



MINUTES OF ORDINARY COUNCIL MEETING HELD 19 FEBRUARY 2008

I hereby certify that the Minutes of the Ordinary Meeting of Council held 19 February 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 THE ORDINARY COUNCIL MEETING
HELD ON 19 FEBRUARY 2008 AT 6:00 PM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6:00pm.

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

Cr Michelle Pucci	Shire President
Cr Di Ausburn	Councillor
Cr John Buchanan	Councillor
Cr Jane Parker	Councillor
Cr Keith Wright	Councillor
Mr Peter Stubbs	Chief Executive Officer
Ms Jo-Anne Ellis	Executive Manager of Corporate Services
Mr Alex Douglas	Executive Manager Engineering and Development Services
Ms Karyn Apperley	Executive Manager Community Services
Mr Keith Williams	Executive Manager of Town Planning
Mrs Lauraine Wanstall	Engineering and Development Support Officer and Minute Taker
Ms Fiona Kuiper	Executive Support Officer

PUBLIC GALLERY

Mr Bruce Russell	Mr Peter Collins
Mr Darren Spackman	Mr Scott Munro
Mr Hamish Munro	

APOLOGIES

Cr Ralph Addis	Deputy Shire President
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LEAVE OF ABSENCE

Cr Paul Caley	Councillor
Cr John Moulden	Councillor

3. DECLARATIONS OF INTEREST

- Financial Interest

Cr M Pucci declared a Financial Interest in Item 12.4.2 Kununurra Youth Facility – Interim Arrangements as she is employed by the Department for Child Protection.

- Impartiality Interest

Cr M Pucci declared an Impartiality Interest in Item 12.3.4 Screening Agent Services - East Kimberley Regional Airport as a member of her family is employed by a business which operates from the East Kimberley Regional Airport.

Cr M Pucci declared an Impartiality Interest in Item 12.3.5 Screening Agent Services Tender - East Kimberley Regional Airport as a member of her family is employed by a business which operates from the East Kimberley Regional Airport.

- 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. 8063

Moved: Cr D Ausburn

Seconded: Cr K Wright

That Council grant Cr R Addis a leave of absence for the Ordinary Meeting of Council on 18 March 2008 and withdraw the Leave of Absence granted to Cr F Mills for the Ordinary Meeting of Council on 18 March 2008.

Carried Unanimously 6/0

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

8.1. Confirmation of Minutes of the Ordinary Meeting of Council Held On Tuesday 22 January 2008

RECOMMENDATION

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 22 January 2008.

COUNCIL DECISION

Minute No. 8064

Moved: Cr J Buchanan

Seconded: Cr D Ausburn

That Council confirm the Minutes of the Ordinary Meeting of Council held on Tuesday 22 January 2008.

Carried Unanimously 6/0

8.2. Confirmation of Minutes of the Special Meeting of Council Held On Tuesday 5 February 2008.

RECOMMENDATION

That Council confirm the Minutes of the Special Meeting of Council held on Tuesday 5 February 2008.

COUNCIL DECISION

Minute No. 8065

Moved: Cr F Mills

Seconded: Cr J Parker

That Council confirm the Minutes of the Special Meeting of Council held on Tuesday 5 February 2008.

Carried Unanimously 6/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

I would like to record and extend Council's congratulations to all associated with Kununurra District High School on the outstanding achievement in being rated the top public school in Western Australia for 2007 and 6th overall when compared to all schools.

That is a marvellous achievement and speaks volumes about the quality of education and opportunities young people can achieve in our region.

Particular congratulations must go to the teaching and support staff for their professionalism and dedication in supporting students to achieve such great results.

No doubt the students themselves have applied themselves to exceed. A supportive learning and school environment is crucial to helping them do that, and your school should rightfully be proud of the culture and standards it is achieving.

On Friday 15 February, 2008 I met with, the Hon Carol Martin member for Kimberley and discussed the following matters:

1) 2008/09 State Budget

Ms Martin provided list of projects she had submitted to Treasury last September relevant to Kununurra and Wyndham. This included,

- new land releases
- Wyndham Prison (suggested for 2015)
- affordable housing
- sewer headworks project
- HYPE \$200,000 per year for each nominated town (6?) for two years
- relocation of Picture Gardens (made mention of land tenure issues/outstanding payment by group)
- Centre of Excellence for Tropical Agriculture

2) SWEK 2008/09 State Budget Submission

Ms Martin 'demanded' priority of projects that Council had submitted to the State or she advised she would have to prioritise it herself.

List as discussed in order - Boat Facility, Youth Project, Gouldian Finch project, Airport, Visitors Centre, Fish Passage

Carol mentioned that Minister Ford seemed supportive of the Fish Passage and had 'allocated' money (amount not mentioned)

Ms Martin seemed fairly cold on likelihood of projects being funded and implied that Council should have had the submissions available September 2007. No such request was received at that time.

3) Wyndham Hospital - upgrade and doctor situation

Ms Martin was aware of the issues - mentioned that \$3.4 million for 350-400 people was possibly unjustified considering similar sized communities within her electorate didn't have the same facilities. She had spoken with Catherine Stoddardt regarding the doctor situation and was not planning on interceding - she believed that the doctor wanted to move to Fitzroy Crossing's new facility.

I advised that the Shire would be assisting the Health Department in the consultation with the Wyndham community

4) Housing/land releases

Ms Martin spoke about a proposal she was presenting to MG Corporation (and others). A plan that would make/allow aboriginal (incorporated groups) to sell/lease land to individuals as an alternate to the traditional release of land by subdivision. Ms Martin had been putting the plan together for 18 months and had support from Minister Ripper. Macquarie Bank supported the proposal and indicated it may be prepared to assist finance it.

The details were sketchy and there may be planning other issues that will need to be considered. Ms Martin was not prepared to provide a copy of the proposal at this time.

There was discussion of the Larrakia Development Corporations success and how it could be used a model by MG Corporation and others

5) DHW infill developments

I updated Ms Martin on the discussions with DHW and expressed frustration at the selection of a consultant that may not achieve our desired outcomes. Carol agreed but didn't offer any options other than support for our objectives.

6) Builders Registration Board - inclusion of Kununurra/Wyndham townsites

Delays in progressing the issue was discussed and a letter to Minister Ford (Oct 2007) was given to Ms Martin. The potential for further delay was outlined which results from the progress of the new Building Act. Ms Martin advised that she would follow it up with Minister Ford.

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

Nil

12. REPORTS

12.1. ENGINEERING SERVICES

12.1.1. Vehicle Quotation – Airport Operations (New)

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Kununurra
AUTHOR:	Alex Douglas, Executive Manager Engineering and Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Development Services
FILE NO:	66.41.07
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the purchase of a new vehicle for the new position of Airport Operations Officer.

BACKGROUND

A review of the operational requirements of the East Kimberley Regional Airport late last year lead to a vacant position being replaced with a new position of Airport Operations Officer. The position was considered to require a vehicle for operational needs, and it was anticipated to allocate funds from the Airport Reserve at the mid-year budget review.

The position has now been filled, and approval is sought to amend the Airport budget to allow for the purchase of a 2WD tray top utility.

STATUTORY IMPLICATIONS

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

The Local Government Act 1995, s6.8 applies with respect to the required expenditure, and reads: -

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.

POLICY IMPLICATIONS

There are no specific policies relating to this report.

FINANCIAL IMPLICATIONS

An allocation of \$30,000 (net of GST) is required to be made from the Airport Reserve yielding a zero impact on the operating budget.

The anticipated annual operating cost is \$5,000. Minor adjustments will be made within the operating budget for the Airport to meet the cost for the remaining 3 months of the financial year.

STRATEGIC IMPLICATIONS

Not applicable

COMMENT

Argyle Motors were requested to provide quotations on single cab tray top utilities based on our normal specification and availability. The bases of seeking the quotations from the local dealer for a specific vehicle were based on recent history of tenders, preference for a locally supported (serviced) vehicle and no trade vehicle being involved.

The quoted price including required accessories such as VHF radio, dual amber beacons and steel tray is \$29,813.91, plus registration (approximately \$300). Registration costs are paid based on the time of delivery and added to the supply and delivery costs. The vehicle offered is available for delivery within two weeks.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

MANAGERS’ RECOMMENDATION

That Council:

- 1 in accordance with the provisions of the Local Government Act 1995, s6.8 allocate a budget amount of \$30,000 for the purchase of new vehicle for Airport Operations to be funded by transfer from the Airport Reserve
- 2 accept the quotation as submitted by Argyle Motors for the supply, and delivery of a Toyota Hilux SR Manual 4x2 Single Cab/tray top utility for the

sum of \$29,813.91 (net of GST), be accepted as the most advantageous to Council.

COUNCIL DECISION

Minute No. 8066

Moved: Cr J Buchanan

Seconded: Cr D Ausburn

That Council:

- 1 in accordance with the provisions of the Local Government Act 1995, s6.8 allocate a budget amount of \$30,000 for the purchase of new vehicle for Airport Operations to be funded by transfer from the Airport Reserve***
- 2 accept the quotation as submitted by Argyle Motors for the supply, and delivery of a Toyota Hilux SR Manual 4x2 Single Cab/tray top utility for the sum of \$29,813.91 (net of GST), be accepted as the most advantageous to Council.***

Carried Unanimously 6/0

12.1.2. Proposed Advisory Committee – Foreshore Reserve 41812

DATE:	19 February 2008
PROPONENT:	Department of Water
LOCATION:	Lake Kununurra and Lily Creek Lagoon
AUTHOR:	Alex Douglas, Executive Manager Engineering and Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Development Services
FILE NO:	50.09.01
ASSESSMENT NO:	A2860

PURPOSE

For Council to consider a proposal by the Department of Water (DoW) to form a Management Committee for Reserve 41812 (Lake Kununurra and Lily Creek Lagoon Foreshore and Recreation reserve). The Committee would comprise representatives of the two co-vestees being Council and DoW.

BACKGROUND

Upon receipt of the proposed committee request, staff requested DoW to provide a draft Terms of Reference in order to clarify their expectations of the functions of the committee. A copy of the DoW correspondence and Terms of Reference are provided as Attachments 1 and 2.

In reviewing the proposed terms of reference, staff considered it appropriate to develop and expand the contents to reflect the Shire's expectations.

Council discussed the request and suggested Terms of Reference informally at their Briefing Session held on 5 February 2008.

The suggested Terms of Reference as proposed by the Shire and by DoW are:

Reserve 41812 Management Committee

Draft Terms of Reference

The purpose of the Committee is to:

- Promote ecologically sustainable management and development of the foreshore whilst ensuring continued public amenity, recreation, development in accordance with policy [ie Foreshore Plan] and access;
- Develop agreed approaches and assessment of proposed development and/or proposed changes in management activities;
- Review any current management activities of concern;
- Provide recommendations to joint managers, including elected members;
- Ensure agreed recommendations are communicated to proponents with consistency and expediency;
- Utilise the Lake Kununurra Foreshore Plan and Vegetation Management Plan to guide discussions and recommendations;
- Jointly monitor, discuss, evaluate and report on works conducted on foreshore reserve;

- Develop joint approaches to progressing the development and implementation of a Department of Environment and Conservation statutory Ramsar Management Plan for Lake KNX and Lily Creek Lagoon;
- Develop joint approaches and strategies to promote greater responsibility and financial contribution in the management of the foreshore; and
- Promote community and stakeholder understanding and participation in management of the foreshore through media releases, meetings, displays etc.

The presentation of this into a format required by the Local Government Act 1995 is provided as follows: -

FORESHORE RESERVE 41812 ADVISORY COMMITTEE

RULES AND TERMS OF REFERENCE

(February 2008)

1. HEAD OF POWER

This Committee is not constituted in accordance with Part 5 of the Local Government Act 1995.

However as the purpose of the Committee is to serve as a means of enhancing communication and decision making between the joint managers in a non-binding manner the basis of operation of the Committee will be structured as if it were constituted in accordance with Part 5.

2. NAME

This Committee is to be known as the “Foreshore Reserve 41812 Advisory Committee”.

3. PURPOSE

The Committee is invited to:

- *Promote ecologically sustainable management and development of the foreshore whilst ensuring continued public amenity, recreation, development in accordance with policy [ie Foreshore Plan] and access;*
- *Develop agreed approaches and assessment of proposed development and/or proposed changes in management activities;*
- *Review any current management activities of concern;*
- *Provide recommendations to joint managers, including elected members;*
- *Ensure agreed recommendations are communicated to proponents with consistency and expediency;*
- *Utilise the Lake Kununurra Foreshore Plan and Vegetation Management Plan to guide discussions and recommendations;*
- *Jointly monitor, discuss, evaluate and report on works conducted on foreshore reserve;*

- *Develop joint approaches to progressing the development and implementation of a Department of Environment and Conservation statutory Ramsar Management Plan for Lake Kununurra and Lily Creek Lagoon;*
- *Develop joint approaches and strategies to promote greater responsibility and financial contribution in the management of the foreshore; and*
- *Promote community and stakeholder understanding and participation in management of the foreshore through media releases, meetings, displays etc.*

4. **MEMBERSHIP**

The Committee shall consist of up to five members including a Councillor and two Shire of Wyndham East Kimberley employees.

- (a) *Shire of Wyndham East Kimberley will nominate the Executive Manager of Town Planning and the Environmental Health Officer as the two Shire employees.*
- (b) *Membership shall be by invitation for an Elected Council representative and shall be for a period of 2 years or until the next ordinary Election Day, whichever occurs first. Council may also appoint a Deputy Elected member representative.*
- (c) *Council will seek nominations from the Department of Water of two employees of the Department as Committee members together with the name of a deputy member.*
- (d) *Retiring members are eligible for renomination.*

5. **MEETINGS**

- (a) *Ordinary meetings of the Committee shall be held at least three times in a financial year.*
- (b) *Meetings will usually be held at the Shire's Kununurra Council Chambers but the Committee may by resolution decide to hold a particular meeting or all meetings at another location.*
- (c) *Meetings will usually commence at 4.00 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 seven days 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 Engineering and Development Services section.*

6. **PRESIDING MEMBER**

The Presiding Member shall be the Elected Member Council Representative. In the absence of the Presiding member the Shire's Deputy Elected Member will preside.

7. **QUORUM**

The quorum for meetings of the Committee shall be at least of one member of the Department of Water and the Shire of Wyndham East Kimberley together with the Presiding Member of the Committee.

8. **MEETING RULES**

a) **Meeting Procedure**

i. *Procedures for meetings shall follow ordinary standards and protocols except that in the event of a dispute, Council's Local-laws relating to Standing Orders shall apply.*

ii. *For the purposes of recording minutes, members are required to appoint a secretary from the membership. The appointment may be reviewed from time to time as the Committee deems appropriate.*

b) **Invitees**

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 in respect of delegated authority and therefore will 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 shall be distributed to Elected Members for information.*

iii. *Recommendations requiring a Council decision will be referred to Council at the next practical meeting date.*

iv. *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

STATUTORY IMPLICATIONS

It is not proposed that the suggested Management Committee have any statutory powers. Various legislation controls what can occur within the Reserve and these are binding on the Council and DoW.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Issues related to Reserve 41812 have from time to time received considerable public consultation. The Reserve is central to the Lake Kununurra Foreshore Plan which had extensive public consultation.

COMMENT

Management of Reserve 41812 has been a contentious issue for both vestees. Arguably it takes up a disproportionate amount of time and resource of Council for the benefits gained.

The Advisory Committee will assist to encourage discussion between the co-vestees that will lead to appropriate outcomes for the broader community.

ATTACHMENTS

1. Attachment 1: Letter from Department of Water proposing a Management Committee
2. Attachment 2: DoW Terms of Reference

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council: -

- 1 Adopt and recommend to the Department of Water the following Rules and Terms of Reference for the establishment of the Foreshore Reserve 41812 Advisory Committee: -

RULES AND TERMS OF REFERENCE
(February 2008)

1. **HEAD OF POWER**

This Committee is not constituted in accordance with Part 5 of the Local Government Act 1995.

However as the purpose of the Committee is to serve as a means of enhancing communication and decision making between the joint managers in a non-binding manner the basis of operation of the Committee will be structured as if it were constituted in accordance with Part 5.

2. **NAME**

This Committee is to be known as the "Foreshore Reserve 41812 Advisory Committee".

3. **PURPOSE**

The Committee is invited to:

- *Promote ecologically sustainable management and development of the foreshore whilst ensuring continued public amenity, recreation, development in accordance with policy [ie Foreshore Plan] and access;*
- *Develop agreed approaches and assessment of proposed development and/or proposed changes in management activities;*
- *Review any current management activities of concern;*
- *Provide recommendations to joint managers, including elected members;*
- *Ensure agreed recommendations are communicated to proponents with consistency and expediency;*
- *Utilise the Lake Kununurra Foreshore Plan and Vegetation Management Plan to guide discussions and recommendations;*
- *Jointly monitor, discuss, evaluate and report on works conducted on foreshore reserve;*
- *Develop joint approaches to progressing the development and implementation of a Department of Environment and Conservation statutory Ramsar Management Plan for Lake Kununurra and Lily Creek Lagoon;*
- *Develop joint approaches and strategies to promote greater responsibility and financial contribution in the management of the foreshore; and*
- *Promote community and stakeholder understanding and participation in management of the foreshore through media releases, meetings, displays etc.*

4. **MEMBERSHIP**

The Committee shall consist of up to five members including a Councillor and two Shire of Wyndham East Kimberley employees.

- (a) Shire of Wyndham East Kimberley will nominate the Executive Manager of Town Planning and the Environmental Health Officer as the two Shire employees.*
- (b) Membership shall be by invitation for an Elected Council representative and shall be for a period of 2 years or until the next ordinary Election Day, whichever occurs first. Council may also appoint a Deputy Elected member representative.*
- (c) Council will seek nominations from the Department of Water of two employees of the Department as Committee members together with the name of a deputy member.*
- (d) Retiring members are eligible for renomination.*

5. **MEETINGS**

- (a) Ordinary meetings of the Committee shall be held at least three times in a financial year.*
- (b) Meetings will usually be held at the Shire's Kununurra Council Chambers but the Committee may by resolution decide to hold a particular meeting or all meetings at another location.*
- (c) Meetings will usually commence at 4.00 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 seven days 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 Engineering and Development Services section.*

6. **PRESIDING MEMBER**

The Presiding Member shall be the Elected Member Council Representative. In the absence of the Presiding member the Shire's Deputy Elected Member will preside.

7. **QUORUM**

The quorum for meetings of the Committee shall be at least of one member of the Department of Water and the Shire of Wyndham East Kimberley together with the Presiding Member of the Committee.

8. **MEETING RULES**

a) **Meeting Procedure**

iii. *Procedures for meetings shall follow ordinary standards and protocols except that in the event of a dispute, Council's Local-laws relating to Standing Orders shall apply.*

iv. *For the purposes of recording minutes, members are required to appoint a secretary from the membership. The appointment may be reviewed from time to time as the Committee deems appropriate.*

b) **Invitees**

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 in respect of delegated authority and therefore will 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**

v. *Minutes shall be distributed to all members of the Committee.*

vi. *The minutes of the meeting shall be distributed to Elected Members for information.*

vii. *Recommendations requiring a Council decision will be referred to Council at the next practical meeting date.*

viii. *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

COUNCIL DECISION

Minute No. 8067

Moved: Cr K Wright

Seconded: Cr J Buchanan

That Council do not participate in this ludicrous committee.

Lost 2/4

NOTE: Cr K Wright requested that the votes for and against the motion be recorded.

For: Cr K Wright
Cr J Buchanan

Against: Cr M Pucci
Cr F Mills
Cr J Parker
Cr D Ausburn

Foreshadowed Motion: Cr F Mills

That council defer this item until the March meeting of Council to allow further consideration of the Terms of Reference and Committee Structure.

COUNCIL DECISION

Minute No. 8068

Moved: Cr F Mills

Seconded: Cr D Ausburn

That council defer this item until the March meeting of Council to allow further consideration of the Terms of Reference and Committee Structure

Carried Unanimously 6/0

NOTE: Council's decision in this matter varied from the Managers' Recommendation because it was considered that the Terms of Reference required further review.



Department of Water
Government of Western Australia

Doc No.	060672
Date	06 DEC 2007
Officer	CEO, XNLOS, E0
Response	
File	50.10 17

Your ref: 50.10.17
Our ref: RF2526-V2
Enquiries: Susie Williams, Ph: 9166 4103

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

Dear Peter

RE: Implementation of the Vegetation Management Plan and formation of Reserve 41812 Management Committee

The Department of Water regional office has provided support for the development of the vegetation management plan through ongoing review and provision of advice. The Department now supports implementation of actions from the plan, contingent upon our suggested comments being incorporated.

The Department offers, in principle, support for actions recommended in the plan and will endeavour to secure funds to a maximum of \$50,000 in the first year of implementation (financial year 08/09) to address the key management needs, primarily weed and fire management on Reserve 41812.

The Department would expect the expenditure of these funds to be managed through the Reserve 41812 Management Committee soon to be formed by the co-vestees. Furthermore, it is expected that all annual lease fees generated from Reserve 41812 would be managed through this committee.

We look forward to strengthening our land management partnership.

Yours sincerely

Dave Munday
Regional Manager
Kimberley Region

3 December 2007

Kimberley Region
Lot 225 Bandicoot Drive Kununurra Western Australia 6743
PO Box 625 Kununurra Western Australia 6743
Telephone (08) 9166 4100 Facsimile (08) 9426 4818
www.water.wa.gov.au

12/07/07

Lake Kununurra Foreshore Reserve 41812 COMMITTEE TERMS OF REFERENCE

1. Purpose/Objective of the Reserve:

Reserve 41812 is jointly vested in the Department of Water and the Shire of Wyndham-East Kimberley for the purposes of "foreshore and recreation" (the Department of Water defines the purpose of "foreshore" as the protection, management and restoration of the land to improve water quality. The Reserve encompasses the northern foreshore of Lake Kununurra and the majority of the Lily Creek Lagoon foreshore. A portion of the Reserve also lies within the Kununurra Water Reserve, a Priority 1 Public Drinking Water Source Area.

2. Membership:

The management committee aims to be representative without being cumbersome and its composition is:

- 2 Department of Water staff
- 2 Shire of Wyndham East Kimberley staff
- Shire Wyndham East Kimberley President as Chairperson

External parties will be invited to inform the Committee about specific items when required.

3. Key Functions:

It is anticipated that the work of the Foreshore Committee will be to:

1. Provide a forum to consider and determine recommendations for decision making in relation to proposed developments or significant changes to Reserve 41812
2. Provide recommendations to the Joint Vestees for decision making purposes
3. Issue joint correspondence to proponents and/or Joint Vestees where possible.

The Foreshore Committee does not have a statutory decision-making role; it will recommend decisions to the Joint Vestee bodies. It is envisaged that the committee would meet on a needs basis to fulfil the above objectives.

