of Plant – Tenders T18 (A), (B) and (C)

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley  |
| <b>LOCATION:</b>          | Kununurra  |
| <b>AUTHOR:</b>            | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>REPORTING OFFICER:</b> | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>FILE NO:</b>           | 66.41.07   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to consider the submissions for the replacement of three items of plant, being: -

- Tender T18 (A) – Kununurra based Front End Loader – Plant No. P306 (2001 Caterpillar 924G Front End Loader)
- Tender T18 (B) – Wyndham based Backhoe – Plant No. P329 (2000 Case 580LE Backhoe FEL)
- Tender T18 (C) – Kununurra based 3 tonne Tip Truck – Plant No. P310 (2000 Mitsubishi Fighter 7 Ton Tip Truck)

Tenders were invited, and closed at 2:00PM, Wednesday 14 May 2008.

#### **BACKGROUND**

The replacement of the three items was included in the adopted budget for 2008/09. With the exception of the 7 tonne tip truck, the other items were a like-for-like specification.

The 7 tonne truck has been nominated to be replaced by a 3 tonne tip truck as it was considered to be more versatile for the day-to-day operational requirements for Kununurra than the existing 7 tonne truck. In addition, the new truck has been specified with a two-way tip system (end or passenger side tip) and small Hiab style crane to reduce occupational health safety risks associated with small items of equipment such as plate compactors, generators, cement mixers etc.

#### **STATUTORY IMPLICATIONS**

The Local Government (Functions and General) Regulations 1996 apply and have been complied with.

#### **POLICY IMPLICATIONS**

There are no specific policies relating to this report.

#### **FINANCIAL IMPLICATIONS**

The combined replacement amounts allocated is \$305,000 (excluding GST). The Shire is able to claim back the GST on the new plant but is required to pay GST on the trade equipment.

The recommended suppliers/equipment totals \$271,304 (incl GST) and \$246,640 (excl GST). Following the close of tenders, consideration has been given to the

addition of a pintle towing hook and brake hoses to the new truck which will improve operational use. The estimated cost of this variation is estimated at \$5,000.

The proposed action is to direct the savings (\$58,360 excl GST) to the purchase of a large ride-on-mower (suitable for sports oval mowing) and an equipment trailer capable of transporting up to two ride-on-mowers. These purchases would be managed as quotations.

### **STRATEGIC IMPLICATIONS**

Not applicable

### **COMMENT**

The three items attracted a broad range of suppliers and these are listed below.

#### T18 (A) Front End Loader (Budgeted net Changeover \$140,000)

| Item | Supplier/Model  | New Plant | Trade    | Net Cost |
|------|---|-----------|----------|----------|
| 1    | CJD Equipment Pty Ltd / Volvo L60F                        | 300,733   | 104,500  | 196,233  |
| 2    | Earthwest Construction and Mining Sales / Hyundai HL730-7 | 236,203   | 88,000   | 148,203  |
| 3a   | BT Equipment Pty Ltd / Kawasaki 60ZV                      | 200,200   | No offer | 200,200  |
| 3b   | BT Equipment Pty Ltd / Kawasaki 65ZV-2                    | 244,200   | No offer | 244,200  |
| 4    | WesTrac Pty Ltd / Cat 924H-IT                             | 270,017   | 126,500  | 143,517  |

#### T18 (B) Backhoe (Budgeted net Changeover \$65,000)

| Item | Supplier                                     | New Plant | Trade  | Net Cost |
|------|--|-----------|--------|----------|
| 1    | CJD Equipment Pty Ltd / Volvo BL71           | 172,700   | 44,000 | 128,700  |
| 2    | McIntosh & Son / Case 580 II SR Powershuttle | 137,500   | 39,050 | 98,450   |
| 3    | Semco Equipment Sales / Terex 860            | 131,890   | 40,000 | 91,890   |
| 4    | WesTrac Pty Ltd / Cat416E                    | 146,234   | 24,200 | 122,034  |

#### T18 (A) 3 tonne Tip Truck (Budgeted net Changeover \$100,000)

| Item | Supplier   | New Plant | Trade  | Net Cost  |
|------|--|-----------|--------|-----------|
| 1    | Purcher International Pty Ltd / Mitsubishi FUSO 3.5 tonne Canter | 78,900    | 44,000 | 34,900    |
| 2    | WA Hino / Hino 300 Series 716 Medium                             | 85,268.70 | 45,000 | 40,268.70 |
| 3a   | Skipper Trucks / Mitsubishi FUSO Canter FE84PE (3.9L engine)     | 80,850    | 58,003 | 22,847    |
| 3b   | Skipper Trucks / Mitsubishi FUSO Canter FE84DE (4.9L engine)     | 87,340    | 58,003 | 29,337    |
| 4    | Major Motors Pty Ltd / ISUZU NH NPR 300 Medium                   | 89,551    | 40,000 | 49,551    |

The recommended equipment/suppliers are listed as follows: -

T18 (A) Front End Loader (Budgeted net Changeover \$140,000)

|   |                               |         |         |         |
|---|-------------------------------|---------|---------|---------|
| 4 | WesTrac Pty Ltd / Cat 924H-IT | 270,017 | 126,500 | 143,517 |
|---|-------------------------------|---------|---------|---------|

T18 (B) Backhoe (Budgeted net Changeover \$65,000)

|   |  |         |        |        |
|---|--|---------|--------|--------|
| 2 | McIntosh & Son / Case 580 II SR Powershuttle | 137,500 | 39,050 | 98,450 |
|---|--|---------|--------|--------|

T18 (A) 3 tonne Tip Truck (Budgeted net Changeover \$100,000)

|    |  |        |        |        |
|----|--|--------|--------|--------|
| 3b | Skipper Trucks / Mitsubishi FUSO Canter FE84DE (4.9L engine) | 87,340 | 58,003 | 29,337 |
|----|--|--------|--------|--------|

A copy of the evaluation matrix for the new plant can be provided on request as a confidential item.

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

That Council approves the following suppliers and equipment as the most advantageous to Council: -

- 1 Supply, delivery and licensing of one Caterpillar 924H-IT Front End Loader as specified for the sum of \$270,017 (including GST) from WesTrac Pty Ltd, and the trade of a 2001 Caterpillar 924G Front End Loader (1BAT 764) for \$126,500 (including GST), giving a net changeover cost of \$130,470 (net of GST), and
- 2 Supply, delivery and licensing of one Case 580 II SR Powershuttle Backhoe as specified for the sum of \$137,500 (including GST) from McIntosh and Son, and the trade of a 2000 Case 580LE Backhoe (WY 9416) for \$39,050 (including GST), giving a net changeover cost of \$89,500 (net of GST), and
- 3 Supply, delivery and licensing of one Mitsubishi FUSO Canter FE84DE as specified for the sum of \$87,340 (including GST) from Skipper Trucks, and the trade of a 2000 Mitsubishi Fighter Tip Truck (1APW 393) for \$58,003 (including GST), giving a net changeover cost of \$26,670 (net of GST) plus a variation of up to \$5,000 for the fitting of a pintle towing hook and brake hoses prior to delivery.

## **COUNCIL DECISION**

Minute No. 8200

Moved: Cr J Parker

Seconded: Cr D Ausburn

***That Council approves the following suppliers and equipment as the most advantageous to Council: -***

- 1 Supply, delivery and licensing of one Caterpillar 924H-IT Front End Loader as specified for the sum of \$270,017 (including GST) from WesTrac Pty Ltd, and the trade of a 2001 Caterpillar 924G Front End Loader (1BAT 764) for \$126,500 (including GST), giving a net changeover cost of \$130,470 (net of GST), and***
- 2 Supply, delivery and licensing of one Case 580 II SR Powershuttle Backhoe as specified for the sum of \$137,500 (including GST) from McIntosh and Son, and the trade of a 2000 Case 580LE Backhoe (WY 9416) for \$39,050 (including GST), giving a net changeover cost of \$89,500 (net of GST), and***
- 3 Supply, delivery and licensing of one Mitsubishi FUSO Canter FE84DE as specified for the sum of \$87,340 (including GST) from Skipper Trucks, and the trade of a 2000 Mitsubishi Fighter Tip Truck (1APW 393) for \$58,003 (including GST), giving a net changeover cost of \$26,670 (net of GST) plus a variation of up to \$5,000 for the fitting of a pintle towing hook and brake hoses prior to delivery.***

**Carried Unanimously:8/0**

**13.2.4. Replacement of Vehicles – Prado (P102) and Nissan Tray Top Utility (P328)**

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROponent:</b>         | Shire of Wyndham East Kimberley  |
| <b>LOCATION:</b>          | Kununurra  |
| <b>AUTHOR:</b>            | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>REPORTING OFFICER:</b> | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>FILE NO:</b>           | 66.41.07   |
| <b>ASSESSMENT NO:</b>     | N/A  |

***Ms Jo-Anne Ellis declared a Financial Interest in Item 13.2.4 Replacement Vehicles – Prado (P102) and Nissan Tray Top Utility (P328) as one vehicle is part of her salary package.***

**Ms Jo-Anne Ellis left the meeting at 6:29pm.**

**PURPOSE**

For Council to consider quotations for two vehicles in advance of the 2008/09 Budget.

**BACKGROUND**

Council approved the inviting of quotations for the two vehicles at its meeting held on 15 April 2008, refer Minute Number 8161: -

**Moved: Cr J Parker                      Seconded: Cr F Mills**

***That Council approve the invitation of quotes for the replacement of Plant numbers P102 and P328 and a report be submitted to the 20 May meeting for consideration.***

**Carried Unanimously: 9/0**

As per past practice, quotes were sought from Argyle Motors and the pricing checked against the State Tender Board prices and the trade value according to an accepted industry standard.

Quotations were invited for a Toyota Prado GXL Turbo Diesel Auto and a Toyota Hilux Xtra Cab Tray Top Utility Turbo Diesel Manual.

| Plant No. | Description of Preferred Vehicle | Allocation         | Mileage | Anticipated Changeover Cost |
|-----------|----------------------------------|--------------------|---------|-----------------------------|
| P102      | GXL Auto Prado                   | EMCpS              | 68,050  | 24,000                      |
| P328      | Hilux Xtra Cab Tray Top Utility  | Wyndham Ranger/ARO | 67,570  | 27,000                      |

Generally there is a minimum two or three month delivery timeframe anticipated for these vehicles and it is considered appropriate with that knowledge to obtain quotations and approve replacement prior to adoption of the Budget. This will minimise the vehicle mileage in excess of the 70,000 km threshold and reduce loss of trade value.

## **STATUTORY IMPLICATIONS**

The Local Government (Functions and General) Regulations 1996 apply.

## **POLICY IMPLICATIONS**

There are no specific policies relating to this report.

## **FINANCIAL IMPLICATIONS**

The anticipated replacement cost for the Prado is \$24,000 and for the replacement of the Nissan single cab with a Hilux Extra cab is expected to cost \$27,000; both amounts being net of GST.

The quotes received from Argyle Motors are summarised as follows: -

| Plant No. | Description of Preferred Vehicle | Allocation         | New Vehicle | Trade    | Net Cost    |
|-----------|----------------------------------|--------------------|-------------|----------|-------------|
| P102      | GXL Auto Prado                   | EMCpS              | \$54,673.23 | \$36,000 | \$18,673.23 |
| P328      | Hilux Xtra Cab Tray Top Utility  | Wyndham Ranger/ARO | \$42,978.60 | \$17,000 | \$25,978.60 |

Whilst the approval process for expenditure is prior to adoption of the budget the requirement will be for delivery to be after 1 July 2008, and so there are budgetary implications for the adopted 2007/08 Budget.

## **STRATEGIC IMPLICATIONS**

Not applicable

## **COMMENT**

The delivery times for the two vehicles have been estimated, being early July for the Hilux and the end of August for the Prado.

The prices for the new vehicles are consistent with the State's tender prices, and the trade values are consistent with the information available for the automotive industry guides.

- 1 The estimated trade value for a 2006 Prado with 30,000-50,000 km is \$37,500 and \$41,400 (including GST).
- 2 The estimated trade value for a 2006 Navara with 40,000-60,000 km is \$19,300 and \$21,800 (including GST).

Both vehicles have exceeded 70,000 km and the pricing for the trades is consistent with the anticipated mileage at changeover.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

That Council approves the quotations by Argyle Motors, subject to delivery of the vehicles to be after 1 July 2008 as follows: -

- 1 Supply, delivery and licensing of one 2008 Toyota Prado GXL Auto Turbo Diesel for the sum of \$54,673.23 (including GST), and the trade of a 2006 Toyota Prado GXL Auto Turbo Diesel for \$36,000 (including GST), giving a net changeover cost of \$16,975.66 (net of GST), and
- 2 Supply, delivery and licensing of one 2008 Toyota Hilux Manual Extra Cab Tray Top Utility Turbo Diesel for the sum of \$42,978.60 (including GST), and the trade of a 2006 Nissan Navara Manual Cab Chassis Tray Top Utility for \$17000 (including GST), giving a net changeover cost of \$23,616.91 (net of GST).

## **COUNCIL DECISION**

Minute No. 8201

Moved: Cr J Moulden

Seconded: Cr F Mills

*That Council approves the quotations by Argyle Motors, subject to delivery of the vehicles to be after 1 July 2008 as follows: -*

- 1 *Supply, delivery and licensing of one 2008 Toyota Prado GXL Auto Turbo Diesel for the sum of \$54,673.23 (including GST), and the trade of a 2006 Toyota Prado GXL Auto Turbo Diesel for \$36,000 (including GST), giving a net changeover cost of \$16,975.66 (net of GST), and*
- 2 *Supply, delivery and licensing of one 2008 Toyota Hilux Manual Extra Cab Tray Top Utility Turbo Diesel for the sum of \$42,978.60 (including GST), and the trade of a 2006 Nissan Navara Manual Cab Chassis Tray Top Utility for \$17000 (including GST), giving a net changeover cost of \$23,616.91 (net of GST).*

**Carried Unanimously: 8/0**

### 13.2.5. Sprayed Bitumen Supply Tender – Extension of Contract Period

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley  |
| <b>LOCATION:</b>          | Kununurra  |
| <b>AUTHOR:</b>            | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>REPORTING OFFICER:</b> | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>FILE NO:</b>           | 66.53.09   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to consider the option to offer a one-year contract period extension to PMP Contracting Pty Ltd.

#### **BACKGROUND**

The contract period had been checked previously and was assumed to have a further 12 months to run. A recent check of the documentation shows that the original contract period ends on 30 June 2008.

Although the work undertaken on Weaber Plain Road last year was sub-standard all previous work met specifications.

A number of projects are able to benefit from the current unit rates for sealing works and the Executive Manager Engineering and Regulatory Services is satisfied that the contractor is able to satisfactorily complete a further 12 months of work.

#### **STATUTORY IMPLICATIONS**

The Local Government (Functions and General) Regulations 1996 apply.

#### **POLICY IMPLICATIONS**

There are no specific policies relating to this report.

#### **FINANCIAL IMPLICATIONS**

The recent civil works tenders have shown that tendered prices for bitumen seals is higher than our current rates. One of the options being put to the civil works contractors is for the Shire to nominate PMP Contracting as the sealing works contractor and will be included as cost plus 10%. This will allow for some savings across a number of projects.

#### **STRATEGIC IMPLICATIONS**

Not applicable

#### **COMMENT**

The contract documentation does not appear to refer a one-year extension option however the Council resolution does: -

**MINUTE NO 7178**

**Moved Cr R Devenish-Mearns/J Buchanan**

***That Council awards Tender T9 04/05 - Bitumen Sealing to PMP (SA) Associates for a three year period commencing 1 July 2005, with the option for a one year extension, subject to mutual agreement.***

**CARRIED UNANIMOUSLY (9-0)**

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**MANAGERS' RECOMMENDATION**

That Council approves the one-year contract period extension to Contract T09 04/05 in accordance with Minute Number 7178 with a revised termination date of 30 June 2009.

**COUNCIL DECISION**

**Minute No. 8202**

**Moved: Cr D Ausburn**

**Seconded: Cr R Addis**

***That Council approves the one-year contract period extension to Contract T09 04/05 in accordance with Minute Number 7178 with a revised termination date of 30 June 2009.***

**Carried Unanimously: 8/0**

### 13.2.6. Weaber Plain Road Near Erythrina Street - Proposed State BlackSpot Program

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley  |
| <b>LOCATION:</b>          | Kununurra  |
| <b>AUTHOR:</b>            | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>REPORTING OFFICER:</b> | Alex Douglas, Executive Manager<br>Engineering and Regulatory Services |
| <b>FILE NO:</b>           | 21.08.03   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to consider options for the project following evaluation of the recommended design so as to progress the project.

#### **BACKGROUND**

The Shire was granted funds to construct a pedestrian refuge island in Weaber Plain Rd in the 2006/07 financial year, and the project was based on resolving a safety issue for pedestrians crossing Weaber Plain Rd.

The design was prepared by consultants and quotes obtained late in 2007. The project was not initiated at the time due to the estimated cost exceeding the budget and construction issues associated with the alignment of the new island and its potential obstruction of property access (west side).

The Executive Manager Engineering and Regulatory Services believes that an alternate to the proposed road widening and pedestrian refuge island.

#### **STATUTORY IMPLICATIONS**

There are no specific statutory implications associated with the Managers' Recommendation.

#### **POLICY IMPLICATIONS**

There are no specific policies relating to this report.

#### **FINANCIAL IMPLICATIONS**

The approved project estimate is \$96,000. State BlackSpot Projects are funded as 1/3<sup>rd</sup> Local Government and 2/3 State Government. The project has been included in the 2007/08 Budget.

#### **STRATEGIC IMPLICATIONS**

Not applicable

#### **COMMENT**

The proposal is considered to have merit given the location of pedestrians attempting to cross Weaber Plain Road as they exit from a pedestrian walkway (connecting to Woollybutt Place). There is a bend in Weaber Plain Road at the intersection of

Erythrina Street which limits sight distance when approaching the area from the North.

Due to the general lack of constructed crossovers on Weaber Plain Road it is partially understandable that the design omitted consideration of the access to several properties, however to proceed with the construction without modifying the design would not be reasonable for the affected residents.

The Executive Manager Engineering and Regulatory Services considers that the primary concern is with guiding pedestrians to a more suitable location by means of constructed footpaths rather than the placement of a refuge island in a location that will complicate property access and retain some issues of sight lines for vehicles approaching from the north.

The recommended work is to construct a new footpath on the east side of Weaber Plain Road extending from the western end of the walkway (from Woolybutt St) northwards to adjacent the south side of the Erythrina Street intersection.



Whilst no refuge island is proposed the sight lines are vastly improved for both pedestrians and motorists in observing pedestrians. There is an opportunity to install additional street lights in the vicinity of the intersection and on the east side of the road where the new path is to be constructed. Additional lighting has already been installed on Weaber Plain Road toward the Victoria Highway intersection.

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

That Council advise the State government through the Kimberley Regional Road Group that the approved project has been reviewed and an alternate project involving footpaths and street lighting is proposed for approval at an estimated cost of \$28,500.

### **COUNCIL DECISION**

Minute No. 8203

Moved: Cr J Moulden

Seconded: Cr D Ausburn

*That Council advise the State government through the Kimberley Regional Road Group that the approved project has been reviewed and an alternate project involving footpaths and street lighting is proposed for approval at an estimated cost of \$28,500.*

**Carried Unanimously: 8/0**

### 13.3. DEVELOPMENT SERVICES

#### 13.3.1. Lot 316 Cyril Kleinig Drive – Car Hire

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Geoffrey Johns                                     |
| <b>LOCATION:</b>          | Lot 316 Cyril Kleinig Drive, Kununurra             |
| <b>AUTHOR:</b>            | Gary McCarney, Town Planning Officer               |
| <b>REPORTING OFFICER:</b> | Keith Williams, Executive Manager<br>Town Planning |
| <b>FILE NO:</b>           | 01.5832.02   |
| <b>ASSESSMENT NO:</b>     | A5832  |

*Mr Peter Stubbs declared an Impartiality Interest in Item 13.3.1 Cyril Kleinig Drive Car Hire as his wife works at Thrifty Car Hire.*

#### **PURPOSE**

For Council to consider an application for planning consent for the use and development of the subject land for car hire and vehicle storage.

#### **BACKGROUND**

An application for the use and development of Lot 316 on the corner of Cyril Kleinig Drive and Lane Jones Drive, Kununurra, for car hire and vehicle storage was submitted by the owner of the site, Geoffrey Johns, on 2 April 2008.

The subject site is located within the Kununurra airport which is zoned Special Site – Airport. The application has therefore been referred to Council for a decision.

#### **SITE LOCATION**

Lot 316 is located at the corner of Cyril Kleinig Drive and Lane Jones Drive. It has an area of just over 2600 square metres. The site is currently vacant.



Subject site

## **PROPOSED LAND USE / DEVELOPMENT**

The applicant is seeking approval for the use and development of the lot for car hire and vehicle storage. A 15 square meter office building and a separate six square metre ablutions block, with septic system, are proposed as part of the development.

## **FINANCIAL IMPLICATIONS**

The Application Fee of \$90.00 has been paid.

## **COMMUNITY CONSULTATION**

Under the Town Planning Scheme, Council has the power to determine planning applications on the airport site. There is no requirement under the Scheme to advertise the proposal for public comment.

The appropriate government agencies will be consulted during the building and health licensing stages, in particular the Department of Health in relation to the sewerage system / septic tank requirements.

## **ATTACHMENTS**

Submitted development plans attached as:

- 1 Site Plan
- 2 Office building
- 3 Ablutions block

## **PLANNING ASSESSMENT**

### Strategic/Structure Plans

The Local Planning Strategy recognises the importance of the airport to East Kimberley and recommends that an airport masterplan be prepared. Masterplanning is progressing, with plans for terminal upgrades, car parking and subdivisions all being prepared and/or considered by Council.

It is not considered that the proposed car hire and vehicle storage business would compromise the proposed masterplan, as it is an appropriate use, directly related to the operation of the airport.

### Town Planning Scheme No. 7 – Kununurra and Environs

The land is located within the Special Site – Airport zone. . Clause 5.22.1 of the Town Planning Scheme states that the objective of this zone is:

*to reflect those sites specifically established for a particular use*

Clause 5.22.2 sets out the conditions for development in the zone as:

- a) *Land within the Special Site zone may be used for the purposes specified on the Scheme Map and the Schedule in Appendix No. 2 as applicable to that site and for no other purpose except for a use Council deems is incidental to the predominant use.*

- b) *Council may apply such development standards to a proposal as it thinks fit providing such standards are not less than pertaining to similar uses permitted under the Scheme.*

The Special Site Schedule in Appendix 2 defines the use as Airport with:

*Other uses may be permitted by Council provided that they are incidental to the predominant use of the land and/or deemed to be dependent on the function of the airport.*

The Schedule states that conditions of development are to be *as determined by Council.*

The proposed use is considered to be an appropriate use within the airport site as it is directly related to and dependant upon the function of the airport.

The proposal is therefore considered to be consistent with the Town Planning Scheme.

#### Sewerage Issues

The subject lot is not served by Kununurra's reticulated sewerage network. An appropriate sewerage treatment system will be required. Conditions governing the installation of the septic system will be addressed as part of the building and health licence processes.

Conditions will also be attached to the planning approval to ensure that the necessary building and health requirements are met.

#### **CONCLUSION / COMMENT**

The proposed use of the land for a hire and vehicle storage business is consistent with the objectives and purposes of the Special Site – Airport zone, the use being directly related to, and dependant upon, the function of the airport.

The proposed use would provide additional facilities for tourists, residents and local businesses.

It is therefore considered that the application should be approved.

#### **VOTING REQUIREMENT**

Simple Majority

#### **MANAGERS' RECOMMENDATION**

That Council grants planning consent to Geoffrey Johns for use and development of Lot 316 Cyril Klienig Drive, Kununurra for Car Hire and Vehicle Storage,

Subject to the following conditions:

- (i) Compliance with all Council's health requirements. These include however may not be limited to installation of an approved effluent disposal system to the satisfaction of Council's Environmental Health Officer.
- (ii) Any conditions issued under delegated authority from Council's Standard Conditions list.

## **COUNCIL DECISION**

**Minute No. 8204**

**Moved: Cr D Ausburn**

**Seconded: Cr J Moulden**

***That Council grants planning consent to Geoffrey Johns for use and development of Lot 316 Cyril Klienig Drive, Kununurra for Car Hire and Vehicle Storage,***

***Subject to the following conditions:***

- (i) Compliance with all Council's health requirements. These include however may not be limited to installation of an approved effluent disposal system to the satisfaction of Council's Environmental Health Officer.***
- (ii) Any conditions issued under delegated authority from Council's Standard Conditions list.***

**Carried Unanimously: 8/0**







### 13.3.2. Proposed Shed – Lot 3 Stockman Road, Kununurra

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | 20 May 2008                                     |
| <b>PROPONENT:</b>         | JAB Industries                                  |
| <b>LOCATION:</b>          | Lot 3 Stockman Road, Kununurra                  |
| <b>AUTHOR:</b>            | Gary McCarney, Town Planning Officer            |
| <b>REPORTING OFFICER:</b> | Keith Williams, Executive Manager Town Planning |
| <b>FILE NO:</b>           | 01.0075.02                                      |
| <b>ASSESSMENT NO:</b>     | A0075   |

#### **PURPOSE**

For Council to consider an application for planning consent for the use and development of the subject land as an earthmoving business and for the construction of a large shed to house earthmoving equipment.

#### **BACKGROUND**

An application for the development of a large shed on Lot 3 Stockman Road was submitted by the owner of the site, JAB Industries, on 11 April 2008. The site currently contains earth moving equipment, trucks, containers and soil/sand stockpiles indicating that it is being used as an earthmoving business.

The subject site is located within the Special Site – Fuel Depot. The application has therefore been referred to Council for a decision.

#### **SITE LOCATION**

The subject land is located on Stockman Road in the Bull Run Road area (see Attachment 1 – location plan).

The land immediately to the south is zoned for Rural Living but is proposed to be rezoned to Composite Industry in the local planning strategy. The four lots to the north of the site are already zoned Composite Industry.

There are two lots zoned Special Site – Fuel Depot to the west of the lot. The adjacent lot, Lot 2, has been developed as the AFD fuel depot. A remote satellite controlled fuel depot has been constructed on Lot 1, with a Roadhouse / Truck Stop with Accommodation also approved for the lot (in November 2006), but not yet constructed.

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

The applicant is seeking approval to use the site for an earthmoving business and to construct a 60 metre by 42 metre (2500 m<sup>2</sup>) by 7 metre high shed to house the earthmoving equipment.

#### **FINANCIAL IMPLICATIONS**

The Application Fee of \$241 has been paid.

