



MINUTES OF ORDINARY MEETING OF COUNCIL

HELD ON TUESDAY 17 FEBRUARY 2009

I hereby certify that the Minutes of the Ordinary Meeting of Council held 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 TUESDAY, 17 FEBRUARY AT 6:00 PM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President opened the meeting at 6.00pm

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

Cr F Mills	Shire President
Cr R Addis	Deputy President
Cr D Ausburn	Councillor
Cr P Caley	Councillor
Cr J Moulden	Councillor
Cr K Torres	Councillor
Cr K Wright	Councillor

P Stubbs	Chief Executive Officer
J Ellis	Executive Manager Corporate Services
A Douglas	Executive Manager Engineering & Regulatory Services
S Russell	Executive Support Officer – Corporate/Minute Taker
J Ninnette	Town Planning Officer

PUBLIC GALLERY

F Kuiper	Executive Support Officer
M Alchin	Executive Support Officer Community Services
W Richards	Manager Recreation Leisure

LEAVE OF ABSENCE

Cr R Boshammer	Councillor
Cr J Parker	Councillor

3. DECLARATIONS OF INTEREST

- **Financial Interest**

Nil

- **Impartiality Interest**

Cr K Wright declared an Impartiality Interest in Item 12.4.2 Proposed Workers Accommodation as he is a neighbour of the proponent. Also in Item 15.1 Ord River Sports Club – Request for Self Supporting Loan as he is a member.

Chief Executive Officer P Stubbs declared an Impartiality Interest in 15.1 Ord River Sports Club – Request for Self Supporting Loan as he is a member

Executive Manager Corporate Services J Ellis declared an Impartiality Interest in Item 12.6.17 Request for Ground Maintenance at Kununurra Club Lease Site as she is a member.

Cr D Ausburn declared an Impartiality Interest in Item 12.4.1 Brolga Road Reserve Proposed Amalgamation as she is friends of the proponent.

- **Proximity Interest**

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Response to Question from Diversion Cruises submitted just prior to the commencement of the meeting.

Q. Is it the responsibility of council to notify a proponent that an agenda item is going to be put to council? We were not notified of this being put to council today.

Staff endeavour to advise all applicants or people with an interest in reports included in Council agenda's. It is not a responsibility of Council to do so, but is considered best practice and courteous.

Q. Is Council aware that DPI have not been officially notified that we are going to be relocated by SWEK?

A range of Governments Agencies, including DPI are aware of and have been notified of Councils position, in relation to proposed leases on parts of Reserve 41812. Council is not relocating Diversion Cruises, but has offered an alternate lease site. It is a matter for Diversion Cruises to accept that offer or not.

Q. Is Council aware that DPI or Water Corporation have not given written approval for Diversion Cruises & Hire to be relocated or that there will be restrictions imposed on us due to safety concerns

regarding the ski area/sailing area/commercial operators and float planes/dam wall and Water Corporation?

A. The DPI has advised Diversion Cruises that it will assess all applications for licenses on their merits. In terms of self propelled and/or paddle craft, written advise has been provided that Diversion Cruises has the option to apply for a License to operate from other locations, for example Celebrity Tree Park, where a clear precedent for this has been established with an alternate provider of a similar service.

Q. Is Council going to be consistent and transparent with lease decisions on Reserve 41812.

Council decisions in relation to this matter have been made in the public domain, and are therefore transparent. It is not a requirement for Council to have like for like leases in Reserve 41812. Council can have different leases depending on the circumstances.

Q. Would Council consider deferring this item until the report regarding Reserve 41812 has been tabled before Council.?

That is matter for the Council during consideration of the report before in tonight's agenda, and cannot be answered at this point in time.

6. PETITIONS

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

7.1 APPLICATION FOR LEAVE OF ABSENCE (8544)

COUNCIL DECISION

Minute No 8544

Moved: Cr J Wright

Seconded: Cr Ausburn

That a leave of absence is approved for Cr Moulden for the April Meeting of 21 April 2009 and Cr F Mills for the Meeting of March 17 2009.

CARRIED UNANIMOUSLY:(7/0)

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 20 JANUARY 2009 (8545)

RECOMMENDATION

That Council Confirm minutes of the Ordinary Meeting of Council held on Tuesday 20 January 2009.

COUNCIL DECISION

Minute No. 8545

Moved:Cr D Ausburn

Seconded:Cr K Torres

That Council Confirm minutes of the Ordinary Meeting of Council held on Tuesday 20 January 2009.

CARRIED UNANIMOUSLY: (7/0)

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

At the start of this Council meeting I would like to record on behalf of Council our deepest sympathy and thoughts for all those affected by the recent bushfires in Victoria. I thank the many people in the East Kimberley who have taken action to support in many ways.

At the Kununurra Chamber of Commerce Industry Business After Hours function held Thursday 12 February an auction was held to raise funds for the Bushfire Appeal. Four large banner posters promoting the movie Australia were auctioned. On Behalf of Council, after consultation with Cr Wright and the CEO, who were both present at the function, I purchase one of the banners for \$2,100, to be hung at the East Kimberley Regional Airport, as a way of Council supporting both the Bushfire Appeal and promoting our region's connection with the movie

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1. Minutes of Audit Committee Meetings

11.1.1 MINUTES OF AUDIT COMMITTEE MEETING HELD ON TUESDAY 20 JANUARY 2009 (8546)

RECOMMENDATION

That Council note the minutes of the Audit Committee held on Tuesday 20 January 2009

COUNCIL DECISION

Minute No. 8546

***Moved:Cr P Caley
Seconded:Cr K Wright***

That Council note the minutes of the Audit Committee held on Tuesday 20 January 2009.

CARRIED UNANIMOUSLY: (7/0)

11.2. Minutes of Airport Committee Meetings

**11.2.1 MINUTES OF AIRPORT COMMITTEE MEETING HELD ON
TUESDAY 10 FEBRUARY 2009 (8547)**

RECOMMENDATION

That Council note the minutes of the Airport Committee held on Tuesday
10 February 2009

COUNCIL DECISION

Minute No. 8547

Moved:Cr K Wright

Seconded:Cr J Moulden

*That Council note the minutes of the Airport Committee held on
Tuesday 10 February 2009*

CARRIED: (7/0)

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 REVIEW OF POLICY F17 - INVESTMENT POLICY (8548)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gill Old Manager Financial Services
REPORTING OFFICER:	Jo-Anne Ellis Executive Manager Corporate Services
FILE NO:	61.34.04
ASSESSMENT NO:	N/A

PURPOSE

To present to Council Policy F17 – Investment Policy as reviewed by the Audit Committee.

BACKGROUND

Policy F17 – Investment Policy was adopted by Council at Ordinary Council Meeting of 20 December 2005 with the following recommendation:

MINUTE NO:7358

Moved Cr K Wright

Seconded Cr R Devenish Meares

That Council endorse the Investment Policy

Carried Unanimously 8-0

Copy of policy adopted at meeting is attached for reference.

STATUTORY IMPLICATIONS

Section 6.14 Local Government Act 1995
Regulation 19, 28 & 49 Local Government (Financial Management Regulations) 1996
Part III Investments of Trustees Act 1962
Australian Accounting Standards

POLICY IMPLICATIONS

F17 – Investment Policy

FINANCIAL IMPLICATIONS

Implementation of a sound investment policy will result in Councils funds being managed in a secure and effective manner.

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governance

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

In February 2008, as a result of losses incurred by some local governments due to their investment exposure, the Minister for Local Government released an Investment Policy Guideline intended to be a “best practice guide” to assist Local Governments in developing investment policy. This was released encouraging all local governments to review their investment strategies to ensure they had a robust investment policy.

The majority of the Shire of Wyndham East Kimberley investment portfolio is currently invested in ‘cash’ products and no capital losses have occurred as a result of financial market instability. Measures were taken by staff to ensure all funds were invested in major financial institutions, and with Council’s adoption of the reviewed Investment Policy, staff will once again review all investments to ensure compliance with the new policy. This will be reported back to the Audit Committee.

Shareholdings owned by Council are held in Ord River District Co-Operative Ltd (4061 “A” class shares) and Cambridge Gulf Limited (4061 shares). Council’s position regarding these shares was considered at Ordinary Council Meeting of 19th August 2008 with the following resolution:

Minute No. 8314

Moved: Cr J Moulden

Seconded: Cr K Wright

That Council:

Council retain the current shares held with the Co-operative and continue to do business with the Co-operative to benefit from the dividends and the rebate when issued; and

Council dispose of the current shares held with Cambridge Gulf Limited by public expression of interest with such sale to be ratified by the board of Cambridge Gulf Limited.

Carried Unanimously 6/0

As per part B of the above resolution, the matter was considered at Ordinary Council Meeting of 16th December 2008 with the following resolution:

Under the terms of the revised F17 Investment Policy, it is not considered that the retention of the Ord River District Co-Operative Ltd shareholding is for 'speculative purposes', as the primary reason for retention is to obtain the purchasing rebates that are received as a share holder. The Co-operatives Annual Report for 2008 indicated the value of the shares as at 13 December 2007 was \$2.12 per share, making the Shire's shareholding value at that date of \$4,063.12.