12.2. DEVELOPMENT SERVICES

12.2.1. Proposed Transient Accommodation – Lot 102 Bloodwood Drive, Kununurra

DATE:	February 19 2008
PROPONENT:	Broadcity P/C
LOCATION:	Lot 102 Bloodwood Drive, Kununurra
AUTHOR:	Gary McCarney, Town Planning Officer
REPORTING OFFICER:	Keith Williams, Executive Manager Town Planning
FILE NO:	01.2274.02
ASSESSMENT NO:	A2274

PURPOSE

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

BACKGROUND

An application for the use and development of Lot 102 Bloodwood Drive, Kununurra for transient accommodation was submitted by Broadcity P/C on 21 September 2007.

The required planning fee did not accompany the application. The fee plus additional information were requested and finally received in December 2007.

SITE LOCATION

The subject site is located on the southern side of Bloodwood Drive, Kununurra. The subject site is zoned Mixed Business, as are the surrounding lots. A little further to the east, the mixed business zone abuts the town centre zone.

PROPOSED LAND USE / DEVELOPMENT

The applicant is seeking approval for the use and development of two transient accommodation units to house up to three workers, in total. The accommodation units would be located to the rear of the lot. The submitted site plan and transient accommodation plans are attached.

The site contains a shed of approximately 200 m², centrally located. Planning approval was granted in April 2007 for a second shed (also approximately 200 m²) to be constructed on the front of the site. It is currently under construction.

FINANCIAL IMPLICATIONS

The Application Fee of \$90.00 has been paid.

COMMUNITY CONSULTATION

The use is designated as an SA use and under Local Planning Scheme No. 7 – Kununurra and Environs the proposal must be advertised for public comment before Council can consider the application and exercise its discretion.

In accordance with the advertising requirements of Clause 11.2 of the Scheme, the application was advertised for in the Kimberley Echo on 20 December 2007 and surrounding landowners notified of the proposal in writing, with submissions closing on 1 February 2008.

The submission period of 43 days is significantly longer than the 21 days required under the Scheme to allow for the Christmas / New Year holidays and ensure that the community has a chance to comment.

No submissions have been received.

ATTACHMENTS

Submitted development plans attached as:

1. Site Plan
2. Transient Accommodation
3. Location Plan

PLANNING ASSESSMENT

Strategic/Structure Plans

The Local Planning Strategy designates the subject land for commercial purposes.

Local Planning Scheme No. 7 – Kununurra and Environs

The land is located within the Mixed Business Zone. Clause 5.12.1 of the Local Planning Scheme states that the objectives of this zone are:

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

Under Clause 5.12.2, in considering an application for planning approval the provisions of Clause 5.10.5 b) to i) shall apply, whereby Council is to have regard to:

- b) *The colour and texture of external building materials.*
- c) *Building size, height, bulk, and roof pitch.*
- d) *Setback and location of the building on its lot.*
- e) *Architectural style and design details of the building.*
- f) *Function of the building.*
- g) *Relationship to surrounding development.*
- h) *Parking and landscaping requirements.*
- i) *Other characteristics to be considered by Council to be relevant.*

Pursuant to Local Planning Scheme No. 7, the proposed use is an SA use and is defined as Transient Accommodation which means *any habitable building permanently affixed to the ground by footings as required by Council and includes any caravan, transportable dwelling or any structure used for habitation for the purposes of accommodation for a period not exceeding six months.*

There are no setback requirements to boundaries in the Scheme relating to Transient Accommodation in the Mixed Business zone. For light industrial areas, the Scheme requires Building Code of Australia standards to be met. Similar setbacks are considered appropriate for this proposal.

The proposed setbacks to the property boundary and existing shed comply with the Building Code of Australia and are therefore considered acceptable.

Sewerage Issues

The subject lot is not served by Kununurra's reticulated sewerage network. The application proposes connecting into the existing septic tank serving the shed ablution block. The new system will be installed, and the existing system upgraded as required, in accordance with the Shire's building and health regulations.

Conditions governing the installation of the septic system will be addressed as part of the building and health licence processes.

CONCLUSION / COMMENT

The proposed use of the land is consistent with the objectives and purposes of the Mixed Business zone.

There are Scheme restrictions on the occupation of transient accommodation which should be communicated to the applicant as conditions of development approval. Special conditions listed below have been recommended by officers on previous similar applications:

- a) Provision of a statutory declaration confirming that the transient accommodation will only be hired/rented/leased out to workers associated with the business operating from the site. This is to comply with Scheme requirements;
- b) All prospective occupants to be notified at the point of checking into the accommodation that the units are reserved for the exclusive use of workers, with such notification to be approved by Council officers. This is to ensure that only workers associated with Broadcity P/C are accommodated; and
- c) All employee parking to be contained on site at all times.

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council grants planning consent to Broadcity P/C for Transient Accommodation on Lot 102 Bloodwood Drive, Kununurra, to:

- (i) use the land for the purpose of Transient Accommodation;
- (ii) commence the development of Transient Accommodation.

Subject to the following conditions:

- (i) Provision of a statutory declaration confirming that the transient accommodation will only be hired/rented/leased out to workers associated with the business operating from the site.
- (ii) The transient accommodation shall be limited to two units plus ablutions block housing a maximum of three workers in total.
- (iii) The transient accommodation shall only be occupied by persons directly engaged in employment related to the industry specified on the application for planning consent. All prospective occupants to be notified at the point of checking into the accommodation that the units are reserved for the exclusive use of workers, with such notification to be approved by Council officers.
- (iv) The transient accommodation shall be permanently affixed to the ground by footings as required by Council.
- (v) All employee parking to be contained on site at all times.
- (vi) Any conditions issued under delegated authority from Council's Standard Conditions list.

COUNCIL DECISION

Minute No. 8069

Moved: Cr F Mills

Seconded: Cr J Buchanan

That Council defer this item until the March meeting of Council

Lost 0/6

Moved: Cr K Wright

Seconded: Cr J Buchanan

That where an item is to come to Council it is first presented to a briefing session.

Motion Withdrawn by Cr K Wright

Karyn Apperley left the room at 6:49pm

Moved: Cr J Buchanan

Seconded: Cr D Ausburn

That Council grants planning consent to Broadcity P/C for Transient Accommodation on Lot 102 Bloodwood Drive, Kununurra, to:

- (i) use the land for the purpose of Transient Accommodation;
- (ii) commence the development of Transient Accommodation.

Subject to the following conditions:

- (i) Provision of a statutory declaration confirming that the transient accommodation will only be hired/rented/leased out to workers associated with the business operating from the site.
- (ii) The transient accommodation shall be limited to two units plus ablutions block housing a maximum of three workers in total.
- (iii) The transient accommodation shall be permanently affixed to the ground by footings as required by Council.
- (iv) All employee parking to be contained on site at all times.
- (v) Any conditions issued under delegated authority from Council's Standard Conditions list.

Cr D Ausburn withdrew support of motion and motion subsequently withdrawn by Cr J Buchanan.

Karyn Apperley returned to the room at 6:54pm

COUNCIL DECISION

Minute No. 8070

Moved: Cr J Buchanan

Seconded: Cr D Ausburn

That Council grants planning consent to Broadcity P/C for Transient Accommodation on Lot 102 Bloodwood Drive, Kununurra, to:

- (i) use the land for the purpose of Transient Accommodation;***
- (ii) commence the development of Transient Accommodation.***

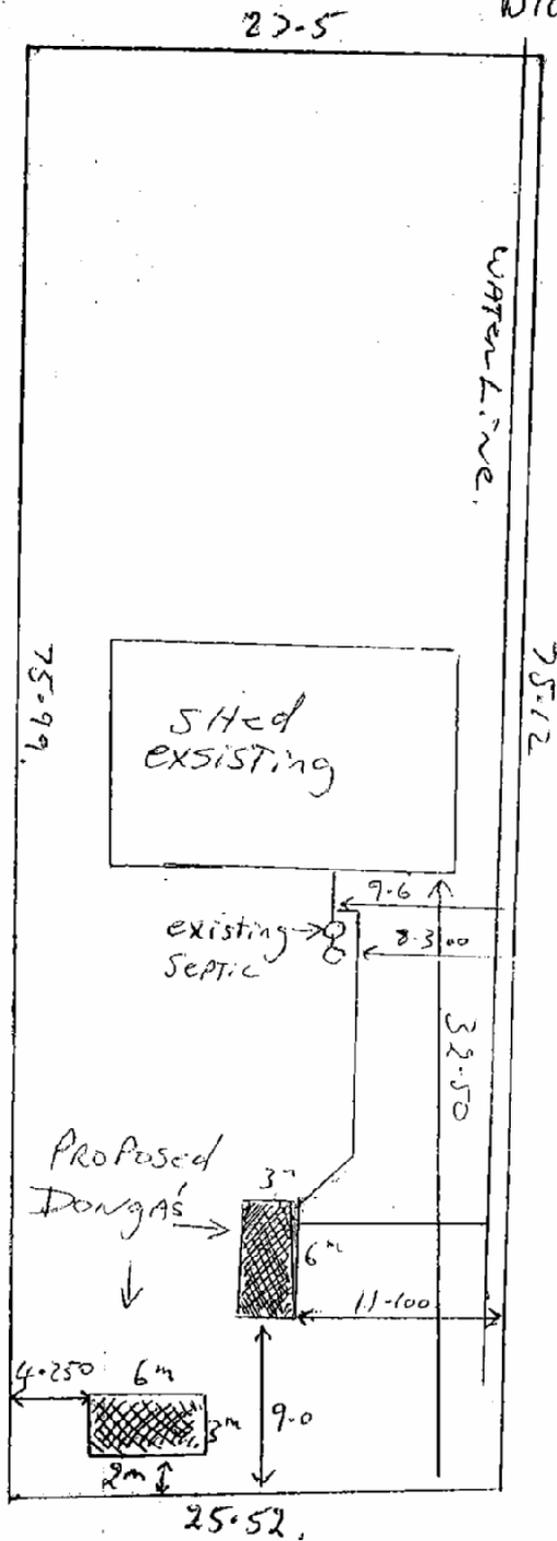
Subject to the following conditions:

- (i) Provision of a statutory declaration confirming that the transient accommodation will only be hired/rented/leased out to workers associated with the business operating from the site.***
- (ii) The transient accommodation shall be limited to two units plus ablutions block housing a maximum of three workers in total.***

- (iii) The transient accommodation shall only be occupied by persons directly engaged in employment related to the industry specified on the application for planning consent. All prospective occupants to be notified at the point of checking into the accommodation that the units are reserved for the exclusive use of workers, with such notification to be approved by Council officers.***
- (iv) The transient accommodation shall be permanently affixed to the ground by footings as required by Council.***
- (v) All employee parking to be contained on site at all times.***
- (vi) Any conditions issued under delegated authority from Council's Standard Conditions list.***

Carried Unanimously 6/0

LOT 102 SCALE 1:400
Bloodwood Drive.



Attachment 3: Location Plan of Subject Lot



12.2.2. Request For Waiver of Planning Application Fee – Lots 552 & 553 Papua Street, Kununurra

DATE:	February 19 2008
PROPONENT:	Kimberley Legal Services Ltd
LOCATION:	Lots 552 & 553 Papua Street, Kununurra
AUTHOR:	Gary McCarney, Town Planning Officer
REPORTING OFFICER:	Keith Williams, Executive Manager Town Planning
FILE NO:	01.1575.02
ASSESSMENT NO:	A1575

PURPOSE

For Council to consider a request from the proponent to waive the planning application fee for an advertising sign (sandwich board).

BACKGROUND

The proponent has applied to place an advertising sign (sandwich board) on the pavement outside its premises in Papua Street. The application complies with scheme requirements and can be approved under delegated authority, in accordance with the Local Planning Scheme.

The approval has not been issued as the proponent has requested that the Council waive the planning application fee of \$90. A Council resolution is not required for the planning approval but is required to waive the fees under section 6.47 of the Local Government Act 1995 and this requires an absolute majority decision of Council.

SITE LOCATION

The subject site is located on Papua Street, Kununurra, adjacent to the Boab bookshop.

FINANCIAL IMPLICATIONS

The request to waive the Application Fee would result in a reduction in Shire revenue of \$90.

JUSTIFICATION

The proponent, in its letter requesting that the fee be waived (see attachment 1) advised that:

“Kimberley Community Legal Services Inc (KCLS) is a non-profit organisation providing a number of services to the community including generalised legal services, family violence prevention legal services, counselling, tenancy advocate services, financial counselling services and community legal education.”

ATTACHMENTS

1. Letter from KCLS

CONCLUSION / COMMENT

The application for a sandwich board is a minor application and the \$90 fee represents a significant proportion of the total cost.

VOTING REQUIREMENT

Absolute Majority

MANAGERS' RECOMMENDATION

That Council agrees to the request from Kimberley Community Legal Services Inc to waive the Planning application fee of \$90 for the advertising board outside its offices in Papuana Street, Kununurra.

COUNCIL DECISION

Minute No. 8071

Moved: Cr K Wright

Seconded: Cr J Parker

That Council does not agree to the request from Kimberley Community Legal Services Inc to waive the Planning application fee of \$90 for the advertising board outside its offices in Papuana Street, Kununurra.

Carried Unanimously 6/0

NOTE: Council's decision in this matter varied from the Managers' Recommendation because it was considered that there was not significant case to grant the waiver of fees.

Attachment 1: Letter from KCLS

4 Papuana Street Kununurra
PO Box 622 KUNUNURRA WA 6743
Phone: (08) 9169 3100
Toll Free Call: 1800 686 020
Facsimile: (08) 9169 3200
Email: kcls@wn.com.au



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

Dear Keith

APPLICATION FOR PLANNING APPROVAL – REQUEST FOR WAIVER OF FEE

Kimberley Community Legal Services Inc (KCLS) is a non-profit organisation providing a number of services to the community including, generalist legal services, family violence prevention legal services, counselling, tenancy advocate services, financial counselling services and community legal education.

KCLS is applying for approval to use a "sandwich board" style signage to be placed on the pavement at the front of its office at 4 Papuana Street, Kununurra. This application attracts a General Planning Application Fee with a minimum cost of \$90.00 and KCLS request that this fee be waived in this instance.

Should you have any queries or wish to discuss this matter, please do not hesitate contacting myself Rose van Keppel, Manager on phone: 9169 3100.

Yours sincerely

Rose van Keppel
Manager
Kimberley Community Legal Services Inc

4 December 2007

Generalist Legal Services | Indigenous Women's Program | Family Violence Prevention Legal Services |
Community Legal Education Outreach Project | Tenancy Advice & Education Services | Indigenous Tenancy Advocate Service | Financial Counselling Services
Funding Bodies: Commonwealth Attorney-General's Department | Legal Contribution Trust | Department of Consumer & Employment Protection |
Department of Housing & Works | Department for Community Development | ABN 635 350 781 148

12.2.3. Proposed Road Names - Lakeside Stage 4

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Lakeside Estate
AUTHOR:	Keith Williams, Executive Manager Town Planning
REPORTING OFFICER:	Keith Williams, Executive Manager Town Planning
FILE NO:	43.04.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider naming of new streets within the Lakeside Estate Stage 4 subdivision.

BACKGROUND

Council considered names for the Stages 3 and 4 of the Lakeside Subdivisions at the September 18 2007 meeting. Names for Stage 3 were approved.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Street signage to be erected at the cost of the subdivider [Landcorp].

STRATEGIC IMPLICATIONS

Nil

COMMENT

The following road names were adopted for the two roads in Stage 3:

- Corkwood Court
- Quondong Street

Council replaced a name in Stage 3 with a name put forward by Landcorp for Stage 4 when it determined names for Stage 3 due to concerns about one of the names put forward by Landcorp. Council Officers have researched additional road names consistent with Council's policy of naming roads after flora within the townsite of Kununurra.

Accordingly the following alternative names are submitted by Council Officers for road names within the stage 4 of the Lakeside Park subdivisions;

Stage 4:

PROPOSED ROAD NAME	ORIGINAL LANDCORP RECOMMENDED NAME	REASON FOR RECOMMENDED NAME
Boronia Street	Quondong Way	This name was used in Stage 3 road names
Cyprus Way	Mimosa link	Mimosa Link is a phonetically long name for a short street. Geographic Names Committee recommends short names for short streets
Owenia Street	Rush Street	More interesting name than "Rush"
Atalaya Street	Box Street	More interesting name than "Box"
Livistona Street	Livistona Street	Logical extension of existing street

Additionally, it is proposed to extend the existing Livistona Street road reserve and attribute this name for the extension.

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

ATTACHMENTS

1. Map showing proposed road names for Lakeside Stage 4

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council advise the geographic names committee of LandGate that the preferred names for Lakeside Park Stage 4 road names are:

- Atalaya Street
- Boronia Street
- Cyprus Way
- Owenia Street
- Livistona Street

as per the plan at attachment 1.

Moved: Cr K Wright

Seconded: Cr F Mills

That Council advise the geographic names committee of LandGate that the preferred names for Lakeside Park Stage 4 road names are:

- Whitewood Street
- Ghost Gum Street
- Lovegrass Way
- Emu Apple Street
- Livistona Street

COUNCIL DECISION

Minute No. 8072

Moved: Cr J Parker

Seconded: Cr D Ausburn

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

Carried Unanimously 6/0

COUNCIL DECISION

Minute No. 8073

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council resume Standing Order 7.5.

Carried Unanimously 6/0

COUNCIL DECISION

Minute No. 8074

Moved: Cr K Wright

Seconded: Cr F Mills

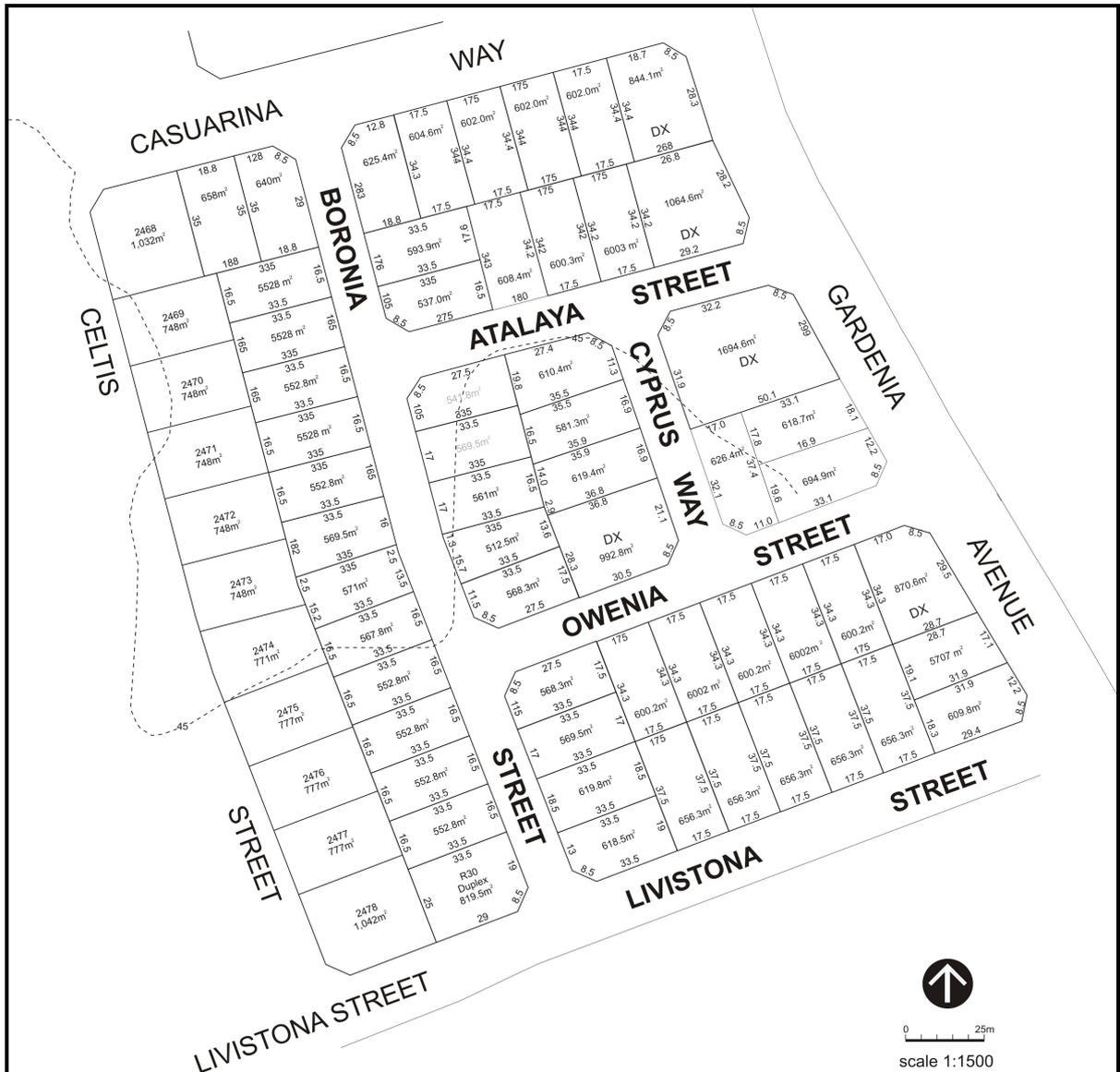
That Council advise the geographic names committee of LandGate that the preferred names for Lakeside Park Stage 4 road names are:

- ***Whitewood Street***
- ***Ghost Gum Street***
- ***Lovegrass Way***
- ***Emu Apple Street***
- ***Livistona Street***

Carried Unanimously 6/0

NOTE: Council's decision in this matter varied from the Managers' Recommendation as it was considered that the use of common names of vegetation was more appropriate.

Attachment 1: Stage 4 Street Names



12.2.4. Extensions to Road House - Lots 227, 968, 1203, 1273 & 1274 Messmate Way

DATE:	19 February 2008
PROPONENT:	Munro Family Trust & Warriner Family Trust
LOCATION:	Lots 227, 968, 1203, 1273 & 1274 Messmate Way
AUTHOR:	Keith Williams - Town Planner
REPORTING OFFICER:	Peter Stubbs - Chief Executive Officer
FILE NO:	01.905.02
ASSESSMENT NO:	905

PURPOSE

For Council to consider a new application for development for extensions to a Roadhouse on Lots 227, 1203 968, 1273 & 1274 at the intersection of Messmate Way and Bandicoot Drive.

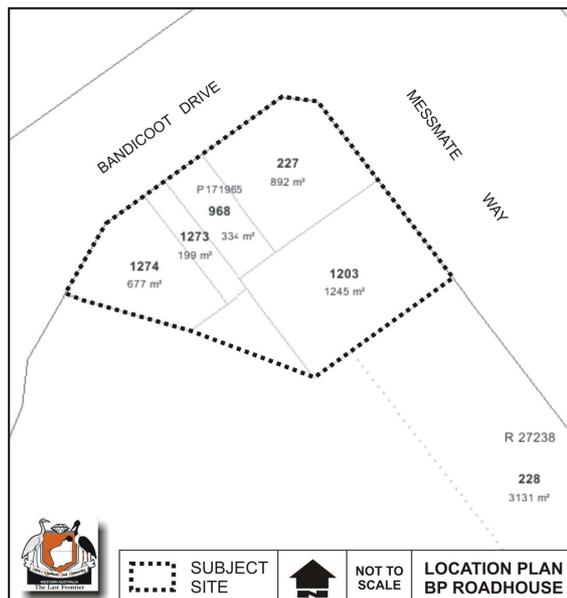
BACKGROUND

A development application for the redevelopment of an existing Service Station located on Lots 227, 1203 968, 1273 & 1274 intersection of Messmate Way and Bandicoot Drive was approved by Council on 19 April 2005. Further consideration of development conditions occurred on 20 June 2006.