#### **COMMUNITY CONSULTATION**

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

## **ATTACHMENTS**

Submitted development plans attached as:

Attachment 1      Location Plan  
Attachment 2      Site Layout

## **PLANNING ASSESSMENT**

### Strategic/Structure Plans

The Local Planning Strategy recommends retaining the existing fuel depot and rezoning the surrounding rural living zoned land to composite industry. It is unclear whether the Strategy was referring to retaining the existing fuel depots, ie. those on Lots 1 and 2, or retaining the whole of the Special Site – Fuel Depot, ie. including the subject land, Lot 3.

The key planning issue is whether or not there is likely to be demand for a further fuel depot at this specific location. As fuel depots are an AA use in light, rural and composite industry zones as well as in the mixed business zone, there is a wide range of potential locations available to anyone seeking to build a fuel depot in the future. It is considered unnecessary to preserve the subject site for a potential future fuel depot.

Therefore, use of the subject site for an earthmoving business would be consistent with the overall direction of the local planning strategy for the area.

### Town Planning Scheme No. 7 – Kununurra and Environs

The land is located within a Special Site zone and denoted for the use of Fuel Depot on the Scheme Map. A fuel depot is defined in the Scheme as meaning “*any land or building used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into the final users vehicle of such fuel from the premises*”.

Under Clause 5.22.1 of TPS 7, the objective for Special Site zones is “*to reflect those sites specifically established for a particular use*”. Further, Clause 5.22.2 specifies:

- a) *Land within the Special Sites Zone may be used for the purposes specified on the Scheme Map and the schedule in Appendix No 2 as applicable to that site and for no other purpose except for a use that Council deems is incidental to the predominant use.*
- b) *Council may apply such development standards to a proposal as it thinks fit providing such standards are not less than pertaining to similar uses permitted under the Scheme.*

The subject land is identified in Appendix 2 – Special Site Schedule as 2257 Stockman Road (the original lot) with a Special Site use of roadhouse/truck stop specified. A roadhouse is defined in the Scheme as meaning “*any land or buildings used for the predominant purpose of a service station but incidentally including a café, restaurant and/or shop*”. A truck stop is not defined in the Scheme, however, the use can be considered generally to comprise a pull in area for road trains to layover.

The use of the land for an earthmoving business does not specifically comply with the current Scheme zoning and requirements. However, the rationale behind creating the Special Site – Fuel Depot in the Scheme is unclear. As stated above, fuel depots are an AA use under the Scheme in light, rural and composite industry zones as well as the mixed business zone. A fuel depot could therefore be built in a wide range of locations in and around Kununurra.

It is considered that there was no requirement to specifically designate one area as fuel depot, thereby severely constraining the site owner's ability to develop. It is recommended that rezoning of Lot 3 to light industry be considered as part of the rezoning of the surrounding rural living land to composite industry, as recommended in the local planning strategy.

The proposed use would be a permitted use in the light industry zone.

### **CONCLUSION / COMMENT**

Under a strict application of the Town Planning Scheme, the proposed earthmoving business would not be an appropriate use within the Special Site - Fuel Depot. Fuel depots are however an AA use under the Scheme in light, rural and composite industry zones as well as the mixed business zone. A fuel depot could be built in a wide range of locations in and around Kununurra under current zoning.

Approval of the proposed use on the subject lot therefore would not compromise the ability for additional fuel depots to be built in Kununurra in the future, if required. The proposed use would also be consistent with surrounding existing and proposed industrial uses.

It is recommended that the proposed use and development of the site as an earthmoving business be approved by Council.

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

That Council grants planning consent to JAB Industries for the use and development of an earthmoving business on Lot 3 Stockman Road, Kununurra, subject to the following conditions:

1. All development shall occur in accordance with the submitted plans unless otherwise required or directed by the following conditions. Any modifications to the proposed development must be submitted to Council for re-assessment and issuance of a revised planning approval.
2. Obtain approval for a building licence prior to commencement of construction.
3. Use of the site shall be limited to an earthmoving business.
4. Any change of use shall be subject to further Council consent.
5. Compliance with all the requirements of the appropriate Statutory Authorities.
6. No development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas should be

mechanically directed into Councils stormwater system or disposed of onsite. Stormwater shall not pond on the site or against any building or structure.

7. All parking is to be located within the site, 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. Crossovers must be constructed to Council's specification.
9. All fencing shall be detailed and included in the building license application.
10. Any conditions issued under delegated authority in accordance with Council's standard conditions list.

### **COUNCIL DECISION**

**Minute No. 8205**

**Moved: Cr J Moulden**

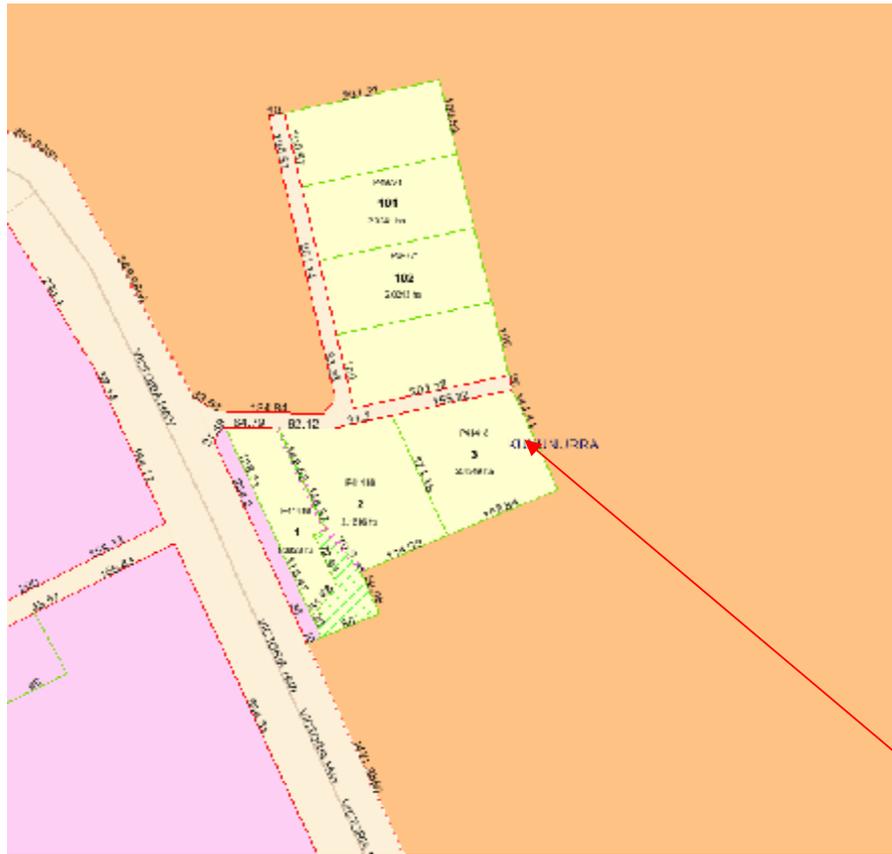
**Seconded: Cr P Caley**

***That Council grants planning consent to JAB Industries for the use and development of an earthmoving business on Lot 3 Stockman Road, Kununurra, subject to the following conditions:***

1. ***All development shall occur in accordance with the submitted plans unless otherwise required or directed by the following conditions. Any modifications to the proposed development must be submitted to Council for re-assessment and issuance of a revised planning approval.***
2. ***Obtain approval for a building licence prior to commencement of construction.***
3. ***Use of the site shall be limited to an earthmoving business.***
4. ***Any change of use shall be subject to further Council consent.***
5. ***Compliance with all the requirements of the appropriate Statutory Authorities.***
6. ***No development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas should be mechanically directed into Councils stormwater system or disposed of onsite. Stormwater shall not pond on the site or against any building or structure.***
7. ***All parking is to be located within the site, 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. ***Crossovers must be constructed to Council's specification.***
9. ***All fencing shall be detailed and included in the building license application.***
10. ***Any conditions issued under delegated authority in accordance with Council's standard conditions list.***

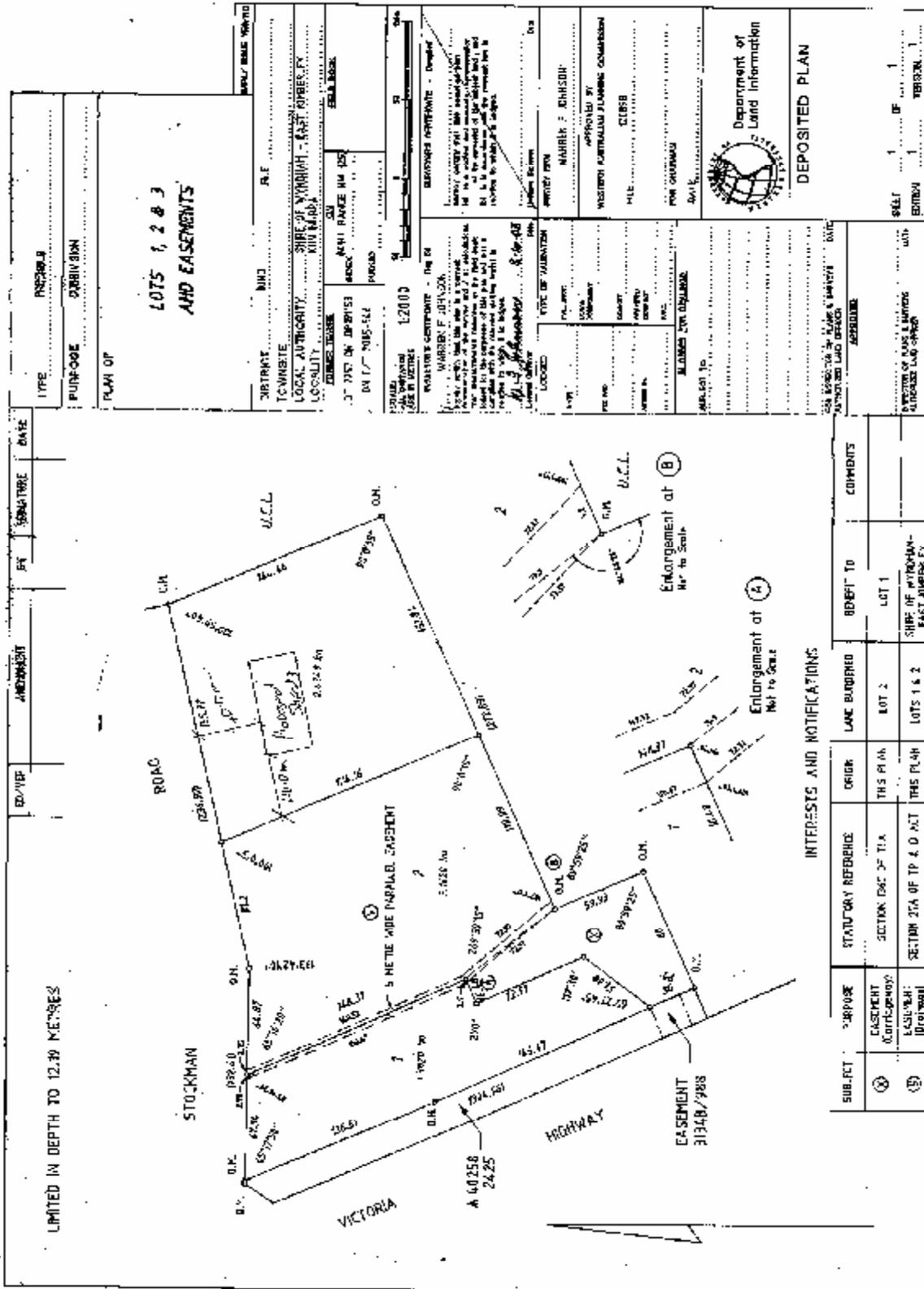
**Carried Unanimously: 8/0**

**ATTACHMENT 1: Location Plan**



**Subject Site**





|                 |                                  |
|-----------------|----------------------------------|
| TYPE            | PROPOSED                         |
| PURPOSE         | EXHIBITION                       |
| PLAN OF         | LOTS 1, 2 & 3 AND EASEMENTS      |
| DISTRICT        | MURDOCH                          |
| TOWNSHIP        | SHIRE OF MURDOCH - EAST GORSE PT |
| LOCAL AUTHORITY | MURDOCH COUNCIL                  |
| LOCALITY        | STOCKMAN ROAD                    |
| SECTION         | SECTION 21A OF TP 4 & D ACT      |
| DATE            | 17/05/08                         |
| SCALE           | AS SHOWN                         |
| APPROVED BY     | MURDOCH COUNCIL                  |
| APPROVED BY     | MURDOCH COUNCIL                  |
| FILE            | CLRSB                            |
| FOR COUNCIL     | FOR COUNCIL                      |
| DATE            | 17/05/08                         |
|                 |                                  |
| DEPOSITED PLAN  |                                  |
| SHEET           | 1 OF 1                           |
| ENTRY           | 1                                |
| TERMIN          | 1                                |

INTERESTS AND NOTIFICATIONS

| SUBJECT | PURPOSE             | STATUTORY REFERENCE         | ORIGIN    | LANE BURNED | BENEFIT TO                       | COMMENTS |
|---------|---------------------|-----------------------------|-----------|-------------|----------------------------------|----------|
| (A)     | EASEMENT (Easement) | SECTION 21A OF TP 4 & D ACT | THIS PLAN | LOT 2       | LOT 1                            |          |
| (B)     | EASEMENT (Easement) | SECTION 21A OF TP 4 & D ACT | THIS PLAN | LOTS 1 & 2  | SHIRE OF MURDOCH - EAST GORSE PT |          |



### 13.3.3. Proposed Hydrobath & Dog Grooming – Lot 11 Weero Road, Kununurra

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | May 20 2008                                     |
| <b>PROPONENT:</b>         | Catherine Cole                                  |
| <b>LOCATION:</b>          | Lot 11 Weero Road, Kununurra                    |
| <b>AUTHOR:</b>            | Gary McCarney, Town Planning Officer            |
| <b>REPORTING OFFICER:</b> | Keith Williams, Executive Manager Town Planning |
| <b>FILE NO:</b>           | 01.2598.02                                      |
| <b>ASSESSMENT NO:</b>     | A2598   |

#### **PURPOSE**

For Council to consider a planning application to operate a hydrobath and dog grooming business on Lot 11 Weero Road.

#### **BACKGROUND**

An application for Home Occupation – Hydrobath and Dog Grooming on Lot 11 Weero Road has been received from Catherine Cole. The proposed use is not considered to be an appropriate home occupation use under the Town Planning Scheme.

The use is not specifically included in the list of standard uses contained in the zoning tables in the TPS. The proposal has therefore been referred to the Council for a decision on whether or not the proposed use may be an appropriate use.

#### **SITE LOCATION**

The subject site is located on the east side of Weero Road. The property backs onto the Ord River Special Foreshore Reservation.

The site is currently used for intensive agriculture, primarily mangoes. It contains a residential dwelling plus a number of sheds/ancillary structures associated with the agricultural use.

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

The applicant is seeking approval to operate a hydrobath and dog grooming business serving local dog owners and tourist dog owners. The business would be operated from the existing carport. The intended hours of operation are 2-3 days per week during school hours and weekends.

Shire records indicate that there are some 500 dogs registered in the Shire. The applicant advises that there is currently no hydrobath facility available.

#### **FINANCIAL IMPLICATIONS**

The Application Fee of \$90.00 has been paid.

#### **COMMUNITY CONSULTATION**

Under the Town Planning Scheme, Council has the power to determine whether a use not listed in the zoning tables may be an appropriate use. If it so decides, the

application must then be considered as an SA use, ie. it must be advertised and then Council may approve it at its discretion.

## **ATTACHMENTS**

Nil

## **PLANNING ASSESSMENT**

### Local Planning Strategy

The Local Planning Strategy recognises the contribution of agriculture to the SWEK and that it remains a priority land use into the foreseeable future. It states that

*“there is a need to protect prime agricultural land to ensure that agricultural areas are not subject to intrusion by conflicting land uses”.*

The LPS also states that

*“there is some capacity, with appropriate development controls, to introduce some subordinate land uses to diversify the income of farmers and ensure their economic viability.*

The proposed use would be subordinate to, and would not compromise, the primary agricultural use. The proposal is therefore considered to be consistent with the LPS.

### Town Planning Scheme No. 7 – Kununurra and Environs

The subject land is zoned Rural Agricultural 1 and is surrounded by Rural Agricultural 1 land. Further to the north along Weero Road, a portion of land has recently been rezoned for rural living.

The proposed use, hydrobath and dog grooming, is not specifically listed in the Zoning Tables nor is there a similar use class listed. Such cases are covered by Clause 3.1.6:

*If the use of land for a particular purpose is not specifically mentioned in the zoning table and cannot reasonably be determined as falling within the interpretation of one of the use classes the Council may:*

- a) *determine that the use is not consistent with the objectives and purposes of the particular zone and policy statement and is therefore not permitted,*

*or*

- b) *determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the particular zone and policy statement and thereafter the Council will consider the application as an “SA” use.*

The objective for a Rural Agricultural 1 Zone is given in Clause 5.18.1 as:

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

It is considered that the proposed use would not adversely impact on the above objective.

#### Potential impacts of proposed use

The closest use classes in the TPS to the proposed use are Kennels/Cattery, an SA use and Rural Pursuit, a P use, (rural pursuit includes the rearing and agistment of animals and the stabling and training of horses).

The proposed use is likely to have less impact, especially noise, on surrounding properties than would a kennel or cattery. It would however be likely to generate more traffic than a kennel/cattery or a rural pursuit.

Weero Road is an unsealed road currently carrying very low volumes of traffic. Traffic will increase with the development of the rural living subdivision and Weero Road is required to be sealed, as a condition of that subdivision.

The relatively low levels of traffic likely to be generated by the proposed dog grooming business would be unlikely to have any material impact on the operation of Weero Road, once sealed, or at its intersection with Victoria highway.

#### Disposal of waste water / storage of chemicals

The applicant is in discussion with the Shire's Health Officer regarding the treatment and disposal of waste water and dog hair and the storage of shampoos and tick and flea rinses. It is proposed to condition any planning approval to cover both issues.



#### **CONCLUSION / COMMENT**

The proposed use is not specifically listed in the zoning tables in the town planning scheme and has therefore been referred to Council to determine whether it may be an appropriate use.

The use would be incidental to the primary agricultural use of the subject site and would not impact on the agricultural viability of the site. It is considered unlikely to have any adverse impacts on surrounding land uses or the operation of Weero Road, and more intensive uses have been approved in the same zone.

It is therefore recommended that the use be approved by Council as an appropriate use, thereby requiring it to be advertised prior to a final decision being made.

It is recommended that, if no objections are received during the advertising period, the power to approve the application be delegated to the CEO – to obviate the need for Council to reconsider the proposal. Should objections be received, the proposal would be resubmitted to Council for further consideration.

Specific conditions covering the disposal of waste water, the storage of chemicals and parking to be contained on site would be imposed on any planning approval.

### **VOTING REQUIREMENT**

Absolute Majority required for point 1.  
Simple Majority required for point 2.

### **RECOMMENDATION**

That Council resolves that:

- (1) the proposed hydrobath and dog grooming business is an appropriate use in a Rural Agricultural 1 zone, and that the application be considered as an SA use and be advertised accordingly
- (2) should no objections be received, power to approve the application be delegated to the CEO, subject to the following specific conditions:
  - (i) Compliance with all Council's health requirements including the disposal of waste water, dog hair and any other waste materials.
  - (ii) Shampoos and chemicals associated with the dog grooming business shall be stored in a locked storeroom to the satisfaction of the Council.
  - (iii) Parking for a minimum of four vehicles shall be provided on site.
  - (iv) Any conditions issued under delegated authority from Council's Standard Conditions list.

### **COUNCIL DECISION**

**Minute No. 8206**

**Moved: Cr J Moulden**

**Seconded: Cr J Parker**

***That Council resolves that:***

- (1) ***the proposed hydrobath and dog grooming business is an appropriate use in a Rural Agricultural 1 zone, and that the application be considered as an SA use and be advertised accordingly***

- (2) should no objections be received, power to approve the application be delegated to the CEO, subject to the following specific conditions:**
- (i) Compliance with all Council's health requirements including the disposal of waste water, dog hair and any other waste materials.**
  - (ii) Shampoos and chemicals associated with the dog grooming business shall be stored in a locked storeroom to the satisfaction of the Council.**
  - (iii) Parking for a minimum of four vehicles shall be provided on site.**
  - (iv) Any conditions issued under delegated authority from Council's Standard Conditions list.**

**Carried Unanimously: 8/0**

### 13.3.4. Proposed Tourist Accommodation - Lot 53 Jabiru Road

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 18 March 2008                                      |
| <b>PROPONENT:</b>         | Talrin Pty Ltd                                     |
| <b>LOCATION:</b>          | Lot 53 Jabiru Road                                 |
| <b>AUTHOR:</b>            | Keith Williams, Executive Manager<br>Town Planning |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer              |
| <b>FILE NO:</b>           | 01.0361.02   |
| <b>ASSESSMENT NO:</b>     | A0361  |

*Cr John Buchanan declared a Financial Interest in Item 13.3.4 Tourist Accommodation Lot 53 Jabiru Road as he has other business dealings with the proponent.*

Cr John Buchanan left the meeting at 6:40pm.

#### **PURPOSE**

For Council to consider an application for planning consent for Lot 53 Jabiru Road for tourist accommodation comprising 3 proposed cabins/chalets.

#### **BACKGROUND**

Council considered this application at the 18 March 2008 meeting of Council. The application was refused. The applicant lodged an application with the State Administrative Tribunal, and a Directions Hearing was held with the applicant on 2 May 2008. The Tribunal has issued an order that the application be re-considered by Council.



## **SITE LOCATION**

The subject site is located on Jabiru Road. The land is flat and has an existing dwelling and a packing shed constructed on it, as well as several caretakers and workers accommodation structures. The land has been cultivated with mangoes.

The surrounding land is zoned for agriculture and related purposes and has been developed for these uses. The site abuts a Special Foreshore Reserve which is unallocated Crown Land. Brolga Road, which is un-constructed, sits directly north.

## **PROPOSED LAND USE / DEVELOPMENT**

The application is for the development and use of the land for tourist accommodation comprising three two bedroom cabins/chalets accommodation units.

## **FINANCIAL IMPLICATIONS**

The application fees have been paid.

## **CONSULTATION**

### Town Planning Scheme No. 7

Town Planning Scheme No. 7 (Kununurra and Environs) requires SA uses to be advertised before Council exercises discretion to permit the use. Under the provisions of Clause 11.2 of the Scheme, the proposal was advertised in the Kimberley Echo, signs posted on site and adjoining landowners notified, requesting comment within a 21 day period.

4 submissions were received during the public comment process

1 submission raised concerns with the development, while three other submissions specifically objected to the proposed development.

2 Submissions supporting the application were submitted after the public comment process period closed.

A summary of these submissions is attached as Schedule of Submissions.

Given that tourist accommodation is currently permitted in the Rural Agriculture 2 zone without limiting the units that can be developed, it is considered that the current proposal should only be approved at a level that is consistent with Amendment 18, which is expected to be approved by the WAPC.

### Industry Consultation

Prior to consideration of previous applications, a stakeholder consultation process was undertaken. A meeting was held between Council officers, tourism and agricultural industry representatives to address bio-security issues and land use conflict concerns that this kind of proposal has raised.

Attendees were:

Peter Stubbs, Chief Executive Officer, Shire of Wyndham East Kimberley  
Keith Williams, Town Planner, Shire of Wyndham East Kimberley  
Vaughan Davies, Regional Manager, Tourism WA  
Peter Grigg, Manager, Kununurra Visitors Centre

Lincoln Heading, Kununurra Primary Industry Association Representative  
Zoe Higgins, Chairperson, Kununurra Primary Industry Association  
Laughlin Dobson Primary Industry Association Representative  
John Moulden, Department of Agriculture & Food

Agreed outcomes of the meeting were that there is some scope for Tourism in Agricultural zones, but that it should be used to supplement agricultural revenue, and accordingly should be subordinate to Agricultural uses. (Although the determination of the subordinate nature of the use is based on Land Use area not revenue)

That is, if there is no agriculture, there should be no tourism. It was also agreed that the following conditions should be placed on approvals. These recommendations formed the basis of the provisions of Amendment 18 to TPS7:

- a) Prior to construction of any accommodation units, the applicant shall submit a management plan detailing measures to manage the following impacts:
  - a. Dust and noise
  - b. Visual amenity
  - c. Bio-security
- b) Prior to construction, all promotional information intended to be displayed shall be submitted to Council for approval.
- c) Prior to occupation, relevant officers shall inspect accommodation to ensure bio-security information is displayed in a prominent place.
- d) Prior to occupation, relevant officers shall inspect procedures to ensure that all guests are made aware of the bio-security issues and preventative measures upon check in.
- e) Increasing setbacks between side and rear boundaries to 35 metres.

### **ATTACHMENTS**

1. State Administrative Tribunal Order
2. Development Plans
3. Schedule of Submissions

### **PLANNING ASSESSMENT**

#### Strategic/Structure Plans

The Local Planning Strategy designates the subject land for agricultural purposes. The objective of the strategy is to protect prime agricultural land, with strategies permitting subordinate land uses incidental to the primary agricultural use of the land.

In relation to tourist accommodation, the local planning strategy recommends a maximum of two accommodation units in the Rural Agriculture 2 zone. By comparison, only one unit is recommended in the Rural Agriculture 1 zone.

#### Town Planning Scheme No. 7 – Kununurra & 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:

- (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.*

Pursuant to Town Planning Scheme No. 7, the use of cabins/chalets accommodation falls within the definition of Tourist Accommodation which means:

*a building or group of buildings substantially used for the temporary accommodation of tourists, visitors and travellers which may have facilities for the convenience of patrons such as restaurants, convention areas, and the like, and includes backpackers accommodation, cabins/chaletss and guest houses, but does not include a building or place elsewhere specifically defined in this schedule or a building or place used for a purpose elsewhere specifically defined in this schedule.*

As a result of Amendment 14 to Scheme 7 (gazetted 13 June 2006), Tourist Accommodation was introduced into the Rural Agriculture 2 zone as an SA use, meaning that the Council may exercise discretion and permit the use after advertising the proposal.

#### Amendment 18 to Town Planning Scheme No. 7 – Kununurra & Environs

On 15 August 2006, Council resolved to initiate an Amendment to Scheme 7 for the purpose of allowing diversified uses within specific agricultural zones, subject to a set of specific criteria. In relation to Tourist Accommodation, the Amendment proposes to modify the permissibility of the use in the Rural Agriculture 2 zone from “SA” to “IP”, and from “X” to “IP” in the Rural Agriculture 1 and General Rural zones. Under the Scheme, “IP” uses are not permitted unless incidental to the predominant use of the land, as determined by Council.