It should be noted that the revised policy refers to actions that a 'prudent person' would exercise. The 'prudent person' rule is derived by legislation and under case law to obligate the trustee to exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons. This obligates local government officers to act in a manner according to the 'prudent person' standards of behaviour.

Responsibility for control and operation of local government's affairs, allocation of resources and determination of policies rests with Council. Council should be satisfied that responsible officers have complied with the investment policy and based its decisions on informed reports.

ATTACHMENTS

Current F17 – Investment Policy
Amended F17 – Investment Policy
Circular No 06-2008 Minister for Local Government

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee recommend to Council to adopt amended Policy F17 – Investment Policy.

COMMITTEE DECISION

Minute AC120

Moved: Cr F Mills

Seconded: Cr D Ausburn

That the Audit Committee recommend to Council to adopt amended Policy F17 – Investment Policy.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council adopt amended Policy F17 – Investment Policy.

COUNCIL DECISION

Minute No. 8548

***Moved:Cr D Ausburn
Seconded:Cr P Caley***

That Council adopt amended Policy F17 - Investment Policy.

CARRIED UNANIMOUSLY: (7/0)

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**Attachment Investment Policy Review
Current Policy**

POLICY NUMBER:	F17
DIVISION:	Corporate & Community Services
SUBJECT:	Investment Policy
REPORTING OFFICER:	Acting Executive Manager Corporate Services
ENABLING LEGISLATION:	N/A

OBJECTIVE

The investment policy will act as a guide set by Council in relation to the risk profile of investing the community's funds. Banks will be rated by Standard and Poors and Credit Unions will be rated by their asset base.

POLICY

Council has two investment portfolios being short term municipal funds and medium to long term reserve funds. Three quotes are required when investing any funds from municipal or reserve accounts. Once the rate is finalised the investment must be signed by two signatories to the bank account.

Municipal Account

Municipal funds will be invested with the institution that provides our trading account and supports our merchant banking facilities. By keeping our short term municipal investments with the facility which provides our trading account Council allow for,

Accountability – separate to reserve accounts.

Transparency – all municipal funds listed on internet banking.

Short term investment – ease of transferring funds between short term investments and working capital.

Risk averse – investment in term deposits.

Reserve Account

Reserve funds are traditionally medium to long term investments, higher returns can be gained from long term investing. We can split our investing into long term, medium term and short term and install guidelines on the different institutions that the funds may be deposited with. Diversifying investments across three institutions reduces the risk when investing funds and is advisable.

Long Term – funds are invested for up to one year with a Bank offering a Standards and Poors long term rating of greater than A. Reserve long term investing may be conducted with a Credit Union with assets greater than one billion dollars.

Medium Term – funds are invested for up to six months with a bank offering a Standards and Poors long term rating of greater than A and a short term rating of greater than A2. Reserve medium term investing may be conducted with a Credit Union with assets greater than one billion dollars.

Short Term – funds are invested in liquid investments in high interest earning bank accounts with short term Standards and Poors ratings of greater than A2. Credit Unions offering traditional trading accounts with an asset base of greater than six hundred million with minimal fees may be utilised. The amount invested will need to be judged by the adopted budget (reserve funding requirements) but should be kept to a minimum as greater returns can be gained from long term investing.

ADOPTED:20/12/05

AMENDED:

REVIEWED:

Attachment Investment Policy Review Proposed Amended Policy

POLICY No:	F17
DIVISION	Finance
SUBJECT:	Investment Policy
REPORTING OFFICER	Executive Manager of Corporate Services

Objective:

To invest the Shire of Wyndham East Kimberley surplus funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, whilst ensuring that liquidity requirements are being met.

Preservation of capital is to be the principal objective with consideration given to liquidity, cash flow requirements and return on investment.

Legislative Requirements

All investments are to comply with the following:

- Local Government Act 1995 – Section 6.14
- The Trustees Act 1962 – Part III Investments
- Local Government (Financial Management) Regulations 1996 – Regulations 19, 28 and 49
- Australian Accounting Standards

Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the CEO in accordance with the Local Government Act 1995. The CEO may in turn delegate the day-to-day management of Council's Investment to senior staff subject to regular reviews.

Policy:

Prudent Person Standard

Investments are to be managed with the care, diligence and skill that a "prudent person" (as derived by legislation, *Trustees Act 1962*, and case law) would exercise. Officers are to manage investments to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investments, and must disclose any conflict of interest to the CEO.

Approved Investments

Acceptable methods of investing are:

- State/Commonwealth Government Bonds;
- Interest Bearing Deposits;
- Bank accepted/endorsed bank bills;
- Commercial paper;
- Bank negotiable Certificate of Deposits; and

- Managed funds with a minimum long term Standard & Poor (S&P) rating of “A” and a short term rating of “A2”.

Prohibited Investments

This policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments; (*Derivatives are financial contracts, or financial instruments, whose values are derived from the value of something else (known as the underlying). The underlying on which a derivative is based can be an asset (e.g., commodities, equities (stocks), residential mortgages, commercial real estate, loans, bonds), an index (e.g., interest rates, exchange rates, stock market indices, consumer price index (CPI) — see inflation derivatives), or other items (e.g., weather conditions, or other derivatives). Credit derivatives are based on loans, bonds or other forms of credit. The main types of derivatives are: forwards (which if traded on an exchange are known as futures); options; and swaps.*)
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

Risk Management Guidelines

Investments obtained are to comply with three key criteria relating to:

- a) Portfolio Credit Framework - to limit overall credit exposure of the portfolio
- b) Counterparty Credit Framework – to limit exposure to individual counterparties/institutions
- c) Term to Maturity Framework – limits based upon maturity of securities

a) Overall Portfolio Limits

To control quality on the entire portfolio, the following framework limits the percentage of the portfolio exposed to a particular credit rating category:

S & P Long Term Rating	S & P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%

b) Counterparty Credit Framework

Exposure to an individual institution will be restricted by its credit rating so that single entity exposure is limited as detailed in the table below:

S & P Long Term Rating	S & P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

If any of the investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

Investments fixed for greater than 12 months are to be approved by Council, reviewed on a regular term and invested for no longer than 5 years.

c) Term to Maturity Framework

The following maturity constraints will apply:

Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100 Max; 40% Min
Portfolio % > 1 year	60%
Portfolio % > 3 year	35%
Portfolio % > 5 year	25%

Individual Investment Maturity Limits	
Authorised Deposit Institution	5 years
Non Authorised Deposit Institution	3 years

Note: Authorised Deposit Institutions are corporations that are authorised under the Banking Act 1959 to take deposits from customers.

Investment Guidelines

Municipal funds will be invested for short to medium terms, and reserve funds for medium to long terms. To maintain accountability and transparency, municipal funds and reserve funds are to be invested in separate accounts.

For the purposes of this policy:

- “Long term” refers to a term of up to 12 months.
- “Medium term” refers to a term of up to 6 months.
- “Short term” refers to liquid investments (at call) or up to 3 months or less that are readily convertible to cash with no impairment to the original value of the investment.

Appendix B - Investment Policy checklist from Local Government Operational Guidelines – Number 19 - Investment Policy (February 2008) shall be used to assess each new investment. The form shall be retained as evidence.

Three quotes will be obtained when investing any funds. Once the rate is finalised the investment must be approved by two signatories to the bank account.

Investment Strategy

An Investment Strategy will run in conjunction with this investment policy. The investment strategy will be presented to Council's Audit Committee every six months. The Strategy will outline:

- Council's cash flow expectations
- Optimal target allocation of investment types, credit rating exposure, and term to maturity exposure and
- Appropriateness of overall investment types for Council's Portfolio

Investment Advisor

Should an Investment Advisor be appointed this must be approved by Council and be licensed by the Australian Securities and Investment Commission. Any advisor appointed must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the investment policy.

Reporting and Review

A monthly report will be provided to Council in support of the monthly statement of activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value (if applicable).

Documentary evidence must be held for each investment and details thereof maintained in an investment register.

Certificates will be obtained from financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes.

ADOPTED: 20/12/2005

REVIEWED: 17/2/2009

AMENDED: 17/2/2009

12.1.2 REVIEW OF POLICY F19 - PURCHASING AND TENDERING POLICY

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis Executive Manager Corporate Services
FILE NO:	60.02.01
ASSESSMENT NO:	N/A

PURPOSE

To consider revised policy F19 – Purchasing and Tendering Policy as reviewed by the Audit Committee

BACKGROUND

Council amended policy F19 – Purchasing and Tendering Policy on 17 April 2007 following the amendment to legislative requirements that increased the tender threshold from \$50,000 to \$100,000 if the Council has a purchasing policy.

The Audit Management Report for the year ended 30 June 2008 raised a compliance issue in relation to the Purchasing Policy:

We noted the purchasing policy did not state record keeping requirements as required by Functions and General Regulation 11 (3)(b). To help ensure compliance with the Functions and General Regulation, we recommend the purchasing policy be amended to include these.