The development of the site has progressed on an ad hoc basis, with most development conditions being met.

SITE LOCATION

The subject site is located on Messmate Way and Bandicoot Drive intersection. The site is comprised of 6 lots and a portion of land leased from Western Power. An application to amalgamate the 6 lots is pending, and should be finalised shortly. The surrounding land is used for a variety of uses, including offices and a power station.



PROPOSED LAND USE / DEVELOPMENT

The proposed development consists of extensions to the western elevation to enclose the storage and air conditioning and refrigeration plant at the western elevation, and extensions to the retail floor area in the north eastern corner of the building. This extended floor area will be used for customer seating as well as a food preparation and service area. Plans of the proposed extensions are attached.

FINANCIAL IMPLICATIONS

An application fee of \$100 has been paid.

PLANNING ASSESSMENT

Local Planning Strategy

The Local Planning Strategy designates the subject land as being for Town Centre purposes. The proposed development complies with the objectives of the LPS.

Local Planning Scheme No 7

The land is located within the Town Centre Zone. Pursuant to Clause 5.10.1 of Local Planning Scheme No 7 - Kununurra and Environs, the objectives of the Zone are:

5.10.1 Objectives

- (a) to zone adequate land for the continued development of a main commercial and community facility centre for the town.*
- (b) to prepare and implement an overall Town Centre Strategy to guide and promote development.*
- (c) to apply appropriate development and land use controls to ensure the development is to a satisfactory standard.*

Under Local Planning Scheme No 7 - Kununurra and Environs, the proposed use is defined as a Road House. The use of the site does not require approval, however, the development of the site does.

Council Policies

The land is located in the Policy Area Precinct 7 - Town Centre. The objective of the Precinct is:

To maintain and promote the town centre as the centre of shopping and administration activity for the Kununurra region.

It is considered that the development will improve the design and visual amenity of the site and does not conflict with the objectives of the policy.

Design

Parking & Access Design

Revised parking and access proposed by the extensions will result in 31 designated car parking bays. The calculated total floor area of the building is 960 square metres. Based on differing land uses for the site, the number of bays required under the Scheme is 27 bays.

LAND USE	AREA	REQUIRED CAR BAYS
Shop	410 m ²	@ 1 per 20 m ² = 21
Warehouse	550 m ²	@ 1 per 100 m ² = 6
Total	960 m ²	27 Bays

The land use and subsequent car parking requirements have been assessed as warehousing and retail uses [shop] as these are the predominant uses of the site, and the fuel station is not considered the predominant use. Assessed under the use class of service station, the number of bays required would be 10 - 15 [depending on the number of employees]. The use of the site is, however, more appropriately assessed as shop and warehousing.

Additionally, no allocation has been made for parking of vehicles towing trailers, boats or caravans. Given the oversupply of car parking bays this can be resolved by provision of bays near the western boundary to provide for these vehicles. This would still leave sufficient car parking bays.

Construction of Parking & Access

The development has been completed with concrete parking and access ways for the majority of the site, with the exception of one portion of the Bandicoot Drive road reserve. If the development did not require the use of the road reserve for traffic access and parking, there would be no need to seal the driveways and parking areas. This requirement is derived solely by the use of the road reserve by the developer. Accordingly it is incumbent on the developer to seal this driveway, as Council should not incur costs associated directly to the benefit of a development.

Construction of Pathways

Given that the developer will utilise the majority of the road reserve adjacent to the site for access to the development, and consequent commercial return, it is appropriate to require the developer to adequately provide for pedestrian access to the street. Accordingly, pathways to some extent of Bandicoot Drive road reserve frontage should be constructed to Council specifications by the proponent or by a contractor at the proponent's cost.

Landscaping

In normal circumstances, the road reserve allows for the development of landscaping and treatments to provide aesthetic streetscapes. Given that the developer in this case is utilising the majority of the Road Reserve for driveways and parking areas, it is appropriate to require landscaping to reduce the impact of the development on the streetscape, especially as the development has little architectural variation.

CONSULTATION

Town Planning Scheme No. 7 (Kununurra and Environs) does not require any community consultation for the proposed development. Council has the capacity to advertise any application where it considers public consultation to be beneficial.

Council officers have previously discussed traffic safety issues with Main Roads WA officers, who recommended increasing the distance of crossovers from the Messmate Way/ Bandicoot Drive intersection. This is considered to have been achieved.

CONCLUSION

The majority of previous development conditions have been addressed. A number of outstanding issues remain:

- Amalgamation of the lots - amalgamation approved and survey diagram lodged. New title pending
- Sealing of driveways and access areas - Applicant has advised that this is planned for the next 4 - 6 weeks
- Landscaping - Applicant has agreed to provide additional landscaping
- Enclosure of rear portion - applicant has confirmed that loading and storage areas will be enclosed, as well as air conditioning and refrigeration plant

The applicant has agreed to address these issues and the correspondence is attached as attachment 3.

The Council expressed concern at the briefing session in February 2008 that the outstanding matters had not been dealt with. To allay these concerns and ensure these matters are addressed, it is recommended that the applicant be advised that the current application will be approved only when these outstanding matters are addressed. A delegation allowing the CEO to issue the approval, subject to conditions, will ensure a timely approval once the outstanding issues have been addressed.

Use of Road Reserve:

It is clear that the floor area of the Ord River Roadhouse has expanded considerably, and that this expansion utilises and requires the use of the road reserve. It is a clear and established principle that car parks and driveways are required to be constructed by the developer, and where they cannot be located on the property, the developer must either construct them or pay for them to be constructed. It is incumbent on the developer in this instance to construct the driveways and parking areas, and this cost should not be borne by the ratepayer. It is also common for developers to pay for footpaths and other infrastructure that is required as a direct result of the development.

It is considered that the new application conforms to the objectives and development provisions of the Scheme, and can be supported with modifications effected by conditions to address the following issues:

- Insufficient landscaping has occurred
- Removal of the canopy that extends into the road reserve
- Provision of pedestrian access from the rear of the site to the front, given the removal of all bays on the northern and north eastern elevations
- Provision of additional footpaths to Bandicoot Drive

Given concerns with the timely completion of approval conditions, under Clause 11.5.1(a), Council can determine a shorter time period to comply with conditions.

ATTACHMENTS

1. Correspondence from the proponent's Surveyors confirming imminent amalgamation of the subject lots
2. Development plans.
3. Correspondence from Proponent

Note: larger plans are available for inspection on request, and can be tabled at the Council meeting.

VOTING REQUIREMENT

Simple Majority.

MANAGERS' RECOMMENDATION

That Council:

1. Advise Munnern Pty Ltd that it is not prepared to approve the application for development consent for extensions to the Road House on Lots 227, 1203, 968, 1273 & 1274 at the corner of Messmate Way and Bandicoot Drive until the following matter is resolved:
 1. The driveway exiting onto Bandicoot Drive is sealed to the satisfaction of Council
2. Authorise the CEO to issue an approval under delegated authority to Munro Family Trust and Warriner Family Trust for development of extensions to the existing Road House on Lots 227, 1203, 968, 1273 & 1274 at the corner of Messmate Way and Bandicoot Drive on completion of the item included in part 1 of this resolution, and subject to the following conditions:
 1. In accordance with Clause 11.5.1(a), set the approval period for completion of all conditions at 12 months from the date of granting of development approval by the CEO under delegated authority, given Councils' existing concerns regarding timely completion of previous development conditions.
 2. Parking shall be prohibited in all portions of the Road Reserves fronting Messmate Way and Bandicoot Drive to provide for safe vehicular and pedestrian movement around the site.
 3. Provision of a verandah/awning a minimum width of 1.2 metres to the northern elevation, to improve the aesthetics of the elevation and provide protected pedestrian access from the rear car park area to the front entrance of the road house, given that the car parks in the north east corner have been removed, OR provision of a verandah/awning from the rear car park around the southern elevations to provide protected pedestrian access from the rear car park area to the front entrance of the road house;

4. Preparation, submission and implementation of a landscape plan to the satisfaction of the CEO;
5. Installation of footpaths to Council specification to Bandicoot Drive to provide pedestrian amenity and safety and to define a reduced crossover width to the north western crossover to Bandicoot Drive;
6. Removal of any portion of the canopy that extends into any road reserve;
7. Standard conditions issued under delegated authority in accordance with Council's standard conditions list.

COUNCIL DECISION

Minute No. 8075

Moved: Cr J Buchanan

Seconded: Cr J Parker

That Council:

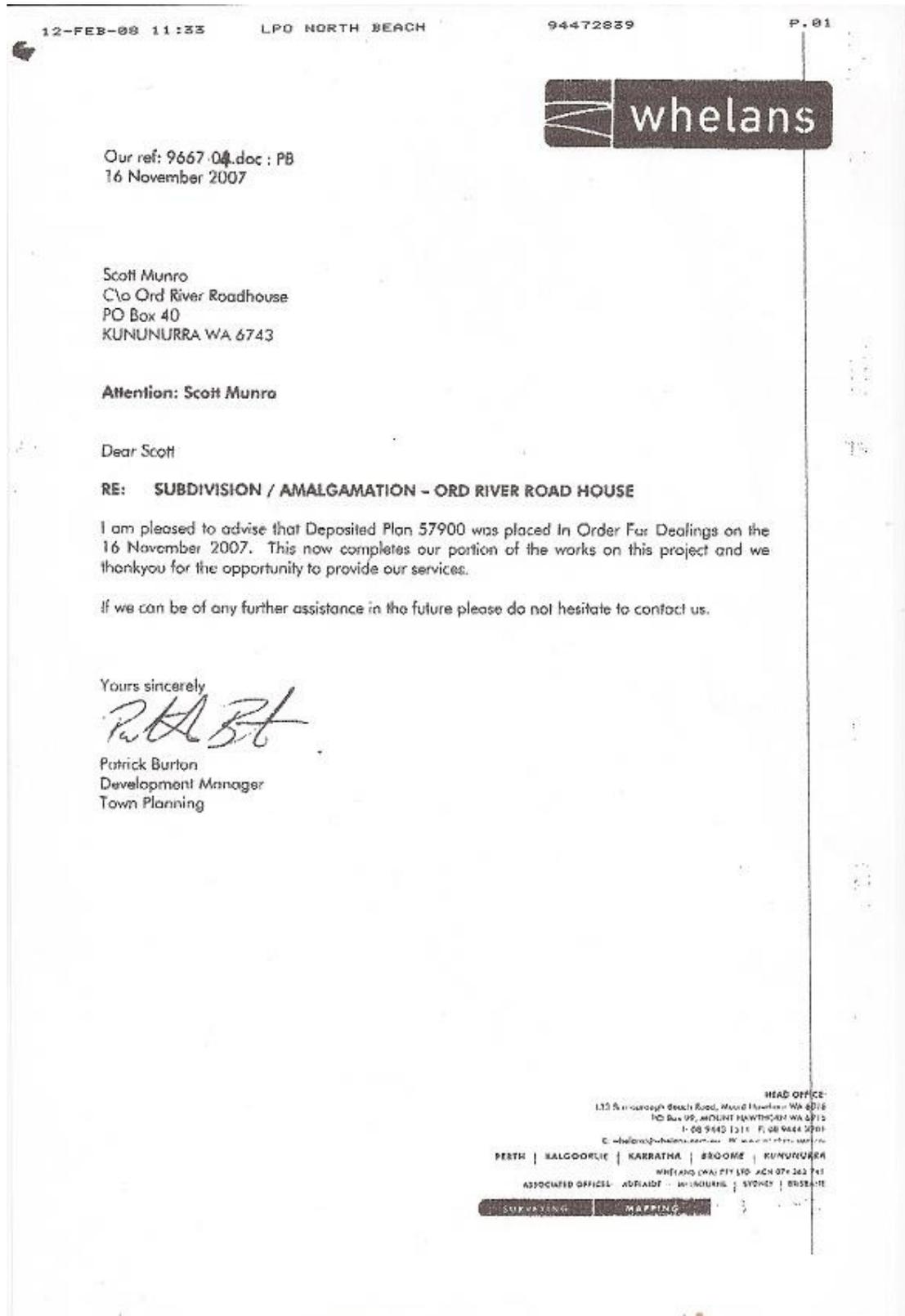
1. ***Advise Munnern Pty Ltd that it is not prepared to approve the application for development consent for extensions to the Road House on Lots 227, 1203, 968, 1273 & 1274 at the corner of Messmate Way and Bandicoot Drive until the following matter is resolved:***
 1. ***The driveway exiting onto Bandicoot Drive is sealed to the satisfaction of Council***
2. ***Authorise the CEO to issue an approval under delegated authority to Munro Family Trust and Warriner Family Trust for development of extensions to the existing Road House on Lots 227, 1203, 968, 1273 & 1274 at the corner of Messmate Way and Bandicoot Drive on completion of the item included in part 1 of this resolution, and subject to the following conditions:***
 1. ***In accordance with Clause 11.5.1(a), set the approval period for completion of all conditions at 12 months from the date of granting of development approval by the CEO under delegated authority, given Councils' existing concerns regarding timely completion of previous development conditions.***
 2. ***Parking shall be prohibited in all portions of the Road Reserves fronting Messmate Way and Bandicoot Drive to provide for safe vehicular and pedestrian movement around the site.***
 3. ***Provision of a verandah/awning a minimum width of 1.2 metres to the northern elevation, to improve the aesthetics of the elevation and provide protected pedestrian access from the rear car park area to the front entrance of the road house, given that the car parks in the north east corner have been removed, OR provision of a verandah/awning from the rear car park around the southern elevations to provide protected pedestrian access from the rear car park area to the front entrance of the road house;***

- 4. Preparation, submission and implementation of a landscape plan to the satisfaction of the CEO;**
- 5. Installation of footpaths to Council specification to Bandicoot Drive to provide pedestrian amenity and safety and to define a reduced crossover width to the north western crossover to Bandicoot Drive;**
- 6. Removal of any portion of the canopy that extends into any road reserve;**
- 7. Standard conditions issued under delegated authority in accordance with Council's standard conditions list.**

Carried Unanimously 6/0

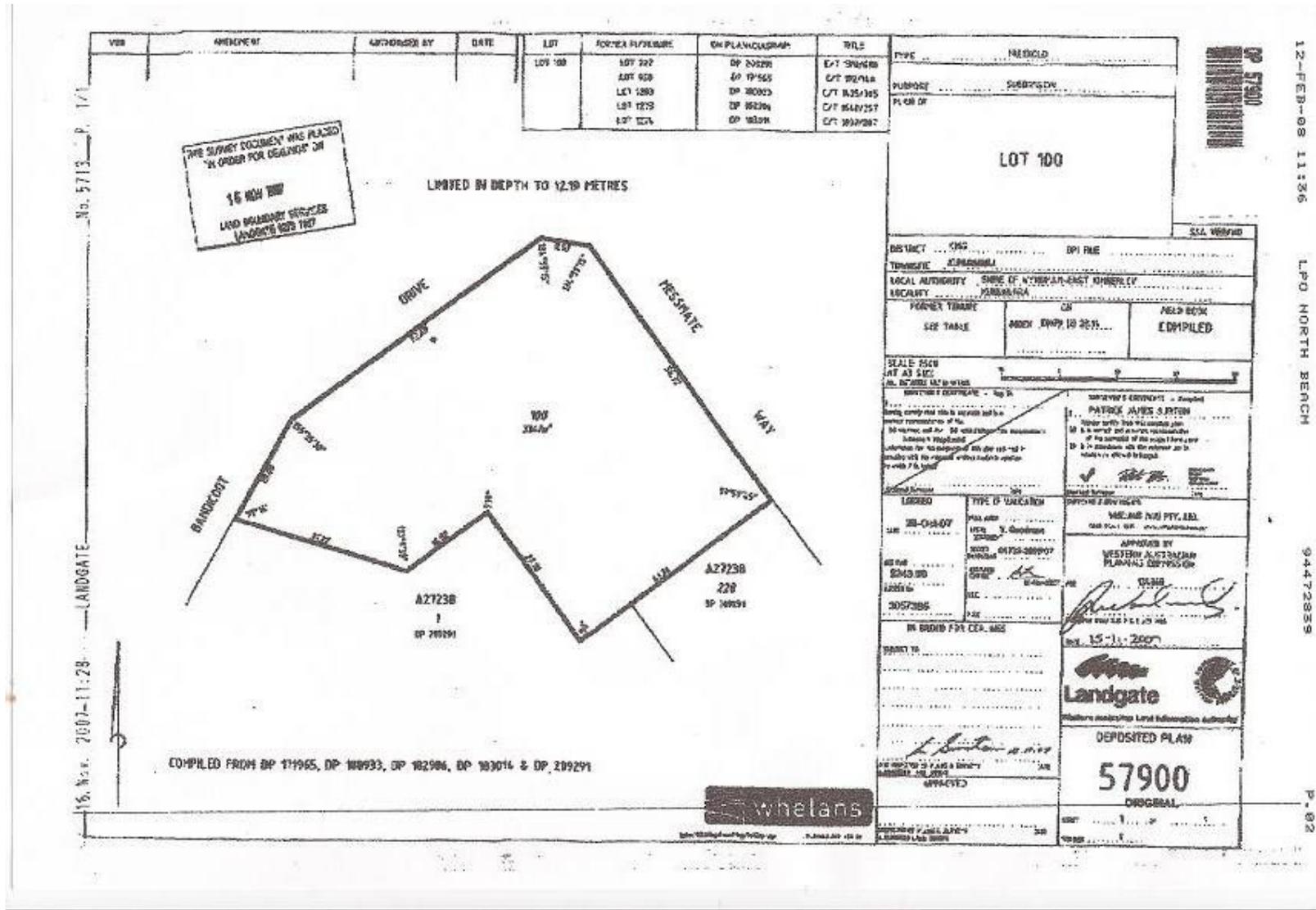
Scott Munro, Hamish Munro, Peter Collins left the public gallery at 7:14pm

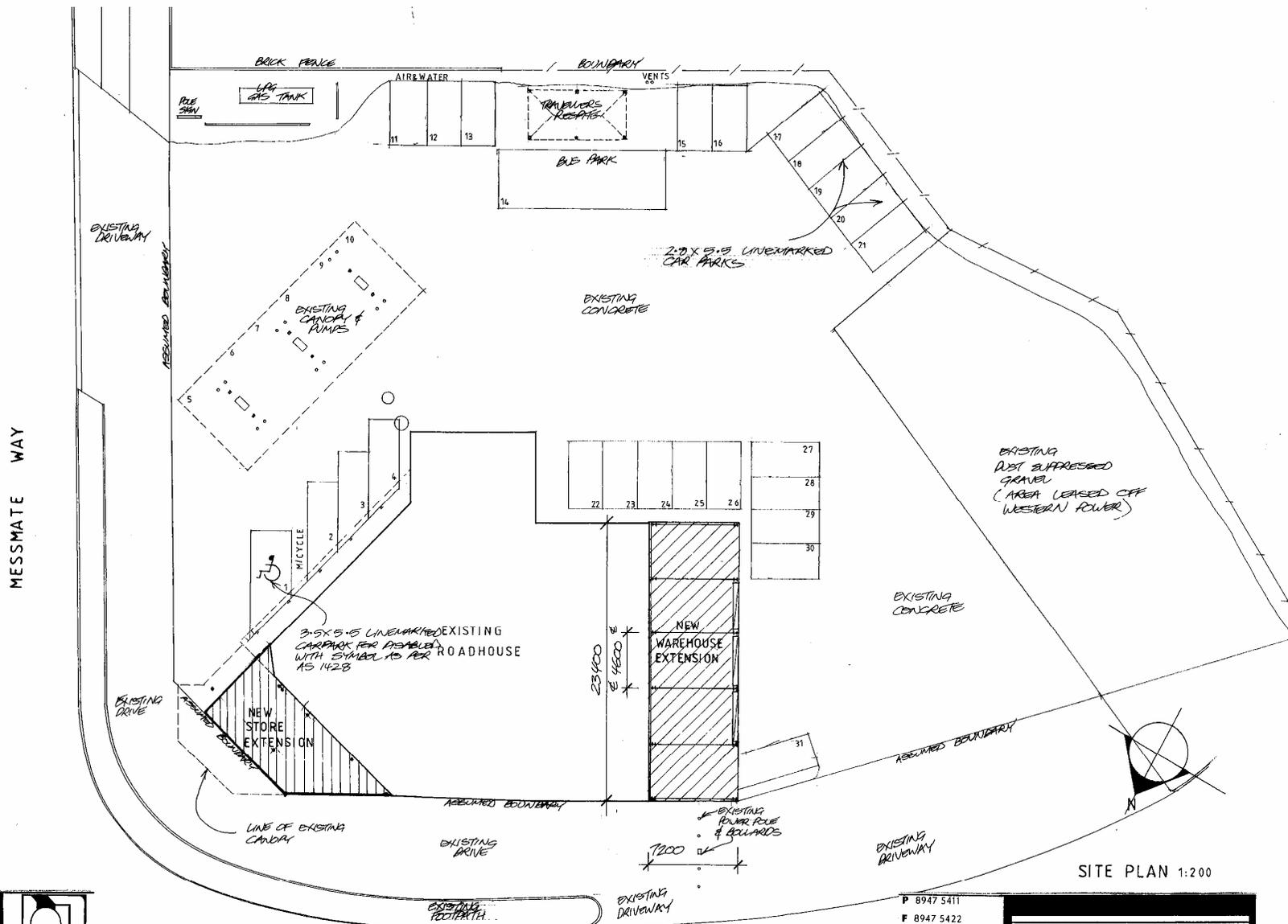
Attachment 1: Advice From Whelans Regarding Amalgamation



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Attachment 2: Development Plans