Following industry consultation, further changes to the advertised Amendment were approved by Council.

Until adoption, the proposed Amendment is not enforceable under the Scheme and serves mainly to indicate Council’s intent for development in the agricultural areas. However, Council can and should still have regard for the Amendment and ensure that proposals to develop cabins/chalets accommodation are not approved at a density that would exceed that permitted once the Amendment is gazetted.

#### Council Policies

The subject land is located within Precinct 22 – River Farm Rural Agriculture 2 Area, for which the objective is to retain the area for intensive horticulture, with a policy to:

*Ensure that non-agricultural uses do not detrimentally affect the continued use of the land for intensive agricultural practices.*

The proposed use of the land for Tourist Accommodation complies with the policy as it is a subordinate use to the predominant agricultural use of the land, and specifically requires the use of the site for agriculture to remain subordinate.

## CONCLUSION / COMMENT

The finalisation of Amendment 14 to Town Planning Scheme No. 7 - Kununurra and Environs introduced the use class of Tourist Accommodation as an SA use in the Rural Agriculture zone.

The current application seeks approval of three cabins/chalets located on Lot 53 Jabiru Road.

Applications have been approved for similar uses on Riverfarm Road and Packsaddle Road. In these instances, a limit of two cabins was placed on approvals, based on the progression of Amendment 18, which has since been considered by the WAPC. These approvals were subject to a number of conditions, similar to conditions proposed for this application.

The proposed use of the land for cabins/chalets accommodation is consistent with the definition of Tourist Accommodation, Scheme 7 objectives, the local planning strategy, and proposed Amendment 18 to the Scheme.

The applicant has provided written confirmation that excessive numbers of dwellings, caravan and unapproved dwellings and dongas will be removed from the subject site, and that bio-security measures are supported.

### Number of Units

It is recommended that Council approve the three proposed cabins, as this is consistent with Amendment 18.

### Location of Units

Crown Land forms the eastern and southern boundaries of the subject site and given that the Crown Land area is in the process of being sold to adjacent landowners, reduced setbacks of 5 metres are supported.

It is recommended that the setback to Brolga Road be increased to comply with Ministerial advice. A setback of 30 metres is recommended providing a combined total setback of 50 metres to the nearest private property boundary.

Setbacks are considered adequate, given that they abut no private property, and are greater than would normally be approved for agricultural uses, which might potentially create more noise and amenity conflicts.

### Management Conditions

Conditions requiring management plans, inspection of promotional material, and implementation of appropriate bio-security education measures and restricting the number of occupants to five per cabin, have also been included as development conditions, reflecting the provisions of Amendment 18.

### Recommendation

The use is currently able to be approved by Council under current Scheme provisions. Draft provisions of Amendment 18 are being used only to guide development conditions.

Additionally, draft provisions of Amendment 18 and development conditions are designed to encourage agriculture, and in fact it is a specific requirement that tourism

uses can only occur on lots that have agricultural production, and is not permitted on land that isn't used for agriculture.

It is expected that farmers that propose Tourism uses will not jeopardise their own agricultural land uses. It is recommended that the proposed use of the site should be approved by Council, subject to conditions.

It should be noted that this approval is recommended under CURRENT Scheme provisions, but with conditions relevant to Amendment 18 of the Scheme, to ensure development is consistent with future Scheme provisions.

The State Administrative Tribunal has issued an order that requires Council to re-consider the application.

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

That Council grants planning consent to Talrin Pty Ltd for the use and development of Lot 53 Jabiru Road Kununurra, for Tourist Accommodation, in accordance with the provisions of Town Planning Scheme No 7 - Kununurra and Environs, consisting of 3 cabins/chalets, in accordance with the submitted plans and subject to the following conditions:

1. All development shall occur in accordance with the submitted plans unless otherwise required or directed by the following conditions. Any modifications to the proposed development must be submitted to Council for re-assessment and issuance of a revised planning approval.
2. Prior to construction of the units, all promotional information intended to be displayed to be submitted to Council for approval.
3. The number of occupants in each cabin is to be restricted to a maximum of five persons.
4. Prior to construction of the units, provide Council with a management plan detailing measures to manage impacts between tourism and agricultural uses. This shall include measures to notify prospective tenants that they will be staying in an Agricultural zone and may be impacted on by noise and other impacts of agricultural land uses.
5. Any change of use of the buildings shall be subject to further Council consent.
6. Submit building plans and specifications to Council, including all structural components and details in compliance with the Building Code of Australia, and obtain a building license prior to commencement of construction of the cabins/chalets accommodation units.
7. Compliance with all Council's health requirements, including, but not limited to, specifications for septic tank installation.
8. All parking is to be located within the site, with parking and access areas to be constructed, drained and marked to Council's satisfaction. All employee parking is to be located within the site, and all vehicles associated with the use are to be parked on the site at all times.

9. Car parking spaces are to be provided for the cabins/chalets accommodation at a rate of one bay per two bedrooms in accordance with the requirements of the Shire of Wyndham - East Kimberley Town Planning Scheme No. 7 -Kununurra and Environs.
10. Compliance with the Liquor Licensing Act 1988.
11. Provision of a bin enclosure area capable of storing a minimum of 3 standard rubbish bins. The enclosure is to be built of the same materials as the walls of the predominant building, and the entrance is to be screened via gates to the satisfaction of Council.
12. Compliance with all the requirements of the appropriate Statutory Authorities.
13. No development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into Council's stormwater system in accordance with Council specifications, or disposed of onsite. Stormwater shall not be permitted to pond on the site or against any building or structure.
14. A biosecurity plan prepared in conjunction with Council officers, consisting of the following minimum requirements, shall be implemented:
  - A. All prospective occupants of the cabins/chaletss shall be notified of the need to comply with all biosecurity requirements at the point of checking in to accommodation;
  - B. Biosecurity information shall be displayed in a prominent location within all cabins/chaletss; and
  - C. All non-compliant fruit and vegetable matter shall be disposed of in accordance with Department of Agriculture and Food requirements.
15. Dust suppression measures shall be implemented to ensure dust does not leave the site.
16. Screening vegetation shall be planted and maintained along the boundary/s to adjoining lots to ensure the visual impact of the Tourist Accommodation is ameliorated, to the satisfaction of the Shire.
17. All Cabins/chalets shall be located a minimum of 30 metres from Brolga Road and a minimum of 5 metres from the boundaries with the foreshore, measured at 90 degrees to the boundary.
18. A foreshore access plan shall be prepared and implemented, in conjunction with Council officers, for access to the Crown Land foreshore consisting of the following minimum requirements:
  - A. Access to the foreshore UCL shall be restricted to pedestrian access only;
  - B. All prospective occupants of the cabins/chalets shall be notified that access to properties adjoining the foreshore is restricted;
  - C. Foreshore access information shall be displayed in a prominent location within all cabins/chalets; and
  - D. Access to the foreshore UCL shall be via existing access points only.
19. All caravans located on site shall be removed. All unapproved transportable buildings shall be removed. The two existing cottages shall only be used for caretakers and workers accommodation.

20. All boundaries to private property shall be fenced to the satisfaction of the Shire.
21. Any other conditions issued under delegated authority in accordance with Council's adopted Standard Conditions List.

**COUNCIL DECISION**

**Minute No. 8207**

**Moved: Cr D Ausburn**

**Seconded: Cr P Caley**

***That Council suspend Standing Order 7.5 to allow Councillors to speak more than once on this Item.***

**Carried Unanimously: 8/0**

**COUNCIL DECISION**

**Minute No. 8208**

**Moved: Cr J Parker**

**Seconded: Cr R Addis**

***That Council resume Standing Order 7.5.***

**Carried Unanimously: 8/0**

## **COUNCIL DECISION**

Minute No. 8209

Moved: Cr J Moulden

Seconded: Cr J Parker

*That Council Move the Officer's Recommendation with an amendment to:*

1. *the wording in the first paragraph to read "in accordance with the submitted plans, with the exception of the following specific conditions:"*
2. *point 14 A. so that it reads:*
  14. A. *All prospective occupants of the cabins/chalets shall be notified of the need to comply with all biosecurity requirements at the point of booking accommodation*

*And the addition of the following conditions:*

*All structures shall have a minimum separation distance of 70 metres from any dwelling on any adjoining properties*

*Setbacks to Lot 52 Jabiru Road shall be a minimum of 30 metres*

Carried: 6/1

NOTE: Council made ammendements to the recommendation to clarify certain matters.

Ms Jo-Anne Ellis returned to the meeting at 6:54pm.

Mr Lachlan Dobson left the meeting and Cr J Buchanan returned to the meeting at 7:04pm. Cr J Buchanan was advised of the outcome of the item.

**ATTACHMENT 1: SAT Order**

15/05 2008 10:02 FAX 0891682535

OUT OF THE ORD

002

15 MAY 2008 9:57

SAT EXECUTIVE

NO. 718

P. 1

*Planning and Development Act 2005*

IN THE MATTER OF:

Tairin Pty Limited  
-and-  
Shire of Wyndham East Kimberley

Applicant

Respondent

Matter Number: DR 152 2008  
Application Lodged: 23 April 2008

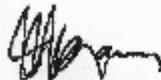
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**ORDER**

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On the application heard before Deputy President, Judge Chaney and Senior Member David Parry on 9 May 2008, it is ordered that:

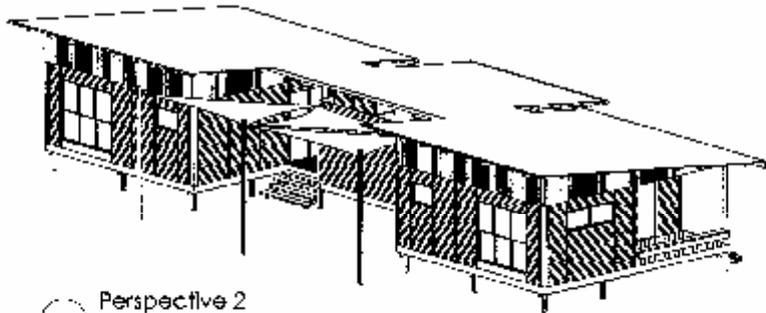
1. Pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision at its next meeting.
2. The proceedings are adjourned to a further directions hearing at 11am on 23 May 2008 in order to await the outcome of the reconsideration.



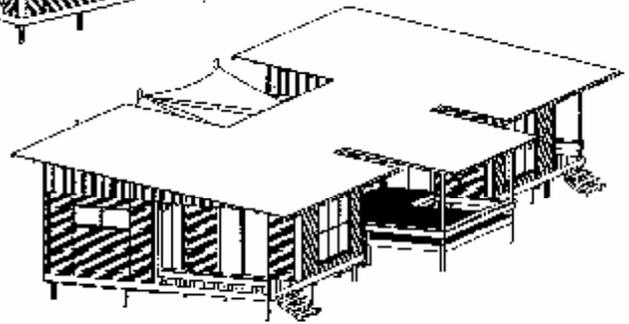
Deputy President, Judge Chaney



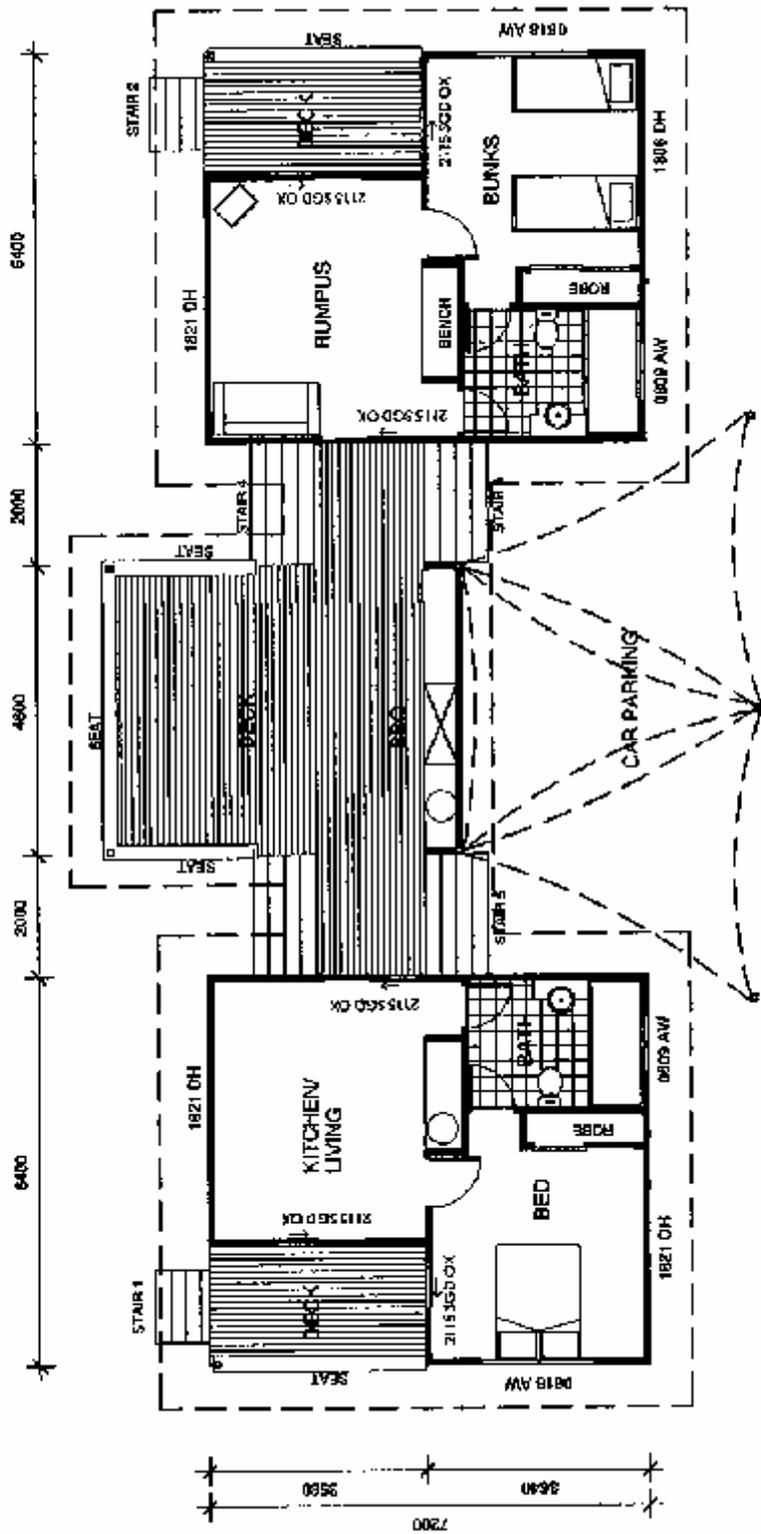
**ATTACHMENT 2: DEVELOPMENT PLANS**



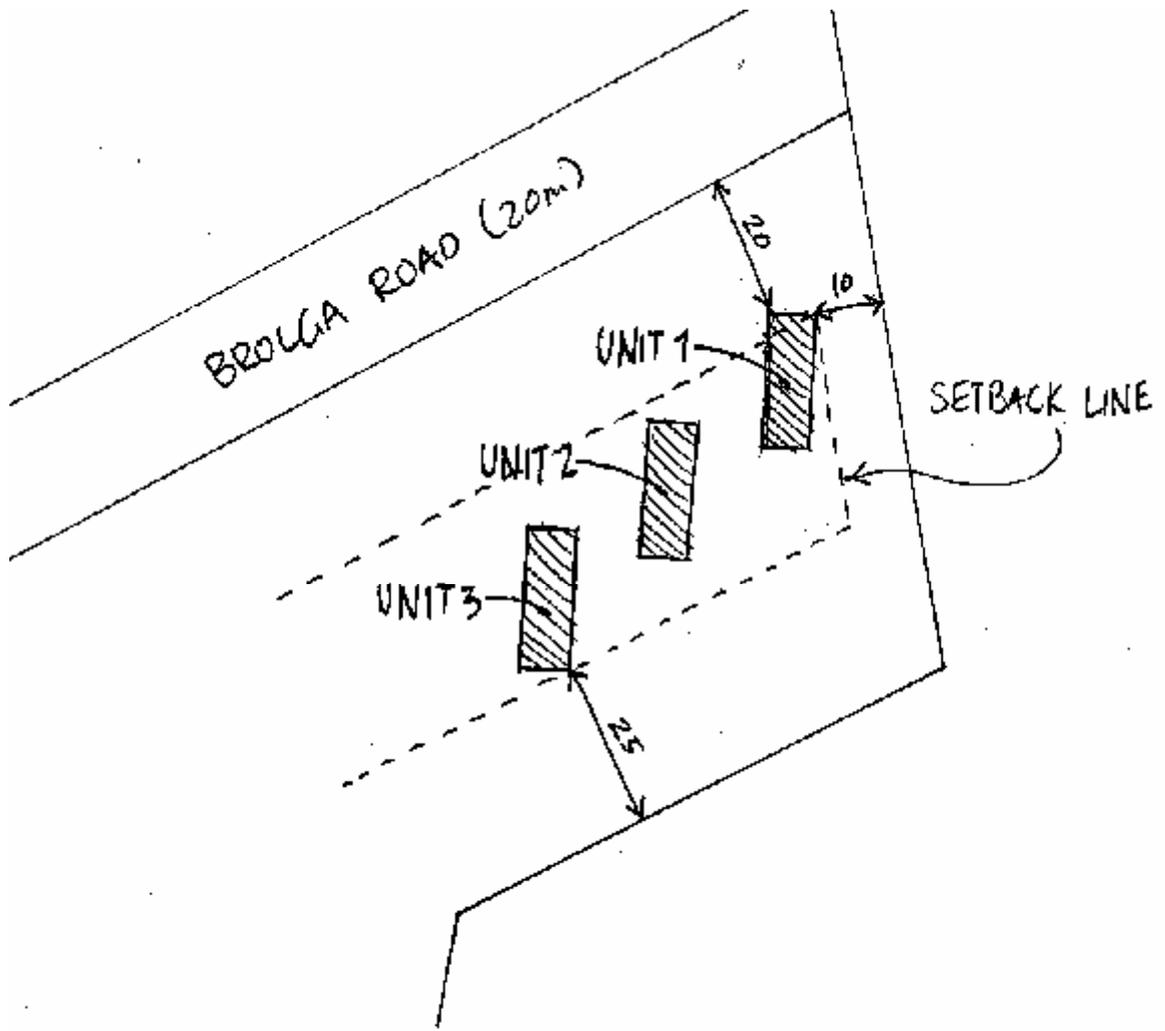
○ Perspective 2

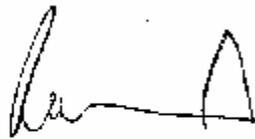


○ Perspective 1



Floor Plan  
1 : 100



Signed: 

14 DECEMBER 2007



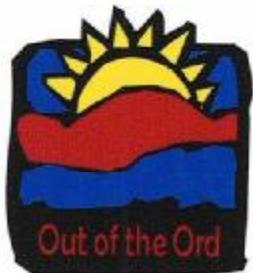
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PROPOSED CHALETS  
 LOT 53  
 JABIRU ROAD

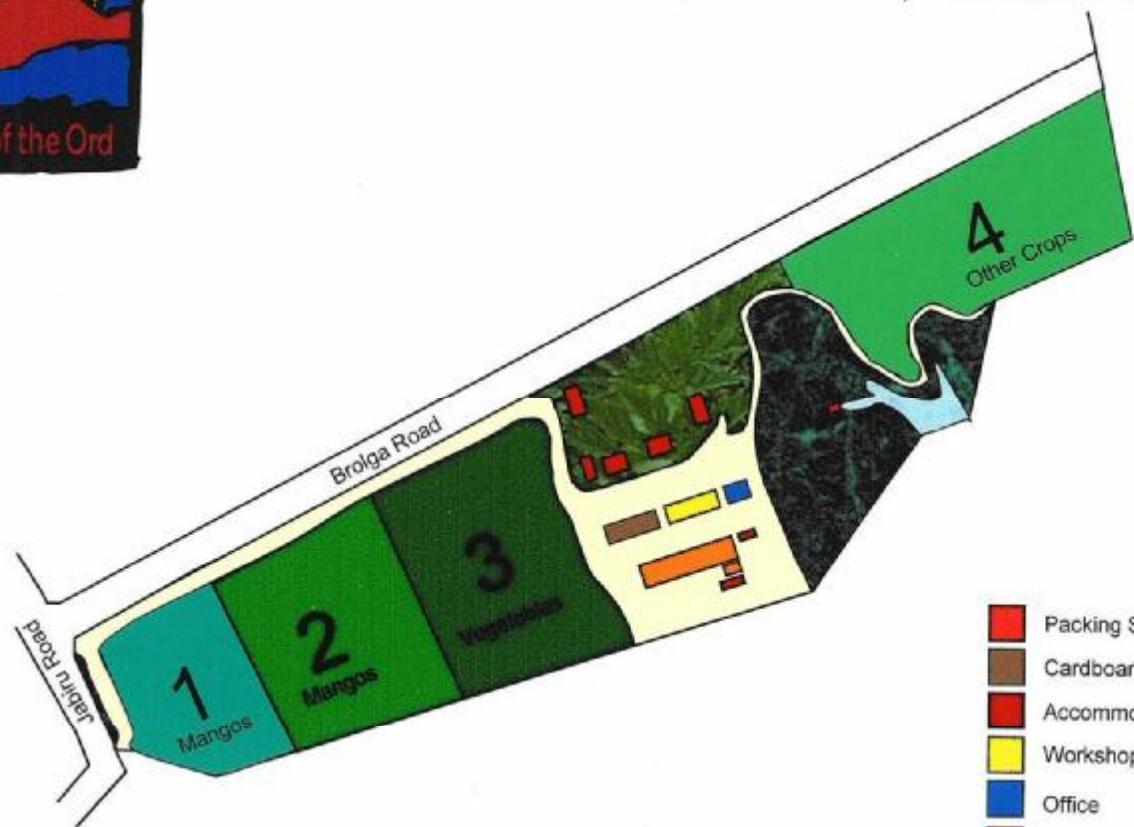
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Subject Site



Lot 53, Jabiru Road, Packsaddle, Kununurra 6743



-  Packing Shed
-  Cardboard Shed
-  Accommodation
-  Workshop
-  Office
-  Pump

**ATTACHMENT 3: SCHEDULE OF SUBMISSIONS**

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

**PROPOSED CABINS/CHALETS - LOT 53 JABIRU ROAD  
Schedule of Submissions**

| SUBMISSION NO. AND<br>Owner Street          | OBJECTION OR SUPPORT | SUMMARY OF SUBMISSIONS<br>[Provided as a summary only - original submissions are available for review on request]  | COMMENTS   | RECOMMENDATION    |
|---|----------------------|--|--|-------------------|
| SUBMISSION 1<br>G Harding<br>Riverfarm Road | OBJECTION            | <ul style="list-style-type: none"> <li>§ Agricultural land is a finite resource</li> <li>§ Proposed use conflicts with surrounding agricultural uses</li> <li>§ Does not comply with SPP 2.5</li> <li>§ Does not comply with KWADS</li> <li>§ Bio-security will be compromised</li> <li>§ Tourism is not compatible and is inconsistent with strategies</li> <li>§ Potential land use conflicts</li> <li>§ Concern regarding use during off peak tourism periods</li> <li>§ Local Government must recognise incompatibility</li> <li>§ Land use will impact on agricultural practices and processes</li> </ul> | <p>SPP 2.5 is a policy. Councils Scheme provisions override these provisions, and Tourist Accommodation is an SA use, and is therefore able to be permitted at Council's discretion.</p> <p>KWADS has been replaced by LPS</p> <p>Biosecurity and land use conflicts resolved as part of land use being required to be subordinate to predominant agricultural</p> | Dismiss objection |

|   |                  |   |  |                          |
|---|------------------|---|--|--------------------------|
|   |                  |   | uses.  |                          |
| <p>SUBMISSION 2</p> <p>J &amp; A Storey<br/>Jabiru Road</p> | <p>OBJECTION</p> | <p>§ Agricultural land is a finite resource</p> <p>§ Proposed use conflicts with surrounding agricultural uses</p> <p>§ Does not comply with SPP 2.5 - Tourist development is therefore illegal</p> <p>§ Does not comply with KWADS</p> <p>§ Bio-security will be compromised</p> <p>§ Tourism is not compatible and is inconsistent with strategies</p> <p>§ Potential land use conflicts</p> <p>§ Local Government must recognise incompatibility</p> <p>§ Land use will impact on agricultural practices and processes</p> | <p>SPP 2.5 is a policy. Councils Scheme provisions override these provisions, and Tourist Accommodation is an SA use, and is therefore able to be permitted at Council's discretion.</p> <p>KWADS has been replaced by LPS</p> <p>Biosecurity and land use conflicts resolved as part of land use being required to be subordinate to predominant agricultural uses.</p> | <p>Dismiss Objection</p> |
| <p>SUBMISSION 3</p> <p>S Mitchell<br/>Jabiru Road</p>       | <p>OBJECTION</p> | <p>§ Agricultural land is a finite resource</p> <p>§ Proposed use conflicts with surrounding agricultural uses</p> <p>§ Land use will impact on agricultural practices and processes</p>  | <p>Land use conflicts resolved as part of land use being required to be subordinate to predominant agricultural uses.</p>  | <p>Dismiss Objection</p> |

|  |                |  |  |  |
|--|----------------|--|--|--|
| <p>SUBMISSION 4</p> <p>B &amp; T Connell<br/>Jabiru Road</p> | <p>COMMENT</p> | <p>§ There is no owners residence on the block<br/> § There are a multitude of dwelling types on the block<br/> § Size and style of tourist accommodation is inappropriate<br/> § Fencing needs to be considered</p> | <p>There is no specific requirement for there to be an 'owners' house</p> <p>There are multiple dwellings on the site - the owner has provided written confirmation that many of these will be removed</p> <p>There are no Scheme provisions to guide size and type of tourist use</p> <p>Fencing should be a requirement. Fencing costs are required to be split between landowners</p> | <p>Dismiss comments.</p> <p>Uphold comments regarding fencing, and require property to be fenced on common boundaries.</p> |
|--|----------------|--|--|--|

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### 13.3.5. Great Northern Highway - Lot 1370 - Rehabilitation Centre

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Ngnowar Aerwah Aboriginal Corporation              |
| <b>LOCATION:</b>          | Lot 1370 Great Northern Highway, Wyndham           |
| <b>AUTHOR:</b>            | Keith Williams, Executive Manager<br>Town Planning |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer              |
| <b>FILE NO:</b>           | 01.0205.02   |
| <b>ASSESSMENT NO:</b>     | A0205  |

#### **PURPOSE**

For Council to consider granting development consent to Ngnowar Aerwah Aboriginal Corporation for alcohol rehabilitation facilities on Lot 1370 Great Northern Highway.