Additionally the Audit Committee Planner has flagged the Purchasing Policy for review due to the need to expand the policy to include reference to Synergy and purchasing of items not required to go to tender.

STATUTORY IMPLICATIONS

Local Government Act 1995
Local Government Act 1995 – Functions and General Regulations – Part 4

POLICY IMPLICATIONS

Policy F19- Purchasing and Tendering Policy

FINANCIAL IMPLICATIONS

Appropriate purchasing methods improve financial outcomes.

STRATEGIC IMPLICATIONS

By adopting a purchasing policy with guidelines for all purchasing Council is guiding appropriate purchasing behaviours.

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

The revised policy provides greater guidance for purchases below the tender threshold to promote greater consistence in purchasing across the organisation and greater accountability is placed on purchasing officers to follow appropriate purchasing behaviours.

ATTACHMENTS

Current Policy F19 – Purchasing and Tendering Policy
Revised Policy F19 – Purchasing and Tendering Policy.

VOTING REQUIREMENTS

Simple Majority

OFFICERS RECOMMENDATION

That the Audit Committee recommends to Council to adopt revised policy F19 – Purchasing and Tendering Policy

COMMITTEE DECISION

Minute AC122

Moved: Cr F Mills

Seconded: Cr D Ausburn

That the Audit Committee recommends to Council to adopt revised policy F19 – Purchasing and Tendering Policy.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council adopts revised policy F19 – Purchasing and Tendering Policy.

At the suggestion of the President and supported by the Councillors the Item was deferred until the Meeting of 3 March 2009 due to the attachments missing

12.1.3 REQUEST TO LOCATE TRANSPORTABLE OFFICE AT WYNDHAM AIRPORT (8549)

DATE:	17 February 2009
PROPONENT:	Shoal Air Pty Ltd
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Brian Sargeant, Airport Operations Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	20.12.08
ASSESSMENT NO:	N/A

PURPOSE

To consider a request from Shoal Air to locate a transportable office (converted Sea Container) at Wyndham Airport.

BACKGROUND

At the Airport Committee Meeting on 9 December the following documentation was tabled by the Executive Manager Corporate Services:

- Email correspondence Shoal Air /Peter Stubbs
- Email correspondence Shoal Air / Brian Sargeant / Jo-Anne Ellis
- Fax Shoal Air / Brian Sargeant

At the 9 December meeting the committee discussed that the sea container / office was placed at the Wyndham Airport without the permission of the Shire. A request to lease an area was made by email to the CEO but this had not been considered by the committee. Mr Irvine was informed his request would be considered by the committee at the 9 December meeting and a recommendation would be made to Council on 16 December 2008. In subsequent correspondence Mr Irvine withdrew the request to locate an office at the Wyndham Airport.

Further to this correspondence Mr Irvine of Shoal Air has confirmed he wishes to re-submit his request to locate a transportable office at Wyndham Airport.

STATUTORY IMPLICATIONS

Disposal of land must occur in accordance with the Local Government Act.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Fees applicable would contribute to Wyndham Airport revenue. Shoal Air would fund the connection of power and water.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Community Consultation is required in the form of advertising for submissions in relation to disposal of land under Local Government Act.

COMMENT

In December Mr Irvine (Shoal Air) was given until 31 January 2009 to remove the illegal container. The container is still in place at the Wyndham Airport.

The area of the proposed lease is currently not used for any purpose other than additional car parking space and would not interfere with access to leased areas by current lessee of office, hangar and shed.

ATTACHMENTS

Attachment 1 – Proposed location of Transportable Office

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Airport Committee recommend to Council to offer to Shoal Air Pty Ltd a 3 year lease over a 100 m² portion of Wyndham Airport for the purpose of locating a transportable office under the following conditions

- Advertising and Public Comment period
- Planning approval prior to occupation of the building.
- An annual lease fee of \$10,000 plus GST with annual CPI indexation.
- Shoal Air are responsible for all costs in relation to connection of utilities and sub meters.

COMMITTEE RESOLUTION

Minute No: AP 075

Moved: Cr K Wright

Seconded: Cr P Caley

That the Airport Committee recommend to Council to offer to Shoal Air Pty Ltd a 3 year lease over a 100 m² portion of Wyndham Airport for the purpose of locating a transportable office under the following conditions

- Advertising and Public Comment period
- Planning approval prior to occupation of the building.
- An annual lease fee of \$10,000 plus GST with annual CPI indexation.
- Shoal Air are responsible for all costs in relation to connection of utilities and sub meters.

COMMITTEE RECOMMENDATION

That the Council offer to Shoal Air Pty Ltd a 3 year lease over a 100 m² portion of Wyndham Airport for the purpose of locating a transportable office under the following conditions

- Advertising and Public Comment period
- Planning approval prior to occupation of the building.
- An annual lease fee of \$10,000 plus GST with annual CPI indexation.
- Shoal Air are responsible for all costs in relation to connection of utilities and sub meters.

COUNCIL DECISION

Minute No. 8549

Moved:Cr P Caley

Seconded:Cr K Torres

That the Council offer to Shoal Air Pty Ltd a 3 year lease over a 100 m² portion of Wyndham Airport for the purpose of locating a transportable office under the following conditions

' Advertising and Public Comment period

' Planning approval prior to occupation of the building.

' An annual lease fee of \$10,000 plus GST with annual CPI indexation.

' Shoal Air are responsible for all costs in relation to connection of utilities and sub meters.

CARRIED UNANIMOUSLY: (7/0)

Proposed Location of Transportable Office



Proposed Lease Area

12.1.4 ALICE SPRINGS AIR ROUTE (8550) (8551) (8552)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.13
ASSESSMENT NO:	N/A

PURPOSE

For the Airport Committee to consider matters related to the advancing a possible air route connection between Kununurra and Alice Springs.

BACKGROUND

In late 2008 the Airport Committee met with delegates of Airnorth to discuss ways to investigate the potential to establish an air link between Kununurra and Alice Springs.

Indications from the Airport Committee at the time were that it was felt this air link if could be established would assist growth for the East Kimberley region and travel options for people.

Alice Springs is a hub for air transit connections and may offer better connections particularly to Eastern Australian.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Indicative cost estimated to complete an analysis of the potential for a Kununurra to Alice Springs air route is \$10,000. This would be funded from Council's airport accounts.

STRATEGIC IMPLICATIONS

Alice Springs is a hub for air transit connections and may offer better connections particularly to Eastern Australian.

Council's strategic goal is to ensure that air services met the needs of the growing region.

COMMUNITY CONSULTATION

Nil

COMMENT

The liaison with Airnorth was based on that company's experience in air operations in northern Australia.

Airnorth indicated that in the current climate it would be unlikely that a route between Kununurra and Alice Springs was viable without considerable underwriting.

It is considered that the best and most objective way for this to be progressed is for Council to appoint an independent and experienced aviation specialist to conduct an analysis of the potential for a Kununurra and Alice Springs air link.

This base analysis is considered necessary before an informed evaluation can be made whether or not to take the matter forward.

Should the analysis indicate that further progression is warranted, then it is considered that the best approach would be an open and transparent when through the calling of Expression of Interests from aviation companies who may be interested in establishing this route.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That the Airport Committee recommend to Council that it allocate funds from its Airport Accounts to support an independent analysis of the potential to establish an air link route between Kununurra and Alice Springs with the aim of facilitating regional growth and access to Eastern Australia.

COMMITTEE RESOLUTION

Minute No: AP 077

Moved: Cr K Wright

Seconded: Cr J Moulden

That the Airport Committee recommend to Council that it allocate funds from its Airport Accounts to support an independent analysis of the potential to establish an air link route between Kununurra and Alice Springs with the aim of facilitating regional growth and access to Eastern Australia.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council allocate funds from its Airport Accounts to support an independent analysis of the potential to establish an air link route between Kununurra and Alice Springs with the aim of facilitating regional growth and access to Eastern Australia.

COUNCIL DECISION

Minute No. 8550

Moved:Cr D Ausburn

Seconded:Cr J Moulden

That Council suspend standing order 7.5 to enable Councillors to speak more than once in relation to matter being discussed.

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 was suspended at 6.10pm

Minute No: 8551

Moved:Cr D Ausburn

Seconded:Cr R Addis

That Council resumes Standing Order 7.5

CARRIED UNANIMOUSLY: (7/0)

Standing Order resumed at 6.13pm

Minute No: 8552

Moved:Cr K Wright

Seconded:Cr P Caley

That Council allocate funds from its Airport Accounts to support an independent analysis of the potential to establish an air link route between Kununurra, Alice Springs and Broome with the aim of facilitating regional growth and access to Eastern Australia.

CARRIED UNANIMOUSLY: (7/0)

12.2. CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT (8553)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gillian Old, Manager Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to note and accept the Monthly Financial Reports for December 2008 and January 2009.