SITE PLAN 1:200

PROPOSED ALTERATIONS TO THE ORD RIVER BP ROADHOUSE LOT
 BANDICOOT DRIVE
 MESSMATE WAY KUNUNURRA

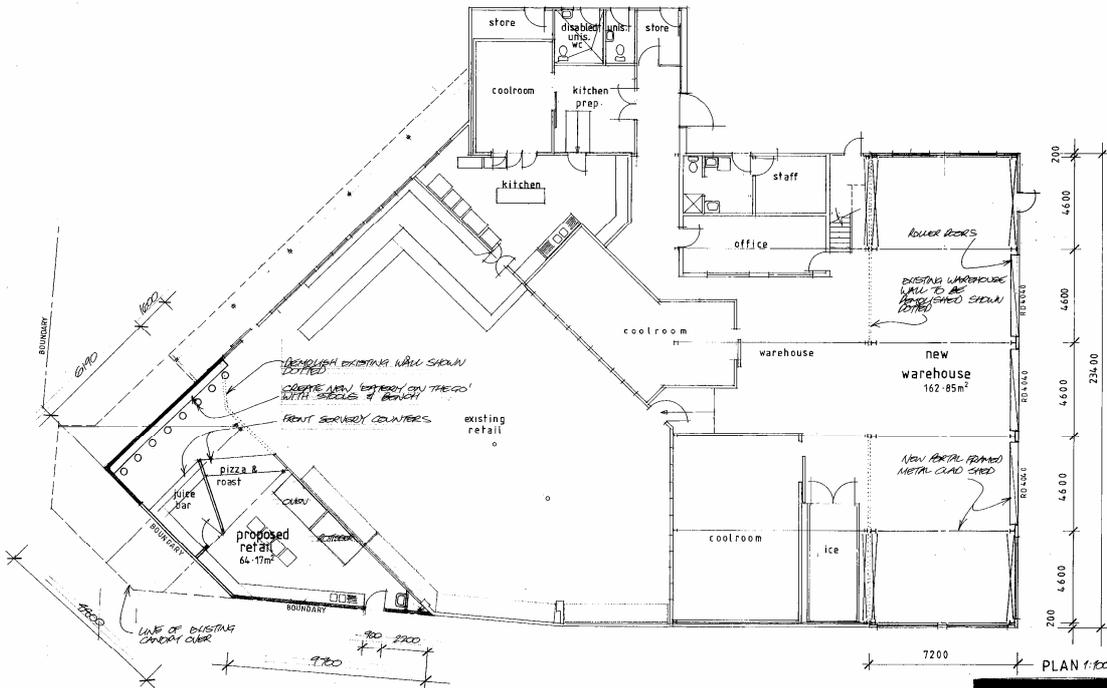
P 8947 5411
 F 8947 5422
 M 0409 893 873
 PO Box 37445
 Winnellie NT 0821

MOONBEAM
BUILDING DESIGN

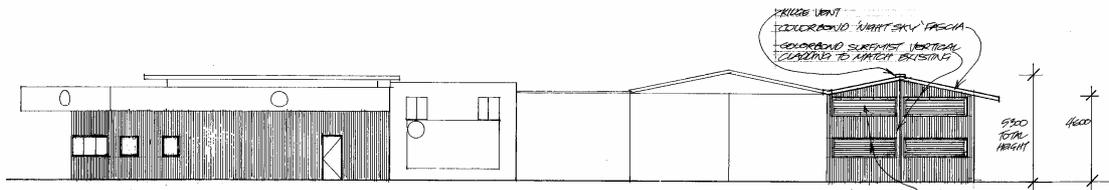
NOV 07

MBD - 742 - 1

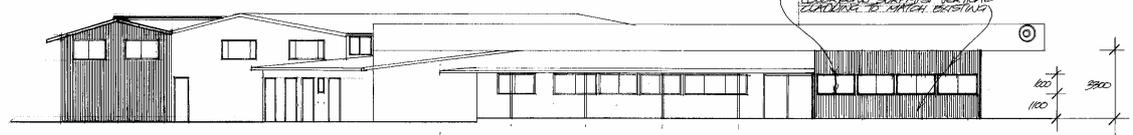
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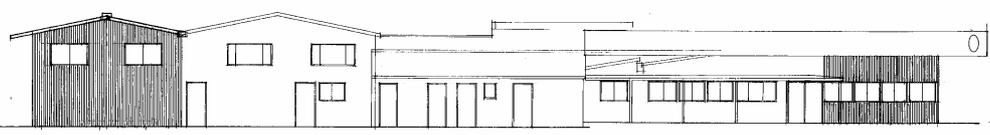
MOONBEAM
MBD - 742 - 2



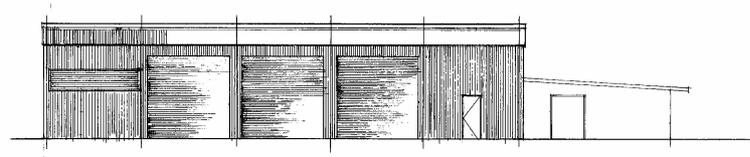
NORTH ELEVATION 1:100



EAST ELEVATION 1:100



SOUTH ELEVATION 1:100



WEST ELEVATION 1:100

ELEVATIONS
MOONBEAM
MBD - 742 - 3

Attachment 3: Correspondence from Proponent

Munners Pty Ltd
PO Box 40
KUNUNURRA WA 6743

Att: Mr Keith Williams
Shire of Wyndham – East Kimberley
PO Box 614
KUNUNURRA WA 6743

12th February 2008

RE: Development of Lots 227, 968, 1203, 1273 & 1274 [LOT 100] Messmate Way

Dear Mr Williams,

This letter is to advise the Shire of Wyndham-East Kimberley the current status of the above development. Munners Pty Ltd has been liaising with Nomad Concreting with regards to the completion of sealing the exit onto Bandicoot Drive. This job has been booked in with Nomad Concreting and will be completed within the next 4 – 6 weeks, weather permitting.

We are committed to implementing more landscaping on site in consultation with council officers.

The extension to the rear of the building will enclose our existing storage area, air conditioning and refrigeration plant.

An application has been lodged for the fire hydrant and we await installation by the Water Corporation.

Yours sincerely,

Scott and Helen Munro
Munners Pty Ltd
Tel 08 9169 1188
Fax 08 9169 1333
Mob 0407 691 799

12.2.5. Proposed Development Guide Plan - Swim Beach

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Millington Drive
AUTHOR:	Keith Williams, Executive Manager Town Planning
REPORTING OFFICER:	Keith Williams, Executive Manager Town Planning
FILE NO:	43.04.08
ASSESSMENT NO:	2860 & 5626

PURPOSE

For Council to consider adopting a development guide plan for Swim Beach in accordance with the Lake Kununurra Foreshore Plan.

BACKGROUND

The Lake Kununurra Foreshore Plan was adopted in 2006. Various proposals for swim beach 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.

It is proposed to adopt a guide plan for the development of Swim Beach to provide a basis for allocation of funds and to guide development in accordance with the approved foreshore plan.

STATUTORY IMPLICATIONS

Portion of the site is a co-vested Reserve between the Shire and the Department of Water.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Approximately \$120 000 estimated total cost for development in accordance with the plan, based on a desktop assessment undertaken by Council's engineering department.

This is broken into:

ITEM	ESTIMATED \$ COST	ESTIMATED TIMEFRAME	FUNDING SOURCE
<i>Earthworks</i>			
Excavation - 900m ³	10 000	2008	SWEK Parks Plan
Riversand - 850 m ³	30 000	2008	SWEK Parks Plan
<i>Park Infrastructure</i>			
Concrete Path - 250m	35 000	2008/09	SWEK + Grant funding
Picnic Shelters x 4	30 000	2009	SWEK + Grant funding + Corporate sponsorship?
Seats x 6			
Grass Seeding	2 000	2008	SWEK
Bollards + Signage	8 000	2008	SWEK
Tree Planting & guards	5 000	2008/09	SWEK + External funding

STRATEGIC IMPLICATIONS

Nil.

COMMENT

The Swim Beach Development Guide Plan is consistent with the Lake Kununurra Foreshore Plan. Works have been identified to improve the park, and to make extensions to the swim beach area:

- Increase the number of beaches
- Create a 'dog beach'
- Plant trees and protect new trees
- Provide a link path to the pathway on Victoria Highway
- Provide new park infrastructure such as shelters and seats
- Install bollards and fencing to prevent vehicular access to park areas

The beaches will be established by firstly identifying all vegetation that will be retained, and tagging such vegetation. Banks will then be excavated to create gently sloping beaches. These will be over-excavated by up to 750 mm to allow for adequate backfill of screened sand. Excavated material will be used to fill hollows and level the park land areas. Then river sand will be carted and placed to create 15 metre wide beaches, with an average of 600 mm deep sand, and a maximum 1:20 batter. Two beaches approximately 70 metres in length will be created, and the existing swim beach will be extended to approximately 70 metres length.

Funds to improve beaches will be allocated from the Parks Plan funds, and other funds will be sourced for other items. Some items will be submitted for consideration during normal budget processes.

The plan is recommended for adoption. Once adopted the plan will be referred to the Department of Water for their approval as co-vestee. The plan will then be referred to relevant agencies for clearing permits, beds and banks permits in order that works can commence.

ATTACHMENTS

1. Swim Beach Development Guide Plan, Version 1 February 2008

VOTING REQUIREMENT

Simple Majority

MANAGERS RECOMMENDATION

That Council adopt the Swim Beach Development Guide Plan, February 2008, Version 1 as the strategic guide for the development of Swim Beach, and allocate \$40 000 from the sale of parks under the Parks Plan, for the extension of the swimming beaches.

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council adopt the Swim Beach Development Guide Plan, February 2008, Version 1 as the strategic guide for the development of Swim Beach, and allocate \$40 000 from the sale of parks under the Parks Plan, for the extension of the swimming beaches.

COUNCIL DECISION

Minute No. 8076

Moved: Cr D Ausburn

Seconded: Cr F Mills

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

Carried Unanimously 6/0

COUNCIL DECISION

Minute No. 8077

Moved: Cr D Ausburn

Seconded: Cr J Buchanan

That Council resume Standing Order 7.5.

Carried Unanimously 6/0

Peter Stubbs left the room at 7:15pm

COUNCIL DECISION

Minute No. 8078

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council adopt the Swim Beach Development Guide Plan, February 2008, Version 1 as the strategic guide for the development of Swim Beach, and allocate \$40 000 from the sale of parks under the Parks Plan, for the extension of the swimming beaches.

Carried 5/1

Peter Stubbs returned to the room at 7:18pm

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12.3. CORPORATE SERVICES

12.3.1. Monthly Financial Reports

DATE:	19 February 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Amanda Trengove, Manger Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

To provide Council with the Monthly Financial Report for December 2007 in accordance with legislative requirements.

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 December 2007
2. Net Current Assets as at 31 December 2007
3. Explanation of Material Variances as at 31 December 2007

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council receive and accept the Monthly Financial Reports for month end of December 2007.

COUNCIL DECISION

Minute No. 8079

Moved: Cr J Buchanan

Seconded: Cr K Wright

That Council receive and accept the Monthly Financial Reports for the month end of December 2007

Carried Unanimously 6/0

Shire of Wyndham East Kimberley

Rate Setting Statement as at 31 December 2007

	2007/08 Budget	YTD Budget 31 December 2007 \$	YTD Actual 31 December 2007 \$	Variance Budget less Actual
Operating				
Recurrent Revenue - Excluding Rates				
Governance	85,050	59,921	50,308	9,613
General Purpose Funding	3,690,170	1,761,693	1,766,140	(4,447)
Law, Order, Public Safety	82,675	31,031	31,182	(151)
Health	142,600	80,526	93,384	(12,858)
Education and Welfare	686,523	55,681	82,654	(26,973)
Housing	825,342	35,957	34,601	1,356
Community Amenities	1,510,100	1,231,037	1,212,327	18,710
Recreation and Culture	442,400	179,433	190,394	(10,961)
Transport	109,000	109,000	115,178	(6,178)
Economic Services	141,873	60,332	159,312	(98,980)
Other Property and Services	1,561,304	-	2,923	(2,923)
Airport Operations	1,947,351	848,288	1,260,138	(411,850)
	11,224,388	4,452,899	4,998,541	(545,642)
Recurrent Expenditure				
Governance	(838,378)	(329,593)	(293,435)	(36,158)
General Purpose Funding	(293,776)	(146,878)	(85,165)	(61,713)
Law, Order, Public Safety	(372,021)	(176,428)	(170,995)	(5,433)
Health	(390,073)	(192,012)	(150,384)	(41,628)
Education and Welfare	(341,969)	(170,941)	(144,918)	(26,023)
Housing	(175,308)	(103,575)	(83,238)	(20,337)
Community Amenities	(2,318,871)	(1,088,541)	(1,011,654)	(76,887)
Recreation & Culture	(2,796,266)	(1,407,414)	(1,406,059)	(1,355)
Transport	(2,914,235)	(1,450,694)	(1,627,237)	176,543
Economic Services	(612,066)	(307,439)	(326,171)	18,732
Other Property and Services	(54,323)	(642,671)	(580,019)	(62,652)
Airport Operations	(1,780,344)	(831,981)	(770,596)	(61,385)
	(12,887,629)	(6,848,167)	(6,649,871)	(198,296)

Shire of Wyndham East Kimberley

Rate Setting Statement (continued) as at 31 December 2007

	2007/08 Budget	YTD Budget 31 December 2007 \$	YTD Actual 31 December 2007 \$	Variance Budget less Actual
Capital				
<i>Sale of Assets / Land Held for Resale</i>	3,413,000	1,022,700	1,084,334	(61,634)
<i>Capital Grants/Contributions</i>	3,103,080	529,300	553,091	(23,791)
	6,516,080	1,552,000	1,637,425	(85,425)
Capital Expenditure (by Class)				
Land and Buildings	(1,782,400)	(634,398)	(659,246)	24,848
Infrastructure Assets - Roads	(2,974,200)	(661,992)	(729,435)	67,443
Infrastructure Assets - Other	(2,916,890)	(364,718)	(170,539)	(194,179)
Plant and Equipment	(944,000)	(465,498)	(529,425)	63,927
Furniture and Equipment	(95,000)	(92,000)	(50,363)	(41,637)
	(8,712,490)	(2,218,606)	(2,139,008)	(79,598)
Adjustments				
Debenture Principal Repayments	(174,039)	(92,065)	(83,883)	(8,182)
Proceeds from New Debentures	250,000	-	-	-
Community Loans	16,224	6,225	6,134	91
Transfers from Reserves	689,155	-	-	-
Transfers to Reserves	(1,263,289)	-	-	-
	(481,949)	(85,840)	(77,749)	(8,091)
Adjustments and Accruals				
Depreciation	2,704,800	1,344,966	1,345,365	(399)
Accruals	-	-	-	-
Profit/Loss on Sale of Assets	(2,964,676)	-	-	-
Opening Funds - (Deficit) Surplus	498,317	498,317	498,317	-
Closing Funds - (Deficit) Surplus	239,033	3,037,762	3,865,385	(827,623)
Amount Raised from Rates	4,342,193	4,342,193	4,252,366	89,827

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity For the Period Ended 31 December 2007

	YTD Actual 2007/08 \$
Note 1. Net Current Assets	
<i>Composition of Net Current Asset Position</i>	
Current Assets	
Cash - Unrestricted	3,452,305
Cash - Reserves	3,167,572
Cash - Restricted Unspent Grants	0
Investments - Restricted	0
Receivables	1,549,092
Inventories	76,390
Land Held for Resale	0
	<hr/> 8,245,358
<i>Less</i>	
Current Liabilities	
LSL Provision	(55,248)
Annual Leave Provision	(157,068)
Payables	(1,000,085)
	<hr/> (1,212,400)
<i>Less</i>	
Restricted Reserves	
Cash	3,167,572
Investments	0
	<hr/>
	<hr/>
Net Current Asset Position	<hr/> 3,865,385 <hr/>

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity For the Period Ended 31 December 2007

Explanation of Material Variances

Variances +/- \$80,000

Operating

Recurrent Revenue - Excluding Rates

There is a material variance in Economic Services due to the receipt of a contribution from the Beacon Foundation for the Something Concrete Program.

There is a material variance in Airports due to increased income for Head Tax and Landing Fees. This may plateau out over quieter months of January & February.

Recurrent 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.

Capital

Sale of Assets / Land Held for Resale

There are no material variances requiring explanation

Capital Grants / Contributions

There are no material variances requiring explanation

Capital Expenditure (by Class)

There is a material variance in Infrastructure Assets - Other due to officers budgeting that projects relating to Airport be started prior to Wet Season, however the upgrade to the Car park will not be started until after the Wet Season and the Upgrade to Taxi Way Foxtrot is awaiting confirmation of grant funding.

Adjustments

There are no material variances requiring explanation

Adjustments and Accruals

There are no material variances requiring explanation

12.3.2. 90 Day Aged Debtors Listing

DATE:	19 February 2008
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Gill Old, Senior Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

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

BACKGROUND

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

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Ongoing management of Council funds.

STRATEGIC IMPLICATIONS

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

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

COMMUNITY CONSULTATION

N/A

COMMENT

The listing of 90 Day Sundry Debtors is presented to Council consistent with past practice.

ATTACHMENTS

List of 90 Day Sundry Debtors

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council receive and accept the listing of 90 Day Sundry Debtors as at 31 January 2008 totalling \$89,429.98 (GST inclusive).

COUNCIL DECISION

Minute No. 8080

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council receive and accept the listing of 90 Day Sundry Debtors as at 31 January 2008 totalling \$89,429.98 (GST inclusive).

Carried Unanimously 6/0

Sundry Debtors as of 31 January 2008

Debtor Number	Amounts Over 90 Days Outstanding	Balance at 31 January 2008	Debt Collection Status for Debts over 90 Days
82909	28.15	2214.15	Reminder Notice Issued
96281	5,949.96	5,949.96	Debt with Credipac
80624	133.40	1,013.40	Reminder Notice Issued
96393	134.63	134.63	Final Notice Issued
86116	24.00	24.00	Reminder Notice Issued
82571	1,276.00	1,276.00	Reminder Notice Issued
96431	16.00	16.00	Reminder Notices Issued
82625	260.00	260.00	Final Notice Issued
82731	3,148.99	5,912.44	Reminder Notice Issued
98565	43.67	546.70	Reminder Notice Issued
96235	136.00	344.00	Reminder Notice Issued
82259	245.00	616.65	Reminder Notice Issued
82932	73.00	73.00	Reminder Notice Issued
80569	576.00	1,536.00	Reminder Notice Issued
96392	880.00	880.00	Debt with Credipac
98614	33.45	33.45	Debt to be paid 14th Feb
80095	55,304.39	55,304.39	Negotiated Settlement. Awaiting Payment
80165	9,672.69	20,141.41	Monthly Repayment Agreement in place
80129	20.75	45,125.22	Reminder Notice Issued
97101	400.00	400.00	Debtor with Credipac
82551	696.76	696.75	Repayment Agreement in place
96375	64.00	64.00	Reminder Notice Issued
81258	10,183.14	10,183.14	Monthly Repayment Agreement in place
	89,429.98	152,875.29	

12.3.3. List Of Accounts Paid Under Delegation 18

DATE:	19 February 2008
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Sue Dillon, Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

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

BACKGROUND

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

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Delegation 18 – Payment of Creditors

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

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

COMMUNITY CONSULTATION

N/A

COMMENT

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

ATTACHMENTS

List of Accounts Paid Under Delegation 18.

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

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

Municipal cheques 038206 - 038245 (11 th January 2008 to 31 st January 2008)	\$ 86,955.40
EFT102158 to EFT102326 (7 th January 2008 to 31 st January 2008)	\$ 844,946.87
Payroll (1 st to 31 st January 2008)	\$ 297,837.41
Direct bank debits (1 st to 31 st January 2008)	\$ 8,604.51
Total	\$1,238,344.19

COUNCIL DECISION

Minute No. 8081

Moved: Cr K Wright

Seconded: Cr D Ausburn

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

<i>Municipal cheques 038206 - 038245 (11th January 2008 to 31st January 2008)</i>	<i>\$ 86,955.40</i>
<i>EFT102158 to EFT102326 (7th January 2008 to 31st January 2008)</i>	<i>\$ 844,946.87</i>
<i>Payroll (1st to 31st January 2008)</i>	<i>\$ 297,837.41</i>
<i>Direct bank debits (1st to 31st January 2008)</i>	<i>\$ 8,604.51</i>
<i>Total</i>	<i>\$1,238,344.19</i>

Carried Unanimously 6/0

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List of Accounts Paid Under Delegation 18

List of accounts submitted to Council 19/02/08

Chq/EFT	Date	Name	Description	Amount
EFT102158	07/01/2008	WESTERN AUST. TREASURY CORPORATION	FINAL PAYMENT EARLY PAYOUT OF LOAN 104	13,155.41
EFT102159	11/01/2008	AIRPORT LIGHTING SPECIALISTS	LENS/LIGHTS FOR AIRSTRIP, INCL FREIGHT	1,536.70
EFT102160		ALLIED PICKFORDS PTY LTD	RELOCATION EXPENSE FOR WYNDHAM POOL MANAGER	8,448.00
EFT102161		ANSTAT	FOOD STANDARDS CODE AND USER GUIDE	380.00
EFT102162		AUSTRALIA POST	POSTAGE PAID FOR DECEMBER 2007	328.86
EFT102163		BOAB REFRIGERATION AND AIR CON	REPAIRS TO AIR CON 16 KIMBERLEY STREET	165.00
EFT102164		CARPET VINYL & TILE CENTRE	ACOUSTIC WALL PANELLING, WYNDHM ADMIN REFURB.	2,970.00
EFT102165		CORPORATE EXPRESS	AUGUST STATIONERY ORDER	2,925.07
EFT102166		COURIER AUSTRALIA	FREIGHT OF SIGNS TO KUNUNURRA LEISURE CENTRE	72.88
EFT102167		CROCODILE SIGNS	VACANT HOUSE & LAND SIGNS, ENVIRON HEALTH BROCHURES, REFLECTIVE ROAD SIGNS	2,333.65
EFT102168		EAST KIMBERLEY GLASS	REPAIRS TO BROKEN WINDOW AT EWIN CENTRE	527.60
EFT102169		EAST KIMBERLEY HARDWARE	HARDWARE SUPPLIES - CEMENT FOR DRAINS	2,664.60
EFT102170		FISCHER, CYNTHIA	MONTHLY CLEANING OF WYNDHAM TOILETS	3,642.37
EFT102171		FRONTIER POST & NEWS	PAPERS AND POSTAGE DECEMBER 2007 WYNDHAM	30.90
EFT102172		GLOBE AUSTRALIA PTY LTD	CARBURETTOR FOR DYNA FOGGER	196.90
EFT102173		GLENEDA PASTORAL CO.	BUS HIRE	300.00
EFT102174		ICEAGE REFRIGERATION & AIR CONDITIONING	REPAIRS TO AIR CON 3 EUCALYPTUS STREET	440.00
EFT102175		K & M ALLCLEAN	CONTRACT CLEANING KUNUNURRA FACILITIES & CALLOUT	14,331.72
EFT102176		KALUMBURU MISSION	2 NIGHTS ACCOMMODATION K. FEWSTER 04-05/12/07	180.00
EFT102177		KIMBERLEY MARKETING	CLEAR PLASTIC CUPS FOR LEISURE CENTRE	86.90
EFT102178		KIMBERLEY METAL RECYCLERS	CONTRACT MANAGEMENT OF LANDFILL SITES	21,103.50
EFT102179		KIMBERLEY MOTORS	FUEL PURCHASED FOR NOVEMBER 2007	2,977.15
EFT102180		KUNUNURRA CRUISES 'THE BBQ BOAT'	YOUTH BOAT CRUISE	600.00
EFT102181		KUNUNURRA MOBILE WELDING SERVICE	REPAIRS TO VANDALISED FENCE - POOL / TOURIST BUREAU	220.00
EFT102182		KUNUNURRA POOLS AND SPAS	HALF PALLET OF SALT DELIVERED TO WYNDHAM POOL	429.00
EFT102183		KUNUNURRA REFRIGERATION	REPAIRS TO AIR CON AT PETER REID HALL	649.00
EFT102184		KUNUNURRA RURAL TRADERS	TEST AND RETURN OF FIRE EXTINGUISHER	316.80