#### **BACKGROUND**

A retrospective planning approval was granted for buildings associated with a rehabilitation facility in 2006. An application has been received seeking consent to expand the facility.

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

The following table shows the type, number and number of people accommodated by the proposed development:

| <b>TYPE</b>                   | <b>NUMBER</b> | <b>PEOPLE</b> |
|-------------------------------|---------------|---------------|
| Couples Accommodation         | 3             | 6             |
| Family Accommodation          | 3             | 12            |
| 1 Bedroom Staff Accommodation | 1             | 1             |
| 3 Bedroom Staff Accommodation | 1             | 3             |
| Training/Treatment Room       | 1             |               |
| Laundry                       | 1             |               |
| Couples Ablution Block        | 1             |               |
| Families Ablution Block       | 1             |               |
| Creche                        | 1             |               |
| Kitchen/Dining                | 1             |               |
| Recreation                    | 1             |               |
| 2 Bedroom Detox               | 1             | 2             |
| <b>TOTAL</b>                  | <b>16</b>     | <b>24</b>     |

An Arts Centre is also proposed for the future.



### **FINANCIAL IMPLICATIONS**

The applicant has requested that the application fees be waived. The applicant has supplied a tax exempt confirmation as a benevolent agency.

### **CONSULTATION**

No specific consultation is required; however, both adjoining neighbours have been interviewed regarding the proposed development. In summary, comment given by the adjoining owners:

- Fencing required to ensure customers do not enter adjoining private property;
- Septic tanks and leach drains need to be sufficient distance from waterways;
- Buildings need to be sufficient distance from adjoining boundaries.

Specific conditions are recommended to address these issues.

## **PLANNING FRAMEWORK**

### Local Planning Strategy

The land is not specifically identified in the LPS.

### Town Planning Scheme

Lot 1370 is zoned Special Site - Rehabilitation Facility. The proposed use and development is consistent with the zoning of the land.

No specific guidelines exist for development standards, however, there appear to be sufficient numbers of car bays. Stormwater drainage is potentially an issue, and the development will need to be conditioned to require a sufficient response to management of stormwater.

## **CONCLUSION / COMMENT**

The land is zoned for the proposed purpose, and is recommended for approval. The development is relatively intensive, and requires some conditions to ensure impacts are minimised.

## **ATTACHMENTS**

- Attachment 1 - Request for Waiver of Fees
- Attachment 2 - Plans of proposed development
- Attachment 3 - Tax free status

Larger plans are available for review on request, and will be available for the meeting of Council.

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

1. That Council grant planning consent to Nngowar Aerwah Aboriginal Corporation for the use and development of Lot 1370 Great Northern Highway, in accordance with the submitted plans with the exception of the arts craft centre, and subject to the following specific conditions:
  - i. Minimum setbacks for all structures shall be 20 metres
  - ii. Septic Tanks and leach drains on the north eastern boundary shall be relocated such that minimum distance to all boundaries is twenty metres
  - iii. Obtain a licence for installation of a suitable onsite effluent disposal system in an approved location.
  - iv. Kitchen facilities are to comply with Health (Food Hygiene) Regulations 1993.
  - v. A detailed plan of the kitchen facility is to be provided to the Shire's Environmental Health Officer for approval.
  - vi. Provision of adequate receptacles for the temporary storage of refuse. These receptacles are to be contained in a suitable enclosure that is able to be kept

clean, provided with running water and graded and drained to a waste water disposal system.

- vii. Adequate laundry facilities, washing and drying, are to be provided.
  - viii. A hydrology report being prepared to address stormwater issues. This report shall address:
    - Stormwater flows to ensure no stormwater enters adjoining properties
    - Stormwater capture to ensure no erosion
    - Wastewater treatment to minimise waste entering the water table
  - ix. Any additional conditions from Council's standard conditions list issued under delegated authority.
2. Grant a waiver of planning fees to Ngowar Aerwah Aboriginal Corporation for the use and development of Lot 1370 Great Northern Highway for the purpose of a Rehabilitation Centre.

### **COUNCIL DECISION**

**Minute No. 8210**

**Moved: Cr J Parker**

**Seconded: Cr D Ausburn**

***That Council moves the Officers Recommendation with the addition of dot point 3 to read:***

***That Council support the Arts and Craft Centre development in the future on the lodgement of detailed plans and land use information.***

**Carried Unanimously: 8/0**

**NOTE: Council through Minute Number 8210 indicated it supports the concept of Arts and Crafts Centre development, but requires full plans for such before approving this.**

**Ms Jo-Anne Ellis left the meeting at 7:05pm.**

**Ms Jo-Anne Ellis and Mr Lachlan Dobson returned to the meeting at 7:06pm.**

|          |             |
|----------|-------------|
| Doc No.  | 061971      |
| Date     | 11 APR 2008 |
| Officer  | CEO, BSA    |
| Response | CEO         |
| File     | 01-0205.01  |

# Ngnowar-Aerwah Aboriginal Corporation

ABN 71 851 325 047

PO Box 250  
Lot 471 Gt Northern Hwy  
Wynham WA 6740

Ph: (08) 91 611 496  
Fax: (08) 91 611 510

[project\\_officer@ngnowar.org](mailto:project_officer@ngnowar.org)  
mobile:0439556656

**Peter Stubbs CEO**  
**Shire of Wyndham East Kimberley**  
**Po Box 614**  
**Kununurra WA 6743**

Dear Mr Stubbs,

**RE: Capitol Works Program 7 Mile Rehabilitation Centre**

As you may be aware Ngnowar Aerwah Aboriginal Corporation has been successful in attracting a good sum of money to upgrade the 7 Mile Rehabilitation Centre.

We are writing to ask if the Shire would waiver the various fee's for the Project.

We are a non charitable organisation and the funds saved in the request would be used be to help a training program for 8 young local men whom Ngnowar Aerwah has employed as a part of their construction crew.

Together with Tafe, Local School, KGT and Joorook Ngnami these participants are working towards their Cert 3 in Construction.

The exercise is costly and any funds towards the cost would assist us greatly with training needs.

Thank you, for your considering this request. Please call if you have any further assistance.

Yours Sincerely,



Jessica Duff- Project Officer, Capitol Works  
08.04.2008



ATTACHMENT 3 - CHARITABLE ORGANISATION STATUS



Australian Government  
Australian Taxation Office

8 July 2005

**Notice of endorsement for charity tax concessions**

This endorsement notice has been issued to:

|                            |                                       |
|----------------------------|---------------------------------------|
| Name                       | NGNOWAR AERWAH ABORIGINAL CORPORATION |
| Australian business number | 71 851 328 047                        |

NGNOWAR AERWAH ABORIGINAL CORPORATION, a public benevolent institution, is endorsed to access the following tax concessions from the dates shown:

- Income tax exemption from 1 July 2000 under Subdivision 50-B of the *Income Tax Assessment Act 1997*.
- GST concessions from 1 July 2005 under Division 176 of *A New Tax System (Goods and Services Tax) Act 1999*.
- FBT exemption from 1 July 2006 under section 123C of the *Fringe Benefits Tax Assessment Act 1986*.

Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at [www.abr.business.gov.au](http://www.abr.business.gov.au)

Your organisation must notify the Tax Office in writing if it ceases to be entitled to endorsement.

A handwritten signature in black ink, appearing to read "Michael Carmody".

Michael Carmody  
Commissioner of Taxation and  
Registrar of the Australian Business Register

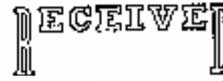
CHARITY\_GOV/CES\_411-TEC-469261-0007870



NGNOWAR AERWAH ABORIGINAL CORPORATION  
(NGNOWAR AERWAH ABORIGINAL CORPORATION)  
P O BOX 250  
WYNDHAM WA 6740

Client enquiries  
Telephone: 1300 130 248

8 July 2005



BY: *TS*

=====  
=====  
=====  
=====

Dear Organisation Manager

**Notification of endorsement for charity tax concessions  
For your information**

Enclosed is your organisation's *Notice of endorsement for charity tax concessions*.

Please note the following points.

- Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at [www.abr.business.gov.au](http://www.abr.business.gov.au)
- Your organisation's endorsement is based on the information it has supplied. Your organisation is required by law to notify the Tax Office in writing if its circumstances change and it ceases to be entitled to endorsement.
- The tax laws do not require any particular intervals between self-reviews, but we recommend a yearly review. Your organisation should also carry out a review if there are major changes to its structure or operations.

A charity can self assess its entitlement to fringe benefits tax and GST charity tax concessions up to 1 July 2005. After this date, your charity will only be eligible to access charity tax concessions available under these laws if it has been endorsed.

**For more information**

We have a range of publications and services for non-profit organisations. Copies of the *Income tax guide for non-profit organisations* (NAT 7937) and other publications are available on the non-profit area of our website at [www.ato.gov.au/nonprofit](http://www.ato.gov.au/nonprofit) or by phoning us on 1300 130 248 between 9.00am and 6.00pm, Monday to Friday.

To keep up to date on key tax issues affecting the non-profit sector subscribe to receive our free electronic news service by using the email update link on our homepage at [www.ato.gov.au](http://www.ato.gov.au)

If your organisation has also applied for other endorsements you will receive separate notification.

Yours faithfully

Michael Carmody  
Commissioner of Taxation and  
Registrar of the Australian Business Register

CHARITY\_AUVCES\_0117.PD-0292261-003786

### 13.3.6. Proposed Development Guide Plan - Centenary Park

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 15 April 2008                                      |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                    |
| <b>LOCATION:</b>          | Victoria Highway                                   |
| <b>AUTHOR:</b>            | Keith Williams, Executive Manager<br>Town Planning |
| <b>REPORTING OFFICER:</b> | Keith Williams, Executive Manager<br>Town Planning |
| <b>FILE NO:</b>           | 43.04.08, 01.2860.02                               |
| <b>ASSESSMENT NO:</b>     | A2860  |

*Cr John Buchanan declared an Impartiality Interest in Item 13.3.6 Development Plan Rotary Centenary Park as he is a member of the Rotary Club of Kununurra.*

#### **PURPOSE**

For Council to consider adopting a development guide plan for the proposed Rotary Centenary Park in accordance with the Lake Kununurra Foreshore Plan.

#### **BACKGROUND**

It is proposed to adopt a guide plan for the development of Rotary Centenary Park to provide a basis for allocation of funds, plans to progress approvals processes and grant applications, and to guide development in accordance with the approved plan.

The Lake Kununurra Foreshore Plan was adopted in 2006. Various proposals for the foreshore were included in this policy document. The Parks Plan has provided an opportunity to allocate funds to various parks to improve the infrastructure of these parks and provide better parks.

The Park consists of portion of the Victoria Highway Road Reserve, Crown land and Reserve 41812.

#### **STATUTORY IMPLICATIONS**

Portion of the site is a co-vested Reserve between the Shire and the Department of Water. Accordingly the DoW consent to the plan will be required. Portion of the land is located within the road reserve of Victoria Highway, and the consent of Main Roads WA is required. Similarly, portion of the land is located within UCL. The DPI will be requested to amalgamate this land with reserve 41812.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

The projected estimated total cost for development in accordance with the plan is \$380 000, based on a desktop assessment undertaken by Council's engineering department. An additional \$210 000 is projected for the cost of the proposed Water Park. These costs are broken into:

| ITEM                       | ESTIMATED<br>\$ COST | PROPOSED FUNDING SOURCE  |
|----------------------------|----------------------|--|
| <b>Site works</b>          |                      |  |
| Earthworks                 | 10 000               | Parks Reserve Funding  |
| Reticulation               | 60 000               | Parks Reserve Funding  |
| <b>Park Infrastructure</b> |                      |  |
| Concrete Pathways          | 70 000               | 50/50 Parks Reserve Funding + Grant funding                    |
| Furniture                  | 50 000               | Parks Reserve Funding + Grant funding + Corporate sponsorship? |
| BBQ's                      | 20 000               | Parks Reserve Funding + Grant funding + Corporate sponsorship? |
| Playground Equipment       | 40 000               | Lotteries  |
| Landscaping                | 90 000               | Parks Reserve Funding  |
| Bollards + Signage         | 30 000               | Parks Reserve Funding  |
| Tree Planting & guards     | 10 000               | Parks Reserve Funding + External funding                       |
| <b>PARK TOTAL</b>          | <b>380 000</b>       |  |
| <b>Water Park</b>          |                      |  |
| Design                     | 10 000               | Parks Reserve Funding  |
| Construction               | 200 000              | Parks Reserve Funding + Lotteries                              |
| <b>WATER PARK TOTAL</b>    | <b>210 000</b>       |  |

Some grant funding has already been obtained for sections of the pathways, and external funding will be available for rehabilitation of stormwater drains and weed removal works. Funding for these projects will be leveraged to obtain additional funding to match Council's contribution.

All works for Centenary Park are anticipated to occur over the 2008/2009 financial year.

### **COMMUNITY CONSULTATION**

Community consultation has consisted of referral to Rotary. Council's Planner met with Rotary, and Rotary advised that the plan is supported and adopted the plan.

Broader community consultation will be undertaken once Council has considered the guide plan.

### **STRATEGIC IMPLICATIONS**

Nil

### **COMMENT**

A draft plan has been prepared for the proposed Centenary Park. Proposed development for the park includes:

- § Pathways
- § Reticulation and landscaping [predominantly lawn]
- § Weed removal
- § Rehabilitation of drains, creeks and bushland

- § Interpretive structures and signage
- § Playgrounds
- § Park furniture, including BBQ's

The draft plan also includes a simple water playground, which would consist of misters and bubblers. A report in 2000 by the Telethon Institute for Child Health Research found that swimming pools can have a major positive impact on the health of Aboriginal children by preventing eye, ear and skin disorders. Given that the treatment of the water would be similar to a pool, this water park is expected to have potentially similar benefits.

The Centenary Park Development Guide Plan is consistent with the Lake Kununurra Foreshore Plan. Opportunities have been identified to link to other parkways, and an integral part of this park will be the Lakeside Link Parkway. Centenary Park will also link to existing path networks and proposed Kununurra Visitor Centre.

Some funds to develop this park will be allocated from the proceeds of the Parks Plan sale of parks funds, and other funds will be externally sourced. Wherever possible, additional funds to match Council's contributions will be sourced.

The plan is recommended for adoption. Once adopted the plan will be referred to the Department of Water for their approval as co-vestee, as part of the park falls within Reserve 41812, as well as Main Roads WA for its consent for the portion that falls within road reserve. The plan will then be referred to agencies for relevant permits in order that works can commence.

The Department of Environment and Conservation has advised that no clearing permits are required for this project, as the site has already been cleared and is maintained as parkland. This advice is being obtained in writing.

It should be noted that the alignment of the path crossing Victoria Highway will be subject to Main Roads consent.

Rotary Club has sighted the plan, and confirms, via email, that the plan is supported:

*From: Ian and Jan Cross [mailto:[iancross45@bigpond.com](mailto:iancross45@bigpond.com)]  
 Sent: Tuesday, 8 April 2008 4:45 PM  
 To: Keith Williams  
 Subject: ROTARY PARKS*

*Keith Williams  
 Town Planner  
 Shire of Wyndham East Kimberley.*

*This is to confirm that Rotary agrees with the following, as per the Rotary meeting on 17 March 2008:*

- § *Rotary seeks a contribution of \$20 000, matching rotaries proposed contribution, for the construction of a new gazebo in Celebrity Tree Park.*
- § *Rotary agrees to the development guide plan for Celebrity Tree Park, subject to the following modifications:*
  - *Relocate proposed playground and barbeques to a location closer to the gazebo and car parking area.*
- § *Rotary agrees to development guide plan for Centenary Park, as submitted.*

*Regards*

*Ian G Cross*

Rotary has also requested that Council contribute \$20 000 to the construction of a new gazebo on the site of the existing gazebo in Celebrity Tree park, as the existing gazebo is dilapidated and requires replacement. Rotary has formally requested that this contribution be made via the purchase of steel for the gazebo. Funds for this project would be sourced from the sale of parks program Reserve funds.

### **ATTACHMENTS**

1. Swim Beach Development Guide Plan.

### **VOTING REQUIREMENT**

Simple Majority

### **MANAGERS' RECOMMENDATION**

That Council:

1. Adopt the Draft Centenary Park Development Guide Plan, as per attachment 1, as the strategic guide for the development of Centenary Park, and invite public comment on the Guide Plan;
2. Adopt the name Centenary Park for the proposed park;
3. Purchase \$20 000 of steel for the Celebrity Tree Park gazebo replacement, and advise the Kununurra Branch of Rotary that it is disappointed that Rotary did not apply for funding for the Gazebo during the Economic and Community Grants program, and that future requests for funding will not be considered outside of the Economic and Community Grants Program;
4. Request the Department of Water and Main Roads WA approve the development of Portion of Reserve 41812 and Portion of Victoria Highway in accordance with the Centenary park Development Guide Plan.
5. Request the Department of Planning and Infrastructure amalgamate UCL contained within the proposed Centenary Park with Reserve 41812.

### **COUNCIL DECISION**

**Minute No. 8211**

**Moved: Cr D Ausburn**

**Seconded: Cr R Addis**

***That Council suspend Standing Order 7.5 to allow Councillors to speak more than once on this Item.***

***Carried Unanimously: 8/0***

## **COUNCIL DECISION**

Minute No. 8212

Moved: Cr J Moulden

Seconded: Cr J Parker

*That Council resume Standing Order 7.5.*

Carried Unanimously: 8/0

## **COUNCIL DECISION**

Minute No. 8213

Moved: Cr D Ausburn

Seconded: Cr J Buchanan

*That Council:*

1. *Adopt the Draft Rotary Centenary Park Development Guide Plan, as per attachment 1, as the strategic guide for the development of Rotary Centenary Park, and invite public comment on the Guide Plan for a period of 28 days from the commencement of advertising;*
2. *Adopt the name Rotary Centenary Park for the proposed park in recognition of the contribution made to the East Kimberley community and for any financial and in-kind contribution to the project to be confirmed in writing to the Chief Executive Officer;*
3. *Request the Department of Water and Main Roads WA approve the development of Portion of Reserve 41812 and Portion of Victoria Highway in accordance with the Rotary Centenary Park Development Guide Plan.*
4. *Request the Department of Planning and Infrastructure amalgamate UCL contained within the proposed Rotary Centenary Park with Reserve 41812.*
5. *Purchase steel to the cost of \$20,000 +GST towards the cost of a new larger gazebo in Celebrity Tree Park and that the Rotary Club of Kununurra will pay all other cost of materials and construct the gazebo (estimated at more than \$20,000+GST). The \$20,000+GST to be paid by Council to come from the Parks Reserve Fund.*

Carried Unanimously: 8/0

**NOTE: Council included the name Rotary in the Centenary Park name to recognise the important contribution that Rotary has made to the East Kimberley over the years.**

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**ATTACHMENT 1: CENTENARY PARK DEVELOPMENT GUIDE PLAN**

rotary centenary park, Kununurra - Landscape Concept Plan



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### 13.3.7. Siris Street Road Reserve - Closure of Portion of Road

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | 20 May 2008                                     |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                 |
| <b>LOCATION:</b>          | Siris Street, Lakeside                          |
| <b>AUTHOR:</b>            | Keith Williams, Executive Manager Town Planning |
| <b>REPORTING OFFICER:</b> | Keith Williams, Executive Manager Town Planning |
| <b>FILE NO:</b>           | 43.04.17  |
| <b>ASSESSMENT NO:</b>     | N/A   |

#### **PURPOSE**

For Council to consider closing the road reserve of portion of Siris Street adjacent to Hibiscus Drive to accommodate traffic management for Stages 5-7 of the Lakeside subdivisions.

#### **BACKGROUND**

Council adopted a structure plan in 2007 for Stages 5-7 of the proposed Lakeside Park subdivisions. This plan showed a roundabout treatment for the intersection of Hibiscus Drive, one of the proposed subdivisional roads, and Siris Street.

After further engineering consideration, modifications are required to address traffic management.

#### **FINANCIAL IMPLICATIONS**

The cost of infrastructure related to traffic management impacts of the subdivision must be borne by the developer.

#### **PLANNING ASSESSMENT**

Detailed assessment of the Stage 5-7 subdivision plan has identified several minor traffic issues. The most significant of these is the relocation of the roundabout a further street to the east. This would require the conversion of Siris Street to a cul de sac. Siris Street is not considered essential to traffic flows, and it's closure is unlikely to cause significant detrimental impact on traffic.

Traffic management should also include channelisation of the intersection of Gardenia and Hibiscus Drives.

#### **COMMUNITY CONSULTATION**

The Act requires that the closure of the road is advertised for 35 days. It is proposed to adopt the closure if no objections are received, however, if objections are raised the matter will be bought back to Council.

## **CONCLUSION**

Further consideration of the traffic management issues associated with the proposed Stage 5 - 7 Lakeside Residential development has identified issues with traffic along Hibiscus Drive. It is proposed to:

- Close Siris Street and implement a cul de sac treatment;
- Relocate the roundabout to the main north south distributor of Stage 5-7
- Treat the intersection of Gardenia and Hibiscus Drives by channelising traffic movements.

These changes are considered minor, however, require a resolution of Council.

## **ATTACHMENTS**

Attachment 1 - Revised Structure Plan  
Attachment 2 - Proposed Road Closure

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

That Council:

1. Adopt the modified Lakeside Park Stage 5-7 Structure Plan as per Attachment 1.
2. Close portion of Siris Street as per attachment 2, subject to receiving no objections during advertising.

**Moved: Cr J Moulden**

**Seconded: Cr D Ausburn**

**That Council: 8214**

1. **Adopt the modified Lakeside Park Stage 5-7 Structure Plan as per Attachment 1.**
2. **Close portion of Siris Street as per attachment 2, subject to receiving no objections during advertising.**

**Cr J Moulden withdrew the motion.**

## **COUNCIL DECISION**

**Minute No. 8215**

**Moved: Cr D Ausburn**

**Seconded: Cr F Mills**

***That Council:***

- 1. *Adopt the modified Lakeside Park Stage 5-7 Structure Plan as per Attachment 1.***
- 2. *Close portion of Siris Street as per attachment 2, subject to receiving no objections during advertising.***

**Carried: 7/0**

**Cr P Caley and Cr Jane Parker left the meeting at 7:34pm**

**Cr P Caley returned to the meeting at 7:35pm.**

**Cr J Parker returned to the meeting at 7:36pm.**

**All members of the Public Gallery left the meeting at 7:37pm.**

**Ms Jo-Anne Ellis left the meeting at 7:38pm.**

# Kununurra Lakeside Stages 5-7 Structure Plan

Revised May 2008



|                           |                                 |                                     |
|---------------------------|---------------------------------|-------------------------------------|
| <b>R40</b> MIXED USE ZONE | <b>R17.5</b> SINGLE RESIDENTIAL | PEDESTRIAN LINKS                    |
| <b>R30</b> GROUP HOUSING  | WATERWAY RESERVE                | STAGE BOUNDARY                      |
| <b>R25</b> SMALL LOTS     | POS                             | ABORIGINAL HERITAGE AGREEMENTS LINE |

**WIND ACCESS**



Kununurra is predominately exposed to South-Easterlies for the majority of the year

Source: WindRose software © 2007

**SUMMER SOLSTICE 21ST DECEMBER**

Summer Sun Noon Altitude  $A_{30} = 78^{\circ}20'$

! Aim to avoid affects of peak sunlight

! Azimuth Angle:  $226^{\circ}41'05''$



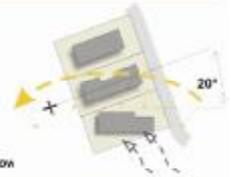
**ORIENTATION**

! The Summer sun path is almost directly overhead

! SW to NE lot alignment

! NW to SE street alignment to reduce heat gain

! Long axis house alignment to allow



Shire of  
**Wyndham East Kimberley**



**ATTACHMENT 2 - PROPOSED ROAD CLOSURE**



### 13.3.8. Teal Road Road Reserve - Closure of Portion Of Road

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | 20 May 2008                                     |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                 |
| <b>LOCATION:</b>          | Teal Road, Kununurra                            |
| <b>AUTHOR:</b>            | Keith Williams, Executive Manager Town Planning |
| <b>REPORTING OFFICER:</b> | Keith Williams, Executive Manager Town Planning |
| <b>FILE NO:</b>           | N/A   |
| <b>ASSESSMENT NO:</b>     | N/A   |

#### **PURPOSE**

For Council to consider action to close the road reserve of portion of the Teal Road.

#### **BACKGROUND**

Council has received a request to close a portion of the road reserve of Teal Road by an adjoining owner:

*Chief Executive Officer  
Shire of Wyndham East Kimberley  
PO Box 614  
KUNUNURRA 6743*

*Attn: Peter Stubbs*

*Dear Peter*

#### **CLOSURE OF PART OF ROAD RESERVE - TEAL ROAD**

*We are seeking the agreement of the Council for the closure of portion of the road reserve for Teal Road, to facilitate subdivision of our property, which is located at the end of Teal Road.*

*The road reserve proposed to be closed is only approximately 4000m<sup>2</sup> in area, and is redundant as it does not currently get utilised, and is not required for any through access. The land beyond is unlikely to be subdivided, as it is low and subject to inundation. The amalgamation of the closed road with our land would then facilitate subdivision into two lots, creating more capacity for housing.*

*An easement could be established over portion of the land to facilitate access for fire fighting purposes, if required.*

*We look forward to a positive response to this proposal.*

*Yours sincerely*

*Matt De Candia  
Lot 101 Teal Rd,  
PO Box 1818  
KUNUNURRA WA 6743*



### **FINANCIAL IMPLICATIONS**

There is no cost or revenue benefit to Council. Advertising costs are paid by the applicant.

### **PLANNING ASSESSMENT**

There appears to be no long term benefit of maintaining the road reserve. The road is not constructed, and is not maintained.

### **COMMUNITY CONSULTATION**

The Act requires that the closure of the road is advertised for 35 days. It is proposed to adopt the closure if no objections are received, however, if objections are raised the matter will be bought back to Council.

## **CONCLUSION**

Portion of the Road Reserve for Teal Road is unused, un-constructed and is not maintained. It appears to have no purpose. Subject to there being no objections, closure of this road is supported.



## **ATTACHMENTS**

Attachment 1 - Proposed Road Closure

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS' RECOMMENDATION**

That Council:

1. Advertise the proposed closure of portion of Teal Road.
2. Close portion of Teal Road as per attachment 1, subject to receiving no objections.