BACKGROUND

Council is required to prepare Monthly Financial Reports as required by the Local Government (Financial Management) Regulations 1996.

STATUTORY IMPLICATIONS

Section 6.4 Local Government Act 1995
Regulation 34, Local Government (Financial Management Regulations) 1996

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

Key Result Area 5 – Governance

Council's financial position and forward planning is sound.

COMMUNITY CONSULTATION

Nil

COMMENT

Comment in relation to budget to actual variances are included as a note in the Financial Reports.

ATTACHMENTS

Monthly Financial Reports for December 2008 and January 2009.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Monthly Financial Reports for the months of December 2008 and January 2009.

COUNCIL DECISION

Minute No. 8553

Moved:Cr J Moulden

Seconded:Cr K Wright

That Council accept the Monthly Financial Reports for the months of December 2008 and January 2009

CARRIED UNANIMOUSLY: (7/0)

**Shire of Wyndham East Kimberley
Statement of Financial Activity
Year to Date Actual v Year to Date Budget
as at 31 December 2008**

	Year to Date Budget		Year to Date Actual		Variance	
	\$	\$	\$	\$	\$	
Revenues		7,120,073		7,540,813		
General Purpose Funding	2,266,390		2,311,554		45,164	2%
Governance	27,998		31,778		3,780	14%
Law, Order And Public Safety	60,721		28,305		(32,416)	-53%
Health	71,264		74,499		3,235	5%
Education And Welfare	1,048,465		1,031,820		(16,645)	-2%
Housing	36,906		63,326		26,420	72%
Community Amenities	1,500,439		1,677,379		176,940	12%
Recreation And Culture	224,024		216,544		(7,480)	-3%
Transport	1,599,932		1,944,771		344,839	22%
Economic Services	146,120		47,878		(98,242)	-67%
Other Properties And Services	137,814		112,961		(24,853)	-18%
Expenses		(7,455,043)		(7,290,964)		
General Purpose Funding	(186,980)		(213,125)		(26,145)	14%
Governance	(526,704)		(439,469)		87,235	-17%
Law, Order And Public Safety	(247,103)		(285,486)		(38,383)	16%
Health	(156,987)		(152,568)		4,419	-3%
Education And Welfare	(221,325)		(226,189)		(4,864)	2%
Housing	(115,352)		(136,390)		(21,038)	18%
Community Amenities	(1,365,516)		(1,284,674)		80,842	-6%
Recreation and Culture	(1,788,772)		(1,830,189)		(41,417)	2%
Transport	(2,338,464)		(2,357,244)		(18,780)	1%
Economic Services	(326,182)		(231,756)		94,426	-29%
Other Properties And Services	(181,658)		(133,874)		47,784	-26%
Adjustments for Cash Budget Requirements						
Non-Cash Expenditure and Revenue		(28,568)		(229,724)	(201,156)	0
Capital Expenditure and Revenue		(2,774,707)		(3,512,065)		
<i>Purchase for Land Held for Resale</i>	0		0		0	
<i>Purchase Land and Buildings</i>	(320,000)		(288,989)		31,011	0%
<i>Purchase Infrastructure Assets - Roads</i>	(1,878,012)		(1,856,580)		21,432	-1%
<i>Purchase Infrastructure Assets - Parks</i>	(182,000)		(202,259)		(20,259)	11%
<i>Purchase Infrastructure Assets - Footpaths</i>	(92,384)		(164,028)		(71,644)	78%
<i>Purchase Infrastructure Assets - Drainage</i>	(125,000)		(155,080)		(30,080)	0%
<i>Purchase Infrastructure Assets - Other</i>	(1,582,000)		(1,309,303)		272,697	-17%
<i>Purchase Plant and Equipment</i>	(660,996)		(577,909)		83,087	-13%
<i>Purchase Furniture and Equipment</i>	(97,500)		(75,761)		21,739	-22%
<i>Grants / Contributions for Development of Assets</i>	1,315,880		711,499		(604,381)	-46%
<i>Proceeds from Disposal of Assets</i>	1,274,000		1,231,575		(42,425)	-3%
<i>Proceeds from Sale of Land Held for Resale</i>	250,000		302,605		52,605	0%
<i>Repayment of Debentures</i>	(63,998)		(63,243)		755	-1%
<i>Proceeds from New Debentures</i>	0		0		0	
<i>Self-Supporting Loan Principal Income</i>	1,119		1,119		0	
<i>Transfers to Reserves (Restricted Assets)</i>	(613,816)		(1,065,712)		(451,896)	
<i>Transfers from Reserves (Restricted Assets)</i>	0		0		0	
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	1,448,641	1,448,641	2,301,074	2,301,074	852,433	59%
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	3,046,735	3,046,735	3,687,099	3,687,099	640,364	21%
Amount Required to be Raised from Rates	4,736,339	4,736,339	4,877,965	4,877,965	141,626	3%

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 December 2008

Net Current Assets	YTD Actual 2008/09 \$	Brought Forward 1 July 2008 \$
<i>Composition of Net Current Asset Position</i>		
Current Assets		
Cash - Unrestricted	2,896,123	1,155,459
Cash - Reserves	6,167,874	5,102,163
Cash - Restricted Unspent Grants		1,091,078
Investments - Restricted		
Receivables	2,475,832	1,141,569
Inventories		1,119
Land Held for Resale	23,496	7,834
Current Assets	11,563,325	8,499,221
<i>Less</i>		
Current Liabilities		
Payables	(1,708,351)	(1,095,984)
	(1,708,351)	(1,095,984)
<i>Less</i>		
Restricted Reserves		
Cash	(6,167,874)	(5,102,163)
Investments		
Net Current Asset Position	3,687,099	2,301,074

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 December 2008

Explanation of Material Variances

Variances +/- \$50,000

Operating

Recurrent Revenue - Excluding Rates

Community Amenities – Actual revenue for Lake Kununurra Project and Natural Disaster Mitigation - Grant not the same as budgeted pattern, adjustments included in budget review. Rubbish disposal charges not processed for October & November, waiting details from landfill contractor.

Transport - Profit from sale of land at East Kimberley Regional Airport not included in original budget.

Economic Services - Nil activity on Something Concrete Project due to Dept Housing & Works not advanced contracts for construction. Negotiations stalled. Variance also reflected in expenditure.

Recurrent Expenditure

Governance - Actual expenditure in salary & wages not the same as budgeted expenditure pattern, timing difference.

Community Amenities - Actual expenditure in salary & wages not the same as budgeted expenditure pattern due to vacant positions in Youth Services, timing difference.

Economic Services - Nil activity on Something Concrete Project due to Dept Housing & Works not advanced contracts for construction. Negotiations stalled. Variance also reflected in revenue.

Capital

Non-Cash Expenditure and Revenue

Profit on Sale of Assets - Profit from sale of land at East Kimberley Regional Airport not included in budget.

Capital Expenditure and Revenue

Purchase Infrastructure Assets - Footpaths: Expense posted incorrectly. Corrections to occur.

Purchase Infrastructure Assets - Other: Savings on constructions costs East Kimberley Regional Airport Apron & Taxiway upgrades.

Purchase Plant & Equipment: Actual expenditure not the same as budgeted expenditure pattern, timing difference.

Grants / Contributions for Development of Assets: - Road Contributions Carlton Hill Road that have been received were not included in original budget.

Proceeds from Sale of Land Held for Resale: - Higher than estimated proceeds received from sale of land at East Kimberley Regional Airport

Transfers to Reserves - Restricted Assets: - Audit adjustment in 07/08 financials resulted in Airport General Reserve transfer of \$860,197 being reported in 08/09. This was not budgeted for and is a timing difference between 2007/08 and 2008/09 with the value included in the Estimated Surplus/(Deficit) July 1 B/Fwd.