EFT102185	KUNUNURRA SECURITY SERVICE	AIRPORT BAGGAGE AND SCREENING KUNUNURRA, ALARM LEASE, SECURITY PATROLS AND MONITORING OF ALARMS KUNUNURRA AND WYNDHAM NOV 2007	23,161.00
EFT102186	LANDGATE	REVALUATION MINING TENEMENTS	168.20
EFT102187	MALCOLM THOMPSON PUMPS	PARTS FOR POOL PUMP WYNDHAM	402.14
EFT102188	MERCURY FIRE SAFETY PTY LTD	CHEMICAL WARNING SIGNS	66.55
EFT102189	MARINA ANDREA CANISE TOY	REIMBURSEMENT OF EXPENSES LIBRARY ACTIVITIES	27.53
EFT102190	NORTHERN IT SERVICES	SETUP FOUR X 8 NEW WORKSTATIONS KUNUNURRA OFFICE	1,467.50
EFT102191	OFFICE NATIONAL KUNUNURRA	ELECTRIC BINDER	1,114.00
EFT102192	ORD RIVER ELECTRICS	REPAIRS TO AIR CON AT 28 EUGENIA STREET	110.00
EFT102193	ORDCO AGRICULTURE	2L CYDECTIN-POUR ON	247.50
EFT102194	POWERSHIELD	REPLACEMENT 8 X BATTERIES FOR UPS'S	407.00
EFT102195	PRO-CUT GARDEN MAINTENANCE	MOWING AND EDGING LANDSIDE AND AIRPORT	250.00
EFT102196	ROYAL LIFE SAVING (WA BRANCH)	LIFEGUARD REQUALIFICATION FOR JASON MORGAN	200.00
EFT102197	SEARLES MECHANICAL REPAIRS	40,000KM SERVICE FOR 1CIU595	673.95
EFT102198	THE CANVAS SHED	SHADE CLOTH FOR AIRPORT HOUSE	1,001.00
EFT102199	TOLL WEST	FREIGHT CHARGES FOR PERIOD ENDING 16/12/07	208.17
EFT102200	TOP END MOTORS	SUPPLY POWER TO CANOPY AFTER FITTING	867.46
EFT102201	TOP END TILT TRAY HIRE	REMOVAL OF VEHICLE FROM SWIM BEACH TO DEPOT	99.00
EFT102202	TRENGOVE, AMANDA JANE	REIMBURSEMENT OF WATER SUBSIDY	185.14
EFT102203	TUCKERBOX/RETRAVISION	GOODS SUPPLIED, RECHARGEABLE BATTERY KIT, MOBILE PHONE AND COVER	1,524.90
EFT102204	UHY HAINES NORTON (WA) PTY LTD	PROGRESSIVE BILL AUDIT FOR YEAR END 30/06/07	13,176.90
EFT102205	WESTERN AUST. TREASURY CORPORATION	REPAYMENT OF LOAN AND INTEREST JANUARY 2008	40,758.28
EFT102206	17/01/2008 AUSTRALIAN TAXATION OFFICE	BAS JUNE 2007	102,979.00
EFT102207	18/01/2008 AIR LIQUIDE WA PTY LTD	GAS PURCHASED FOR DEPOT NOVEMBER 2007	898.76
EFT102208	ALLGEAR MOTORCYCLES	PARTS (CLUTCH, FUEL FILTER),REPAIRS TO HONDA MOWER	762.70
EFT102209	AUSFUEL AFD AUSTRALIAN FUEL DISTRIBUTORS	DIESEL PURCHASED DECEMBER 2007	6,021.12
EFT102210	AUST GOVT NATIONAL MEASUREMENT INST	STORMWATER SAMPLE ANALYSIS	1,006.28
EFT102211	BEAUREPAIRES (KUNUNURRA)	NEW TYRE OF WY10432	492.50
EFT102212	BOAB REFRIGERATION AND AIR CON	SUPPLY AND INSTALL AIR CON TO WYNDHAM OFFICE	2,200.00
EFT102213	BOC GASES AUSTRALIA LIMITED	SUPPLY OF BOC CYLINDERS DECEMBER 2007	16.33
EFT102214	BOSS FLUID POWER	SUPPLY OF CONSUMABLES FOR PUBLIC FACILITIES	2,792.02
EFT102215	BRENDAN JOHNS ELECTRICS	ELECTRICAL WORK IN AIRPORT TERMINAL	256.50

EFT102216	BROADCAST AUSTRALIA PTY LTD	POWER RECOVERY FROM CHANNEL TRANSMITTERS	681.52
EFT102217	CIVIC LEGAL	REGISTRATION BUSINESS NAME :KIMBERLEY HALL OF FAME	1,021.68
EFT102218	CORPORATE EXPRESS	DESK FOR ADMIN OFFICE	185.90
EFT102219	CREDIPAC AUSTRALIA	DEBT COLLECTION FEES DEC 07	166.54
EFT102220	CROCODILE SIGNS	SAFETY SIGNS FOR AIRPORT TERMINAL BUILDING	188.10
EFT102221	DEVITA'S AUTO ELECTRICS	AIR CON REPAIRS TO TRUCK 1BAX455	1,513.20
EFT102222	EAST KIMBERLEY HARDWARE	STAR PICKETS FOR VACANT LAND SIGNS, FERTILISER, PRESSURE SPRAYER	307.95
EFT102223	EAST KIMBERLEY PLUMBING	REPAIRS LEAKING TAP - 3 EUCALYPTUS CL, INSTALL DISH WASHER - 6 EUGENIA ST	554.18
EFT102224	FEWSTER, KELLY	REIMBURSEMENT OF TRAVEL EXPENSES/ ALLOWANCE	2,600.00
EFT102225	GAULT, JOHN DOUGLAS	REIMBURSEMENT OF TRAVEL EXPENSES- ALLOWANCE	2,600.00
EFT102226	GULLIVER'S TAVERN	CATERING FOR VARIOUS COUNCIL FUNCTIONS	836.54
EFT102227	IT VISION ITV	SYNERGY SOFT IMPLEMENTATION COSTS, INCL TRAVEL AND ACCOMMODATION	4,189.13
EFT102228	KIMBERLEY ECHO-ALBANY ADVERTISER	SWEK ENVELOPES AND WITH COMPLIMENTS SLIPS	2,519.20
EFT102229	KIMBERLEY KOOL REFRIGERATION	REPAIRS TO AIR CON IN MAIN ADMIN OFFICE	385.00
EFT102230	KIMBERLEY TREE SERVICES PTY LTD	TREE REMOVAL - 24 LEICHARDT ST & 20B EUCALYPTUS CL	2,909.50
EFT102231	KINGS CROWN INSTRUMENTATION & ELECTRICAL	REPLACE EXHAUST FANS IN TOILETS IN WYNDHAM	314.60
EFT102232	KUNUNURRA BETTA ELECTRICAL & GAS	SIMPSON DISHWASHER	529.00
EFT102233	KUNUNURRA DIESEL SERVICES	MAJOR SERVICE FOR WY11719 KUBOTA TRACTOR	1,815.35
EFT102234	KUNUNURRA LOCK & KEY	SET COMBINATION LOCK ON FIRE RESISTANT CABINET	191.00
EFT102235	LAKE ARGYLE PTY LTD	CLEAR SILT BUILD UP AT MATCHBOX CREEK CROSSING	182.88
EFT102236	MORTENSEN, JESSE	REIMBURSEMENT OF TRAVEL ALLOWANCE	2,600.00
EFT102237	NORTHERN IT SERVICES	RESET LINKS ON LIBRARY PUBLIC COMPUTERS	148.50
EFT102238	ORD ELECTRICAL SPARES	EXTENSION CORD FOR CHAMBERS PROJECTOR	16.50
EFT102239	ORD RIVER DIST CO-OP	5 X 20L ROUNDUP CT FOR WEED CONTROL	825.00
EFT102240	PRO-CUT GARDEN MAINTENANCE	MOWING AND GARDENING KUNUNURRA AIRPORT	280.00
EFT102241	RED SUN SPORTS	BOXING GLOVES FOR GYM	79.90
EFT102242	SHELF SUPPLY	DOG FOOD FOR WYNDHAM POUND	43.00
EFT102243	SLINGAIR PTY LTD	RETURN FLIGHTS TO KALUMBURU 4/12/07 AND 06/12/07	2,050.00
EFT102244	STITCHED UP EMBROIDERY SERVICES	UNIFORMS	195.00
EFT102245	TOLL WEST	FREIGHT FOR PERIOD ENDING 23/12/07	183.55
EFT102246	TOP END MOTORS	90,000KM SERVICE,REPAIR AXLE & BEARINGS WY10432	831.94

EFT102247	TRIPP, KATYA MARIE	REIMBURSEMENT OF ELECTRICITY EXPENSES	192.80
EFT102248	TRISLEY'S HYDRAULIC SERVICE P/L	ADDITIONAL ACCOMMODATION DUE TO FREIGHT DELAY	1,012.00
EFT102249	TUCKERBOX/RETRAVISION	CONSUMABLES - INCLUDES LAPTOP FOR SALARY SACRIFICE	5,104.28
EFT102250	WYNDHAM SUPERMARKET	SUPPLIES FOR THANK A VOLUNTEER DAY BREAKFAST	246.05
EFT102251	24/01/2008 ALLGEAR MOTORCYCLES	HONDA 4 STROKE BLOWER FOR AIRPORT	500.00
EFT102252	AUSTRALIAN TAXATION OFFICE	BAS DECEMBER 2007	184,631.00
EFT102253	AUTO PRO KUNUNURRA	3 X 15KG BAGS OF RAGS	96.00
EFT102254	BRANKO BP MOTORS	UMS AND DIESEL PURCHASED WYNDHAM DECEMBER 2007	1,403.97
EFT102255	CARPET VINYL & TILE CENTRE	INDUSTRIAL MATTING FOR WYNDHAM REFURBISHMENT	1,102.20
EFT102256	COUNCILLOR JANE PARKER	QUARTERLY MEETING FEES AND ALLOWANCES	1,615.39
EFT102257	COUNCILLOR JOHN BUCHANAN	QUARTERLY MEETING FEES AND ALLOWANCES	1,615.39
EFT102258	COUNCILLOR KEITH WRIGHT	QUARTERLY MEETING FEES AND ALLOWANCES	1,615.39
EFT102259	DAVEY TYRE AND BATTERY SERVICE	SUPPLY, FIT AND BALANCE 2 NEW TYRES TO WY11635	462.76
EFT102260	DERRICK STEENSON	REPAIR FLOATING JETTY, SHOPPING PRECINCT UPGRADE, WYN	4,664.00
EFT102261	DEXION BALCATTIA	LOOP RACKS FOR CENTRAL FILING SYSTEM	206.80
EFT102262	DOUGLAS ALEXANDER	REIMBURSEMENT OF ELECTRICITY COSTS	515.60
EFT102263	DOUGLAS, KERRY LYNETTE	REIMBURSEMENT OF GOODS FOR STORY TIME ACTIVITIES	20.28
EFT102264	EAST KIMBERLEY GLASS	REPLACE BROKEN SHOWER SCREEN TO 29 BOOBIALLA WAY	450.00
EFT102265	EAST KIMBERLEY HARDWARE	CEMENT FOR DRAINAGE AND FORESHORE MAINTENANCE, HARDWARE ITEMS	1,015.00
EFT102266	FESA - EMERGENCY SERVICES LEVY PAYMENTS	ESL LEVY JULY - DECEMBER 2007	164,154.70
EFT102267	FEWSTER, KELLY	TELEPHONE REIMBURSEMENT	37.81
EFT102268	GARRARDS PTY LTD	RESLIN FOR WYNDHAM	1,631.41
EFT102269	GULLIVER'S TAVERN	CATERING FOR COUNCIL MEETING DINNER 18/12/07	280.00
EFT102270	HEALTH CORPORATE NETWORK	SEPTIC APPLICATION	35.00
EFT102271	IT VISION ITV	SYSTEMS ADMINISTRATION WORKSHOP 17-18/12/07	770.00
EFT102272	INTEGRATED TECHNICAL SERVICES PTY LTD	INSTALLATION OF TELEPHONE SYSTEM TO WYNDHAM OFFICE	8,534.89
EFT102273	JASON SIGN MAKERS LTD	STREET SIGNS	121.00
EFT102274	KIMBERLEY METAL RECYCLERS	DISPOSAL OF MEDICAL WASTE DECEMBER 2007	352.00
EFT102275	KIMBERLEY MOTORS	FUEL SUPPLIED DECEMBER 2007	2,830.83
EFT102276	KIMBERLEY WASTE SERVICES	CONTRACT PAYMENT FOR LITTER COLLECTION SERVICES	8,970.50
EFT102277	KINGS CROWN INSTRUMENTATION &	ERECT SCAFFOLD AND REPLACE LAMPS IN STREETLIGHTS	323.40

EFT102278	ELECTRICAL		
EFT102279	KNICKEL GARDENING SERVICES	CONTRACT PAYMENT FOR GARDENING DECEMBER 2007	18,881.87
EFT102280	KUNUNURRA PEST MANAGEMENT	INITIAL TREATMENT FOR REDBACK SPIDERS AT KLC	220.00
EFT102281	LANDGATE	LAND INFORMATION SEARCHES FOR DECEMBER 2007	37.55
EFT102282	ORD RIVER DIST CO-OP	4 X 20L DRUMS ROUND UP FOR WYNDHAM MAINTENANCE	660.00
EFT102283	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY	30.00
EFT102284	RACHEL WORNES	MEAL EXPENSES WHILE AT EH REGIONAL MEETING	37.60
EFT102285	SHIRE OF DERBY-WEST KIMBERLEY	REIMBURSEMENT ALGA CONVENTION NOV 07	267.30
EFT102286	SUSAN LINDA DILLON	REIMBURSEMENT FOR UNIFORMS PURCHASED	119.85
EFT102287	THORLEY'S STORE	TRANSPORT AND DELIVERY OF SHIRE BAG	292.60
EFT102288	TOLL WEST	FREIGHT OF PALLET OF SALT FOR LEISURE CENTRE	110.71
EFT102289	TOP END MOTORS	45,000KM SERVICE WY11486 & REMOVAL ABANDONED VEHICLE	436.92
EFT102289	TOTAL EDEN - KP PUMPS	2 X BOXES HUNTER I20-ADV ULTRA SPRINKLERS	1,536.92
EFT102290	TRIPP, KATYA MARIE	REIMBURSEMENT OF TRAVEL EXPENSES - ALLOWANCE 2007	1,300.00
EFT102291	WA LOCAL GOVERNMENT ASSOCIATION	APPROVED TOWN PLANNING SCHEME AMENDMENT	
EFT102292	WALGA		138.16
EFT102292	WYNDHAM TOURIST INFORMATION CENTRE	SUPPLY OF TOURIST INFORMATION SERVICES TO WYNDHAM	476.66
EFT102293	31/01/2008 ALLGEAR MOTORCYCLES	REPAIR WORK TO 2 X SELF PROPELLED LAWN MOWERS	923.50
EFT102294	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	37.98
EFT102295	AUST INSTITUTE OF ENVIRONMENTAL HEALTH	MOSQUITO COURSE B BATEMAN & M SNOWBALL	2,700.00
EFT102296	AUSTRALIAN BUILDING CODES BOARD ABCB	2008 BCA VOLUMES 1 & 2	415.00
EFT102297	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	194.70
EFT102298	BEAUREPAIRES (KUNUNURRA)	REPLACEMENT TYRE OF WY37	241.50
EFT102299	BLACKWOODS ATKINS PTY LTD	5 HOE RAKES FOR CROSSING FALLS BFB	257.84
EFT102300	CAB CHARGE	TAXI FARES (TRAINING)	105.60
EFT102301	CANNON HYGIENE AUSTRALIA PTY LTD	ANNUAL INVOICE OF MONTHLY SANITARY SERVICES	3,325.83
EFT102302	DEVITA'S AUTO ELECTRICS	SERVICES TO MOWERS, FAULT FIND STARTING PROBLEM, REPAIRS TO STARTER MOTOR	1,762.05
EFT102303	FROSTLINE REFRIGERATION SERVICES	WATER FILTERS FOR WYNDHAM DEPOT	580.00
EFT102304	ICEAGE REFRIGERATION & AIR CONDITIONING	SUPPLY AND INSTALL 2 INVERTER SPLIT SYSTEM	3,410.00
EFT102305	JSW HOLDINGS PTY LTD	REPAIR TABLE DRAIN STRUCTURES WITH ORD IRRIGATION	12,299.38
EFT102306	KNICKEL GARDENING SERVICES	ADDITIONAL WORKS TO MONTHLY CONTRACT PAYMENT -	8,890.20

EFT102307	KUNUNURRA COURIERS	MOWING, FERTILISING, SPRAYING	48.00
EFT102308	KUNUNURRA MOBILE WELDING SERVICE	DELIVERY OF NEVERFAIL SPRING WATER	
EFT102309	KUNUNURRA SECURITY SERVICE	REPAIR POOL FENCE BETWEEN FIRE STATION AND POOL	220.00
EFT102310	KUNUNURRA VOLUNTEER FIRE BRIGADE	AIRPORT BAGGAGE SCREENING, ALARM LEASE, SECURITY PATROLS & MONITORING ALARMS - DECEMBER 2007	28,886.00
EFT102311	L.G.R.C.E.U	CLEANING OF KUNUNURRA NETBALL COURTS	165.00
EFT102312	MCKINLAY, BETTY	PAYROLL DEDUCTIONS	15.30
EFT102313	MEGAN HUNT	WATER SUBSIDY 13/8/07 TO 12/12/07 REIMBURSEMENT	219.40
EFT102314	NORTHERN IT SERVICES	WYNDHAM CLEANING SERVICES	1,435.50
EFT102315	OFFICE LINE	INSTALL RAM ONTO JABIRU	99.00
EFT102316	OFFICE NATIONAL KUNUNURRA	BOARDS FOR NEW COMMUNITY SERVICES OFFICE	299.20
EFT102317	ORD RIVER ELECTRICS	STATIONERY FOR BUILDING DEPARTMENT	38.91
EFT102318	SHIRE OF WYNDHAM EAST KIMBERLEY	POWER NEW SPLIT SYSTEMS, CABLE TO AIRPORT HOUSE, ELECTRICAL REPAIRS TO 29 BOOBIALLA WAY	1,190.43
EFT102319	SLINGAIR PTY LTD	PAYROLL DEDUCTIONS	135.00
EFT102320	STUBBS, PETER	FLIGHTS FOR ELECTIONS P STUBBS, N O'CONNOR, J MORGAN	2,098.00
EFT102321	TELFORD INDUSTRIES	REIMBURSEMENT OF ELECTRICITY PERIOD 17/10/07-13/12/07	785.22
EFT102322	TOLL WEST	CHEMICALS FOR LEISURE CENTRE	196.90
EFT102323	TONY'S PLUMBING & EXCAVATION PTY LTD	FREIGHT OF STREET SIGNS AND STATIONERY MATERIALS	88.84
EFT102324	TOP END MOTORS	REPAIRS TO LEAKING TAPS IN WYNDHAM OFFICES	228.80
EFT102325	WA LOCAL GOVERNMENT	45,000KM SERVICE, REPLACE BATTERIES, LEFT HAND REAR REFLECTOR ASSEMBLY 1CQN641	1,377.46
EFT102326	WYNDHAM TOURIST INFORMATION CENTRE	SUPERANNUATION CONTRIBUTIONS	37,244.98
	TOTAL EFT PAYMENTS	SUPPLY TOURIST INFORMATION SERVICES	476.66
			844,946.87

Chq/EFT	Date	Name	Description	Amount
38206	11/01/2008	BARRY WILLIAM WORTHINGTON	RATES REFUND A6784 - OVERPAYMENT ON SETTLEMENT	593.64
38207		CGL WYNDHAM PORT	HIRE OF CRANE TO RELOCATE BOAT RAMP SECTIONS	1,314.50
38208		COUNCILLOR MICHELE PUCCI	REIMBURSEMENT OF ACCOMMODATION EXPENSES DARWIN	240.00
38209		GLOBALSTAR AUSTRALIA PTY LIMITED	SAT PHONE CHARGES FOR DECEMBER 2007	184.00
38210		HORIZON POWER	ELECTRICITY OF STREET LIGHTS	7,309.90
38211		INTERCON LOGISTICS	FREIGHT OF CHLORINE GAS	1,950.56

38212		KUNUNURRA AMCAL PHARMACY	FRAMES FOR STAFF RECOGNITION AWARDS	242.40
38213		MEGAN HUNT	CLEANING WYNDHAM FACILITIES	1,254.00
38214		METRO INN PERTH	ACCOMMODATION FOR KEN COTTER 17/12/07 - TRAINING	127.50
38215		ORICA AUSTRALIA PTY LTD	SUPPLY OF CHLORINE FOR WYNDHAM POOL AND DEPOT	303.93
38216		TEX GUN SUPPLIES	BIRD FRIGHT AMMUNITION FOR AIRSIDE BIRD CONTROL	1,265.00
38217		VIDEOTRAIN	CONSEQUENCES OF BULLYING	275.00
38218		WATER CORPORATION	WATER USAGE CHARGES AUGUST - DECEMBER 2007	23,144.20
38219		WESFARMERS KLEENHEAT GAS PTY LTD	YEARLY FACILITY FEES FOR 45KG VAP CYLINDER	60.50
38220	18/01/2008	AVIATION COMPONENTS PTY LTD	INSPECTION AND SERVICE OF AVGAS BOWSER	1,149.06
38221		KUNUNURRA MAINTENANCE SERVICE	CLEAN GUTTERS ON ROOF AT SHIRE ADMIN	330.00
38222		MEGAN HUNT	WYNDHAM CLEANING SERVICES	693.00
38223		SUPA FRESH HOT BREAD SHOP	CATERING WYNDHAM	30.00
38224		TELSTRA	LANDLINE TELEPHONE EXPENSES DECEMBER 2007	2,767.16
38225	24/01/2008	COUNCILLOR DI AUSBURN	QUARTERLY MEETING FEES AND ALLOWANCES	1,615.39
38226		COUNCILLOR MICHELE PUCCI	QUARTERLY MEETING FEES AND ALLOWANCES	4,500.00
38227		COUNCILLOR FRED MILLS	QUARTERLY MEETING FEES AND ALLOWANCES	1,615.39
38228		HORIZON POWER	POWER SUPPLIED TO IVANHOE ROAD PUMP	1,610.00
38229		COUNCILLOR JOHN HAMILTON MOULDEN	QUARTERLY ALLOWANCES AND MEETING FEES	1,615.39
38230		KUNUNURRA AMCAL PHARMACY	21 PACKS OF WIPES FOR SCREENING EQUIPMENT	79.00
38231		KUNUNURRA MAINTENANCE SERVICE	EDGING PERIMETER FENCE CHILD CARE GARDENS	4,719.00
38232		NEAT 'N' TRIM	UNIFORMS	563.00
38233		ORICA AUSTRALIA PTY LTD	SUPPLY OF CHLORINE GAS TO WYNDHAM DEPOT	360.10
38234		COUNCILLOR PAUL CALEY	QUARTERLY MEETING FEES AND ALLOWANCES	1,615.39
38235		COUNCILLOR RALPH ADDIS	QUARTERLY MEETING FEES AND ALLOWANCES	2,096.15
38236	31/01/2008	AIR SERVICES AUSTRALIA	DAPS WEST AMENDMENTS SERVICES ERSA AND RDS	167.30
38237		DEPARTMENT FOR PLANNING & INFRASTRUCTURE	ANNUAL JETTY LICENCE BUTTON'S CROSSING	30.00
38238		FIRE & SAFETY SERVICES COMPANY	INSPECTION OF FIRE EXTINGUISHERS AT AIRPORT	724.90
38239		GRAB A BARGAIN VARIETY STORE	ASSORTED AUSTRALIA DAY GOODS	81.55
38240		HORIZON POWER	ELECTRICITY SUPPLIED DECEMBER 2007	19,301.30
38241		JOOROOK NGARNI ABORIGINAL	RETURN OF BOND OF HALL HIRE FROM 3 DECEMBER 2007	1,000.00
38242		REST SUPER	SUPERANNUATION CONTRIBUTIONS	311.25
38243		RICK SPRY	REIMBURSEMENT OF ELECTRICITY EXPENSES PAID	395.94
38244		SUPA FRESH HOT BREAD SHOP	GST NOT PREVIOUSLY PAID ON INVOICE	36.00
38245		TELSTRA	MOBILE TELEPHONE CHARGES FOR PERIOD 11/12/07-10/01/08	1,284.00

	TOTAL CHEQUE PAYMENTS	86,955.40
PAYROLL	02/01/2008 FORTNIGHTLY PAY RUN	91,149.55
PAYROLL	16/01/2008 FORTNIGHTLY PAY RUN	99,942.72
PAYROLL	30/01/2008 FORTNIGHTLY PAY RUN	187.14
PAYROLL	30/01/2008 FORTNIGHTLY PAY RUN	106,558.00
	TOTAL PAY RUN PAYMENTS	297,837.41
DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	1,473.33
DIRECT DEBIT	BANK FEES	218.95
DIRECT DEBIT	BILL EXPRESS	27.50
DIRECT DEBIT	VISA PAYMENT	4,727.25
DIRECT DEBIT	WESTNET P/L	1,289.39
DIRECT DEBIT	MESSAGES ON HOLD	507.00
DIRECT DEBIT	MERCHANT FEES	361.09
	TOTAL DIRECT DEBIT PAYMENTS	8,604.51

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12.3.4. Screening Agent Services - East Kimberley Regional Airport

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	East Kimberley Regional Airport
AUTHOR:	Brian Sargeant, Airport Operations Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	20.09.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider extending the current transitional arrangement until 1 May 2008, whereby Kununurra Security Services supply Screening Agent Services at the East Kimberley Regional Airport.