## **COUNCIL DECISION**

Minute No. 8216

Moved: Cr R Addis

Seconded: Cr D Ausburn

***That Council:***

1. ***Advertise the proposed closure of portion of Teal Road.***

- 3. *Close portion of Teal Road as per attachment 1, subject to receiving no objections.***

**Carried Unanimously:8/0**

**Ms Jo-Anne Ellis returned to the meeting and Mr Keith Williams left the meeting at 7:40pm.**

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Attachment 1 - Proposed Road Closure



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### 13.3.9. Waterlily Place - Residential Development Opportunity

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                    |
| <b>LOCATION:</b>          | Waterlily Place                                    |
| <b>AUTHOR:</b>            | Keith Williams, Executive Manager<br>Town Planning |
| <b>REPORTING OFFICER:</b> | Keith Williams, Executive Manager<br>Town Planning |
| <b>FILE NO:</b>           | 43.04.29   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to consider a proposal to development portion of Reserve 41812 for Residential Development.

#### **BACKGROUND**

An opportunity has been identified to develop portion of Reserve 41812 for Residential Development. This portion of land would be required to be excised from the reserve, and consists of approximately 1 hectare.

This portion of the Reserve serves little purpose for conservation, recreation or foreshore protection purposes, and may be better utilised for residential purposes.

#### **STATUTORY IMPLICATIONS**

The excision is required to be undertaken in accordance with the Land Administration Act 1995.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

There are numerous option for the excision and disposal of this land:

1. The state disposes of the land to a private developer to develop the lots
2. The State develops the land and sells the lots
3. The Shire purchases the excised land and develops the lots

These options can be considered further once the proposal has been advertised.

If the subdivision proceeds, rates income will be derived from the created lots.

#### **COMMUNITY CONSULTATION**

Community consultation has consisted of referral to the Reserve 41812 Committee, which supports the proposal, subject to addressing stormwater management issues.

To gauge community perception of the proposal, advertising is proposed to consist of signage on site, advertising and press release in the Kimberley Echo, as well as shopping centre display.

## **STRATEGIC IMPLICATIONS**

Nil

## **COMMENT**

A draft plan has been prepared for the proposed development which includes:

- 6-8 lots, estimated at 700-900 square metres
- A relatively small grouped dwelling site

Given the limited availability of land of this type, lot sizes would be designed to maximise lot yield, and should include a grouped dwelling site to maximise dwelling yield, to ensure an equitable land release.

The plan has the support of the Foreshore Committee, as well as the Department of Water. A road interface, via the extension of Waterlily Place, may be required to address stormwater issues.

The residential area, when created, would overlook Lily Creek, and provide passive surveillance to the Lakeside Link Parkway.

## **ATTACHMENTS**

1. Draft Development Plan

## **VOTING REQUIREMENT**

Simple Majority

## **MANAGERS RECOMMENDATION**

That Council invite public comment on the proposed excision from Reserve 41812 for development for residential purposes, as per attachment 1.

## **COUNCIL DECISION**

**Minute No. 8217**

**Moved: Cr D Ausburn**

**Seconded: Cr J Parker**

***That Council moves Officers recommendation with the additional point:***

***That the proposed development be advertised for a period of 28 days.***

**Carried Unanimously:8/0**

**NOTE: Council included a timeframe for public consultation to clarify this for the public and bring closure to the consultation.**



## 13.4. COMMUNITY SERVICES

### 13.4.1. Annual Grants Policy Review

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | 20 May 2008   |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                         |
| <b>LOCATION:</b>          | N/A   |
| <b>AUTHOR:</b>            | Karyn Apperley, Executive Manager<br>Community Services |
| <b>REPORTING OFFICER:</b> | Karyn Apperley, Executive Manager<br>Community Services |
| <b>FILE NO:</b>           | 36.19.02  |
| <b>ASSESSMENT NO:</b>     | N/A   |

#### **PURPOSE**

For Council to consider the amendment of current policies related to the implementation of Annual Community and Economic Development Grants and the adoption of the draft *Annual Grants Scheme* Policy to remove existing anomalies, provide greater consistency of annual grant conditions and provide improved access to the annual grants scheme.

#### **BACKGROUND**

From 2003 to 2005 Council's Policy F3 related to *Grants to Community Arts, Cultural & Recreational Organisations*.

In September 2005, Council adopted Policy F3 *Community Grants* which outlines the policy for the Community Quick Grants and Annual Community Grants.

In addition, Council has adopted Policy F16 *Economic Development Policy* in September 2004.

Both these policies (attached) have provided the framework and guidance to the operation of the Annual Community and Economic Development Grants Schemes.

The practice over the past 5 years has been that the Grants Assessment Panel (Funding Advisory Group) assesses both Annual Community Grant applications and Annual Economic Development Grant applications and its recommendations are presented at a Council Budget Workshop for consideration and then included in the budget adoption process.

Council received the recommendations of the 2008/09 Annual Grant Assessment Panel at its Budget Workshop held 22 April 2008.

#### **STATUTORY IMPLICATIONS**

There are no specific legislative provisions regarding local government and the administration of a grants scheme or a donations policy. However, the *Local Government Act 1995* provides for the provision of services and facilities by a local government as follows;

#### **3.18. Performing executive functions**

(2) *In performing its executive functions, a local government may provide services and facilities.*

- (3) *A local government is to satisfy itself that services and facilities that it provides —*
- (a) *integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;*
  - (b) *do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and*
  - (c) *are managed efficiently and effectively.*

The administration of a local grants scheme may be considered part of Council's service provision under *Section 3.18*.

### **POLICY IMPLICATIONS**

Policy F3 *Community Grants* which outlines the policy for the Community Quick Grants and Annual Community Grants.

Policy F16 *Economic Development Policy* which outlines a range of economic development activities to be undertaken by Council, including grant applications.

It is recommended that Council amend Policy F3 to provide for Community Quick Grants, revoke Policy F16 as the provisions are dealt with through other documents and adopt the draft policy *Annual Grants Scheme*. The draft *Annual Grants Scheme* policy combines the conditions of the two current Policies related to Community and Economic Development Annual Grants, provides for up to three grant assessment dates annually and the establishment of a annual funding pool to resource an Annual Grants Scheme.

### **FINANCIAL IMPLICATIONS**

For the past three years, Council has allocated between \$80,000 and \$120,000 to local organisations through the Annual Grants processes.

It is proposed that Council nominate an amount of \$120,000 for Annual Grants funding pool for the 2008/09 financial year and in each subsequent financial years, apply the same percentage increase to the funding pool amount as the rate percentage increase. This will allow the Annual Grants funding pool to be established at annual budget adoption and funds to be distributed at regular intervals throughout the year.

### **STRATEGIC IMPLICATIONS**

Council's draft Strategic Plan identifies the key result areas of

- Community – to develop the strengths and potential of our community now and into the future
- Economic Development – work in partnership with Government, community and industry leaders to promote and provide opportunities for economic and social growth across the Shire.

### **COMMUNITY CONSULTATION**

Various informal feedback has been received from grant applicants during the Annual Grant processes from comments regarding the layout of the application forms to the length of time between submitting an application and advice of the application outcome.

## COMMENT

1. The matter of determining successful applications is addressed in both policies through the submission and assessment of applications against specified criteria.

In addition, the Community Grants Policy states;  
*“The Annual Grants will be decided by Council decision with recommendations from the Funding Advisory Group.”*

The practice over the past 5 years has been that the Grants Assessment Panel (Funding Advisory Group) assesses both Annual Community Grant applications and Annual Economic Development Grant applications and its recommendations are presented at a Council Budget Workshop for consideration and then included in the budget adoption process.

This means that the Grant Assessment Panel (Funding Advisory Group) usually meets in April to assess the applications and formulate recommendations to the Council in a Budget Workshop in April for inclusion in the annual budget adoption in July or August. Therefore applicants are not able to be notified of the outcome of their applications until 4 to 5 months after the grant round closes.

There is nothing contained within the policies to prevent the recommendations of the Grants Assessment Panel (Funding Advisory Group) from being considered by Council at an ordinary Council meeting rather than through the budget adoption process, provided that an Annual Grants funding pool is established and adopted as part of the annual budget development and adoption (refer to Point 2.)

Should Council choose to enact such a practice of considering the recommendations of the Grant Assessment Panel at an ordinary Council meeting, then:

- Applicants could be notified within 1-2 months of the grant application closing date
  - Up to three grant submission and assessment dates could be established, thereby allowing community and economic development organisations to access the Annual Grants Scheme throughout the year, dependent on the available funding pool. It is acknowledged that Council currently receives requests for financial support outside of the current single Annual Grant round.
2. The matter of resourcing of the Annual Grants is slightly inconsistent through the current policy framework.

The Community Grants Policy states;  
*“The Council shall make an allocation for Community Grants within each annual budget”.*

The Economic Development Policy states;  
*“The Shire will provide the following resources to assist in the implementation of this policy:*

*- Each Financial Year 1% of the Budgeted Operating Expenditure will be allocated to an Economic Development fund. The fund will be used for:*

1. *Contributions to Economic Development Organisations*

2. *Promotional Activities*
3. *Economic Development Related Planning Activities*
4. *Incidental Projects that arise throughout the financial year.*”

And;

*“In addition to the 1% commitment, Council will allocate \$15,000 per annum for one-off special economic development projects that may arise throughout the year.*

*In the event that all of the ‘1% funding’ is not expended via the application process, excess funds will be allocated to Economic Development Promotional Activities, Economic Development Planning Initiatives and/or miscellaneous Economic Development activities that may arise throughout the year. (i.e. Funds will be added to the additional \$15,000 allocation)*

*In- kind support and/or Council officer time will also be made available to economic development activities where appropriate.”*

The practice has been to consider all applications for Annual Grants within a resource allocation of 1% of budgeted operating expenditure.

3. During the Panel Assessment in April 2008, discussion was had in regard to the option of providing a second grant round at a later stage in the year to enable community groups and other organisations to access grants at different times. There are many examples of other grants programs that have one, two, three or more rounds during a 12 month period. At the Council Briefing Session on 6 May 2008, discussions included the proposal for up to three dates to be set for the submission and assessment of Annual Grants. This approach would improve access to the Annual Grants for various community and economic development organisations.

It is acknowledged that Council receives requests for donations and assistance for significant local and regional projects or events throughout the year. Often these requests relate to projects and events that have not fitted into the current Annual Grants round due to them being a new initiative or a response to an emerging opportunity. Recent examples include the Kimberley Economic Forum and the International Sandalwood Conference.

The adoption of a policy framework to provide for up to three grant submission and assessment periods per financial year would assist to address these issues.

Should Council consider additional grant rounds to the current Annual Community and Economic Development Grants, acknowledgement of the increased resourcing by staff and Councillors should also be considered.

Therefore, it would be appropriate to consider three grant submission closing dates throughout the year, being 30 April, 31 July and 31 October in recognition that many community organisations operate with a peak activity time during the dry season and that this timing allows for the traditional wind down of activity and annual holidays during the wet season.

4. The amendment of the current Policy F3 to provide for Community Quick Grants and the adoption of a new policy for the Annual Grants Scheme which combines the current conditions for the administration of direct or annual grants provides for the desired policy framework would address the matters raised in this report. Revoking Policy F16 is considered appropriate as the

conditions related to direct funding or annual grants are addressed in the draft *Annual Grants Scheme* policy and the Council's draft Strategic Plan includes the key result area of Economic Development, the activities and strategies for which are further outlined in the draft Plan for the Future 2008-2010.

### **ATTACHMENTS**

1. Policy F3 *Community Grants*
2. Draft Policy F3 *Community Quick Grants*
3. Policy F16 *Economic Development Policy*
4. Draft Policy *Annual Grants Scheme*

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION 1**

That Council amend Policy F3 *Community Grants* to remove the Annual Community Grants conditions and reflect only the conditions of the Community Quick Grants Scheme and rename accordingly as Policy F3 *Community Quick Grants*.

### **RECOMMENDATION 2**

That Council revoke Policy F16 *Economic Development Policy* given that the objectives and conditions provided are either contained in the draft Policy *Annual Grants Scheme* or are contained in the draft Strategic Plan and the draft Plan for the Future 2008-2010.

### **RECOMMENDATION 3**

That Council adopt the draft Policy *Annual Grants Scheme* which combines the conditions of the two current Policies related to the administration of Community and Economic Development Annual Grants, provides for up to three grant assessment dates annually and the establishment of a annual funding pool to resource an Annual Grants Scheme as well as other conditions related to the administration of an Annual Grants Scheme.

### **COUNCIL DECISION**

**Minute No. 8218**

**Moved: Cr J Parker**

**Seconded: Cr J Buchanan**

***That Council suspend Standing Order 7.5 to allow Councillors to speak more than once on this item.***

**Carried Unanimously: 8/0**

**COUNCIL DECISION**

**Minute No. 8219**

**Moved: Cr J Parker**

**Seconded: Cr P Caley**

***That Council resume Standing Order 7.5.***

**Carried Unanimously: 8/0**

**COUNCIL DECISION**

**Minute No. 8220**

**Moved: Cr J Parker**

**Seconded: Cr P Caley**

***This item be deferred and discussed at the next briefing session.***

**Carried Unanimously: 8/0**

**NOTE: Council deferred this matter for consideration at its June Briefing Session due the divergence of views and variety of questions elected members had on the proposed policy changes.**

|                              |   |
|------------------------------|---|
| <b>POLICY No:</b>            | <b>F3</b>   |
| <b>DIVISION</b>              | <b>Finance</b>  |
| <b>SUBJECT:</b>              | <b>Community Grants</b>                                     |
| <b>REPORTING OFFICER:</b>    | <b>Executive Manager Corporate &amp; Community Services</b> |
| <b>ENABLING LEGISLATION:</b> | <b>Local Government Act 1995 Section 6.2</b>                |

**OBJECTIVE:**

The objective of Community Grants is to provide consistent and uniform funding opportunities for local community based organisations

**POLICY:**

The purpose of this funding is to offer not for profit community, sporting, cultural, environmental, service groups and associations that are based within the Shire of Wyndham East Kimberley financial assistance to foster high quality programs, community events, facilities and services that provide benefit to the wider community.

Community Grants have been established to support applications for funding in the following two areas:

1. **Quick Grants** - these are small \$500 grants that are quick and easy to access at any time of the year, subject to allocated funding.
2. **Annual Grants** - these are larger grants that require more information from the applicant. They are available annually and are considered prior to the formulation of Council's Annual Budget.

**RESOURCING**

- Council shall make an allocation for Community Grants within each annual budget.
- The distribution of the funds shall be via an application process. The process shall involve the following:
  - Community Grants will be promoted through direct distribution to community organisations annually, advertisements in the local newspaper and on community radio broadcasts. Application forms and additional information will be available from the Shire Office.
  - **Quick grants** can be applied for at any time of year but must be submitted at least four weeks prior to project commencing. Only one successful application can be submitted in each financial year.
  - **Annual Grants** – On or before the 30 of March each year the Shire will invite submissions from the community. These funds are non-

recurrent funding and applications will be received up to 30 April each year.

- Annual Grants shall be assessed on the following criteria:
  1. Demonstrated need for the funding
  2. Benefits to the Community
  3. Ability to source additional funds and/or partnerships
  4. Demonstrated community support for the organisation and the project planned.
- Council's Chief Executive Officer will have delegated authority to administer the Quick Grants program (\$500 or less) and is advised by the Executive Manager of Community Services.
- The Annual Grants will be decided by Council decision with recommendations from the Funding Advisory Group.
- The Funding Advisory Group will consist of:
  - Executive Manager – Community Services
  - Manager Recreation and Leisure
  - 2 Councillors
- Projects and events should be and in keeping with Council's Strategic Direction Goals noted in Council's Strategic Plan.
- All decisions of the Funding Advisory Committee will be presented to Council for consideration.
- All organisations receiving community grants will be required to expend the funds within the financial year that it was awarded. If grants are not utilised within the given time, all grant funds allocated will be forfeited.

## **LIMITATIONS**

- Community organisations or events where the primary purpose is to promote political beliefs
- Community organisations or events where the primary purpose is to promote religious beliefs or where people are excluded on religious grounds
- Individuals (or sponsorship of cash prizes for individuals or teams)
- Activities or events that are the responsibility of a state or federal government department
- Project that have already been completed or are currently in progress
- Funds not to be used for trophies, prizes, insurance or operational expenses (including loan repayments) incurred in the conduct of community activities
- Applicants must seek other funding where available
- Applications must be submitted on Council's prescribed forms
- Council employees, equipment or facilities may be used in lieu of cash distribution and costed against the relevant ledger folio
- All works are to be completed to the satisfaction of Council
- Organisations will be limited to one successful application for funds per financial year
- Council does not intend the Grants to be utilised for monetary profit, but that they help voluntary organisations achieve their objectives
- Applicants must provide evidence of their own initiatives by contributing money towards the project from other sources

- Applicants seeking capital/building funding for a project need to ensure that the project relates to crown reserve or land owned or vested in the Shire of Wyndham East Kimberley (or at Council's discretion).

ADOPTED: 22<sup>nd</sup> September 2005

AMENDED: 24<sup>th</sup> August 2007

|                              |   |
|------------------------------|---|
| <b>POLICY No:</b>            | <b>F3</b>   |
| <b>DIVISION</b>              | <b>Finance/Community Services</b>                           |
| <b>SUBJECT:</b>              | <b>Community Quick Grants</b>                               |
| <b>REPORTING OFFICER:</b>    | <b>Executive Manager Corporate &amp; Community Services</b> |
| <b>ENABLING LEGISLATION:</b> | <b>Local Government Act 1995 Section 6.2</b>                |

**OBJECTIVE:**

The objective of Community Quick Grants is to provide consistent, equitable and accessible funding opportunities for local community based organisations in a timely manner for minor projects and activities.

**POLICY:**

The purpose of this funding is to offer not for profit community, sporting, cultural, environmental, service groups and associations that are based within the Shire of Wyndham East Kimberley financial assistance to foster high quality programs, community events, facilities and services that provide benefit to the wider community.

Community Quick Grants are small grants (up to \$500 per application) that are quick and easy to access at any time of the year, subject to allocated funding.

**RESOURCING**

- Council shall make an allocation for Community Quick Grants within each annual budget.
- The distribution of the funds shall be via an application process. The process shall involve the following:
  - Community Quick Grants will be promoted through direct distribution to community organisations, promotion in the local newspaper and on community radio broadcasts. Application forms and additional information will be available from the Shire Office and the Shire's website.
  - Community Quick Grants can be applied for at any time of year but must be submitted at least four weeks prior to project commencing. Only one successful application per organisation can be approved in each financial year.
  - Council's Chief Executive Officer will have delegated authority to administer the Quick Grants program (\$500 or less) and is advised by the Executive Manager of Community Services.
  - Projects and events should be and in keeping with Council's Strategic Direction Goals noted in Council's Strategic Plan.

- All organisations receiving Community Quick Grants will be required to expend the funds within the financial year that it was awarded. If grants are not utilised within the given time, all grant funds allocated will be forfeited.

## **LIMITATIONS**

- Community organisations or events where the primary purpose is to promote political beliefs
- Community organisations or events where the primary purpose is to promote religious beliefs or where people are excluded on religious grounds
- Individuals (or sponsorship of cash prizes for individuals or teams)
- Activities or events that are the responsibility of a state or federal government department
- Project that have already been completed or are currently in progress
- Funds not to be used for trophies, prizes, insurance or operational expenses (including loan repayments) incurred in the conduct of community activities
- Applicants must seek other funding where available
- Applications must be submitted on Council's prescribed forms
- Council employees, equipment or facilities may be used in lieu of cash distribution and costed against the relevant ledger folio
- All works are to be completed to the satisfaction of Council
- Organisations will be limited to one successful application for funds per financial year
- Council does not intend the Grants to be utilised for monetary profit, but that they help voluntary organisations achieve their objectives
- Applicants must provide evidence of their own initiatives by contributing money towards the project from other sources
- Applicants seeking capital/building funding for a project need to ensure that the project relates to crown reserve or land owned or vested in the Shire of Wyndham East Kimberley (or at Council's discretion).

|                             |   |
|-----------------------------|---|
| <b>POLICY No:</b>           | <b>F16</b>                                    |
| <b>DIVISION</b>             | <b>CEO/Corporate &amp; Community Services</b> |
| <b>SUBJECT</b>              | <b>Economic Development Policy</b>            |
| <b>REPORTING OFFICER</b>    | <b>Chief Executive Officer</b>                |
| <b>ENABLING LEGISLATION</b> | <b>N/A</b>                                    |

### **OBJECTIVE**

To establish the Council's position in relation to its role and financial contribution in relation to Economic Development activities within the Shire.

### **POLICY POSITION**

The Shire of Wyndham East Kimberley acknowledges that Economic Development is a key role and activity of the Council.

The Shire commits to assisting in the growth and development of the local economy through the following activities:

#### **Direct Funding**

The Shire will consider providing direct funding to organisations who are aiming to promote economic development in their various industry sectors (see funding criteria below).

#### **Infrastructure Development**

Council commits to contributing to the provision of infrastructure that will assist in the economic development of the Shire. Economic development infrastructure projects will be assessed as a component of the Shires annual budget processes.

#### **Investment Attraction**

The Shire will undertake the following investment attraction initiatives:

- Information/Advice: The Shire will provide information on demographics, procedural requirements and/or available industry data to existing and prospective investors.
- Promotional Activity: The Shire will contribute to promotional campaigns that aim to increase investment within the Shire. Funds for promotional activities will be sourced from specifically targeted funds from Council's budget (see below).
- Advocacy: The Shire will actively pursue governmental support and action (where necessary) to progress the development of businesses and/or industries in the Shire.

## **Planning Initiatives**

Council will contribute to planning projects that progress economic development activities in the Shire. Funds for economic development planning initiatives will be sourced from specifically targeted funds from Council's budget (see below).

## **RESOURCING**

- The Shire will provide the following resources to assist in the implementation of this policy:
  - Each Financial Year **1%** of the Budgeted Operating Expenditure will be allocated to an Economic Development fund. The fund will be used for:
    1. Contributions to Economic Development Organisations
    2. Promotional Activities
    3. Economic Development Related Planning Activities
    4. Incidental Project that arise throughout the financial year.
- The distribution of the funds to Economic Development organisations shall be via an application process. This process shall involve the following:
  - On or before the 30<sup>th</sup> of March each year the Shire shall place an invitation for submissions from groups/organisations seeking funds to undertake Economic Development Activities. These funds are non-recurrent funding for the organisation/s. Funding success does not guarantee Council contribution in future years.
  - Applications shall received up until 30 April each year.
  - Each application shall be assessed on the following criteria:
    1. Demonstrated need for the funding.
    2. The organisation's history of achieving measurable economic development outcomes for the community.
    3. Proposed economic activity outcomes for the Shire in the forthcoming Financial Year.
    4. Ability to source additional funds and/or partnerships to assist with economic development activities.
    5. Demonstrated community support for the organisation and the project/s planned for the upcoming financial year.
  - All organisations receiving economic development funds will be required to provide an annual report to Council that details the use of Councils funds over the previous 12 months and the economic development outcomes that have been achieved.
- In addition to the 1% commitment, Council will allocate \$15,000 per annum for one-off special economic development projects that may arise throughout the year.
- In the event that all of the '1% funding' is not expended via the application process, excess funds will be allocated to Economic Development Promotional Activities, Economic Development Planning Initiatives and/or miscellaneous Economic Development activities that may arise throughout the year. (ie. Funds will be added to the additional \$15,000 allocation)
- In-kind support and/or Council officer time will also be made available to economic development activities where appropriate.

ADOPTED: 21 September 2004

## ATTACHMENT 4 – Draft Policy *Annual Grants Scheme*

|                              |   |
|------------------------------|---|
| <b>POLICY No:</b>            | <b>F XX</b>   |
| <b>DIVISION</b>              | <b>Finance/Community Services</b>                           |
| <b>SUBJECT:</b>              | <b>Annual Grants Scheme</b>                                 |
| <b>REPORTING OFFICER:</b>    | <b>Executive Manager Corporate &amp; Community Services</b> |
| <b>ENABLING LEGISLATION:</b> | <b>Local Government Act 1995 Section 6.2</b>                |

### **OBJECTIVE:**

The objective of Annual Grants Scheme is to provide consistent, equitable and accessible funding opportunities for local community based organisations for the purposes of community and economic development activities, events and projects.

### **POLICY:**

The purpose of this funding is to offer not for profit community, sporting, cultural, environmental, service groups and associations and not for profit economic development organisations financial assistance to foster high quality programs, community events, facilities and services that provide benefit to the community of the Shire of Wyndham East Kimberley.

### **ADMINISTRATION AND RESOURCING**

- Council shall make an allocation for Annual Grants within each annual budget. This funding pool shall be an amount of \$120,000 in 2008/09 and shall be increased inline with the adopted rate increase each subsequent year.
- The distribution of the funds shall be via an application process. The process shall involve the following:
  - Annual Grants will be promoted through direct distribution to community organisations annually, promotion in the local newspaper and on community radio broadcasts. Application forms and additional information will be available from the Shire Office and on the Shire's website.
  - Each year the Shire will invite submissions from the community. These funds are non-recurrent funding and applications will be received in three rounds with submission closing dates of 30 April, 31 July and 31 October each year.
  - Annual Grants shall be assessed on the following criteria:
    - Demonstrated need for funding.
    - Benefits to the community, including community development and/or economic development outcomes.
    - Demonstrated partnerships and ability to source additional funds and/or partnerships.

- Demonstrated community support for the organisation and the project or activities planned.
  - The organisation's demonstrated ability or capacity to achieve measurable outcomes for the community.
  - Demonstration of links to Council's Strategic Direction and Objectives.
- The Annual Grants will be decided by Council decision based on recommendations from the Grants Assessment Panel
  - The Grants Assessment Panel will consist of:
    - A minimum of 2 Councillors
    - Executive Manager Community Services
    - Executive Manager Town Planning
    - Other Shire staff as deemed appropriate by the CEO
  - Projects, activities and events should be in keeping with Council's Strategic Direction and Objectives as noted in Council's Strategic Plan.
  - All decisions of the Funding Advisory Committee will be presented to Council for consideration.
  - All organisations receiving community grants will be required to expend and acquit the funds within 12 months of the grant being approved at an Ordinary Council Meeting.

### **LIMITATIONS**

- Community organisations or events where the primary purpose is to promote political beliefs
- Community organisations or events where the primary purpose is to promote religious beliefs or where people are excluded on religious grounds
- Individuals (or sponsorship of cash prizes for individuals or teams)
- Activities or events that are the core responsibility of a state or federal government department, though contribution to components that expand on the core responsibilities may be considered
- Project that have already been completed or are currently in progress
- Funds not to be used for trophies, prizes, insurance or operational expenses (including loan repayments) incurred in the conduct of community activities
- Applicants must seek other funding where available
- Applications must be submitted on Council's prescribed forms
- Council employees, equipment or facilities may be used in lieu of cash distribution and costed against the relevant ledger folio
- All works are to be completed to the satisfaction of Council
- Organisations will be limited to one successful application for funds per financial year
- Council does not intend the Grants to be utilised for monetary profit, but that they help not for profit to achieve their objectives and provide benefits to the community.
- Applicants must provide evidence of their own contribution (financial and in-kind) as well as contributions from other sources towards the project
- Applicants seeking capital/building funding for a project need to ensure that the project relates to crown reserve or land owned or vested in the Shire of Wyndham East Kimberley (or at Council's discretion).