Shire of Wyndham East Kimberley
Note to Statement of Financial Activity
(Budget to Collect / Spend)
as at 31 December 2008

	Adopted Budget		Year to Date Actual		Budget Remaining to Collect / (Spend)	
	\$	\$	\$	\$	\$	\$
Revenues		11,628,112		7,540,813		4,087,299
General Purpose Funding	4,180,362		2,311,554		1,868,808	
Governance	47,000		31,778		15,222	
Law, Order And Public Safety	89,600		28,305		61,295	
Health	145,420		74,499		70,921	
Education And Welfare	1,102,519		1,031,820		70,699	
Housing	71,350		63,326		8,025	
Community Amenities	1,877,689		1,677,379		200,310	
Recreation And Culture	486,100		216,544		269,556	
Transport	3,060,150		1,944,771		1,115,379	
Economic Services	292,285		47,878		244,407	
Other Properties And Services	275,637		112,961		162,676	
Expenses		(15,509,816)		(7,290,964)		(8,218,852)
General Purpose Funding	(358,155)		(213,125)		(145,030)	
Governance	(1,057,900)		(439,469)		(618,431)	
Law, Order And Public Safety	(482,548)		(285,486)		(197,062)	
Health	(339,005)		(152,568)		(186,437)	
Education And Welfare	(414,772)		(226,189)		(188,583)	
Housing	(270,286)		(136,390)		(133,896)	
Community Amenities	(3,128,713)		(1,284,674)		(1,844,039)	
Recreation and Culture	(3,354,062)		(1,830,189)		(1,523,873)	
Transport	(5,236,286)		(2,357,244)		(2,879,042)	
Economic Services	(629,627)		(231,756)		(397,870)	
Other Properties And Services	(238,463)		(133,874)		(104,589)	
Adjustments for Cash Budget Requirements						
Non-Cash Expenditure and Revenue		1,276,826		(229,724)		1,506,550
Capital Expenditure and Revenue		(3,580,102)		(3,512,065)		(68,037)
Purchase for Land Held for Resale	(750,000)		0		(750,000)	
Purchase Land and Buildings	(1,371,000)		(288,989)		(1,082,011)	
Purchase Infrastructure Assets - Roads	(3,864,016)		(1,856,580)		(2,007,436)	
Purchase Infrastructure Assets - Parks	(1,000,000)		(202,259)		(797,741)	
Purchase Infrastructure Assets - Footpaths	(147,164)		(164,028)		16,864	
Purchase Infrastructure Assets - Drainage	(125,000)		(155,080)		30,080	
Purchase Infrastructure Assets - Other	(2,418,470)		(1,309,303)		(1,109,167)	
Purchase Plant and Equipment	(1,783,280)		(577,909)		(1,205,371)	
Purchase Furniture and Equipment	(251,000)		(75,761)		(175,239)	
Grants / Contributions for Development of Assets	4,514,260		711,499		3,802,761	
Proceeds from Disposal of Assets	1,583,053		1,231,575		351,478	
Proceeds from Sale of Land Held for Resale	250,000		302,605		(52,605)	
Repayment of Debentures	(127,300)		(63,243)		(64,057)	
Proceeds from New Debentures	1,071,000		0		1,071,000	
Self-Supporting Loan Principal Income	1,119		1,119		(0)	
Transfers to Reserves (Restricted Assets)	(968,595)		(1,065,712)		97,117	
Transfers from Reserves (Restricted Assets)	1,806,291		0		1,806,291	
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	1,448,641	1,448,641	2,301,074	2,301,074	(852,433)	(852,433)
LESS Estimated Surplus/(Deficit) June 30 C/Fwd		0	3,687,099	3,687,099	(3,687,099)	(3,687,099)
Amount Required to be Raised from Rates	4,736,339	4,736,339	4,877,965	4,877,965	(141,626)	(141,626)

Shire of Wyndham East Kimberley
Statement of Financial Activity
Year to Date Actual v Year to Date Budget
as at 31 January 2009

	Year to Date Budget		Year to Date Actual		Variance	
	\$	\$	\$	\$	\$	
Revenues		7,539,713		8,038,611		
General Purpose Funding	2,318,956		2,398,306		79,350	3%
Governance	29,198		27,317		(1,881)	-6%
Law, Order And Public Safety	61,412		34,193		(27,219)	-44%
Health	71,842		74,781		2,939	4%
Education And Welfare	1,057,472		1,038,310		(19,162)	-2%
Housing	42,218		72,036		29,818	71%
Community Amenities	1,595,851		1,814,652		218,801	14%
Recreation And Culture	259,262		250,240		(9,022)	-3%
Transport	1,811,507		2,144,173		332,666	18%
Economic Services	153,765		65,869		(87,896)	-57%
Other Properties And Services	138,230		118,734		(19,496)	-14%
Expenses		(8,658,931)		(8,271,332)		
General Purpose Funding	(200,059)		(224,022)		(23,963)	12%
Governance	(577,514)		(487,139)		90,375	-16%
Law, Order And Public Safety	(275,345)		(311,793)		(36,448)	13%
Health	(182,341)		(177,614)		4,727	-3%
Education And Welfare	(271,778)		(259,532)		12,246	-5%
Housing	(128,621)		(154,033)		(25,412)	20%
Community Amenities	(1,885,143)		(1,671,369)		213,774	-11%
Recreation and Culture	(1,992,482)		(1,995,818)		(3,336)	0%
Transport	(2,639,035)		(2,589,501)		49,534	-2%
Economic Services	(347,340)		(250,348)		96,992	-28%
Other Properties And Services	(159,273)		(150,164)		9,109	-6%
Adjustments for Cash Budget Requirements						
Non-Cash Expenditure and Revenue		174,791		(15,001)	(189,792)	0
Capital Expenditure and Revenue		(2,931,947)		(3,468,888)		
<i>Purchase for Land Held for Resale</i>	0		0		0	
<i>Purchase Land and Buildings</i>	(320,000)		(298,486)		21,514	0%
<i>Purchase Infrastructure Assets - Roads</i>	(1,908,012)		(1,912,427)		(4,415)	0%
<i>Purchase Infrastructure Assets - Parks</i>	(293,000)		(299,005)		(6,005)	2%
<i>Purchase Infrastructure Assets - Footpaths</i>	(130,384)		(225,725)		(95,341)	73%
<i>Purchase Infrastructure Assets - Drainage</i>	(125,000)		(17,335)		107,665	0%
<i>Purchase Infrastructure Assets - Other</i>	(1,626,470)		(1,353,894)		272,576	-17%
<i>Purchase Plant and Equipment</i>	(1,079,912)		(917,378)		162,534	-15%
<i>Purchase Furniture and Equipment</i>	(197,500)		(93,902)		103,598	-52%
<i>Grants / Contributions for Development of Assets</i>	1,915,880		1,313,098		(602,782)	-31%
<i>Proceeds from Disposal of Assets</i>	1,274,000		1,231,575		(42,425)	-3%
<i>Proceeds from Sale of Land Held for Resale</i>	250,000		302,605		52,605	
<i>Repayment of Debentures</i>	(78,852)		(78,098)		754	-1%
<i>Proceeds from New Debentures</i>	0		0		0	
<i>Self-Supporting Loan Principal Income</i>	1,119		1,119		0	
<i>Transfers to Reserves (Restricted Assets)</i>	(613,816)		(1,121,036)		(507,220)	
<i>Transfers from Reserves (Restricted Assets)</i>	0		0		0	
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	1,448,641	1,448,641	2,301,074	2,301,074	852,433	59%

LESS	Estimated Surplus/(Deficit) June 30 C/Fwd	2,308,606	2,308,606	3,457,560	3,457,560	1,148,954	50%
	Amount Required to be Raised from Rates	4,736,339	4,736,339	4,873,096	4,873,096	136,757	3%

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity
For the Period Ended 31 January 2009

Net Current Assets	YTD Actual 2008/09 \$	Brought Forward 1 July 2008 \$
Composition of Net Current Asset Position		
Current Assets		
Cash - Unrestricted	1,281,074	1,155,459
Cash - Reserves	6,223,198	5,102,163
Cash - Restricted Unspent Grants		1,091,078
Investments Restricted	-	
Receivables	2,915,489	1,141,569
Self Supporting Loans		1,119
Inventories	23,496	7,834
Land Held for Resale		-
	10,443,257	8,499,221
Less		
Current Liabilities		
Payables	(762,498)	(1,095,984)
	(762,498)	(1,095,984)
Less		
Restricted Reserves		
Cash	(6,223,198)	(5,102,163)
Investments		
Net Current Asset Position	3,457,560	2,301,074

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity For the Period Ended 31 January 2009

Explanation of Material Variances

Variances +/- \$50,000

Operating

Recurrent Revenue - Excluding Rates

General Purpose Funding - Interest returns greater than original budget, amendment occurring as part of budget review.

Community Amenities – Actual revenue for Lake Kununurra Project and Natural Disaster Mitigation - Grant not the same as budgeted pattern, adjustments included in budget review. Rubbish disposal charges not processed for October & November, waiting details from landfill contractor.

Transport - Profit from sale of land at East Kimberley Regional Airport not included in original budget.

Economic Services - Nil activity on Something Concrete Project due to Dept Housing & Works not advanced contracts for construction. Negotiations stalled. Variance also reflected in expenditure.

Recurrent Expenditure

Governance - Actual expenditure in salary & wages not the same as budgeted expenditure pattern, timing difference.

Community Amenities - Actual expenditure in Youth Services and Refuse Collection/Tip Maintenance not the same as budgeted expenditure pattern due to vacant positions in Youth Services & contractor invoices not received, timing difference.

Economic Services - Nil activity on Something Concrete Project due to Dept Housing & Works not advanced contracts for construction. Negotiations stalled. Variance also reflected in revenue.

Capital

Non-Cash Expenditure and Revenue

Profit on Sale of Assets - Profit from sale of land at East Kimberley Regional Airport not included in budget.

Capital Expenditure and Revenue

Purchase Infrastructure Assets - Footpaths: Expense posted incorrectly. Corrections to occur.

Purchase Infrastructure Assets - Drainage: Actual expenditure not the same as budgeted expenditure pattern, timing difference.