BACKGROUND

In 2007 Council purchased Airport Screening Equipment to replace the equipment previously supplied by Qantas. At the 17 July 2007 Ordinary Council meeting Council resolved to issue a tender for Screening Agent Services and to implement transitional arrangements with Kununurra Security Services.

Minute No. 7788

Moved: Cr K. Wright

Seconded: Cr J. Buchanan

That Council:

- 1. Approve the submission a new Transport Security Program to DOTARS appointing the Shire of Wyndham East Kimberley as the new screening authority and Kununurra Security Services as the screening agent at East Kimberley Regional Airport.*
- 2. Invite, consider and accept a tender for the supply, installation and maintenance of screening equipment as listed below. The total value of the tender should include outright purchase and lease options.*
 - Passenger Screening X-ray Machine*
 - 0.8 Meter Entry Roller Bed*
 - 3.0 Meter Exit Roller Bed*
 - Acrylic Shielding*
 - Walk through Metal Detector*
 - 2 x Hand Held Metal Detectors*
 - Explosives Trace Detector*
 - Maintenance Contract*
 - Installation/Commissioning/Hangover/ Training and Freight.*
- 3. Authorise the engagement of Kununurra Security Services as screening agents until 1 March 2008 commencing on the date the Shire of Wyndham East Kimberley has authority to act as the Screening*

Authority. This transitional arrangement will allow adequate time for a tender process to be implemented for a longer term service provider.

4. *Authorise the inviting of tenders for the provision of Screening Agent services at the East Kimberley Regional Airport to be timed so that a tender can be accepted and operational by 1 March 2008.*

Carried 5/2

STATUTORY IMPLICATIONS

The Local Government (Functions and General) Regulations 1996, Part 4 applies with the relevant extract provided as follows: -

Division 2 — Tenders for providing goods or services (s. 3.57)

11. Tenders to be invited for certain contracts

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless sub-regulation (2) states otherwise.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is provision for costs in the 2007/08 Airport Operating budget.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

There has been a delay in preparation of the tender due to airport staff availability. A restructure of positions at the airport has resulted in additional resources in administration and management at the Airport with the Airport Operations Officer commencing in the last month.

A three month extension of the transitional arrangements is required to allow time for the tender process to be undertaken and a suitable timeframe for the successful tenderer to start the contract.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council extend the transitional arrangements for Screening Agent Services and authorise the engagement of Kununurra Security Services as screening agents for a further three months until 1 May 2008.

COUNCIL DECISION

Minute No. 8082

Moved: Cr K Wright

Seconded: Cr J Parker

That Council extend the transitional arrangements for Screening Agent Services and authorise the engagement of Kununurra Security Services as screening agents for a further three months until 1 May 2008.

Carried Unanimously 6/0

12.3.5. Tender – Screening Agent Services

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Brian Sargeant, Airport Operations Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	66.56.10
ASSESSMENT NO:	N/A

PURPOSE

For Council to issue a request for tender for the provision of Screening Agent Services at East Kimberley Regional Airport.

BACKGROUND

In 2007 Council purchased Airport Screening Equipment to replace the equipment previously supplied by Qantas. At the 17 July 2007 Ordinary Council meeting Council resolved to issue a tender for Screening Agent Services.

Minute No. 7788

Moved: Cr K. Wright

Seconded: Cr J. Buchanan

That Council:

- 1. Approve the submission a new Transport Security Program to DOTARS appointing the Shire of Wyndham East Kimberley as the new screening authority and Kununurra Security Services as the screening agent at East Kimberley Regional Airport.*
- 2. Invite, consider and accept a tender for the supply, installation and maintenance of screening equipment as listed below. The total value of the tender should include outright purchase and lease options.*
 - Passenger Screening X-ray Machine*
 - 0.8 Meter Entry Roller Bed*
 - 3.0 Meter Exit Roller Bed*
 - Acrylic Shielding*
 - Walk through Metal Detector*
 - 2 x Hand Held Metal Detectors*
 - Explosives Trace Detector*
 - Maintenance Contract*
 - Installation/Commissioning/Hangover/ Training and Freight.*
- 3. Authorise the engagement of Kununurra Security Services as screening agents until 1 March 2008 commencing on the date the Shire of Wyndham East Kimberley has authority to act as the Screening Authority. This transitional arrangement will allow adequate time for a tender process to be implemented for a longer term service provider.*

4. Authorise the inviting of tenders for the provision of Screening Agent services at the East Kimberley Regional Airport to be timed so that a tender can be accepted and operational by 1 March 2008.

Carried 5/2

STATUTORY IMPLICATIONS

The Local Government (Functions and General) Regulations 1996, Part 4 applies with the relevant extract provided as follows: -

Division 2 — Tenders for providing goods or services (s. 3.57)

11. Tenders to be invited for certain contracts

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless sub-regulation (2) states otherwise.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is provision for costs in the 2007/08 Airport Operating budget.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

This item is to present the qualitative assessment criteria for the tender for endorsement by Council prior to the tender being issued. There has been a delay in preparation of the tender due to airport staff availability. A restructure of positions at the airport has resulted in additional resources in administration and management at the Airport with the Airport Operations Officer commencing in the last month.

The appointed tenderer for the provision of Screening Agent services will be required to comply with the Aviation Transport Security Act 2004, the requirements outlined in the Aviation Transport Security Regulations 2005 and Kununurra Airport's Transport Security Program.

The Department of Infrastructure, Transport, Regional Development and Local Government, Office of Transport Security will audit the service on a regular basis.

The following timeline is recommended:

- Saturday 23 February 2008 - State wide public notice
- 10 March 2008 - Tenders close at 4.00pm
- Post close tender - Tender assessment - Airport Manager, Airport Operations Officer and Executive Manager Corporate Services
- 18 March 2008 Council meeting – Tender awarded by Council
- 1 May 2008 - services under the contract commence

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council issue a tender for Screening Agent Services at East Kimberley Regional Airport with the qualitative assessment criteria as follows;

- Previous satisfactory performance in Aviation Passenger Screening – 40%
- Relevant security licences and certifications - 40%
- Capacity of trained staff and backup resources – 20%

Moved: Cr K Wright

Seconded: Cr J Buchanan

That Council issue a tender for Screening Agent Services at East Kimberley Regional Airport with the qualitative assessment criteria as follows;

- Previous satisfactory performance in Aviation Passenger Screening – 40%
- Price Submitted - 40%
- Capacity of trained staff and backup resources – 20%

COUNCIL DECISION

Minute No. 8083

Moved: Cr K Wright

Seconded: Cr J Parker

That the meeting be adjourned to enable the Executive Officer to provide an alternate recommendation to Council.

Carried Unanimously 6/0

Meeting Adjourned at 7:31pm

COUNCIL DECISION

Minute No. 8084

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council resume the meeting.

Carried Unanimously 6/0

The meeting resumed at 7:38pm

The Motion was withdrawn by Cr K Wright

COUNCIL DECISION

Minute No. 8085

Moved: Cr J Parker

Seconded: Cr D Ausburn

1. *That Council issue a tender for Screening Agent Services at East Kimberley Regional Airport.*

2. *That Tenders are evaluated based on the capacity of the Tenderers to complete the requirements of the tender including:*

2.1. Compliance Criteria (must comply)

- a) Specifications*
- b) Conditions of Tendering*
- c) Quality Assurance*
- d) Start Date*
- e) Completion of Price Schedule*

2.2 Qualitative Criteria (used to Rank Tenders)

- a) Previous satisfactory performance in Aviation Passenger Screening - 40%*
- b) Relevant security licences and certifications - 40%*
- c) Capacity of trained staff and backup resources - 20%*

2.3. Price Submitted for Tender

The tendered price along with the qualitative ranking will be used to determine the most advantageous tender to Council.

Carried Unanimously 6/0

NOTE: Council's decision in this matter varied from the Managers' Recommendation to better define the Tender evaluation process and the decision represents a revised recommendation by the Manager.

12.4. COMMUNITY SERVICES

12.4.1. Kununurra Child Care Facility – Request for Gardening Contract Inclusion

DATE:	19 February 2008
PROPONENT:	Ewin Centre Children Services Inc
LOCATION:	Kununurra Child Care Facility
AUTHOR:	Karyn Apperley, Executive Manager Community Services
REPORTING OFFICER:	Karyn Apperley, Executive Manager Community Services
FILE NO:	31.09.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a request by the Ewin Children Services Inc to include the Kununurra Child Care Facility garden and yard maintenance in the Shire's landscape maintenance contract to allow the Ewin Centre Children Services Inc the access to any cost saving available under the principle of 'economies of scale'.

BACKGROUND

On 22 January 2008, a letter was received from the Ewin Centre Children Services Inc, requesting that "Council consider incorporating the gardening of the Kununurra Child Care Facility within its overall gardening contract at a subsidised rate to the Ewin Centre."

The letter outlines that the Ewin Centre Children Services Inc have signed a 3 month contract for the maintenance of the Kununurra Child Care Facility yards and gardens which expires March 2008. This short term contract involves a fortnightly service; however the contractor identifies the need to increase in frequency as the grassed areas become more established.

Prior to the 3 month contract, no formal garden maintenance was undertaken during the 6 months since operations commenced at the Child Care Facility in June 2007. Contracted landscape maintenance was not required as the lawn and plants were undergoing their establishment period and Committee members performed garden maintenance tasks as required.

The Facility Use Agreement and Lease for the Kununurra Child Care Facility between the Shire and the Ewin Centre Children Services Inc identifies garden/yard maintenance as the responsibility of the Lessee (Clause 3.6 – Maintain and Repair Premises (a) Generally).

The Ewin Centre Children Services Inc acknowledges this responsibility in their letter and further state they are "prepared to pay a major proportion of the costs of annual gardening." However, the Ewin Centre Children Services Inc note that they have had to adjust to "increased overheads in many areas of operation" and the request is made as part of "exploring all avenues to maintain the Centre's financial viability."

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is no financial implication for Council based on the Managers' recommendation. Given the assessment of negligible difference in the current comparable landscape maintenance rates, there is no current 'economies of scale' saving to be passed on to the Ewin Centre Children Services Inc if the Kununurra Child Care Facility was incorporated into the Shire's current landscape maintenance contract.

However, should Council decide to partially or fully subsidise the garden maintenance costs of the Kununurra Child Care Facility currently met by the Ewin Centre Children Services Inc, the Council would incur costs for which no allocation has been made in the 07/08 budget. Any future subsidy would need to be provided for in future budget allocations. An indicative range of \$5,000 - \$10,000 per annum represents the full cost of landscape maintenance at the Kununurra Child Care Facility.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

N/A

COMMENT

An assessment of the comparable rates for yard and garden maintenance as provided by the Ewin Centre Children Services Inc and those currently available to the Shire shows no discernable difference or cost saving for the type of task, frequency of service and timing allowance. For commercial-in-confidence reasons, the rates of each landscape maintenance contractor are not specified in this report, but are available to Councillors, confidentially, if required.

Council has a number of options in regard to the Ewin Centre Children Services Inc request;

1. Advise that no identifiable cost savings are currently available under the Shire's landscape maintenance contract – interim period (as per Managers' recommendation);
2. Test the assumption of 'economies of scale' by including the Kununurra Child Care Facility as 'optional works' in the specifications of the landscape maintenance tender anticipated to commence in June 2008;

3. Should this market testing prove that a cost saving is available, consideration could be given to passing on any cost saving to the Ewin Centre Children Services Inc and requiring either full or partial cost reimbursement to the Shire.

Should Council consider an alternate recommendation to that provided in the report, the following is suggested:

Recommendation 1

That Council include the Kununurra Child Care Facility garden and yard maintenance as 'optional works' in the specifications being developed for the Shire's landscape maintenance tender, anticipated to commence in June 2008.

Recommendation 2

That should Council decide to incorporate the Kununurra Child Care Facility in the specifications of the Shire's landscape maintenance tender anticipated to commence in June 2008, the Ewin Centre Children Services Inc be charged 100% for the component of the contract that relates to the landscape maintenance of the Kununurra Child Care Facility, since the Lease Agreement identifies that garden maintenance is the responsibility of the lessee.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council, in response to the request by the Ewin Centre Children Services Inc for consideration of the inclusion of the Kununurra Child Care Facility garden and yard maintenance in the Shire's landscape maintenance contract, advise the Ewin Centre Children Services Inc that the cost for the 3 month gardening contract currently entered into by the Ewin Centre is at a comparable rate to that of the Shire's current landscape maintenance contract rates.

COUNCIL DECISION

Minute No. 8086

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council, in response to the request by the Ewin Centre Children Services Inc for consideration of the inclusion of the Kununurra Child Care Facility garden and yard maintenance in the Shire's landscape maintenance contract, advise the Ewin Centre Children Services Inc that the cost for the 3 month gardening contract currently entered into by the Ewin Centre is at a comparable rate to that of the Shire's current landscape maintenance contract rates.

Carried Unanimously 6/0

Cr M Pucci vacated the Chair at 7:52pm and left the room.

Cr J Buchanan assumed the Chair at 7:52pm.

12.4.2. Kununurra Youth Facility – Interim Arrangements

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Kununurra Youth Facility
AUTHOR:	Karyn Apperley, Executive Manager Community Services
REPORTING OFFICER:	Karyn Apperley, Executive Manager Community Services
FILE NO:	31.09.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider interim arrangements to allow the newly constructed Kununurra Youth Facility to commence operations.

BACKGROUND

In the past 2 years, considerable effort has been invested by Council in both project management of construction of the Youth Facility and the development of the co-location model for operation of the Kununurra Youth Facility.

During that time a number of changes have impacted upon the development of a management and operational model of the Youth Facility including changes in service providers, service funding arrangements and service delivery objectives. Though the Police Citizens Youth Club Federation has not indicated their support for managing the Kununurra Youth Facility, negotiations are continuing to attempt to secure a fulltime officer to be based at the Facility. However, the WA Police Service has removed Community Liaison positions across the state and reallocated these positions to general policing duties, in part due to community demands for increased frontline responses.

In continuing to develop a stakeholder management model for the co-location and the establishment of a service hub at the Youth Facility, a service mapping exercise undertaken in November 2007. This mapping exercise identified significant gaps in existing youth service provision – the primary gaps being;

- overall coordination and strategic planning for young people and service provision
- after hours services, particularly positive recreation and diversionary youth activities.

Stakeholder consultation identified that management of the Youth Facility by a stakeholder group or community committee will not be able to fill existing gaps and that a financial and policy commitment is required from all responsible agencies/parties.

Council received a briefing in December, outlining the background of the Youth Facility project and the development of a concept model to facilitate adequate levels of youth servicing and coordination of youth services throughout the Shire – the East Kimberley Youth Service model.

In recognition of the need for leadership in regard to addressing the needs of young people in the East Kimberley, Council included the East Kimberley Youth Service model in its State Budget submission adopted at its Ordinary Meeting held on 18 December 2007.

Council received a briefing in February 2008 outlining the need for a 6 month interim model of operation at the Youth Facility while the East Kimberley Youth Service model is established through matching financial support from the State and Commonwealth Governments.

STATUTORY IMPLICATIONS

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 *Local Government Act 1995*, section 6.8 applies with respect to the required expenditure as follows;

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.

POLICY IMPLICATIONS

There are no current policy implications. However a number of operational policies will be required to be developed to enable effective operation of the Kununurra Youth Facility.

FINANCIAL IMPLICATIONS

The anticipated annual operating costs of the Kununurra Youth Facility are to be met by the rent received from the co-location partners. Casual hire and occasional use fees are unknown as this is dependent on demand for use of the Facility by other groups. However any increase in operating costs as a result of increased usage is anticipated to be offset by the corresponding hire fees.

A budget of up to \$30,000 is required to enable a part time Youth Facility Worker to be engaged for 6 months and a limited range of activities to be provided for young people to address existing gaps in service provision. The required financial resources can be achieved by \$20,000 being sourced from grant funds and up to \$10,000 from current budget allocations for youth related projects, thereby yielding a zero impact on Council's 2007/08 operating budget.

STRATEGIC IMPLICATIONS

The Shire's Draft Strategic Plan identifies the following objectives;

- *To work with key agencies to improve services and facilities for young people, including education and employment*
- *To implement crime prevention strategies for the Shire*
- *To work in partnership with others to address social issues confronting our community*

COMMUNITY CONSULTATION

Significant stakeholder involvement has been achieved through formal stakeholder briefings and working group meetings over the past 18 months. In addition, individual liaison has been undertaken with agencies, groups and individuals to identify local youth service needs and to develop options for management, operation and the co-location/service delivery hub model for the Youth Facility.

COMMENT

The East Kimberley Youth Service model recognises that addressing young people's needs is the responsibility of numerous government agencies, and also the wider community. However currently there is limited financial commitment or leadership from local agencies for a comprehensive and coordinated approach to youth servicing. Therefore, Council is providing the leadership required and seeking a partnership with the State and Commonwealth Governments. Without such leadership, the social issues faced by many young people throughout the East Kimberley will continue to impact upon the life opportunities and choices available to local young people. Outcomes to be achieved through the East Kimberley Youth Service model include;

- Improved training and employment transitions
- Increased school attendance and retention
- Reduced anti-social behaviour and young people on the streets

- Increased opportunities for young people to acquire essential life skills
- Improved coordination and support for young people and their families.

However, the establishment of the East Kimberley Youth Service model requires Council's commitment of \$100,000 per annum over 3 years to be matched by the State and Commonwealth Governments. It is anticipated that a period of up to 6 months will be required to secure the necessary commitment from the State and Commonwealth Governments.

As the construction of the Youth Facility is nearing completion and given that 3 co-location partners are ready to move in to the Facility and commence their operations/service delivery, it is necessary that an interim model to manage Youth Facility operations be implemented. It is anticipated that the general building operating costs will be offset by the co-location use fees and that other costs associated with service operations, including equipment and cleaning, will be met by the co-location partners under the terms of the co-location agreements.

The addition of a part time Youth Facility Worker (funded by grant funds) will assist in the establishment of co-located service provision at the Facility, assist in the development of operational policies and oversee the basic coordination of Facility use/hire by other local groups. Also, given the critical gap in the provision of after hours youth activities, the Youth Facility Worker would plan, develop and implement activities with the involvement of other service providers. Other agencies have indicated that they are willing to work with others to assist in the provision of some after-hours activities but are not able to provide these types of services by themselves. Therefore, the leadership and coordination of a Youth Facility Worker is required to achieve immediate improvements to youth services/activities and to ensure that young people are involved from the beginning in making sure that the Youth Facility is a place for all young people.

There exists an inherent risk that should the East Kimberley Youth Service model not be supported by State and Commonwealth, Council will be left to manage the community expectations regarding continuation of services. However, the Council has the 'moral high ground' on this issue due to its pro-active approach in seeking to address existing service gaps and youth needs through the establishment of the East Kimberley Youth Service model and would be well placed to clearly articulate what Council has done to address young people's needs and why the support of other agencies and levels of government is critical to a sustainable approach to youth service provision in the East Kimberley.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Recommendation 1 and 2 – Simple Majority
Recommendation 3 – Absolute Majority

MANAGERS' RECOMMENDATION

That Council:

- 1 Enter into co-location agreements with the Department for Child Protection, East Kimberley Job Pathways and the Ord Valley Aboriginal Health Service for use of the Kununurra Youth Facility;
- 2 Approves the engagement of a part time Youth Facility Worker for an interim 6 month period while the East Kimberley Youth Service model included in Council's 2008 State Budget Submission requiring Council's \$100,000 per annum over 3 years to be matched by State and Federal Government is established;
- 3 Allocate a budget amount of \$20,000 for the engagement of a part time Youth Facility Worker to be funded by grant funds.