### 13.4.2. Kununurra Child Care Facility – Request for Building Improvements

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Ewin Centre Children's Services Inc & Shire of Wyndham<br>East Kimberley |
| <b>LOCATION:</b>          | Kununurra Child Care Facility  |
| <b>AUTHOR:</b>            | Karyn Apperley, Executive Manager Community Services                     |
| <b>REPORTING OFFICER:</b> | Karyn Apperley, Executive Manager Community Services                     |
| <b>FILE NO:</b>           | 31.09.04   |
| <b>ASSESSMENT NO:</b>     | N/A  |

#### **PURPOSE**

For Council to consider installation of an additional air conditioner and blinds at the Kununurra Child Care Centre.

#### **BACKGROUND**

A request has been received from the Ewin Centre Children's Services Inc for Council to consider contributing 50% towards the quoted cost of \$5,000 for the purchase and installation of an air conditioner in the main kitchen.

In addition, the installation of window blinds at the Centre was part of the original building provisions but required input from the Centre Coordinator. The change over of Coordinators resulted in a delay in receiving the required input and the current Coordinator has requested blinds on all glass windows, external and internal. Quotes for blinds on all external and internal windows have been secured from the 2 local suppliers for approximately \$5,500.

Construction of the Kununurra Child Care Centre, including negotiated modifications and improvements to the original design was completed in March 2007 and operations by the Ewin Centre Children's Services Inc commenced at the Facility in June 2007.

In addition to Child Care regulatory requirements relating to the building, a number of other items were negotiated with the Ewin Centre Children's Services Inc to improve the functionality of the Kununurra Child Care Centre prior to child care operations commencing. The Shire was extremely mindful of all additional costs given that the final total project cost of \$2.3 million was approximately 20% greater than the construction tender price, once other project components and construction modifications were included.

#### **STATUTORY IMPLICATIONS**

The Local Government Act 1995 contains the following provision in relation to the matter of expenditure of reserve funds for municipal fund expenditure not included in the annual budget:

##### **6.8. *Expenditure from municipal fund not included in annual budget***

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*

- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
- (b) is authorised in advance by resolution\*; or
- (c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

(1a) In subsection (1) —

**“additional purpose”** means a purpose for which no expenditure estimate is included in the local government’s annual budget.

There are no provisions under *Section 6.11 Reserve Accounts* that are related to the matter of transfer of reserve funds for the stated purpose of the reserve funds.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

The July 2007 Kununurra Child Care Facility lease agreement between the Shire and the Ewin Centre Children’s Services Inc provides for an annual facility use fee of \$10,000 (plus applicable CPI for each subsequent year of the 5 year plus 5 year option lease). The lease agreement stipulates that the facility use fee is to be used for the loan repayments, structural repairs, maintenance and capital improvements to the Kununurra Child Care Facility or towards related community services as Council deems appropriate. The Childcare Reserve has been established for this purpose. The funds raised through the sale of the old Child Care Centre site in Konkerberry Drive are to be used to offset the additional municipal funds used to complete the \$2.3 million project, with any remaining sale funds to be allocated to the reserve fund for the stated purpose. While Council is assured of future funds from the site sale, the annual facility use fee of \$10,000 is the current amount of available reserve funds for the 2007/08 financial year.

The cost of blinds to external windows of the Child Care Facility and a 50% contribution to the purchase and installation of an air conditioner in the main kitchen is not estimated to exceed \$10,000, as quotes have already been secured for both items.

### **STRATEGIC IMPLICATIONS**

Council’s draft Strategic Plan identifies the key objective of *“Quality child care facilities and services”*.

### **COMMUNITY CONSULTATION**

N/A

### **COMMENT**

The Kununurra Child Care Facility building design did not specify an air conditioner in the main kitchen as the design features of cross ventilation through doors and roller shutter serverys were presumed to provide sufficient air flow and cooling to the room. However, operational and functional realities of needing to isolate the kitchen from the care rooms so that children and staff are not disrupted by each other have highlighted the inadequacies of the current kitchen design. High temperatures and humid conditions have been experienced by the kitchen staff, particularly during the

last wet season. The request for 50% contribution to an additional air conditioner to be installed in the main kitchen appears reasonable.

The request for blinds on all windows, external and internal, appears largely reasonable. The need for blinds on all external windows has been assessed as a further requirement to only installing blinds on the sleep rooms and road frontage windows (which was the previous Coordinator's initial request). This is due to the fact that all age groups participate in nap time which would be facilitated by blinds on all external windows of the care rooms, including the external glass doors.

The need for blinds on the glass windows separating the care rooms from the foyer would seem to contradict the design elements of space and internal light, though practical issues of children seeing parents approaching and departing the Centre have been highlighted as reasons for installing blinds on these internal windows. However, it may be that the current use of the children's drawings and paintings fixed to the glass would also meet the required objective without additional cost and maintain the amenity of the foyer area.

The installation of blinds on the Coordinator's Office windows has been requested to provide privacy from the foyer area, particularly important when the Coordinator is meeting with parents or staff members.

The lease agreement outlines the conditions of use of the premises and includes the maintenance and repair responsibilities of both the lessee (Ewin Centre Children's Services Inc) and the lessor (the Shire) in regard to permanent fixtures such as window dressings.

A further outstanding matter related to the operational effectiveness of the Child Care building relates to the dishwasher provided in the main kitchen. The construction and fit out specifications did not stipulate a commercial standard dishwasher and in late January 2008, the existing dishwasher failed. Given the urgency of the need for replacement, an interim domestic dishwasher was sourced and installed within 2 days. A suitable commercial standard dishwasher has now been identified at a cost of approximately \$3,500, which can be met through existing budget allocations for centre maintenance, with the interim dishwasher being reallocated to another Shire purpose.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Absolute majority

## **OFFICER'S RECOMMENDATION**

That Council allocate up to \$10,000 towards the installation of an air conditioner in the main kitchen and blinds to the external windows and the coordinator's office at the Kununurra Child Care Facility and that this be funded by a transfer of funds from the Childcare Reserve.

**COUNCIL DECISION**

**Minute No. 8221**

**Moved: Cr D Ausburn**

**Seconded: Cr P Caley**

***That Council allocate up to \$10,000 towards the installation of an air conditioner in the main kitchen and blinds to the external windows and the coordinator's office at the Kununurra Child Care Facility and that this be funded by a transfer of funds from the Childcare Reserve.***

**Carried Unanimously: 8/0**

## 13.5. CHIEF EXECUTIVE OFFICER

### 13.5.1. Use of Common Seal

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | 20 May 2008                             |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley         |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley         |
| <b>AUTHOR:</b>            | Fiona Kuiper, Executive Support Officer |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer   |
| <b>FILE NO:</b>           | 60.14.04                                |
| <b>ASSESSMENT NO:</b>     | N/A                                     |

#### **PURPOSE**

For Council to receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from the period 8 April to 15 May 2008.

#### **BACKGROUND**

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

- Town Planning Scheme No. 7 Amendment No. 22 – 3 copies
- Town Planning Scheme No. 7 Amendment No. 25 – 3 copies

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995

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

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

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

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

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

As does Goal 6 – Legislation:

**Strategy 3:**

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

**COMMENT**

It is the Officer's 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 8 April to 15 May 2008.

**Minute No. 8222**

**Moved: Cr J Moulden**

**Seconded: Cr J Parker**

***That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 8 April to 15 May 2008.***

**Carried Unanimously:8/0**

### 13.5.2. Delegated Authority Report

|                           |   |
|---------------------------|---|
| <b>DATE:</b>              | 20 May 2008                             |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley         |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley         |
| <b>AUTHOR:</b>            | Fiona Kuiper, Executive Support Officer |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer   |
| <b>FILE NO:</b>           | 60.14.04                                |
| <b>ASSESSMENT NO:</b>     | N/A                                     |

#### **PURPOSE**

To report to Council on the use of Delegated Authority by Officers for 1 April to 30 April 2008.

#### **BACKGROUND**

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

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

#### **STATUTORY IMPLICATIONS**

LOCAL GOVERNMENT ACT 1995 - SECT 5.46

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

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

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

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

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

## **COMMUNITY CONSULTATION**

Not Applicable

## **COMMENT**

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

## **ATTACHMENTS**

Delegated Authority Report

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council receive the Delegated Authority Report for the period 1 April to 30 April 2008.

## **COUNCIL DECISION**

**Minute No. 8223**

**Moved: Cr D Ausburn**

**Seconded: Cr J Moulden**

***That Council receive the Delegated Authority Report for the period 1 April to 30 April 2008.***

**Carried Unanimously: 8/0**

**Attachment: Delegated Authority Report**

**BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 APRIL 2008**

| LIC#        | DATE       | OWNER                                      | ADDRESS                                    | BUILDER                   | LOCATION   | DESCRIPTION  | NEW/ADD | LOT AREA | FLOOR AREA | EST. VALUE     |
|-------------|------------|--|--|---------------------------|--|--|---------|----------|------------|----------------|
| 037/2008    | 15/04/2008 | MANDANGAL A ABORIGINAL CORPORATIO N        | PO BOX 938 KUNUNURRA                       | NORTHWEST SHEDMASTERS     | LOC 701 "JUNGDRANGUNG REMOTE SCHOOL" MANDANGALA COMMUNITY GLEN HILL ROAD | TROPICAL ROOF OVER BASKETBALL COURT  | NEW     | 14275    | 364        | \$100,000.00   |
| 038/2008 AE | 17/04/2008 | R A COLLEY                                 | PO BOX 597 KUNUNURRA                       | EXISTING                  | LOT 12 (11) BAUHINIA STREET KUNUNURRA                                    | ACKNOWLEDGE EXISTING DWELLING, SHED & CHICKEN COOP                           | EXIST   |          | EXIST      | \$0.00         |
| 039/2008 AE | 15/04/2008 | SLINGAIR PTY LTD                           | PO BOX 612 KUNUNURRA                       | EXISTING                  | LOT 13 (9) BAUHINIA STREET KUNUNURRA                                     | ACKNOWLEDGE EXISTING DWELLING & SHED   | EXIST   |          | EXIST      | \$0.00         |
| 040/2008    | 16/04/2008 | FRED MILLS                                 | PO BOX 1623 KUNUNURRA                      | FRED MILLS                | LOT 631/1 CROSSING FALLS ROAD  | STUDIO   | NEW     |          | 72         | \$35,000.00    |
| 041/2008    | 17/04/2008 | GPT RE PTY LTD t/a VHPL VOYAGES EL QUESTRO | LEVEL 52 MLC CENTRE 19 MARTIN PLACE SYDNEY | RICON CONTRACTORS PTY LTD | LOC 708 GIBB RIVER ROAD  | RENOVATIONS HOMESTEAD BUILDINGS & ADDITION OF BATHROOMS "EL QUESTRO STATION" | ADD     |          |            | \$1,500,000.00 |
| 042/2008    | 17/04/2008 | PAUL MAVROMATIS                            | 16 SILVERBOX AVE KUNUNURRA                 | PAUL MAVROMATIS           | LOT 757 SILVERBOX AVE  | VERANDAH   | NEW     |          | 12.5       | \$2,200.00     |

|                    |            |  |                             |                                  |   |   |       |        |     |              |
|--------------------|------------|--|-----------------------------|----------------------------------|---|---|-------|--------|-----|--------------|
| 043/<br>2008<br>AE | 18/04/2008 | CLAUDIA<br>GALL  | PO BOX 1330<br>KUNUNURRA    | EXISTING                         | LOT 742 (11)<br>SILVERBOX<br>AVENUE<br>KUNUNURRA  | ACKNOWLEDGE<br>EXISTING<br>DWELLING &<br>SHED | EXIST |        |     | \$0.00       |
| 044/<br>2008       | 17/04/2008 | TERRY<br>MCKAY   | PO BOX 563<br>KUNUNURRA     | TERRY MCKAY                      | LOT 190<br>QUONDONG   | SHED, POOL &<br>SHADE                         | NEW   | 36     |     | \$30,000.00  |
| 045/<br>2008       | 21/04/2008 | LISA<br>MAVROMATIS                                       | LOT 757<br>SILVERBOX<br>AVE | COLIN WILKINSON<br>DEVELOPMENTS  | LOT 757<br>SILVERBOX AVE  | SHED (NON<br>HABITABLE)                       | NEW   | 58.5   |     | \$8,000.00   |
| 046/<br>2008       | 22/04/2008 | ABORIGINAL<br>LANDS<br>TRUST -<br>KALUMBURU<br>COMMUNITY | PMB10<br>WYNDHAM            | KGC<br>ENTERPRISES<br>PTY LTD    | LONDON LOC 21<br>RESERVE 21675<br>COMMUNITY LOT<br>95 KALUMBURU                             | WORKSHOP /<br>SHED                            | NEW   | 300    |     | \$140,000.00 |
| 047/<br>2008       | 17/03/2008 | TROPICAL<br>FORESTRY<br>SERVICES<br>PTY LTD              | PO BOX 628<br>KUNUNURRA     | GLENDALE<br>HOMES                | LOC 240 FARM HILL<br>RD   | TRANSPORTABLE<br>DWELLING                     | NEW   | 87     |     | \$178,714.00 |
| 048/<br>2008       | 23/04/2008 | GAVIN<br>WARDROP   | PO BOX 1903<br>KUNUNURRA    | GAVIN WARDROP                    | LOT 23 CURLEW<br>COURT  | SHED &<br>CARPORT                             | NEW   | 195    |     | \$20,000.00  |
| 049/<br>2008       | 24/04/2008 | ORD RIVER<br>BANANA CO                                   | PO BOX 506<br>KUNUNURRA     | N CURTIS                         | LOT 212<br>RIVERFARM ROAD   | CARPORT                                       | NEW   | 102    |     | \$8,000.00   |
| 050/<br>2008       | 30/04/2008 | WOOLAH<br>COMMUNITY/<br>DEPT<br>EDUCATION                |                             | KIMBERLEY<br>BUILDERS PTY<br>LTD | WOOLAH<br>COMMUNITY<br>(Community Lot 36)<br>LISSADELL LOC 703<br>GREAT NORTHERN<br>HIGHWAY | DWELLING -<br>COMMUNITY LOT<br>36             | NEW   | 185    |     | \$538,000.00 |
| 051/<br>2008       | 28/04/2008 | IINGLE PTY<br>LTD  | PO BOX 1129<br>KUNUNURRA    | IINGLE PTY LTD                   | LOT 1 (Lot 2263F)<br>(50) CASUARINA<br>WAY KUNUNURRA  | SHADE SAILS<br>OVER CAR PARK                  | NEW   | 1.6903 | 320 | \$5,000.00   |
| 052/<br>2008       | 29/04/2008 | DOLA / HCJB<br>AUSTRALIA                                 | PO BOX 1339<br>KUNUNURRA    | HCJB AUSTRALIA                   | LOT 3000 (Part Loc<br>512 Res 35289)<br>PACKSADDLE<br>ROAD KUNUNURRA                        | ANTENNAE<br>STRUCTURE EA1                     | NEW   |        |     | \$150,000.00 |
| 053/<br>2008       | 29/04/2008 | DOLA / HCJB  | PO BOX 1339                 | HCJB AUSTRALIA                   | LOT 3000 (Part Loc  | 2 X ANTENNAE                                  | NEW   |        |     | \$200,000.00 |

|      |  |           |           |  |  |                          |  |  |  |  |                |
|------|--|-----------|-----------|--|--|--------------------------|--|--|--|--|----------------|
| 2008 |  | AUSTRALIA | KUNUNURRA |  | 512 Res 35289)<br>PACKSADDLE<br>ROAD KUNUNURRA | STRUCTURE<br>SEA2 & SEA3 |  |  |  |  |                |
|      |  |           |           |  |  |                          |  |  |  |  | \$2,914,914.00 |

**THERE WERE NO DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 APRIL 2008**

**THERE WERE NO SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 APRIL 2008**

**TOWN PLANNING DELEGATED AUTHORITY APPROVALS - 8 April 2008 to 30 April 2008**

| Application / Delegation Number | Approval Type | Date Received | Applicant      | Owner                    | Property Address           | Proposed Dev't   | Assess't Number | Approval Date |
|---------------------------------|---------------|---------------|----------------|--------------------------|----------------------------|--|-----------------|---------------|
| 21/08                           | P             | 26-Mar-08     | Neville Curtis | Ord River Banana Company | Lot 212 Riverfarm Road     | Shed   | 37              | 09-Apr-08     |
| 21/07                           | P             | Mar 08        | Scott Harvey   | Scott Harvey             | Lot 205, Riverfarm Road    | Revision to planning application DA 21/07 for shed extension | 96              | 09-Apr-08     |
| 22/08                           | P             | 31-Mar-08     | Sue Burnett    | Sue Burnett              | Lot 3, 14 Erythrina St     | Garaport   | 1220            | 10-Apr-08     |
| 25/08                           | P/AA          | 02-Apr-08     | Ian Petherick  | Ian Petherick            | Lot 92, 45 Bandicoot Dr    | Shed extension   | 5998            | 22-Apr-08     |
| 28/08                           | P             | 03-Apr-08     | L McKenzie     | Ingle Pty Ltd            | Lot 2263, 50 Casuarina Way | Shade sails  | 1736            | 21-Apr-08     |

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### 13.5.3. Elected Member Briefing Sessions

|                           |                                       |
|---------------------------|---------------------------------------|
| <b>DATE:</b>              | 20 May 2008                           |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley       |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley       |
| <b>AUTHOR:</b>            | Peter Stubbs, Chief Executive Officer |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer |
| <b>FILE NO:</b>           | 60.02.01                              |
| <b>ASSESSMENT NO:</b>     | N/A                                   |

#### **PURPOSE**

For Council to consider establishment of a new Policy to provide guidance for the operation of elected member Briefing Sessions/Forums.

#### **BACKGROUND**

1. Council holds monthly Briefing Sessions between elected members and staff, on the first Tuesday of each month.
2. The timing and dates for Briefing Session are set by Council in November/December each year. Sessions are varied according to need.
3. Briefing Sessions are closed to the public, so to as to facilitate full disclosure and build trust between the elected members and between elected members and staff.
4. No decisions, requiring a decision of Council, are made at Briefing Sessions.
5. No delegated authority from Council exits to the Briefing Sessions.
6. The purpose of Briefing Sessions are to:
  - a. Provide an informal exchange of information between elected members and staff on issues.
  - b. For elected members to receive information in advance of the Council meetings to make formal decisions related to that information.
  - c. To enable elected members to inform themselves before having to make decisions on issues.
  - d. To facilitate strategic considerations of issue in advance.
7. Standing Orders of Council do not apply at Briefing Sessions.
8. The Shire President, Deputy President or nominated Councillor chairs Briefing Sessions.
9. Staff prepare Agenda's for Briefing Sessions and where required produce relevant Items for consideration by Council on matters discussed at Briefing Sessions.

In discussion at the first Briefing Session held following the October 2007 Local Government election it was suggested that further consideration be given to the format, function and operation of future Briefing Sessions after new Councillors had some time experience the current arrangements.

Following Elected Member training on 13 December 2007 in Kununurra there was further discussion regarding Briefing Sessions and it was suggested the first matter that should be considered by elected members at the February Briefing Session was the future format, function and operation of future Briefing Sessions. This was deferred until March as Cr Addis was away in February.

### **STATUTORY IMPLICATIONS**

Nil

Department of Local Government and Regional Development Guidelines No 5 published January 2004 set out guidelines for Councils forums/briefing sessions. Councillors have been provided copies.

### **POLICY IMPLICATIONS**

Proposed new Policy

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Most governance structures need forums of some type to enable the free exchange of information, ideas, and views behind closed doors. It leads to better governance. For example State and Commonwealth Government Cabinet meetings are closed for this reason.

Most Committee meetings are closed except to Committee members.

### **COMMUNITY CONSULTATION**

Nil

### **COMMENT**

Council made a decision in 2005 to operate monthly closed briefing sessions. Closed briefing sessions enable a higher level of disclosure to elected members and amongst elected members. This assists to build trust and teamwork.

Local Government staff have a responsibility to report to their Council/Councillors as professionally as they can. This means that some times they will put forward recommendations that are different to the expectations of the majority of the elected members. It is good thing that local staff do this when they believe it is required. For staff to not take this approach would be tantamount to them becoming 'yes men', and most governing bodies would not want that in their organisation.

Staff appreciate and understand that it is preferable to allow elected members to be alerted to, and to consider issues before they need to make decision on them at Council meetings. Briefing Sessions are about doing that and enabling elected members to gain information, understanding, and clarification of the issues. There is however, a balancing act between the challenge of keeping Briefing Sessions manageable in terms of their length and is it considered that some more routine matters do not require inclusion in Briefing Session agendas.

Elected members can have whatever matters they wish discussed at Briefing Sessions. It is their meeting after all. Staff will continue to do their best to alert elected members to issues, through Briefing Sessions, before they need Council's consideration.

### **ATTACHMENTS**

Draft MC15 Policy

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

That Council adopt the draft policy for the conduct of Briefing session as presented.

### **COUNCIL DECISION**

**Minute No. 8224**

**Moved: Cr J Moulden**

**Seconded: Cr D Ausburn**

***That Council adopt the draft policy for the conduct of Briefing session as presented.***

**Carried Unanimously: 8/0**

|                       |                                     |
|-----------------------|-------------------------------------|
| POLICY No:            | MC15                                |
| DIVISION:             | Members of Council                  |
| SUBJECT:              | Councillor Briefing Sessions/Forums |
| REPORTING OFFICER:    | Chief Executive Officer             |
| ENABLING LEGISLATION: | Local Government Act 1995           |

OBJECTIVE:

To establish a process for the operation of elected member Briefing Sessions/Forums.

POLICY:

1. Council holds monthly Briefing Sessions between elected members and staff, on the first Tuesday of each month.
2. Briefing Session are closed to the public, so to as to facilitate full disclosure, and build trust between the elected members and between elected members and staff.
3. No decisions, requiring a decision of Council, are to be made at Briefing Sessions.
4. No delegated authority form Council exits the Briefing Sessions.
5. The purpose of Briefing Sessions are to:
  - a. Provide an informal exchange of information between elected members and staff on issues.
  - b. enable elected members to receive information in advance of the Council meetings, and thereby to assist elected members make informed decisions related to that information at subsequent Council meetings.
  - c. To enable elected members to inform themselves before having to make decisions on issues.
  - d. To facilitate strategic considerations of issue in advance.
6. Standing Orders of Council do not apply at Briefing Sessions.
7. The Shire President, Deputy and Chief Executive Officer will jointly review draft Briefing Session Agendas before they are circulated to Councillors and Managers.
8. Elected members and staff will be respectful of each other and not interrupt the speaker.
9. The Shire President, Deputy President or nominated delegate will chair Briefing Sessions.
10. Staff will prepare Agenda's for Briefing Sessions and where required produce relevant items for consideration by Council on matters discussed at Briefing Sessions.
11. Elected Members are encouraged to submit agenda items and details related to those items by the agenda submission deadline.

12. Elected members and staff will make written declarations of interest in many matters being discussed and the CEO will keep records of these declarations.

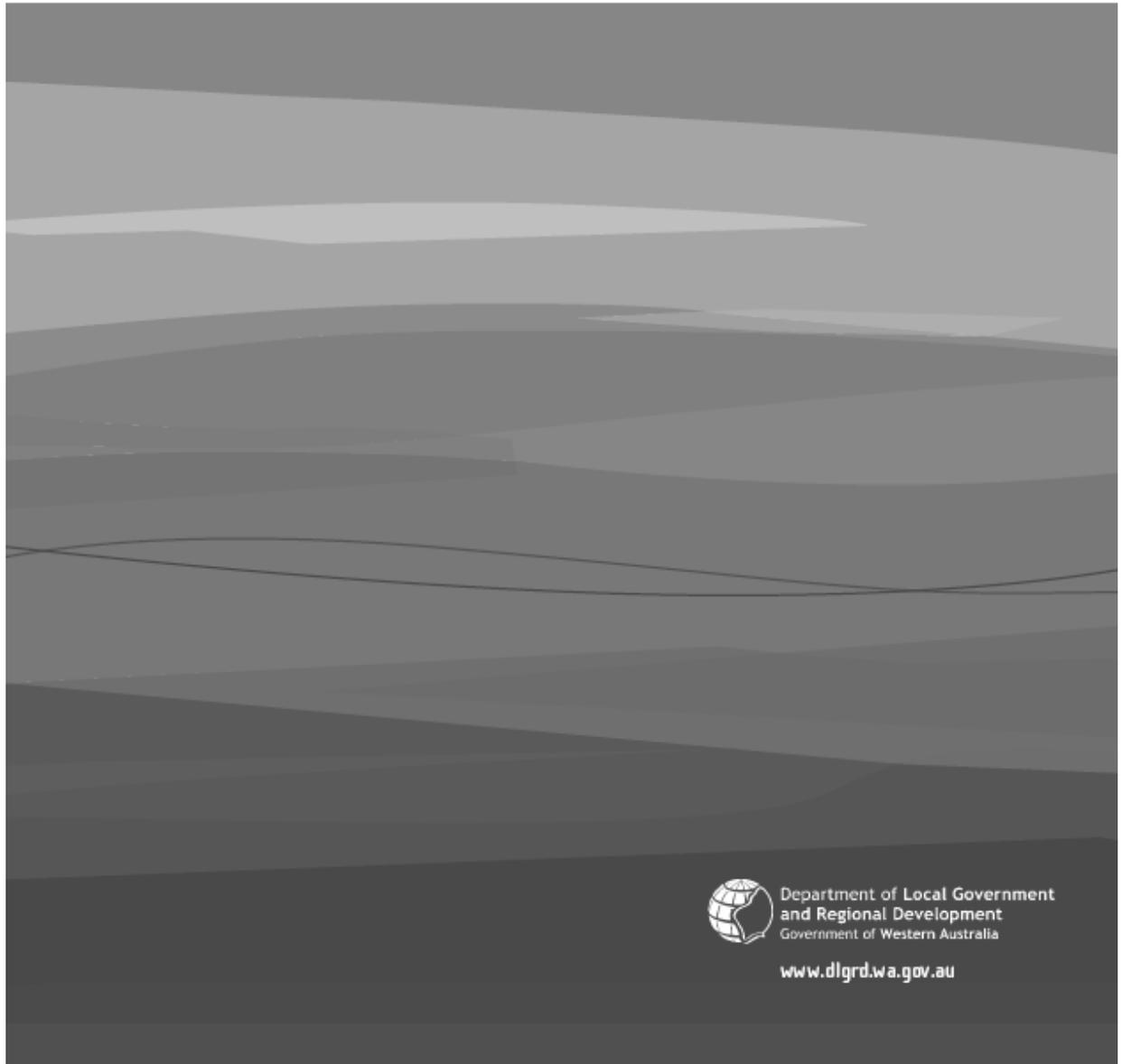
Attachments

1. Department of Local Government Operational Guidelines Number 5, January 2005, Council Forums.

ADOPTED:  
REVIEWED:  
AMENDED:

# Council Forums

Local Government Operational Guidelines - Number 05 January 2004



# Council Forums

## 1. Introduction

1 Over recent years many local governments have introduced procedures that allow elected members and officers to meet and discuss matters relating to the operation and affairs of their local government outside of the formal council meeting framework. This has been done through an informal meeting process that has been given a range of titles including *briefing or information sessions, workshops and corporate discussions*. For the purposes of this guideline the term "forum" will be used to encompass such meetings.