Purchase Infrastructure Assets - Other: Savings on constructions costs East Kimberley Regional Airport Apron & Taxiway upgrades.

Purchase Plant & Equipment: Actual expenditure not the same as budgeted expenditure pattern, timing difference.

Grants / Contributions for Development of Assets: - Road Contributions Carlton Hill Road that have been received were not included in original budget. Actual grant revenue not same as budgeted, timing difference.

Proceeds from Sale of Land Held for Resale: - Higher than estimated proceeds received from sale of land at East Kimberley Regional Airport

Transfers to Reserves - Restricted Assets: - Audit adjustment in 07/08 financials resulted in Airport General Reserve transfer of \$860,197 being reported in 08/09. This was not budgeted for and is a timing difference between 2007/08 and 2008/09 with the value included in the Estimated Surplus/(Deficit) July 1 B/Fwd.

Shire of Wyndham East Kimberley
Note to Statement of Financial Activity
(Budget to Collect / Spend)
as at 31 January 2009

	Adopted Budget		Year to Date Actual		Budget Remaining to Collect / (Spend)	
	\$	\$	\$	\$	\$	\$
Revenues		11,628,112		8,038,611		3,589,501
General Purpose Funding	4,180,362		2,398,306		1,782,056	
Governance	47,000		27,317		19,683	
Law, Order And Public Safety	89,600		34,193		55,407	
Health	145,420		74,781		70,639	
Education And Welfare	1,102,519		1,038,310		64,209	
Housing	71,350		72,036		(686)	
Community Amenities	1,877,689		1,814,652		63,037	
Recreation And Culture	486,100		250,240		235,860	
Transport	3,060,150		2,144,173		915,977	
Economic Services	292,285		65,869		226,416	
Other Properties And Services	275,637		118,734		156,903	
Expenses		(15,509,816)		(8,271,332)		(7,238,484)
General Purpose Funding	(358,155)		(224,022)		(134,133)	
Governance	(1,057,900)		(487,139)		(570,761)	
Law, Order And Public Safety	(482,548)		(311,793)		(170,755)	
Health	(339,005)		(177,614)		(161,391)	
Education And Welfare	(414,772)		(259,532)		(155,240)	
Housing	(270,286)		(154,033)		(116,253)	
Community Amenities	(3,128,713)		(1,671,369)		(1,457,343)	
Recreation and Culture	(3,354,062)		(1,995,818)		(1,358,244)	
Transport	(5,236,286)		(2,589,501)		(2,646,786)	
Economic Services	(629,627)		(250,348)		(379,278)	
Other Properties And Services	(238,463)		(150,164)		(88,299)	
Adjustments for Cash Budget Requirements						
Non-Cash Expenditure and Revenue		1,276,826		(15,001)		1,291,827
Capital Expenditure and Revenue		(3,580,102)		(3,468,888)		(111,214)
<i>Purchase for Land Held for Resale</i>	(750,000)		0		(750,000)	
<i>Purchase Land and Buildings</i>	(1,371,000)		(298,486)		(1,072,514)	
<i>Purchase Infrastructure Assets - Roads</i>	(3,864,016)		(1,912,427)		(1,951,589)	
<i>Purchase Infrastructure Assets - Parks</i>	(1,000,000)		(299,005)		(700,995)	
<i>Purchase Infrastructure Assets - Footpaths</i>	(147,164)		(225,725)		78,561	
<i>Purchase Infrastructure Assets - Drainage</i>	(125,000)		(17,335)		(107,665)	
<i>Purchase Infrastructure Assets - Other</i>	(2,418,470)		(1,353,894)		(1,064,576)	
<i>Purchase Plant and Equipment</i>	(1,783,280)		(917,378)		(865,902)	
<i>Purchase Furniture and Equipment</i>	(251,000)		(93,902)		(157,098)	
<i>Grants / Contributions for Development of Assets</i>	4,514,260		1,313,098		3,201,162	
<i>Proceeds from Disposal of Assets</i>	1,583,053		1,231,575		351,478	
<i>Proceeds from Sale of Land Held for Resale</i>	250,000		302,605		(52,605)	
<i>Repayment of Debentures</i>	(127,300)		(78,098)		(49,202)	
<i>Proceeds from New Debentures</i>	1,071,000		0		1,071,000	
<i>Self-Supporting Loan Principal Income</i>	1,119		1,119		(0)	
<i>Transfers to Reserves (Restricted Assets)</i>	(968,595)		(1,121,036)		152,441	

	<i>Transfers from Reserves (Restricted Assets)</i>	1,806,291		0		1,806,291	
ADD	Estimated Surplus/(Deficit) July 1 B/Fwd	1,448,641	1,448,641	2,301,074	2,301,074	(852,433)	(852,433)
LESS	Estimated Surplus/(Deficit) June 30 C/Fwd		0	3,457,560	3,457,560	(3,457,560)	(3,457,560)
	Amount Required to be Raised from Rates	4,736,339	4,736,339	4,873,096	4,873,096	(136,757)	(136,757)

12.2.2 LIST OF ACCOUNTS PAID UNDER DELEGATION 18 (8554)

DATE:	17 February 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Sue Dillon Senior Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

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

BACKGROUND

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

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Delegation 18 – Payment of Creditors

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governance

Council's financial position and forward planning is sound

COMMUNITY CONSULTATION

N/A

COMMENT

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

ATTACHMENTS

List of Accounts Paid Under Delegation 18.

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

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

Municipal cheques 38798 - 38861 (5 to 29 January 2009)	\$92,137.11
EFT 104792 – EFT 105075 (5 to 30 January 2009)	\$2,051,639.83
Payroll (14 to 28 January 2009)	\$230,179.29
Direct bank debits (1 to 31 January 2009)	\$13,357.48
Total	\$2,387,313.71

COUNCIL DECISION

Minute No. 8554

***Moved:Cr D Ausburn
Seconded:Cr K Wright***

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

<i>Municipal cheques 38798 - 38861 (5 to 29 January 2009)</i>	<i>\$92,137.11</i>
<i>EFT 104792 - EFT 105075 (5 to 30 January 2009)</i>	<i>\$2,051,639.83</i>
<i>Payroll (14 to 28 January 2009)</i>	<i>\$230,179.29</i>
<i>Direct bank debits (1 to 31 January 2009)</i>	<i>\$13,357.48</i>
<i>Total</i>	<i>\$2,387,313.71</i>

CARRIED UNANIMOUSLY: (7/0)

List of Accounts Paid Under Delegation 18
List of accounts submitted to Council 17 February 2009

Chq/EFT	Date	Name	Description	Amount
EFT104792	05/01/2009	ALLGEAR MOTORCYCLES	SUPPLY OF DIAMOND WHEEL CUTTER FOR STIHL SAW	789.60
EFT104793	05/01/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT104794	05/01/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	179.00
EFT104795	05/01/2009	BAIRSTOW, RACHAEL ELIZA	REIMBURSE ACCOMODATION - WYN BRONZE COURSE	115.00
EFT104796	05/01/2009	BRANKO BP MOTORS	SERVICE ON 1CWM013 & WY12855	578.19
EFT104797	05/01/2009	BRIAN SERGEANT	REIMBURSEMENT TRAVEL EXPENSES AAA CONFERENCE	74.00
EFT104798	05/01/2009	BROADCAST AUSTRALIA PTY LTD	ANALOGUE SERVICE POWER SUPPLIED MT ALBANY	944.72
EFT104799	05/01/2009	BROCK SOLID CABINETS	SUPPLY ONLY OF HONOUR BOARDS FOR WYN & KNX	1,240.00
EFT104800	05/01/2009	C & S JOLLY ELECTRICS	RUNWAY C/BREAKER, LIGHTING/WINDSOCK/GATE REPAIRS	1,051.31
EFT104801	05/01/2009	COATES HIRE OPERATIONS PTY LTD	HIRE OF WATER FILLED BARRIERS FOR 14 DAYS LINK PATH	110.00
EFT104802	05/01/2009	CORPORATE EXPRESS	DESK HUTCH FOR SUPPORT OFFICER TP'S DESK	310.20
EFT104803	05/01/2009	COURIER AUSTRALIA	DELIVERY OF BOOK TO KNX LIBRARY	65.45
EFT104804	05/01/2009	CROCODILE SIGNS	VOLUNTEER & CITIZENSHIP HONOUR BOARDS	1,357.40
EFT104805	05/01/2009	EAST KIMBERLEY DOZERS	HIRE OF DOZER FOR LANDFILL STAFF	4,224.00
EFT104806	05/01/2009	EAST KIMBERLEY HARDWARE	CUTTING KEYS FOR USER GROUPS YOUTH CENTRE	44.00
EFT104807	05/01/2009	GUERINONI & SON	S/TIPPER,TRACTOR,G/ROLLER, GRADER HIRE ROADWORKS	36,762.00
EFT104808	05/01/2009	GIBB RIVER GRADING	MTCE GRADE OF ELLENBRAE STATION DRIVEWAY	1,056.00
EFT104809	05/01/2009	HORIZON POWER	ELECTRICITY SUPPLIED TO WYNDHAM OFFICE	4,015.85
EFT104810	05/01/2009	ICEAGE REFRIGERATION & AIR-CON	S&I NEW AIRCON TO AIRPORT DEPOT OFFICE	2,937.00
EFT104812	05/01/2009	IT VISION ITV	ONLINE TRAINING - TOWN PLANNING	4,950.00
EFT104813	05/01/2009	JSW HOLDINGS PTY LTD	HIRE WA480 - SHEET CAVE SPRINGS RD	22,866.25
EFT104814	05/01/2009	KIMBERLEY ECHO-ALBANY ADVERTISER	ADVERTISING OF ELECTION RESULTS	425.55
EFT104815	05/01/2009	KIMBERLEY GROUP TRAINING	HOST EMPLOYERS CONTRIBUTION	382.94
EFT104817	05/01/2009	KIMBERLEY INDUSTRIES METALAND	6 LENGTHS OF Y16 REINFORCING BAR RESEARCH STN RD	337.39
EFT104818	05/01/2009	KIMBERLEY MOTORS	PURCHASE OF FUEL FOR NOV 08	3,530.26
EFT104819	05/01/2009	KIMBERLEY STEEL	WORKS MOUNTING CAMEL SILHOUETTES WYN INFO BAY	1,837.00