COUNCIL DECISION

Minute No. 8087

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council:

- 1 Enter into co-location agreements with the Department for Child Protection, East Kimberley Job Pathways and the Ord Valley Aboriginal Health Service for use of the Kununurra Youth Facility;***
- 2 Approves the engagement of a part time Youth Facility Worker for an interim 6 month period while the East Kimberley Youth Service model included in Council's 2008 State Budget Submission requiring Council's \$100,000 per annum over 3 years to be matched by State and Federal Government is established;***
- 3 Allocate a budget amount of \$20,000 for the engagement of a part time Youth Facility Worker to be funded by grant funds.***

Carried Unanimously 5/0

Cr M Pucci returned to the room and resumed the Chair at 7:56pm

12.5. CHIEF EXECUTIVE OFFICER

12.5.1. Use Of Common Seal

DATE:	19 February 2007
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

To advise Council of the application of the Shire of Wyndham East Kimberley Common Seal from the period 15 January to 8 February 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:

- Transfer of Land Lot 1004 Sorghum Place, Kununurra – 1 copy
- Contract T09 07/08 Supply of Diesel – 1 copy
- Contract of Employment, Brian Sargeant Airport Operations Officer – 1 copy
- Transfer of Land Lot 191 Quondong Street, Kununurra – 1 copy
- Transfer of Land Lot 174 Banyan Street, Kununurra – 1 copy

STATUTORY IMPLICATIONS

Local Government Act 1995

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Strategy 3:

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

As does Goal 6 – Legislation:

Strategy 3:

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

COMMENT

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

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council receive and accept the report on the application of the Shire of Wyndham East Kimberley Common Seal from 15 January to 8 February 2008.

COUNCIL DECISION

Minute No. 8088

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council receive and accept the report on the application of the Shire of Wyndham East Kimberley Common Seal from 15 January to 8 February 2008.

Carried Unanimously 6/0

12.5.2. Delegated Authority Report

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

To report to Council on the use of Delegated Authority by Officers for 1 January – 11 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 facilitates 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

MANAGERS' RECOMMENDATION

That Council receive the Delegated Authority Report for the period 1 January to 11 February 2008

COUNCIL DECISION

Minute No. 8089

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council receive the Delegated Authority Report for the period 1 January to 11 February 2008

Carried Unanimously 6/0

Attachment: Delegated Authority Report

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1- 31 January 2008

LIC#	DATE	OWNER	ADDRESS	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	LOT AREA	FLOOR AREA	EST. VALUE
001/ 2008	10.01.08	M & D FITZGERALD	PO BOX 380 WYNDHAM	EXISTING	LOT 946 (8) KOOJARRA STREET WYNDHAM	ACKNOWLEDGE EXISTING DWELLING & MODIFICATION TO SHED	EXIST			\$0.00
002/ 2008	14.01.2008	R SONTAG	PO BOX 897 KUNUNURRA	NE SHEDS	LOT737(50) RIVERFIG AVE KUNUNURRA	SHED	NEW		54	\$17,232.00
003/ 2008	14.01.2008	HOLLY ELLISON	PO BOX 1735 KUNUNURRA	OWNER	LOT 155 LEICHHARDT ST KUNUNURRA	SHADE STRUCTURE	NEW		16	\$2,000.00
004/ 2008	15.01.2008	B & K STOLDT	PO BOX 546 KUNUNURRA	NE SHEDS	245 RIVERFARM RD KUNUNURRA	ABLUTIONS	NEW		18	\$13,000.00
005/ 2008	16.01.08	SARAH CUMMINGS	PO BOX 1593 KUNUNURRA	OWNER	LOT 1263 (9) BEEFWOOD STREET KUNUNURRA	SHED	N		35	\$6,000.00
006/ 2008 AE	29/01/08	F CROOK	3 CARBEEN STREET KUNUNURRA	EXISTING	LOT 1034 (3) CARBEEN STRET KUNUNURRA	ACKNOWLEDGE EXISTING DWELLING, MODIFICATION & OUTBUILDINGS	EXIST			\$0.00

007/ 2008	22.01.2008	MARK TIMMS	19 KABBARLI ST WYNDHAM	MARK TIMMS	LOT 942 KABBARLI STREET WYNDHAM	ABOVE GROUND POOL	NEW		34.5	\$7,000.00
008/ 2008	24.01.2008	GEHA	PO Box 970 KUNUNURRA	EAST KIMBERLY DINGO HIRE	LOT 1411 BARRINGTONIA ST KUNUNURRA	PATIO ADDITION	NEW		22	\$12,000.00
009/ 2008 AE	30.01.08	DAY DEKKO PTY LTD	PO BOX 1119 KUNUNURRA	EXISTING	LOT 88 IRONWOOD DRIVE, LOT 111 & 112 NUTWOOD CRESCENT KUNUNURRA	MULTIPLE EXISTING STRUCTURE - BACKPACKERS	EXIST			\$0.00
010/ 2008	31..1.2008	G.A.DULEY	218 ATTUNGA RD YOWIE BAY	COLIN WILKINSON DEVELOPMENTS	LOT 766 BARRINGTONIA AVE KUNUNURRA	4 GROUP DWELLINGS	NEW			\$970,000.00
011/ 2008	31.01.2008	G.A.DULEY	218 ATTUNGA RD YOWIE BAY	COLIN WILKINSON DEVELOPMENTS	LOT 197 QUONDONG STREET KUNUNURRA	SINGLE DWELLING	NEW			\$280,000.00
										\$1,301,232.00

THERE WERE NO DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 January 2008

SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 JANUARY 2008

Licence No.	Date	Assess No.	Lot No.	Street Address	Applicant Name	Type	Fee	Receipt No	Planning Approval / Delegation
01/2008	17/01/08	#2529	77	Coolibah Drive, Kununurra	Ewin Children's Service Inc.	Wall sign	Waived	N/A	N/A exempt SWEK

TOWN PLANNING DELEGATED AUTHORITY APPROVALS - 12 January 2008 to 11 February 2008

Application / Delegation Number	Approval Type	Date Received	Receipt Number	Applicant	Owner	Property Address	Proposed Dev't	Assess't Number	Approval Date
90/07	P Devt	02-Oct-07	356218	Diadem (on behalf of Thirsty Camel)	Golden Hotels Pty Ltd	Lot 206, Messmate Way	Replace existing advertising signs	810	16-Jan-08
01/08	P Devt	15-Jan-08	356982	Glenn & Di Ausburn	Glenn & Di Ausburn	Lot 2254, Konkerberry Drive	2 x lean-tos to existing shed	3103	31-Jan-08

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12.5.3. Proposed Management Order - Lower Ord River Land Parcels

DATE:	19 February 2007
PROPONENT:	Department for Planning and Infrastructure
LOCATION:	Lower Ord River
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	43.11.03
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a proposal by the Department for Planning and Infrastructure (DPI) to accept a Management Order (with the power to lease) under Section 46 of the Land Administration Act 1977 (LAA), on lands adjacent to the Lower Ord River.

BACKGROUND

A number of parcels of land adjacent the Lower Ord River are proposed to be set aside for the purposes of "Public Access and Recreation and Protection of Aboriginal Heritage".

It is common practice for a Management Order of such land to be offered to Local Government.

The parcels of Land offered are described as:

Lot 5025	Deposited Plan 56715
Lot 5026	Deposited Plan 56715
Lot 370	Deposited Plan 54529
Lot 374	Deposited Plan 54529
Lot 344	Deposited Plan 50861

These parcels of land are shown on the attached Deposited Plans.

A Management Order, if issued to Council, effectively means Council would be responsible for the care and maintenance of the land. It is proposed that Council would have the power to lease the land.

STATUTORY IMPLICATIONS

Section of 46 and 48 of the Land Administration Act 1997 apply.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is not possible to estimate the cost to Council should the proposal be accepted. The Shire would have costs such as road access (construction and maintenance),

fencing, litter control, fire management and other associated costs with or without the provision of informal camping sites, boat ramps or commercial lease sites.

STRATEGIC IMPLICATIONS

It is not clear what strategic advantage would flow to the community or Council by Council accepting a Management Order.

COMMUNITY CONSULTATION

Nil

COMMENT

In discussion with the DPI, Shire staff raised issues including weed and fire control, litter management, public safety for which ever agency the Management Orders are issued to.

Lots 5025 and 5026 will be essentially land locked within what is to be freehold land owned by Consolidated Pastoral Company (CPC). Access to these lots by land will only be possible by traversing this freehold land. This implies that easements or other suitable arrangements would be necessary to ensure land access. Access would be possible by river.

Lot 5025 is 269.6ha. It is not clear why the lot is this size or in fact why any of the Lots are the size they are. Part of this Lot is used by Macca's Barra Camp and as can be seen from the attached DPI correspondence of 13 December 2007 arrangements are in place for this portion of the Lot to be leased.

On the one hand it could be viewed that consenting to the Management Orders as offered enables Council to influence use of the Lower Ord River. Council is a co-vestee of Reserve 41812 on Lake Kununurra and Lily Creek Lagoon foreshore and issues related to this have proven to be protracted, controversial and demanding of resources beyond what might be considered a good return to Council.

Management Orders that impose the care and maintenance of parcels of land impose responsibilities. Should Council accept the Management Orders it would accept responsibility for issues on the Lots including, control of weeds and pests, management of litter, and public impacts, the possible need for signage etc.

ATTACHMENTS

Attachment 1: Ord Final Agreement Implementation- Lower Ord River Letter of offer of Management Order from the Department of Planning and Infrastructure, 13 December 2007.

Attachment 2: Diagrams of Survey for the proposed Lots

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

That Council decline the offer of the proposed Management Orders for the Lower Ord River parcels of land described as follows;

Lot 5025	Deposited Plan 56715
Lot 5026	Deposited Plan 56715
Lot 370	Deposited Plan 54529
Lot 374	Deposited Plan 54529
Lot 344	Deposited Plan 50861

on the basis that there is not considered to be any public benefit to the community due to the imposition of added costs and management issues.

COUNCIL DECISION

Minute No. 8090

Moved: Cr K Wright

Seconded: Cr D Ausburn

That Council decline the offer of the proposed Management Orders for the Lower Ord River parcels of land described as follows;

<i>Lot 5025</i>	<i>Deposited Plan 56715</i>
<i>Lot 5026</i>	<i>Deposited Plan 56715</i>
<i>Lot 370</i>	<i>Deposited Plan 54529</i>
<i>Lot 374</i>	<i>Deposited Plan 54529</i>
<i>Lot 344</i>	<i>Deposited Plan 50861</i>

on the basis that there is not considered to be any public benefit to the community due to the imposition of added costs and management issues.

Carried Unanimously 6/0

Attachment 1: Ord Final Agreement Implementation- Lower Ord River Letter of offer of Management Order from the Department of Planning and Infrastructure, 13 December 2007.



Department for Planning and Infrastructure
Government of Western Australia

State Land Services

Doc No.	060811
Date	13 Dec 2007
Officer	CEO TP
Response	
File	42.09.01

Your ref:
Our ref: 50391-2007 (Job 071327)
Enquiries: Kevin Emrose Ph: (08) 9347 5024
Fax: (08) 9347 5001
Email: kevin.emrose@dpi.wa.gov.au

13 December 2007

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

Dear Mr Stubbs

ORD FINAL AGREEMENT IMPLEMENTATION – LOWER ORD RIVER

Following completion of the Ord Final Agreement (OFA) land exchange it is proposed to set aside for the purposes of "Public access and recreation and protection of Aboriginal heritage" Lots 5025 and 5026 on draft Deposited Plan 56715 (269.6329 ha), Lots 370 and 374 on draft Deposited Plan 54529 (about 847 ha) and Lot 344 on draft Deposited Plan 50861 December 07 version (about 376 ha). Please consider management of these Lots (under reservation) via the acceptance of a management order to issue in favour of Council under s46 of the *Land Administration Act 1997* (LAA). Power to lease (for periods up to 21 years) and licence would be conferred via the proposed management order.

Mr Stubbs I recall from my brief discussion with you on this matter that issues, such as the identification of an appropriate funding stream, access and weed control (to name a few), needed to be carefully considered before a decision in the affirmative could be made.

To allow Council time to consider this matter I intend to put the following arrangements in place over Lot 5025 on draft Deposited Plan 56715 (surveyed from the top of the bank and landward) and that area immediately between Lot 5025 and the Ord River, to accommodate the existing enterprise known as Macka's Barra camp, should the land exchange be progressed prior to Council's decision being made known.

1. Offer a "Tourist Camp Facility" lease under s48 of the LAA to CPC over Lot 5025 on draft Deposited Plan 56715 for a term of 21 years. A condition of the proposed lease is to be that the Lessee must enter into and maintain an 'access' licence;
2. Offer an "Access" licence under s48 of the LAA to the Lessee, for that area coloured yellow on the attached sheet four of draft Deposited Plan 56715 allowing access and utilisation of existing improvements.

P:\Prompt07\071000\1327ke SWEK Dec 07.doc

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

KOP/LE/01

If Council accepts the offer of the management order prior to the exchange date then an opportunity to simply adopt and adapt the draft documents to reflect their issue under the management order by Council rather by the Minister under s48 of the LAA exists.

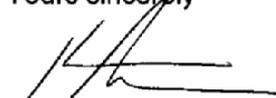
Perhaps with this in the forefront of your mind please feel free to comment on the enclosed draft documents.

Note, placement of the lease and licence (as above) will not hinder future issue of a management order to Council, your attention is drawn to the provisions of s46(4) of the LAA, extract attached.

By way of further explanation / background of the Macka's Barra Camp proposal please refer to my notes of a recent meeting

Should you require additional background material or require clarification on any matter raised please feel free to contact me on (08) 9347 5024.

Yours sincerely



Kevin Emrose
A/Project Manager
Ord Stage 2
State Land Services

Att

File Note:

Dot Points from Meeting held on Thursday 22 November 2007, Kununurra Country Club, Kununurra 18:30 PM to 19:30 PM

Topic – Macka's Barra Camp.

Present Geoff Warriner, CPC representative and his wife Clare.
Andrew McEwen (current operator)
Bob Taddeo, Chairperson, Ord State Implementation Committee
Sandra Eckert, OSIC Member DPI
Kevin Emrose, DPI

By way of background Mr McEwen advised that he has about 1,500 clients a year, where the current camp has a capacity of 16 customers and 6 staff.

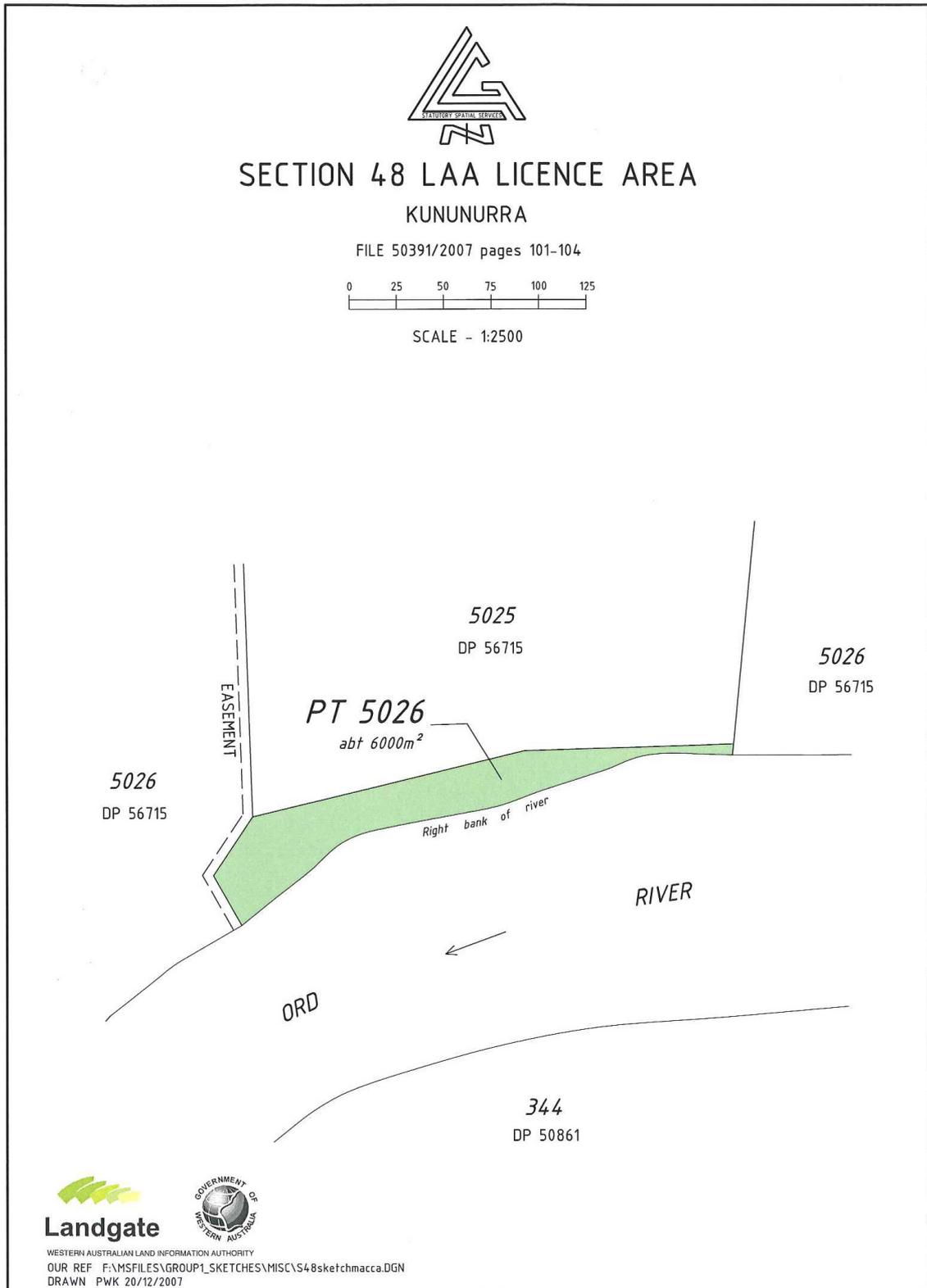
- Mr Warriner advised that discussion had taken place with Mr McEwen and it was agreed that CPC would hold the head lease and a sub-lease will be offered to Mr McEwen.
- Access – there will be no formal road access to the proposed lease area. Access is across the pastoral lease or more correctly following surrender (land exchange) across the CPC freehold. Following discussion it was agreed that the sub-lease will contain a condition that due consideration will be given to formalising access (access easement) should CPC deal on the CPC freehold land (subdivision of change of ownership). Action **Mr Warriner** to instruct person drafting sub-lease. (Head lease will need to be available for this to occur). An offer was extended to provide possible assistance with provision of sketch of access route by me. (At cost)
- Water supply – following discussion it was decided that current arrangement did not warrant specific consideration given that CPC will hold all interests – water supply easement, CPC Freehold and State Lease. Water pump for the Camp is located within the easement corridor depicted on draft Deposited Plan 56715. (If in the future an alternative arrangement proved necessary then access to the River is available). (Note water supply easement will be standard format and conditions - KE)
- Ownership of improvements – this issue appears to have dropped away with the tenancy issue been resolved.
- Mr McEwen provided a list of improvement off the top of his head – proposed lease area – 4 accommodation bungalows, 2 accommodation tents, dining area, ablutions, storage shed, sea container, 6 man donga and ablution, power generator. Within the proposed licence area – access road to removable jetty, removable jetty.

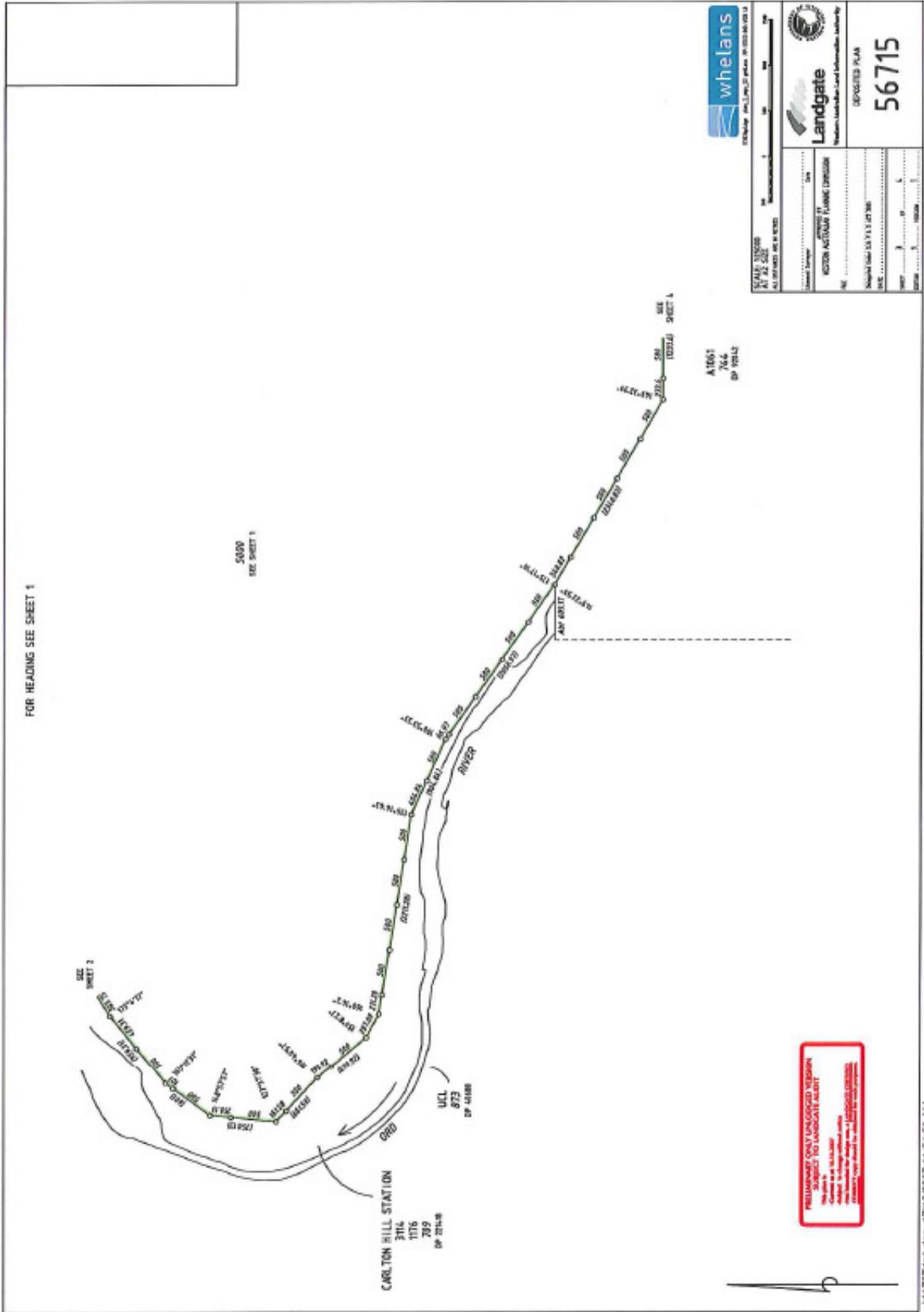
- Rental – The issue of rental was raised I advised that Mr Chris Olsen of the Valuer General's Office had visited the site (Mr McEwen acknowledged this) and that rental will be an unimproved ground rent. DPI has yet to receive advice from VGO and it is known that VGO are under workload pressure.
- I advised that drafting of the proposed lease will be completed in the immediate future and that a copy of the draft made available (to both parties) prior to be formal offer (offer may be held up depending timeliness of VGO advice). **ACTION**
- Subject land will be required to be surrendered from the pastoral lease and reserved prior to the placement of the lease.
- Expansion of the SWEK Town Planning Scheme and running the draft lease passed the Shire were discussed. This related to possible future expansion proposals and the offer to SWEK of the Management Order for the reserve.