2 The forum approach has allowed the ordinary meeting of council to focus on the decision-making needs of the local government. Many local governments that have adopted the forum process in preference to standing committees claim that it has led to better informed elected members and a more efficient and effective decision-making regime. This guideline is designed to assist those local governments that do conduct forums by listing appropriate procedural and behavioural controls. The adoption of such controls should reassure the community that the council decision-making mechanisms are accountable, open and transparent.

3 Local government forums range from one-off events discussing a particular issue through to regular, structured meetings, albeit not convened under the auspices of the *Local Government Act 1995* (the Act). This guideline is intended to address those forums that are held on a regular basis.

4 While acknowledging that regular forums are invaluable and legitimate, the Department advises that the conduct of such has generated complaints regarding the potential for a reduced level of transparency in the decision-making process and hence a reduction in accountability to and involvement by the community. Local governments need to make a clear distinction between forums and the formal debate and decision-making process.

5 It is recognised that local governments may conduct other sessions or workshops which would include items such as team building exercises, strategic planning workshops and community input forums. It is not intended that these guidelines would necessarily be applied to such sessions, but some of the suggested procedural controls may have relevance.

6 Issues relating to council forums that are addressed in these guidelines include:

- accountability;
- openness and transparency;
- probity and integrity;
- authority for the presiding person;
- participation by elected members and staff;
- proposals under Town Planning Schemes;
- formulating management documents; and
- forums immediately prior to an ordinary meeting of council.

## 2 Principles of the Act

7 Part 5 of the Act sets out the framework whereby elected members meet as the governing body for the purpose of decision-making on behalf of the local government.

8 It is an intention of the Act that councils conduct business and make decisions –

- openly and transparently;
- with a high level of accountability to their community;
- efficiently and effectively;
- with due probity and integrity;
- acknowledging relevant community input;
- with all available information and professional advice; and
- with the fullest possible participation of elected members.

9 The Act establishes ordinary, special and committee meetings. Each council must decide the meeting structure it will adopt within the legal framework for it to achieve the most efficient and effective decision-making process. It is a legal requirement that all decisions made on behalf of the local government are to be made at meetings called and convened under the provisions of the Act.

10 In addition to ordinary and special meetings, elected members can meet as a committee, membership of which may vary in number from three to all members of council. Committees can discuss matters and make recommendations to the council or, if given delegated authority by the council, can make decisions on its behalf. A council does not need to have committees and can have all matters presented to it directly for decision. A recent trend has been for councils to abolish the system of standing committees or limit the number and/or range of committees and adopt a forum approach.

### 3. Council Forums

11 Local government forums range from a once-only event to discuss and explore a particular issue, a number of sessions to address matters such as a specific project or the compilation of a report for internal or external use, through to forums held at regular intervals with a consistent structure and objectives.

12 Regular forums run in local governments exhibit two broad categories which we have titled *agenda* and *concept*. They are differentiated by the stage of development of issues which are discussed by elected members and staff. The two types are described below along with the variations in procedural controls and processes suggested for each.

#### Concept Forums

13 Concept forums involve elected members and staff meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some time away from being presented to council for decision. In discussing such issues, staff are looking for guidance from the elected members as they research the matter and draft the report. Elected members and staff are also looking to present ideas and concepts for future consideration. If the response is favourable staff can proceed with their research and eventual report on the matter.

14 Examples of the type of issues concept forums may cover include –

- current matters of a local or regional significance;
- matters relating to the future development of the local government;
- significant revenue-raising requirements or expenditure needs;
- the development of internal strategic, planning, management and financial documents; and
- development of the selection criteria and performance objectives for the Chief Executive Officer (CEO).

15 Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted.

Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allows elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance. Such forums assist individuals to become better informed and to clarify their views.

16 The privacy and informality of concept forums also has pitfalls including the risk of neglecting proper standards of probity and public accountability. Over time, participants can become too familiar, and therefore more lax, with the procedure and purpose of the meeting. Unless procedures are adopted and rigorously applied to these forums, there is a danger that collective or collaborative decisions may be made, implied and otherwise.

#### Agenda Forums

17 For proper decision-making, elected members must have the opportunity to gain maximum knowledge and understanding of any issue presented to the council on which they must vote. It is reasonable for elected members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary council meetings. The complexity of many items means that elected members may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members. Many local governments have determined that this can be achieved by the elected members convening as a body to become better informed on issues listed for council decision. Such assemblies have been termed *agenda forums*. It is considered they are much more efficient and effective than elected members meeting staff on an individual basis for such a purpose with the added benefit that all elected members hear the same questions and answers.

18 To protect the integrity of the decision-making process it is essential that *agenda forums* are run with strict procedures.

### 4. Principles Governing Procedural and Behavioural Controls for Forums

19 Local governments that conduct forums or are considering doing so have the right to implement a forum system that best suits their needs. The principles and associated procedures set out below, if adopted by local governments when conducting forums, will ensure that all requirements of accountability, openness and transparency are satisfied.

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20 The identified principles and associated procedures are accountability, openness and transparency, probity and integrity, authority for the chair and meeting notification. Each of these is explained below.

#### **Accountability**

- 21 The Act requires that ordinary and special council meetings and committee meetings that have delegated authority must be open to the public. Most local governments also open committee meetings even where there is no delegated authority. This openness allows the community to view the decision-making process from the time an issue is first presented to elected members through to the final decision.
- 22 There must be no opportunity for a collective council decision or implied decision that binds the local government to be made during a forum.
- 23 Agenda forums should be for staff presenting information and elected members asking questions, not opportunities to debate the issues. A council should have clearly stated rules that prohibit debate or vigorous discussion between elected members that could be interpreted as debate. Rules such as questions through the chair and no free-flowing discussion between elected members should be applied.
- 24 If there is minimum debate in the ordinary meeting because the elected member attitudes have been established through the item being thoroughly canvassed in the *agenda forum* then the community is denied the opportunity to witness any debate and understand how the council reached its decision. Other concerns relate to elected members agreeing on movers, seconders and/or amendments. Such an approach must not be allowed by the council whether the *agenda forum* is open or closed to the public but a closed forum will almost certainly generate a perception by the community of secret meetings where the decisions are made beyond public scrutiny.
- 25 Councils, when considering conducting closed forums, need to consider their reasons for justification against the likely damage to their public standing from the perception of secrecy. A policy that the forums will generally be open to the public will make a significant contribution to the community perception of council accountability. A clearly delineated distinction between *agenda* and *concept* forums is important for these reasons.

p04.

#### **Openness and Transparency**

- 26 A significant strength of local government is the openness and accessibility of its processes to the community. In conducting forums each local government should make a conscious decision to promote the community perception that it embraces the concept of openness and transparency. Therefore, whenever appropriate, forums should be open to the public.

#### **Probity and Integrity**

- 27 The legislation provides that in ordinary meetings and committee meetings elected members must disclose conflicts of interest and exclude themselves from proceedings where they have a financial interest.
- 28 Disclosure in forums is a matter of ethics. The disclosure requirements only apply to meetings that are convened under the provisions of the Act. Elected members can legally participate at forums without being in breach of the legislation even where they have a clear financial interest or conflict of interest. Such participation is ethically unacceptable and is clearly at odds with the probity and accountability principles of the Act and codes of conduct. It is essential that councils adopt standards for forums that stipulate that disclosure rules applying to meetings constituted under the Act also apply at all forums. Disclosure should lead to an individual departing the forum.

#### **Authority for the Chair**

- 29 Many councils have established a forum process without specifying how the forums should be chaired and what authority the chair is given to control proceedings. In some local governments, the CED chairs the forums in certain circumstances. This latter approach is not supported because it confuses the roles and relationships established in the Act.
- 30 It is recommended that the mayor or president or, if appropriate, another elected member, chairs all forums that involve elected members. Properly managed forums rely on strength and leadership from the chair. Therefore, a forum's chair should be supported by established rules similar to the standing orders that apply to formal meetings.

#### **Meeting Notification**

- 31 The provisions of the Act are designed to ensure that members are given timely notice of, and information for, council and committee meetings. Formal provisions do not apply to forums but the principles remain the same. Adequate notice needs to be given of the time, location and content of the forum.

32 The forum process is most successful in those local governments where forums are held on a regular basis such as on the alternative weeks to the ordinary council meeting (where they are held fortnightly) or a week before the ordinary council meeting. By setting the dates for forums well in advance, elected members, staff and the community can plan for their attendance.

33 Forums that are organised without adequate notice or a proper agenda are often poorly attended and inefficiently run. This will be detrimental to the purpose of the forum.

#### 5. Particular Issues of Concern in the Forum Process

34 There are a number of concerns relating to the content and conduct of forums. These are set out below. Councils need to be aware of these and take action to overcome the concerns if such apply to them.

#### Dealing With Proposals Under the Town Planning Scheme

35 The discretion available to council when making decisions under the Act is not always available when making decisions under town planning legislation. When a council is dealing with town planning matters, it does so under the powers conferred by the State planning legislation. Council assumes the role of a planning authority (ie Western Australian Planning Commission) and an elected member the role of a planning commissioner. Council is not only constrained by the conditions of its Town Planning Scheme but also by the relevant State Acts.

36 Decision-making in town planning matters requires the decision-maker to maintain a high degree of independence from the process leading up to the decision being made. The elected member needs to be in a position of being able to make his or her decision after taking into account the relevant and material facts and circumstances as presented to all fellow elected members. These same comments apply whether councils do or do not work with specialist planning committees. Elected members need to be wary of involvement in the lead-up process to a certain decision, especially as a sole agent or member of a small group and being subjected to information from the developer or parties associated with the developer. This may be interpreted as reducing the independence of the decision-maker.

37 Councils will often have briefings relating to development issues and these are important in terms of the elected members becoming fully informed on the matter on which

they have to vote. The nature of the decision means that briefing sessions involving planning matters should be conducted with the strictest of rules. There should be no implication of debate between elected members; the session should primarily involve information being given by the relevant officer and other parties with questions from the floor directed through the chair. In cases where an elected member has relevant information on a development matter to be conveyed to the meeting, it must be done through the chair so that all decision-makers are privy to that information.

#### Formulating Management Documents

38 Many local governments prepare their management documents, such as budgets, plans for the future and policy manuals, through a forum process. In many cases this involves a number of forums to which all elected members are invited and the public are excluded. Such forums are not set up under the auspices of the Act. There are no formal decisions made as in due course the documents are adopted at a formal meeting of council. Nevertheless, as the forums proceed and the document is developed, some issues are included, some are discarded and others may need further research by staff. If records of the matters discussed at the forums are not kept, development stages of the documents will be uncertain and hence any orderly progress inhibited. Additionally, the process may lack accountability and the probity of elected members and staff could be challenged. Change of membership of the group by either staff or elected members would again place doubt on the validity of the process.

39 A more suitable procedural process for the development of management documents would be the formal establishment of a committee under the Act with that assigned purpose. Although the committee meetings, if no power or duty has been delegated to the committee, are not required by legislation to be open to the public, the integrity of the process is protected by the legislative requirement for the agenda and minutes to be available for public inspection. Such committees, upon completion of their assigned task(s), could be wound up or reconvened the following year when the task was again required. Examples would be a committee reviewing standing orders and a "Budget Committee". The former would be wound up upon submission of its report to council. The "Budget Committee" would be an ongoing but occasional committee which would meet each year from (say) March to early July.

Some committees could have a select and limited membership whereas others (such as the budget committee) could include all elected members.

#### **Forums Immediately Prior to an Ordinary Meeting of Council**

40 Some local governments hold forums immediately prior to ordinary council meetings. Anecdotal evidence suggests that in discussing the agenda of the forthcoming meeting at such forums implied decisions may be made. This familiarity with the issues and known attitudes can lead to debate at the ordinary council meeting being stifled or non-existent much to the chagrin of the public who are not privy to the earlier discussions. Forums held immediately prior to ordinary council meetings cause more complaints of secret meetings and predetermined decisions than any other type of forums.

41 Pre-meeting forums may be beneficial where an elected member has additional or alternative information to that contained in a staff report which may be controversial or cause problems within the ordinary meeting at the time the item is discussed. Certainly, it is an advantage for the CEO, council and particularly the presiding member to be aware of potential problems in the forthcoming ordinary meeting. While a pre-meeting forum provides the opportunity to inform others of the potential problem it would be preferable to raise the matter with likely concerned parties such as the presiding member, CEO and reporting officer much earlier than immediately before the meeting. Early advice will give those concerned the opportunity to undertake action to address the identified problems.

42 It is recognised that with many local governments, especially those that are in rural locations, the timing of the pre-meeting forum is understandable in that the elected members can only get together once a month because of travel time and they need an opportunity to discuss issues with the freedom of a forum.

43 After consideration of these issues, it is recommended that if a council determines that the only time available for a forum is prior to an ordinary council meeting and it is to be closed to the public, then it be established as a *concept forum* and reference to the forthcoming agenda should be prohibited unless a special circumstance is conveyed to the presiding member. An example of a special circumstance would be information additional to,

or contradicting the staff report which is likely to lead to non-adoption or significant variation of the recommendation and it has not been possible to convey such information at an earlier time. Adoption of the *concept forum* approach means elected members needing additional information or explanations from staff on forthcoming agenda items will have to make alternative arrangements to meet their requirements.

44 The adoption of such rules on pre-meeting forums should be conveyed to the public. Advice of the conducting of such a forum and its general content at the ensuing ordinary meeting will reinforce the openness and accountability of council.

#### **6 Forums that Incorporate Both Concept and Agenda Items**

45 Many local governments will run only one forum and it will cover both agenda items to be addressed at the next council meeting and wide-ranging concept issues. It is suggested that the different requirements of the two types are recognised and they be categorised as such in the forum agenda. The most important aspect is that the presiding person apply appropriate procedures regarding debate and discussion between elected members when agenda items are being covered.

46 Such forums should also be open to the public.

#### **7. Model Procedures for Forums**

47 Before introducing, or continuing with forums, councils have a responsibility to weigh carefully the risks as well as the benefits associated with such a process and consider if there are better, alternative ways of achieving the desired outcomes.

48 Councils that hold forums should adopt meeting rules and processes to ensure that proper standards of probity and public accountability are adhered to. Particular emphasis must be placed on ensuring that there is no decision-making during these forums and that this is rigidly enforced.

#### **Procedures Applying to Both Concept and Agenda Forums**

49 The Department recommends that councils adopt a set of procedures for both types of forums which include the following –

- Dates and times for forums should be set well in advance where practical;
- The CEO will ensure timely written notice and the agenda for each forum is provided to all members;

p06.

- Forum papers should be distributed to members at least three days prior to the meeting;
- The mayor/president or other designated elected member is to be the presiding member at all forums;
- Elected members, employees, consultants and other participants shall disclose their financial and conflicts of interest in matters to be discussed;
- Interests are to be disclosed in accordance with the provisions of the Act as they apply to ordinary council meetings. Persons disclosing a financial interest will not participate in that part of a forum relating to their interest and leave the meeting room;
- There is to be no opportunity for a person with an interest to request that they continue in the forum; and
- A record should be kept of all forums. As no decisions will be made, the record need only be a general record of items covered but should record disclosures of interest with appropriate departures/returns.

**Procedures Specific to Concept Forums**

50 The Department recommends that councils adopt specific procedures for *concept forums* which include the following –

- Concept forums may be open to the public when an issue is being discussed that council believes would benefit from public awareness and debate;
- Discussion between members is to be limited to those issues which are in the preliminary development stages. Items already listed on a council meeting agenda are not to be discussed; and
- As discussion items are not completely predictable there is to be some flexibility as to disclosures of interest. A person may disclose an interest at the time discussion commences on an issue not specifically included on the agenda.

**Procedures Specific to Agenda Forums**

51 The Department recommends that councils adopt specific procedures for *agenda forums* which include the following –

- Agenda forums should be open to the public unless the forum is being briefed on a matter for which a formal council meeting may be closed;
- Items to be addressed will be limited to matters listed on the forthcoming agenda or completed and scheduled to be listed within the next two meetings (or period deemed appropriate);

8. General Discussions in Councils Without Forums

52 Travel and time constraints mean that many councils can convene for a limited time; for many, only one day per month. As a result, some local governments have continued with the traditional ordinary meeting format where the decision-making is combined with wide-ranging discussion on other matters. A major problem with this approach is that the wide-ranging discussions result in meetings continuing for long periods of time.

53 There are benefits to elected members, the public and the staff if the issues requiring decision are dealt with during one continuous stage early in the meeting.

54 Elected members can have more effective broad ranging discussion during the same time frame as the traditional council meeting with a revised structure. It is suggested a better format would be for the ordinary meeting to be closed as soon as the required decisions have been made. The general discussions would then be pursued in a *concept format* environment. The advantages of this approach are the opportunity for councillors to discuss issues of concern in an informal environment.

9. Summary

55 With most local governments, elected members need opportunities to discuss issues outside of the formal ordinary meeting process. The Department acknowledges this approach because those elected members that have the maximum opportunities for input will obtain the greatest satisfaction emanating from their time in local government.

56 The opportunity for input can be best gained through forums or committees of the full council.

57 Councils that wish to hold forums of either the *concept* or *agenda* type are encouraged to adopt rules and processes that are in line with these guidelines. This will assist with openness and accountability, minimise public criticism and lead to a more effective and efficient local government.



Department of Local Government  
and Regional Development  
Government of Western Australia

[www.dlgrd.wa.gov.au](http://www.dlgrd.wa.gov.au)

#### **FURTHER INFORMATION**

For more information about this and other guidelines, contact the Local Government Support and Development Branch of the Department of Local Government and Regional Development on:

**Tel: (08) 9217 1500**

**Fax: (08) 9217 1555**

**Freecall: 1800 620 511 (Country Only)**

These guidelines are also available on the Department's website at [www.dlgrd.wa.gov.au](http://www.dlgrd.wa.gov.au)

#### **ABOUT THE GUIDELINE SERIES**

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance requirement. The content is based on Departmental officers' knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.

#### 13.5.4. Proposed Town Planning Position

|                           |                                       |
|---------------------------|---------------------------------------|
| <b>DATE:</b>              | 20 May 2008                           |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley       |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley       |
| <b>AUTHOR:</b>            | Peter Stubbs, Chief Executive Officer |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer |
| <b>FILE NO:</b>           | 60.14.02                              |
| <b>ASSESSMENT NO:</b>     | N/A                                   |

#### **PURPOSE**

For Council to consider approving for advertising and recruitment, in advance of adoption of its 2008/09 budget, a Town Planning position to expedite work loads in this area.

#### **BACKGROUND**

In 2005/06 a shared Town Planner role was established between the Shire of Halls Creek, Department of Planning and Infrastructure (DPI) and the Shire of Wyndham East Kimberley.

This position was initially by Ms Joanne Barkla on secondment from the DPI. In 2006/07 the position has been filled by Mr Gary Mc Carney again on secondment from the DPI.

Mr Mc Carney is only available to work for Council for two weeks between now and when he leaves to go back Perth at the end of June, due his commitments to the Shire Halls Creek and the DPI. This is because Council has received most of his proportion of time through the shared arrangement.

Throughout recent Councillor Briefing Sessions and budget workshops there has been concern about the workloads and timeliness of work within some Town Planning matters. That plus the increased economic development in the Shire of Wyndham East Kimberley suggest that Councils has out grown the shared Town Planning arrangement and needs to adopt this role full time within Council's operations.

This option was raised at Councillor Briefing Session of 6 May.

#### **STATUTORY IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The package proposed for this position is as follows:

| <b>ITEM</b>              | <b>\$ APPROX COST</b> | <b>COMMENT</b>   |
|--------------------------|-----------------------|--|
| Salary                   | 50 000 - 60 000       | Range depending on qualifications and experience. Benchmarked to other LGA's           |
| Super                    | 7 000                 | 9% Local Government Standard<br>12% to match contributions                             |
| Leave Loading            |                       |  |
| Housing                  | 20 000                | Currently already incurred cost. Based on existing rent of Shared Planner role housing |
| District Allowance       | 2371 - 4742           | Dependant on marital status  |
| Subsidies:               |                       |  |
| Power                    | 1115                  |  |
| Water                    | 360                   |  |
| Professional Development | 2600                  |  |

Council currently provides a vehicle for the shared town planner position, which would no longer be required, as well as administrative support, costs of which would not change.

## **STRATEGIC IMPLICATIONS**

For Council to deliver economic development in a timely manner.

## **COMMUNITY CONSULTATION**

Nil

## **COMMENT**

With the time it takes to recruit and appoint people, it is considered prudent to advertise now to fill this role. If Council waits until budget adoption, say end of July, then it will be early October before a replacement is likely to commence.

It is considered to be in Councils interest to fill this position as soon as possible to assist and manage workloads and response times in Town Planning and Economic Development. During periods of high growth, Council needs to ensure that unreasonable delays are not caused by under resourcing, and to ensure growth is managed sustainable.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council advertise and recruit a Town Planning Officer, to replace the current shared Town Planning Officer with the Shire of Halls Creek and Department of Planning and Infrastructure, so that workloads and service delivery to the growing region are not adversely impacted.

## **COUNCIL DECISION**

**Minute No. 8225**

**Moved: Cr P Caley**

**Seconded: Cr D Ausburn**

***That Council advertise and recruit a Town Planning Officer, to replace the current shared Town Planning Officer with the Shire of Halls Creek and Department of Planning and Infrastructure, so that workloads and service delivery to the growing region are not adversely impacted.***

**Carried Unanimously: 8/0**

### 13.5.5. Purpose and Function Wyndham Port Hall

|                           |                                       |
|---------------------------|---------------------------------------|
| <b>DATE:</b>              | 20 May 2008                           |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley       |
| <b>LOCATION:</b>          | O'Donnell Street, Wyndham             |
| <b>AUTHOR:</b>            | Peter Stubbs, Chief Executive Officer |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer |
| <b>FILE NO:</b>           | 01.2492.13                            |
| <b>ASSESSMENT NO:</b>     | A2492                                 |

#### **PURPOSE**

For Council to reconsider the purpose and function of the Town Hall in the Port area of Wyndham, and to consider request by both Wyndham Sea and Rescue Group and Save the Gouldian Finch Foundation to use the Hall.

#### **BACKGROUND**

The Port Hall at Wyndham is shown on the attached plan. The building and land is vested to Council.

Council made a decision in May 2007 to dispose of the Hall by lease through Minute Number 7725:

#### ***Minute No. 7725***

***Moved: Cr M. Middap  
Meares***

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

- 1. That Council advise the current Wyndham Port Hall lessee P & N Cavanaugh that tenders for the use of the hall, will be called to establish a new lease at the expiry of the current lease on the 30 June 2007.***
- 2. That Council accept the proposed lease schedule with the deletion of Item 9 and instruct officers to prepare tender document once valuation and building inspection are completed.***
- 3. That Council accept the following tender criteria:***

- 60% Price***
- 20% Value to the public / community***
- 10% Tenderer being based locally***
- 10% Proven ability to fulfil tender***

***Carried Unanimously: 8/0***

***NOTE: Council resolved to remove Schedule Item 9 from the proposed Lease Schedule.***

1. It has been an oversight that the Council's decision above was not acted on before now. This was initially due staff turnover, and subsequently the need for budget adoption, getting the 2007 rates out, audits, Local Government election commitments, and leave of staff.
2. In the meantime the Hall has been used intermittently by a student undertaking a PhD study on the Gouldian Finch in the Wyndham area through and informal arrangement.
3. Council then received an expression of interest from the Wyndham Sea & Rescue group who are in need of a facility to house and store their equipment and boat. Sea & Rescue sought to use the Hall and the Hall site. Councillors considered this request informally at their Briefing Session in April 2008 and viewed it favourably.
4. An item was prepared to formal consideration of the Sea and Rescue interest for the Ordinary Councils meeting in April, but this withdrawn by the Chief Executive Officer following a further expression of interest by the Save the Gouldian Finch Society in the Hall. That expression of Interest is attached.
5. After receipt of the Save the Gouldian Finch Foundation interest, the CEO met with the Chairman of the Sea and Rescue Group Mr Alan Pardoe- Bell, to discuss the issue. Mr Pardoe-Bell supported the Save the Gouldian Finch proposal and stated he believed it would be better outcome for Wyndham.
6. Staff suggested to Sea and Rescue and to Councillors at their budget Workshop 22 April 2008 that consideration be given the constructing purpose built storage shed facility for Sea and Rescue in the Port vicinity to accommodate their needs, and allow the Save Gouldian Finch Foundation proposal to proceed. This was further considered by Councillors at their Briefing session 6 May 2008 with general support for it.

### **STATUTORY IMPLICATIONS**

Section 3.58 of the Local Government Act 1995 Relates to 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.

**Local Government (Functions and General) Regulations 1996**

**30. Dispositions of property to which section 3.58 of Act does not apply**

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
  - (a) the land is disposed of to an owner of adjoining land (in this paragraph called “**the transferee**”) and —
    - (i) its market value is less than \$5 000; and
    - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
  - (b) the land is disposed of to a body, whether incorporated or not —
    - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
    - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions;
  - (c) the land is disposed of to —
    - (i) the Crown in right of the State or the Commonwealth;
    - (ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or

- (iii) another local government or a regional local government;
  - (d) it is the leasing of land to an employee of the local government for use as the employee's residence;
  - (e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land;
  - (f) it is the leasing of land to a "medical practitioner" (as defined in section 3 of the *Medical Act 1894*) to be used for carrying on his or her medical practice; or
  - (g) it is the leasing of residential property to a person.
- (2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —
- (a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government;
  - (b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or
  - (c) the subject of Statewide public notice under section 3.59(4), and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —
    - (i) the names of all other parties concerned;
    - (ii) the consideration to be received by the local government for the disposition; and
    - (iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.
- (2b) Details (see section 3.58(4) of the Act) of a disposition of property under subregulation (2a) must be made available for public inspection for at least 12 months from the initial auction or tender, as the case requires.
- (3) A disposition of property other than land is an exempt disposition if —
- (a) its market value is less than \$20 000; or
  - (b) it is disposed of as part of the consideration for other property that the local government is acquiring for a consideration the total value of which is not more, or worth more, than \$50 000.