EFT104820	05/01/2009	KIMBERLEY WASTE SERVICES	CONTRACT PAYMENT FOR WASTE SERVICES NOV 2008	36,695.76
EFT104821	05/01/2009	KOSMOS FOODS PTY LTD	ICE CREAMS FOR SALE KNX POOL	1,811.95
EFT104822	05/01/2009	KUNUNURRA LOCK & KEY	S&I DEAD LOCK ON AUTO DOORS AT AIRPORT	332.50
EFT104823	05/01/2009	KUNUNURRA PLUMBING & GAS FITTING	MATERIALS & RECTIFY WATER PROBLEM KNX C/CARE	5,824.27
EFT104824	05/01/2009	KNX REFRIGERATION & AIR CON PTY LTD	INSTALL COLLARS & FILTERS TERM AIRCON ROOF UNITS	511.50
EFT104825	05/01/2009	KUNUNURRA TYREPOWER	SUPPLY FIT & BALANCE 3 TYRES WY12448	2,111.00
EFT104826	05/01/2009	KUNUNURRA VISITORS CENTRE	1ST INSTALMENT ANNUAL GRANT KNX VISITORS CENTRE	16,500.00
EFT104827	05/01/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT104828	05/01/2009	LANDGATE	LAND ENQUIRY	15.00
EFT104829	05/01/2009	NORTHERN IT SERVICES	8 PORT SWITCHES ACTIVITIES ROOM KNX YOUTH CENTRE	87.00
EFT104830	05/01/2009	ORD RIVER CONTRACTING	HIRE OF LOADER FOR TIP MAINTENANCE	12,776.50
EFT104831	05/01/2009	ORD RIVER ELECTRICS	SUPPLY & INSTALL S/BOARD & RETRACT POWER SUPPLY	4,130.94
EFT104832	05/01/2009	ORD RIVER MEAT SUPPLY	MEAT FOR FESA BBQ	122.95
Chq/EFT	Date	Name	Description	Amount
EFT104833	05/01/2009	OUTBACK CLEANING	CLEANING OF YOUTH CENTRE NOV 08	704.00
EFT104834	05/01/2009	PIVOTEL	PHONE CHARGES FROM MAY 2007 GIBB & KALUMBURU RD	289.00
EFT104835	05/01/2009	PLANT HIRE SERVICES PTY LTD	LILY CREEK BOAT RAMP CAR PARK - LUMP SUM CONTRACT	81,098.60
EFT104836	05/01/2009	RICK SPRY	REIMBURSE ACCOMM & MEAL, DRUG & ALCOHOL W/SHOP	554.25
EFT104837	05/01/2009	RUMOURS PATISSERIE	MEAL FOR COUNCIL MEETING 16 DEC 08	156.75
EFT104838	05/01/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	395.00
EFT104840	05/01/2009	STITCHED UP EMBROIDERY SERVICES	KIMBERLEY WRITERS FESTIVAL SHIRTS	770.00
EFT104841	05/01/2009	THINKWATER	71 LENGTHS OF STORM WATER PRO WEABER PL RD	105,121.50
EFT104842	05/01/2009	TOTAL SAFETY & FIRE SOLUTIONS	CERTIFY FIRE EXTINGUISHERS & HOSES, 4 X NEW FIRE EXT	1,953.60
EFT104843	05/01/2009	WALGA	ADVERTISING OF ROAD CLOSURE	413.68
EFT104844	05/01/2009	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	19,346.37
EFT104845	05/01/2009	WYNDHAM EXCAVATIONS	HIRE OF EXCAVATOR KING RIVER RD & TIP MTCE	2,700.00
EFT104846	08/01/2009	ALLGEAR MOTORCYCLES	4 ROLLS OF WHIPPER SNIPPER CORD WYN DEPOT	589.40
EFT104847	08/01/2009	ARGYLE MOTORS	SERVICE RANGER UTE, AIR CON REPAIR WY12739	1,186.95
EFT104848	08/01/2009	BEAUREPAIRES (KUNUNURRA)	FIX SLOW LEAK FRONT RIGHT TYRE. WY11655.	31.00
EFT104849	08/01/2009	BLACKWOODS ATKINS PTY LTD	HANDRAILS, FITTINGS, DOWNLIGHTS, GLOBES	838.86
EFT104850	08/01/2009	BRANKO BP MOTORS	WYN FUEL DEC 2008	892.79

EFT104851	08/01/2009	BRIDGESTONE AUSTRALIA LTD	WYN DEPOT - TYRE FOR ISUZU TIPPER	356.14
EFT104852	08/01/2009	CENTURION TRANSPORT	TRANSPORT SAFETY GEAR TO KNX DEPOT	370.33
EFT104853	08/01/2009	CORPORATE EXPRESS	STATIONERY & CARTRIDGE ORDER DEC 08 KNX ADMIN	1,022.64
EFT104854	08/01/2009	DAVEY TYRE AND BATTERY SERVICE	SES VEHICLE - NEW TYRES	350.92
EFT104855	08/01/2009	DEXION BALCATT	PRINTED JUMBO BL1-4 FILES	1,039.95
EFT104856	08/01/2009	EAST KIMBERLEY HARDWARE	SCREWS, PADBOLTS, LIQUID NAILS, ETC	413.85
EFT104857	08/01/2009	EAST KIMBERLEY MARINE	CELEBRITY TREE PARK - PUMP TO CLEAR LINE	33.00
EFT104858	08/01/2009	EAST KIMBERLEY PLUMBING	KNX POOL - MAINTAIN WATER AUTHORITY REQUIREMENTS	1,644.50
EFT104859	08/01/2009	FISCHER, CYNTHIA	WYN TOILETS - CLEANING	3,642.37
EFT104860	08/01/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	32,685.10
EFT104861	08/01/2009	IOR PETROLEUM PTY LTD	DIESEL TO DEPOT - BANDICOOT DRIVE	22,556.60
EFT104862	08/01/2009	IT VISION ITV	EXCEL INTEGRATION TRAINING @ IT VISION G OLD 02/12/08	594.00
EFT104863	08/01/2009	JASON SIGNMAKERS LTD	CAVE SPRINGS RD - TRUCKS ENTERING SIGN	677.60
EFT104864	08/01/2009	JSW HOLDINGS PTY LTD	CAVE SPRINGS RD- RE-SHEET	8,365.50
EFT104865	08/01/2009	KIMBERLEY COMMUNICATIONS	FIT NEW DOOR AT EXALOO REPAIRS TO WIRING ETC	704.00
EFT104866	08/01/2009	KIMBERLEY ECHO-ALBANY ADVERTISER	ADVERTISEMENT FOR VARIOUS POSITIONS	2,458.08
EFT104867	08/01/2009	KIMBERLEY GROUP TRAINING	HOST EMPLOYERS CONTRIBUTION	957.33
EFT104868	08/01/2009	KIMBERLEY INDUSTRIES EQUIPMENT HIRE	WEABER PLAIN RD DRAIN UPGRADE CRANE UNLOAD PIPES	904.48
EFT104869	08/01/2009	KNICKEL GARDENING SERVICES	KNX GARDEN MAINTENANCE	21,571.03
EFT104870	08/01/2009	KUNUNURRA POOLS AND SPAS	WYN SWIMMING POOL- CHLORINE	1,392.00
EFT104871	08/01/2009	MCKINLAY, BETTY	STAFF ALLOWANCE REIMBURSE WATER	220.45
EFT104872	08/01/2009	MIRACLE RECREATION	MELBOURNE BIN SURROUND KOOLINIDA ST WYN QUOTED	2,511.30
EFT104873	08/01/2009	NORDIG EARTHMOVING	FINISHING WORKS TO NEW SWIM BEACH	462.00
EFT104874	08/01/2009	OFFICE NATIONAL KUNUNURRA	NEW VISITORS BOOK	59.86
EFT104875	08/01/2009	ORDCO	KNX FIREBREAKS - CHEMICALS	3,795.00
Chq/EFT	Date	Name	Description	Amount
EFT104876	08/01/2009	ORIA ORCHARDS	FLOWERS FOR KNX OFFICE	30.00
EFT104877	08/01/2009	ORICA AUSTRALIA PTY LTD	WYN POOL CHLORINE	425.21
EFT104878	08/01/2009	OUTBACK CLEANING	KUNUNURRA YOUTH CENTRE-CLEANING	1,127.05
EFT104879	08/01/2009	R & R TAPE & SAFETY SUPPLIES	KNX DEPOT - EMPLOYEE PPE	1,952.50