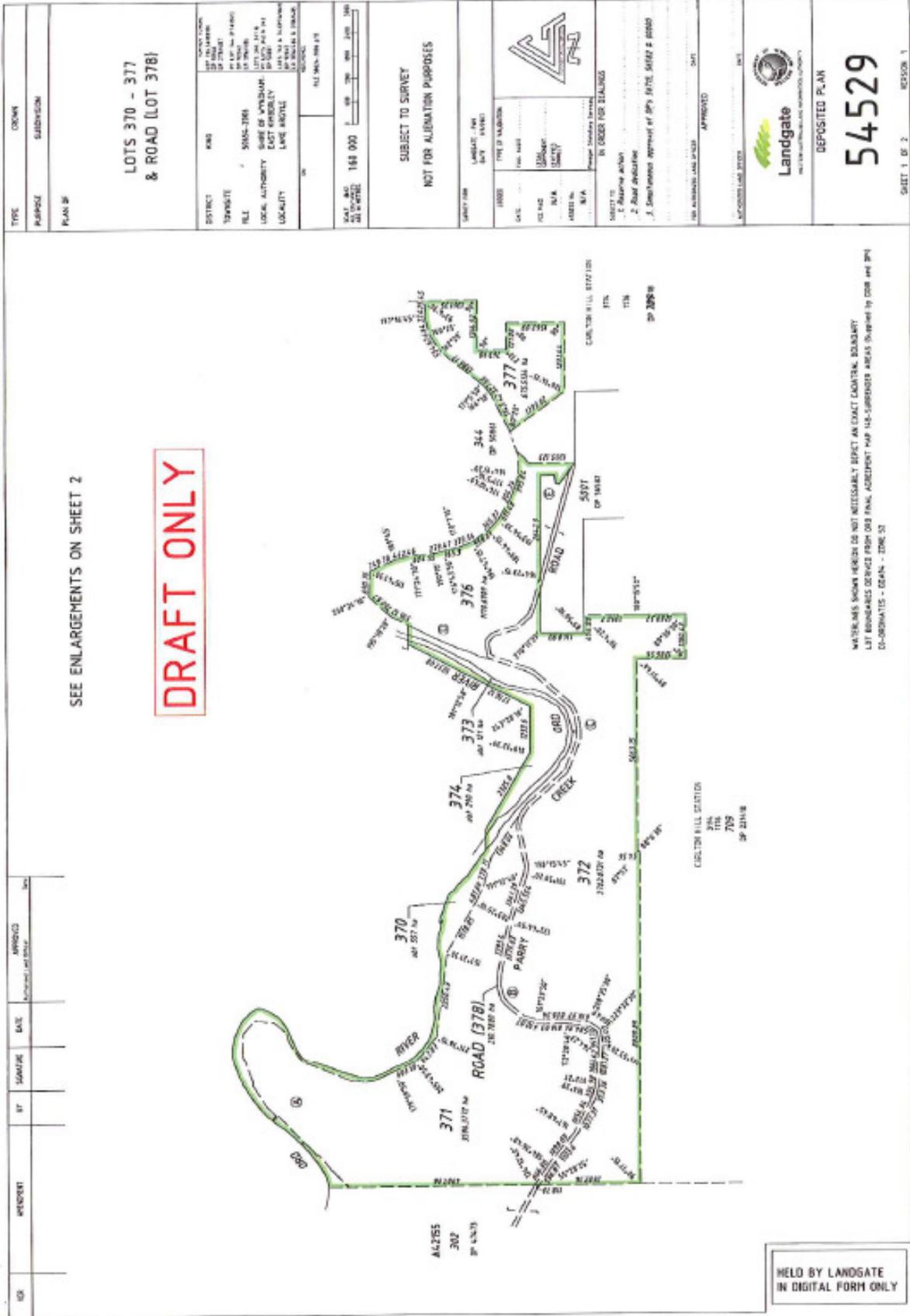


Kevin Emrose
A/Project Manager
Ord Stage 2 Project
26/11/2007

Attachment 2: Diagrams of Survey for the proposed Lots







SEE ENLARGEMENTS ON SHEET 2

DRAFT ONLY

TYPE CROWN	PURPOSE SUBDIVISION	PLAN NO	LOTS 370 - 377 & ROAD (LOT 378)
DISTRICT KING	TOWNSHIP 5004-200	FILE NO 5004-200	LOCAL AUTHORITY EAST BRUNSWICK
LOCALITY LAKE MORTALE	LOCALITY LAKE MORTALE	LOCALITY LAKE MORTALE	LOCALITY LAKE MORTALE
SCALE AND DIMENSIONS 1:1000	SCALE AND DIMENSIONS 1:1000	SCALE AND DIMENSIONS 1:1000	SCALE AND DIMENSIONS 1:1000
SUBJECT TO SURVEY NOT FOR ALIENATION PURPOSES			
DATE 10/10/2007	DATE 10/10/2007	DATE 10/10/2007	DATE 10/10/2007
IN ORDER FOR SEALING			
SUBJECT TO: 1. Planning Act 2. Road Act 3. Development Approval of DP, STATE, SHIRE & ROAD			
APPROVED			
DEPOSITED PLAN <h1>54529</h1>			
SHEET 1 OF 2 REGION 1			

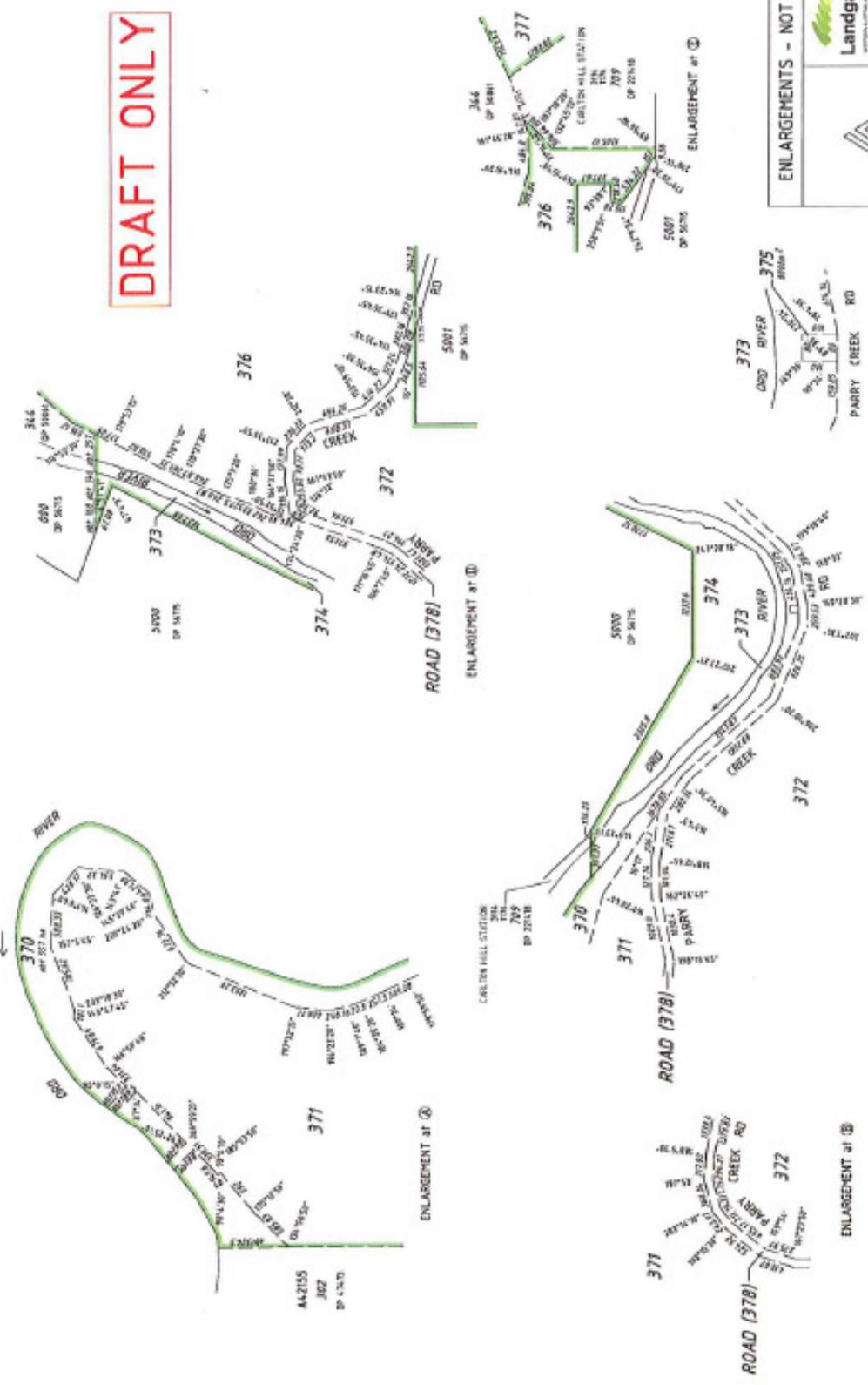
WATERLINES SHOWN HEREIN DO NOT NECESSARILY REPRESENT EXACT LOCATION. BOUNDARY LIST BOUNDARIES DERIVED FROM OLD FINAL ACCESSION MAP 145-34800000-0001 SUPPLIED BY CODE AND DP4
D-DIMENSIONS - CLEAN - 100% S1

HELD BY LANDGATE
IN DIGITAL FORM ONLY

HELD BY LANDGATE
IN DIGITAL FORM ONLY

DRAFT ONLY

FOR HEADING SEE SHEET 1



ENLARGEMENTS - NOT TO SCALE

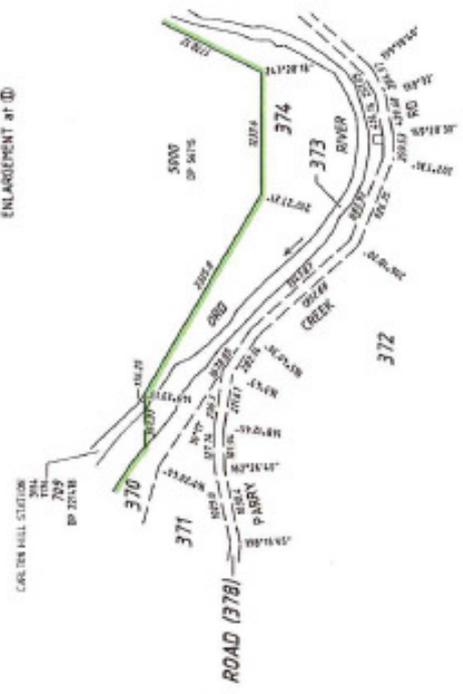


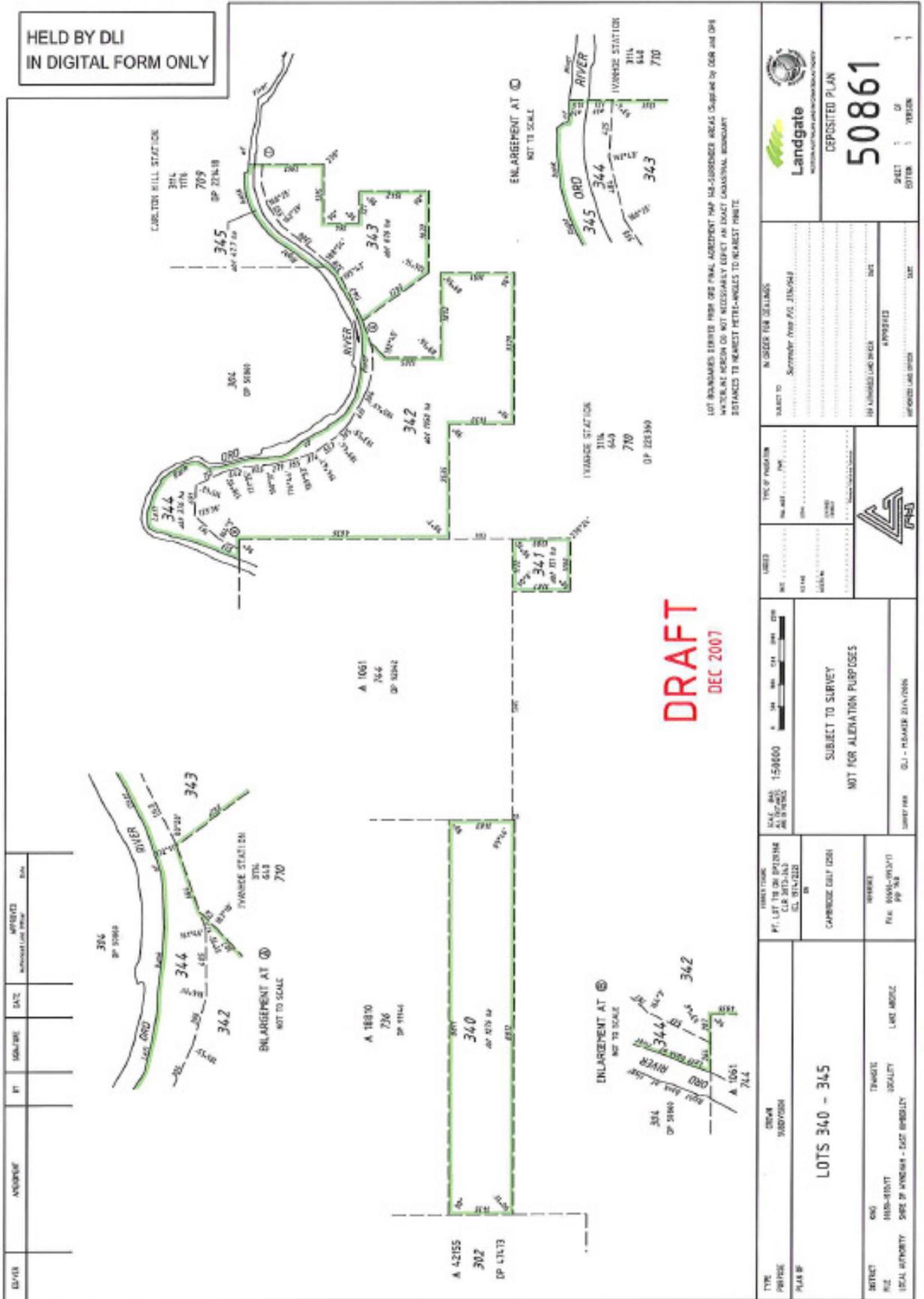
DEPOSITED PLAN
54529
SHEET 2 OF 2



ENLARGEMENTS at A

ENLARGEMENT at B





13. ELECTED MEMBER REPORTS

Cr J Buchanan

Public memorial service in Perth for Sir Charles Court

Cr D Ausburn

26 January	Australia Day Ceremony and Citizen of the Year
5 February	KCCI Meeting
11 February	DEHAC Meeting
13 February	Delivery of Official Apology to Indigenous Australians by Prime Minister Mr Kevin Rudd
14 February	Meeting Cancelled on arrival
14 February	Roadwise Meeting
15 February	Hon Shelly Archer
19 February	Liquor Accord Meeting
19 February	Disability Workshop – Carers

Cr K Wright

16 Feb Dedication of the John File Park – Crossing Falls

Note: Cr Wright would like noted the assistance of Alex Douglas, Executive Manager of Engineering Services in arranging the Signage

COUNCIL DECISION

Minute No. 8091

Moved: Cr D Ausburn

Seconded: Cr K Wright

That Council note and accept the Elected Member Reports presented at the Ordinary Meeting of Council held on Tuesday 19 February 2008.

Carried Unanimously 6/0

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. 8092

Moved: Cr K Wright

Seconded: Cr D Ausburn

That Council accept Late Item 16.1 Landscape Maintenance Contract and Late item 16.2 Steven Chadwick – Employment Contract.

Carried Unanimously 6/0

16.1. Landscape Maintenance Contract

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Kununurra
AUTHOR:	Alex Douglas, Executive Manager Engineering and Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Development Services
FILE NO:	66.56.16
ASSESSMENT NO:	N/A

PURPOSE

The purpose of the is report is for Council to consider a recommendation to defer action on the re-calling of tenders for the Landscape Maintenance Contract in order to consider other options at the 18 March 2008 Council meeting.

BACKGROUND

At the Council meeting held on 18 December 2008 it was resolved that: -

Minute No. 7991

Moved: Cr K Wright

Seconded: Cr J Moulden

- 1. That Council not accept any tenders as received.*
- 2. That Council recall tenders with a closing date of 30 March 2008.*
- 3. That Council not participate by way of an in-house tender.*
- 4. That an interim agreement be negotiated by Executive Manager of Engineering and Development Services with the current contractor for a period sufficient to facilitate the tender process.*
- 5. That in the circumstances where satisfactory negotiations to the contract extension are not achievable the Executive Manager Engineering and Development Services is to initiate interim arrangements as necessary to maintain a satisfactory level of parks and gardens maintenance.*

Carried 5/2

Cr Ralph Addis returned to the room at 6:20pm and the Shire President advised of the outcome of the item.

Since that meeting Council has discussed the background information associated with the tender process and related matters through two Briefing Sessions. At the Briefing Session held on 5 February, a presentation was made by a representative of the Kafremil Enterprises Ltd/Wunan Foundation Inc. A subsequent Briefing Session was held on 18 February 2008.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the Manager's Recommendation.

Budget allocations are included in each adopted budget for the undertaking of the landscape maintenance works within Kununurra and Wyndham and involve a combination of Shire day labour employees and contractors.

STRATEGIC IMPLICATIONS

Nil

COMMENT

The Council has received information through two briefing sessions, and it considered appropriate that the options that have been discussed be presented to the March Council meeting.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. authorise that no action be taken in respect of re-inviting tenders for Landscape Maintenance pending a report to Council at the 18 March 2008 meeting to consider service provision options that may include but not limited to: -
 - i. recalling tenders based on the existing specification, or
 - ii. inviting tenders under a new performance based specification, or
 - iii. structuring the Shire's day labour workforce to undertake the works.
2. authorise the extension of interim arrangements for landscape maintenance to 30 June 2008 subject to the agreement of the Kafremil Enterprises Ltd. Where these arrangements are not able to be negotiated, Council's previous resolution will apply (refer Minute No. 7991, recommendation 5)

COUNCIL DECISION

Minute No. 8090

Moved: Cr K Wright

Seconded: Cr J Buchanan

That Council:

1. *authorise that no action be taken in respect of re-inviting tenders for Landscape Maintenance pending a report to Council at the 18 March 2008 meeting to consider service provision options that may include but not limited to: -
 - i. *recalling tenders based on the existing specification, or*
 - ii. *inviting tenders under a new performance based specification, or*
 - iii. *structuring the Shire's day labour workforce to undertake the works.**
2. *authorise the extension of interim arrangements for landscape maintenance to 30 June 2008 subject to the agreement of the Kafremil Enterprises Ltd. Where these arrangements are not able to be negotiated, Council's previous resolution will apply (refer Minute No. 7991, recommendation 5)*

Carried Unanimously 6/0

COUNCIL DECISION

Minute No. 8094

Moved: Cr K Wright

Seconded: Cr D Ausburn

1. *That the meeting move into camera to discuss Item 16.2 Steve Chadwick – Employment Contract (Under section 5.23. (2) (e) (iii) of the Local Government Act 1995 because the item may disclose information about the business, professional, commercial or financial affairs of a person and because the item also contained legal advice to the Council).*
2. *That Council discuss Item 16.2 after Item 17.1*

Carried Unanimously 6/0

17. MATTERS BEHIND CLOSED DOORS

17.1. Confidential Item - Debts Currently In Legal Process

DATE:	19 February 2008
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	N/A
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

This item will be discussed behind closed doors under Section 5.23. (2) (e) (iii) of the Local Government Act 1995 because the item may disclose information about the business, professional, commercial or financial affairs of a person and because the item also contained legal advice to the Council.

RECOMMENDATION

That Council note the confidential report provided to it in relation to debts owed to Council and under legal action.

COUNCIL DECISION

Minute No. 8095

Moved: Cr K Wright

Seconded: Cr D Ausburn

That Council note the confidential report provided to it in relation to debts owed to Council and under legal action.

Carried Unanimously 6/0

COUNCIL DECISION

Minute No. 8096

Moved: Cr K Wright

Seconded: Cr D Ausburn

In the matter of the Debtor 82551 no further use of Council facilities be permitted until the debts are cleared.

Carried Unanimously 6/0

COUNCIL DECISION

Minute No. 8097

Moved: Cr K Wright

Seconded: Cr D Ausburn

That Council adjourn the meeting for a short dinner break.

Carried Unanimously 6/0

Meeting Adjourned at 8:25pm

COUNCIL DECISION

Minute No. 8098

Moved: Cr K Wright

Seconded: Cr D Ausburn

That Council resume the meeting.

Carried Unanimously 6/0

Meeting Resumed at 8:55pm

16.2 Confidential Late Item – Steven Chadwick- Employment Contract Claim

DATE:	19 February 2008
PROPONENT:	Steven Chadwick - Employment Contract Claim
LOCATION:	N/A
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	10.935.02
ASSESSMENT NO:	N/A

This Item will be considered behind closed doors pursuant to Section 5.23. (2)(a) (c) & (d) of the Local Government Act 1995 being a matter affecting an employee, a contract entered into, and legal advice to Council relating to the matter to be discussed at this meeting.

PURPOSE

To advise Council on developments regarding a complaint by former employee, Steven Chadwick to the Human Rights and Equal Opportunity Commission in regards to alleged discrimination/victimisation by the Chief Executive Officer (CEO) and to provide updated legal advice to Council on any potential liabilities Council may have in relation to Mr Chadwick's former employment contract. .

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

1. That Council note the confidential advice provided to it by Civic Legal dated 18 February 2008 regarding potential risk exposure in relation the former employment contract of Steven Chadwick.
2. That Council appoint Civic Legal to represent its interest in any further matters related to communications with Steven Chadwick regarding his former employment contract.
3. That consistent with Council's legal advice it advise Steven Chadwick via Civic Legal that Council denies any liability for the claims made by him in relation to his former employment contract, and that Council will therefore defend any civil action commenced against it.

COUNCIL DECISION

Minute No. 8099

Moved: Cr F Mills

Seconded: Cr J Parker

1. ***That Council note the confidential advice provided to it by Civic Legal dated 18 February 2008 regarding potential risk exposure in relation the former employment contract of Steven Chadwick.***

2. ***That Council appoint Civic Legal to represent its interest in any further matters related to communications with Steven Chadwick regarding his former employment contract.***
3. ***That consistent with Council's legal advice it advise Steven Chadwick via Civic Legal that Council denies any liability for the claims made by him in relation to his former employment contract, and that Council will therefore defend any civil action commenced against it.***

Carried Unanimously 6/0

18. CLOSURE

With all matters of business complete the Shire President declared the meeting closed at 9:10pm.