*[Regulation 30 amended in Gazette 25 Feb 2000 p. 974-5; 28 Apr 2000 p. 2041; 31 Mar 2005 p. 1055-6.]*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Substantial improvements are needed to the Port Hall. It has historically been difficult for Council to fund this type of improvement to adequately maintain infrastructure without a financial return associated with it. This is a common problem in Local Government across Australia.

The proposal by the Save the Gouldian Finch Foundation to invest \$500,000 in infrastructure improvements in year 1 of a 21 year lease equates to an annualised return to Council of \$23,809.

## **STRATEGIC IMPLICATIONS**

There are number of implications form the proposal:

- It injects much needed capital into preserving the Hall, and making it useable in a useful way.
- The research nature of proposal connects Wyndham and the region internationally through research initiatives.
- It improves the vibrancy of the Port area.
- It triggers a better outcome for Sea and Rescue.

## **COMMUNITY CONSULTATION**

Consultation has occurred with Sea and Rescue and they are supportive.

## **COMMENT**

The CEO meet with Mr Alan Pardoe- Bell, Chairman of the Wyndham Sea & Rescue about the proposal and he was supportive of it, saying he believed it would better for all concerned if the proposal could be achieved, and if Sea & Rescue could get a purpose built colour bond shed for their needs.

Mr Mike Fidler has approached Council with an offer to lease the Hall for 21 years, with him making an approximate investment of \$500,000 in refurbishing and modifying the Hall for it is use as a scientific research base for University people studying ecological issues in the North East Kimberley.

It is considered the offer by the Save the Gouldian Finch Fund could assist the revival of the Port area, and the Wyndham Sea & Rescue possibly could be accommodated in a purpose built shed in the Port area. A 50% grant contribution to a new shed facility for the Sea & Rescue group is considered a realistic possibility.

A long lease of 21 years is requested because:

- Security is needed if the initial refurbishment cost is to be taken advantage of.
- Much of the research is long term. It can be up to 10 years, so a level of security around the research is required.

## **ATTACHMENTS**

1. Letter of offer to lease from Save the Gouldian Finch Fund
2. Draft lease – to be provided as a separate attachment

## **VOTING REQUIREMENT**

Simple Majority - Recommendation 2 & 3

**RECOMMENDATION 1** (absolute majority, and three Councillors needed to support rescission motion)

That Council rescind Minute Number 7725:

*That Council advise the current Wyndham Port Hall lessee P & N Cavanaugh that tenders for the use of the hall, will be called to establish a new lease at the expiry of the current lease on the 30 June 2007.*

*That Council accept the proposed lease schedule with the deletion of Item 9 and instruct officers to prepare tender document once valuation and building inspection are completed.*

*That Council accept the following tender criteria:*

|     |                                 |
|-----|---------------------------------|
| 60% | Price                           |
| 20% | Value to the public / community |
| 10% | Tenderer being based locally    |
| 10% | Proven ability to fulfil tender |

## **COUNCIL DECISION**

Minute No. 8226

Moved: Cr D Ausburn      Seconded: Cr P Caley  
Third (required for rescission): Cr J Parker

***That Council rescind Minute Number 7725:***

***That Council advise the current Wyndham Port Hall lessee P & N Cavanaugh that tenders for the use of the hall, will be called to establish a new lease at the expiry of the current lease on the 30 June 2007.***

***That Council accept the proposed lease schedule with the deletion of Item 9 and instruct officers to prepare tender document once valuation and building inspection are completed.***

***That Council accept the following tender criteria:***

|     |                                 |
|-----|---------------------------------|
| 60% | Price                           |
| 20% | Value to the public / community |
| 10% | Tenderer being based locally    |
| 10% | Proven ability to fulfil tender |

**Carried by Absolute Majority: 8/0**

## **RECOMMENDATION 2**

That Council dispose by private treaty the Port Hall in Wyndham, by way of lease, for a 21 year period, to the Save the Gouldian Finch Fund Inc (Fund), consistent with the expression of interest received from the Fund, for the purposes of establishing the Wyndham Research Centre, to facilitate ecological research in the Kimberley.

## **COUNCIL DECISION**

Minute No. 8227

Moved: Cr J Parker

Seconded: Cr P Caley

*That Council dispose by private treaty the Port Hall in Wyndham, by way of lease, for a 21 year period, to the Save the Gouldian Finch Fund Inc (Fund), consistent with the expression of interest received from the Fund, for the purposes of establishing the Wyndham Research Centre, to facilitate ecological research in the Kimberley.*

Carried Unanimously: 8/0

## **RECOMMENDATION 3**

That Council assist the Wyndham Sea and Rescue Group through construction of purpose built storage shed, for their needs in the Port vicinity at Wyndham.

## **COUNCIL DECISION**

Minute No. 8228

Moved: Cr P Caley

Seconded: Cr D Ausburn

*That Council assist the Wyndham Sea and Rescue Group to construct a purpose built storage shed, for their needs in the Port vicinity at Wyndham.*

*This assistance to include:*

*Identification and vesting of land*

*Support in the preparation and securing of grant funding*

*Council budget consideration of the balance of funds in 08/09*

*The Chief Executive Officer to confirm with the Sea and Rescue Group their offer of in-kind contribution.*

Carried Unanimously: 8/0

**NOTE: Council included wording to clarify the type of assistance it would provide to the proposed Wyndham Sea and Rescue Shed.**

## **Application for the long term lease of the Wyndham Shire Hall**

We would like to apply for the long term lease of Wyndham Shire Hall with a view to converting it into a scientific research centre.

The Wyndham dry land area and the surrounding wetlands and marine habitats form a diverse range of ecosystems which are uniquely compressed into a small geographic area which is readily accessible from all over the world and at all times of the year.

These ecosystems are typical of the highly threatened fragile habitats which stretch across the whole of the Northern Savannas.

If Wyndham had the facilities it would rapidly become a centre of research attracting scientists from all over the world. As well as the obvious positive publicity this would create for the Shire, it would also generate recession proof economic activity in an area of the Shire which currently has high unemployment.

The members of the council may already be aware of the Gouldian research programme being conducted by Macquarie University, this has already attracted another team of scientists from the Netherlands to study the Longtail Finch. We have also been told that if we supply facilities, 2 extra teams of scientists will work in the area studying the Grey Crowned Babbler and Great Bower Bird. Grants for research on grasses and the 'Snappy Gum' trees are currently being applied for which will lead to yet another scientific team in the area.

If we are granted the lease then we would spend up to \$500,000 converting the building to make it suitable to house up to 24 scientists and their assistants.

This would include, re-wiring, plumbing, extra showers and toilet facilities, kitchen facilities such as cookers, freezer/fridges, washing machine, dishwashing machine, etc, as well as the obvious accommodation facilities and furnishings.

We will create internet, telephone, office and laboratory facilities. Outside we will renovate and make secure the existing shed to store scientific equipment and create secure under cover garaging for 4 cars. The whole interior/exterior will be made good and redecorated.

We propose to name it the **WYNDHAM SHIRE RESEARCH CENTRE** and affix signage on the front to that effect together with an information board covering the history of the building and information on the current projects which are being conducted.

We trust you will look upon our proposal favourably and should you feel that the project is particularly worthy, you may consider a contribution toward the costs is desirable.

This would be particularly appreciated as all the finance is provided by a charity which focuses on the plight of the Gouldian Finch and needless to say is therefore always seeking the funds to finance additional projects.

Yours faithfully  
Mike Fidler

Save the Gouldian Fund



Mike Fidler  
Save The Gouldian Fund

### 13.5.6. Kimberley Zone Proposed Discussion Paper Alcohol Issues

|                           |                                       |
|---------------------------|---------------------------------------|
| <b>DATE:</b>              | 20 May 2008                           |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley       |
| <b>LOCATION:</b>          | Shire of Wyndham East Kimberley       |
| <b>AUTHOR:</b>            | Peter Stubbs, Chief Executive Officer |
| <b>REPORTING OFFICER:</b> | Peter Stubbs, Chief Executive Officer |
| <b>FILE NO:</b>           | 33.03.01                              |
| <b>ASSESSMENT NO:</b>     | N/A                                   |

*Cr Paul Caley declared a Financial Interest in Item 13.5.6 Kimberley Zone Proposed Discussion Paper Alcohol Issues as he manages a liquor outlet.*

*Cr P Caley left the meeting at 8:08pm.*

*Cr D Ausburn declared an Impartiality Interest in Item 13.5.6 Kimberley Zone Proposed Discussion Paper Alcohol Issues as she is a member of the Liquor Accord Committee.*

#### **PURPOSE**

For Council to consider providing input into the development of a proposed discussion paper by the Kimberley Country Zone WA Local Government Association on issues related to alcohol in the Kimberley region.

#### **BACKGROUND**

The following resolution was passed at the 28 March meeting of the Kimberley Country Zone of the WA Local Government Association (Zone):

*Moved: Cr. M Pucci*

*Seconded: Cr. E Archer*

*That the individual local governments recognise there is an alcohol issue across the Kimberley region and a discussion paper be tabled at the next Zone meeting with the intention of developing a Zone position.*

*CARRIED UNANIMOUSLY*

This follows extensive media coverage of the issues related alcohol in some Kimberley communities and restrictions the State Government has imposed in places like Fitzroy Crossing, with speculation that similar restrictions could be imposed Kimberley wide.

Councillors had a discussion about the alcohol issue at their Briefing Session 6 May and noted the following:

- Cr Ausburn attended a national conference on alcohol issues on behalf of Council in early 2007.
- Cr Ausburn and staff attend the voluntary Liquor Accord meetings held in Kununurra.
- The Kimberley Interagency Working Group (KWIG) which consists of senior public sector offices in Kimberley, including CEO's of Shire, by virtue of Zone

decision, is proposing a Kimberley alcohol forum to be held in October 2008. A draft forum agenda was tabled for Councillor information.

- KWIG have released under confidential cover a draft Kimberley Alcohol Plan.
- Suggestions and requests by Mr Gary Waldron to various State Ministers that a licence or permit system be introduced to better manage the issues associated with excessive alcohol consumption.

The Shire of Derby West Kimberley has provided the following position in relation to alcohol. The Shires of Halls Creek and Broome have not provided a position to date:

*COUNCIL DECISION & COUNCILLOR MOTION – ITEM 12.2  
MINUTE NO. 55/2008:*

*Moved: Cr. E. Archer*

*Seconded: Cr. G. Haerewa*

*That the Shire of Derby/West Kimberley*

*▪ supports the sensible distribution of alcohol in Fitzroy Crossing and the Kimberley Region that mitigates excessive alcohol consumption and that Council continues to progress action toward the introduction of Liquor Accords that deliver on this aim*

*and*

*▪ continues to support intervention strategies that assist in resolving excessive liquor consumption in the Kimberley Region.*

*It is the opinion of the Shire of Derby/West Kimberley that prohibition of take away alcohol is not sensible.*

*CARRIED 5/4*

*COUNCILLORS - R. SULLIVAN, I. PROUSE, P. KNEEBONE AND  
A. KOGOLO VOTED AGAINST THE MOTION*

### **STATUTORY IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

The extent to which the Kimberley region better manages the impacts of alcohol has implication for the future of industries such as tourism, and social harmony and well being of communities.

## **COMMUNITY CONSULTATION**

None specifically, although mechanisms exist for community input such the local Liquor Accord process, and the extensive media coverage of the issues.

## **COMMENT**

The State of Western Australia already has an Alcohol Plan. This can be found at the website address:

<http://www.dao.health.wa.gov.au/IntheMedia/ImpactofAlcoholonWesternAustralia/tabid/234/Default.aspx>

The plan is not appended to this report because of its size.

With a State Plan in place and a Kimberley Alcohol Plan under preparation by KWIG, the need for further plans or documentation is questionable. The effectiveness of these plans is another issue.

While an argument can be made that Local Government is ideally placed to take a lead position on the alcohol issues, and therefore should show leadership on the issue, this argument can apply to almost area of community life. Local Government does not control alcohol, the Director of Liquor Licensing does. Local Government does not sell or profit from alcohol, Licensees do. Local Government is not resourced to control public drinking, Police Services are.

Never the less, it is considered appropriate that Local Government express its opinion and develop a Zone position. Alcohol impacts are prevalent in Kimberley and Local Government should advocate for improvement. Consistency of message by Kimberley Local Governments in any advocacy on the issues is seen as beneficial. Given the complexity of the issues, perhaps a simple is better approach to any position is better. For this reason it is recommended that Council advise the Zone that it recommends any measures to be implemented to better manage the impacts of alcohol better implemented state wide, without the Kimberley region being singled out, as the impacts of alcohol are not confined to the Kimberley region.

A variety of licence systems or protocols have been recommended through other sources to Government so that the purchase of alcohol is more regulated. While greater regulation is not always preferred it remains somewhat of an anomaly that in society one cannot:

- Own a dog without a permit or licence
- Go to a National Park without a permit.
- Drive a boat without Recreational Skippers ticket. (Etc)

If all of these things justify regulation then perhaps given the widely acknowledged impacts of alcohol (e.g. 78% of Police Calls out in WA being alcohol related), then it is justified too that permits or licences be required to buy liquor. While this may not be a cure all for the issues, it could be a new innovative approach that assist manage the issues, when coupled with other measures.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION 1**

That Council recommend to the Kimberley Country Zone of the WA Local Government Association (Zone) that any measures to be implemented to better manage the impacts of alcohol be implemented state wide, so that the Kimberley region is not singled out, as the impacts of alcohol are not confined to the Kimberley region.

**Cr M Pucci declared a Financial interest on hearing Cr J Moulden's proposed motion. Cr M Pucci left the room at 8:09pm.**

**Cr R Addis, Deputy Shire President assumed the role of Presiding Member.**

**Moved: Cr F Mills      Seconded: Cr R Addis**

**That Cr Pucci return to chambers to participate in the debate and vote on Recommendation 1.**

**This motion was withdrawn, after consideration of Cr Pucci's wishes.**

## **COUNCIL DECISION**

**Minute No. 8229**

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

***That Council suspend Standing Order 7.5 to allow Councillors to speak more than once on this item.***

**Carried Unanimously: 6/0**

## **COUNCIL DECISION**

**Minute No. 8230**

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

***That Council resume Standing Order 7.5.***

**Carried Unanimously: 6/0**

## **COUNCIL DECISION**

**Minute No. 8231**

**Moved: Cr J Moulden      Seconded: Cr J Parker**

***That Council recommend to the Kimberley Country Zone of the WA Local Government Association (Zone) that the Zone recommends to the Australian and Western Australian governments that the proposed Income Management Trial be extended to include all recipients of social security benefits in the Kimberley.***

**Carried Unanimously: 6/0**

**NOTE: Council Minute 8231 differed from the Managers recommendation, as Council determined that reference to the Commonwealth Government Income Management Trial was more likely to gain support from Governments.**

**Cr M Pucci returned to the meeting at 8:21pm and was advised of the outcome.**

**Cr M Pucci resumed the Chair.**

### **RECOMMENDATION 2**

That Council continues to work in partnership with other agencies, business and community groups to address local alcohol and associated issues through participation in liquor accords, community safety/crime prevention and other local responses as they arise.

### **COUNCIL DECISION**

**Minute No. 8232**

**Moved: Cr D Ausburn                      Seconded: Cr F Mills**

***That Council continues to work in partnership with other agencies, business and community groups to address local alcohol and associated issues through participation in liquor accords, community safety/crime prevention and other local responses as they arise.***

**Carried Unanimously: 7/0**

### **RECOMMENDATION 3**

That Council recommends to the Kimberley Country Zone that the Zone advocates for a state wide system of licenses to be introduced for the purchase alcohol to compliment other mechanisms for the management of alcohol related issues in the community.

### **COUNCIL DECISION**

**Minute No. 8233**

**Moved: Cr D Ausburn                      Seconded: Cr R Addis**

***That Council recommends to the Kimberley Country Zone that the Zone advocates for a state wide system of licenses to be introduced for the purchase alcohol to compliment other mechanisms for the management of alcohol related issues in the community.***

**Carried Unanimously: 7/0**

### **RECOMMENDATION 4**

That Council recommends to the Kimberley Country Zone that the Zone advocates for increased resource allocation by the State Government to support services vital to assisting in community management of alcohol related issues including: rehabilitation programs, sober up shelters and Police Services.

## **COUNCIL DECISION**

Minute No. 8234

Moved: Cr D Ausburn

Seconded: Cr R Addis

*That Council recommends to the Kimberley Country Zone that the Zone advocates for increased resource allocation by the State Government to support services vital to assisting in community management of alcohol related issues including: rehabilitation programs, sober up shelters and Police Services.*

Carried Unanimously: 7/0

## **RECOMMENDATION 5**

That Council recommends to the Kimberley Country Zone that the Zone request the State Government to make participation in Liquor Accord process by all Licensees mandatory, rather than voluntary, so that Licensees further engage in the management of alcohol issues.

## **COUNCIL DECISION**

Minute No.8235

Moved: Cr D Ausburn

Seconded: Cr F Mills

*That Council recommends to the Kimberley Country Zone that the Zone request the State Government to make participation in Liquor Accord process by all Licensees mandatory, rather than voluntary, so that Licensees further engage in the management of alcohol issues.*

Carried Unanimously: 7/0

Cr M Pucci left the meeting at 8:25pm.

## **COUNCIL DECISION**

Minute No. 8236

Moved: Cr D Ausburn

Seconded: Cr J Parker

Third (required for rescission): Cr J Parker

That Council rescind Motion

*That Council recommend to the Kimberley Country Zone of the WA Local Government Association (Zone) that the Zone recommends to the Australian and Western Australian governments that the proposed Income Management Trial be extended to include all recipients of social security benefits in the Kimberley.*

Carried Unanimously: 7/0

## **COUNCIL DECISION**

**Minute No. 8237**

**Moved: Cr J Moulden**

**Seconded: Cr J Parker**

***That Council recommend to the Kimberley Country Zone of the WA Local Government Association (Zone) that the Zone recommends to the Australian and Western Australian governments that the proposed Income Management Trial, in relation to Child Protection and specifically the impact of alcohol on child and community welfare, be extended to include all recipients of social security benefits in the Kimberley.***

**Carried Unanimously: 6/0**

**NOTE: Council rescinded motion number 8231 and replaced it with motion number 8237 as Council believed the reference to social security benefits could be ambiguous without inclusion of wording related child protection and child and community welfare.**

**Cr M Pucci returned to the meeting at 8:30pm and was advised of the outcome.**

**Cr Pucci resumed the chair.**

### 13.6. ELECTED MEMBER REPORTS

|                         |  |
|-------------------------|--|
| <b>Cr B J Parker</b>    |  |
| 17/4/08                 | Grant Committee Knx  |
|                         | Wyn Port Townscape Committee   |
| 18/4/08                 | Hospital Committee   |
| 1/5/08                  | Wyn Port Townscape Committee   |
|                         | Hospital Committee   |
| 9/5/08                  | Wyn Port Townscape Committee   |
| 16/5/08                 | CCC meeting  |
|                         | Deputy Premier Hon E S Ripper  |
| 20/5/08                 | Mrs Gibby's Birthday Party   |
| <b>Cr D Ausburn</b>     |  |
| 17/4/08                 | Grant Committee Shire Offices<br>Barry Haase/Barry Court Meet/Greet Country Club |
| 30/4/08                 | KCCI Meeting   |
| 1/05/08                 | Bilateral Meeting Shire Offices  |
| 2/05/08                 | CBD Crimesafe Meeting with Michael Coe Dept Prevention                           |
| 5/05/08                 | DEHAC Meeting Kununurra  |
| 6/05/08                 | Shire Site Tour<br>Dept of Water Meet and Greet                                  |
| 8/05/08                 | Tourism 2020 All Seasons   |
| 13/05/08                | Plan for the Future workshop   |
|                         |  |
| <b>Cr John Buchanan</b> |  |
| 8/05/08                 | Tourism Workshop   |
| 9/05/08                 | Lunch with Jon Ford – announcement re Ord Expansion                              |
| 12/05/08                | Airport Committee Meeting  |
| <b>Cr F Mills</b>       |  |
| 2/05/08                 | Airport Stakeholder Meeting  |
| 7/05/08                 | Airservices Review Seminar   |
| 8/05/08                 | Aviation Sector Training   |
| 9/05/08                 | Australian Airport Association Forum   |
| <b>Cr Moulden</b>       |  |
| 6/05/08                 | North Kimberley LCDC Meeting at Mt Elizabeth Station                             |
| 16/05/08                | Meeting with Treasurer and Deputy Premier Eric Ripper                            |
|                         |  |

## COUNCIL DECISION

Minute No. 8238

Moved: Cr J Parker

Seconded: Cr D Ausburn

*That Council accept the Elected Member Reports as tabled.*

Carried Unanimously: 8/0

### 14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

### 15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

### 16. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

## COUNCIL DECISION

Minute No. 8239

Moved: Cr D Ausburn

Seconded: Cr J Parker

*That Council considers Item 15.1 National Recognition of Pool Operator Qualifications.*

Carried Unanimously: 8/0

### 16.1. National Recognition of Pool Operator Qualifications

|                           |  |
|---------------------------|--|
| <b>DATE:</b>              | 20 May 2008  |
| <b>PROPONENT:</b>         | Shire of Wyndham East Kimberley                      |
| <b>LOCATION:</b>          | N/A  |
| <b>AUTHOR:</b>            | Jesse Mortensen, Manager Recreation and Leisure      |
| <b>REPORTING OFFICER:</b> | Karyn Apperley, Executive Manager Community Services |
| <b>FILE NO:</b>           | 30.01.01   |
| <b>ASSESSMENT NO:</b>     | N/A  |

## PURPOSE

To advocate for consistent national recognition of swimming pool operator qualifications through the WALGA State Council at its next meeting in 4 June 2008.

## BACKGROUND

The *Health (Aquatic Facilities) Regulations 2007* adopts the *Code of Practice for Design, Construction and Management of Aquatic Facilities (Code)*. This document highlights the qualification requirements for Swimming Pool Operators as:

- Western Australian Approved Swimming Pool Technical Qualification
- Western Australian Lifeguard Qualification

- Evidence of past employment in the aquatic industry
- Attendance at 2 professional development seminars over a 3 year period
- A current Senior First Aid Certificate

In addition to this, a valid Pool Technical Operation Qualification must include the following TAFE or similar courses as referenced from section 6.2.1.1 of the Code

SRC AQU 001B Monitor Pool Water Quality.  
 SRC AQU 002B Operate Aquatic Facility Plant and Equipment.  
 SRC AQU 004B Maintain Pool Water Quality.  
 SRC AQU 005B Implement Aquatic Facility Plant and Equipment Maintenance Program.  
 SRX OHS 001B Follow Defined Occupational Health and Safety Policies and Procedures.  
 SRX EMR 002A Coordinate Emergency Response.  
 SRX RIK 001A Undertake a Risk Analysis of Activities.  
 SRC AQU 018A Operate Self-Contained Breathing Apparatus in an Aquatic Facility.

The above courses are additional requirements for pool operator qualifications in Western Australia only. Also, Western Australia is the only Australian State or Territory where these qualifications are regulated through legislation. All other States and Territories use the *National Guidelines for Safe Pool Operation* in an advisory capacity.

Further to this the *Code* states that for all Class 1 pools (defined as public swimming pools) a staff member holding both a lifeguard and Pool Technical Operations Qualification must be present at all times for the Swimming Facility to be open.

The costs and logistics associated with having staff qualified in the above listed areas is extremely difficult, particularly in remote and rural areas and often results in reduced hours of swimming pool operation throughout the State or in some foreseeable circumstances, breaches of the law.

### **STATUTORY IMPLICATIONS**

The Health (Aquatic Facilities) Regulations 2007 provides for the requirement for the specific qualifications for Pool Operators through adoption of *Code of Practice for Design, Construction and Management of Aquatic Facilities*.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

The costs and logistical demands associated with meeting these qualification requirements can be high, especially for remote and rural areas and result in long term, experienced, inter-state professionals having to “re-train” when re-locating or joining the Western Australian public swimming pool industry, which is already struggling to meet growing demands. The current situation is causing a significant resource impact for the Western Australian local government sector in the provision of public swimming pool services to their communities.

### **STRATEGIC IMPLICATIONS**

This action is consistent with Council’s Strategic Policy Key Result Area 2  
*“To improve service delivery and provide equitable access to recreational and cultural services, and promote and maintain healthy communities.”*

## **COMMUNITY CONSULTATION**

Consultation with the following stakeholders has occurred regarding the issue of consistent national recognition for pool operator qualifications with general agreement from all:

- Western Australian Department of Sport and Recreation – Kimberley Regional Office
- Shire of Wyndham East Kimberley
- Shire of Derby West Kimberley
- Shire of Halls Creek
- Shire of Broome
- Garnduwa Amboorny Wirnan Inc, Kununurra

## **COMMENT**

The issue of inequity in qualifications throughout Australian States and Territories and lack of consistent national recognition of pool operator qualifications adds to the costs to the employer Council for new pool operator staff from inter-state. There is a current shortage of skilled, experienced and qualified pool operators which is further exacerbated by the lack of national recognition of qualifications.

The National Training Reform Agenda, undertaken in the 1990's, sought to achieve consistent recognition of qualifications throughout Australia, to assist in addressing the national skills shortage in many industries.

Royal Lifesaving is a national organisation and yet there are discrepancies between qualification requirements for Western Australia and the other States and Territories.

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **RECOMMENDATION**

That Council write to the CEO of the WALGA State Council requesting advocacy and action in regard to the achievement of national recognition of pool operator qualifications and the recognition of other Australian State and Territory pool operator qualifications by Royal Lifesaving WA.

## **COUNCIL DECISION**

Minute No. 8240

Moved: Cr R Addis

Seconded: Cr J Parker

***That Council write to the Chief Executive Officer of the WALGA State Council requesting advocacy and action in regard to the achievement of national recognition of pool operator qualifications and the recognition of other Australian State and Territory pool operator qualifications by Royal Lifesaving WA.***

**Carried Unanimously: 8/0**

**17. MATTERS BEHIND CLOSED DOORS**

Nil

**18. CLOSURE**

With all matters of business complete the Shire President closed the meeting at 8:39pm.