EFT104880	08/01/2009	ROGERS MACHINERY SERVICE	KNX DEPOT RIDE ON MOWER-50 HR SERVICE	874.20
EFT104881	08/01/2009	ROYAL LIFE SAVING (WA BRANCH)	WYN BRONZE MEDALLION - COURSE MANUALS	393.80
EFT104882	08/01/2009	RUMOURS PATISSERIE	YOU'RE WELCOME PROJECT LAUNCH-CATERING	507.50
EFT104883	08/01/2009	SPORTS SURFACES	PROGRESS WORKS KNX TENNIS CLUB & E/WORKS AT WYN	376,827.00
EFT104884	08/01/2009	ST JOHN AMBULANCE	FIRST AID KIT WY12926	44.95
EFT104885	08/01/2009	TOLL EXPRESS	FREIGHT CHARGES KNX ADMIN & WYN LIBRARY	589.99
EFT104886	08/01/2009	TONY'S PLUMBING & EXCAVATION PTY LTD	WYN SWIMMING POOL - REPAIR BURST PIPE	1,618.10
EFT104887	08/01/2009	TOP END MOTORS	20,000KM SERVICE FOR WY12320	420.89
EFT104888		PAYMENT CANCELLED		-
EFT104889	08/01/2009	TOTAL SAFETY & FIRE SOLUTIONS	CELEBRITY TREE PARK - SEAL CAR PARK	580.80
EFT104890	08/01/2009	WA AQUATIC CLUB PTY LTD	KNX LEISURE CENTRE - CONSUMABLES FOR SALE	1,478.59
EFT104891	08/01/2009	WESTERN LOCKSERVICE	CBS - LOCK CYLINDERS FOR ACCESS DOORS KNX AIRPORT	304.75
EFT104892	08/01/2009	WESTRALIA AIRPORTS CORP PTY LTD,	REPRINT OF ASIC CARD	50.00
EFT104893	16/01/2009	ALL PARK PRODUCTS PTY LTD	PARKS - KNX SWIM BEACH INSTALL BBQ	10,429.10
EFT104894	16/01/2009	ALLGEAR MOTORCYCLES	SERVICE MOTOR & 1 ROLL WHIPPER SNIPPER CORD, OIL	277.40
EFT104895	16/01/2009	ANSTAT	FSANZ FOOD STANDARDS CODE AND USER GUIDE	396.00
EFT104896	16/01/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT104897	16/01/2009	AUSTRAL MERCANTILE COLLECTIONS P/L	RATES RECOVERY COST	651.32
EFT104898	16/01/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	179.00
EFT104899	16/01/2009	BLACKWOODS ATKINS PTY LTD	VICTORIA HWY MAINTENANCE - SAND BAGS	119.26
EFT104900	16/01/2009	BEVAN SPACKMAN	REFUND ELECTION NOMINATION FEE	80.00
EFT104901	16/01/2009	CABCHARGE	CABCHARGE FEES TRANSPORT FOR STAFF TRAINING	660.22
EFT104902	16/01/2009	CATALYSE	70% FEES FOR RECYCLING PROGRAM	5,390.00
EFT104903	16/01/2009	COUNCILLOR JANE PARKER	COUNCILLORS ALLOWANCE OCT - DEC 08	2,162.49
EFT104904	16/01/2009	COUNCILLOR KEITH WRIGHT	MEMBER FEES - MEETING ALLOWANCE	2,162.49
EFT104905	16/01/2009	COMM & PROTECTIVE SOLUTIONS	INSTALL NETWORK CABLING KNX LEISURE	3,436.22
EFT104906	16/01/2009	CR KENNETH TORRES	COUNCILLORS ALLOWANCES	1,521.66
EFT104907	16/01/2009	DERRICK STEENSON	WYN PONTOON JETTY-MAINTENANCE	3,183.40
EFT104908	16/01/2009	DEAN WILSON TRANSPORT	HIBISCUS DVE-REPLACE DAMAGED DRAIN LIDS	89.50
EFT104909	16/01/2009	DORMA AUTOMATICS PTY LTD	KNX AIRPORT-SCHEDULED SERVICE FOR AUTO DOOR	352.00

Chq/EFT	Date	Name	Description	Amount
EFT104910	16/01/2009	EAST KIMBERLEY HARDWARE	CELEBRITY TREE PARK, SEAL CAR PARK – STAR PICKETS	519.40
EFT104911	16/01/2009	FISCHER, CYNTHIA	CONTRACT CLEANING WYN (PUBLIC TOILETS)	3,642.37
EFT104912	16/01/2009	FRONTIER POST & NEWS	PRINTER CARTRIDGES & NOTE BOOK	112.60
EFT104913	16/01/2009	GULLIVER'S TAVERN	RECEPTIONS - MINISTER VISIT	1,277.50
EFT104914	16/01/2009	IT VISION ITV	AGENDA & MINUTES TRAINING 27-31 OCT 08	9,439.09
EFT104915	16/01/2009	JAB INDUSTRIES	S/TIPPER HIRE HAUL FILL FISHFARM RD TO L/FILL SITE	3,762.00
EFT104916	16/01/2009	JORRITSMA H & CO	KNX DEPOT - RETIC MAINTENANCE	724.10
EFT104917	16/01/2009	JSW HOLDINGS PTY LTD	PIPES FOR COOLIBAH DRIVE R/WORKS, HIRE WA480	34,415.92
EFT104918	16/01/2009	KIMBERLEY ECHO-ALBANY ADVERTISER	ADVERT VOLUNTEER OF THE YEAR AWARD	402.60
EFT104919	16/01/2009	KIMBERLEY KOOL REFRIGERATION	KNX LEISURE CENTRE-AIR CONDITIONER REPAIR	264.00
EFT104920	16/01/2009	KIMBERLEY WASTE SERVICES	CLEANUP AROUND KNX NOV 2008	985.00
EFT104921	16/01/2009	KUNUNURRA AMATEUR THEATRE SOCIETY	KATS AVENUE Q TICKET MONIES	7,150.00
EFT104922	16/01/2009	KUNUNURRA BETTA ELECTRICAL & GAS	WYN REC CENTRE-SANDWICH MAKER	80.00
EFT104923	16/01/2009	KUNUNURRA HOME & GARDEN	KNX DEPOT PUSH MOWER MAINTENANCE	109.58
EFT104924	16/01/2009	KNX PANEL BEATING WORKS WA P/L	PASSENGER SIDE REAR VIEW MIRROR WY11655	178.84
EFT104925	16/01/2009	KUNUNURRA PEST MANAGEMENT	TERMITE INSPECTION 67 KOOJARRA WYNDHAM	220.00
EFT104926	16/01/2009	KUNUNURRA SECURITY SERVICE	KNX AIRPORT-BAGGAGE SCREENING COSTS OCT-DEC 08	57,774.59
EFT104927	16/01/2009	KUNUNURRA TYREPOWER	4 TYRES WY 12488 & SCRAP TYRE 4WD	828.00
EFT104928	16/01/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT104929	16/01/2009	LANDGATE	MINING TENEMENTS ENQUIRIES	150.00
EFT104930	16/01/2009	MAGLION ENTERPRISES PTY LTD	SUPPLY & CONST OF PLATFORM @ LILY CREEK LGN	28,000.00
EFT104931	16/01/2009	MEGAN HUNT	CLEANING WYN ADMIN DEC 08	1,947.00
EFT104932	16/01/2009	MANDY THORNEYCROFT	REIMBURSE ELECTION NOMINATION FEE	80.00
EFT104933	16/01/2009	OFFICE NATIONAL KUNUNURRA	KNX ADMIN - STATIONERY	38.85
EFT104934	16/01/2009	ORD RIVER CONTRACTING	HIRE OF TRUCK & LOADER CART ROCKS TO WEABER PL	935.00
EFT104935	16/01/2009	ORD RIVER ELECTRICS	ELECTRICAL WORK KNX LEISURE.	1,155.00
EFT104936	16/01/2009	ORD RIVER TRENCHING	AIRPORT CAR PARK UPGRADE-CABLE LOCATION	132.00
EFT104937	16/01/2009	ORD VALLEY MUSTER	REGO FEE FOR 2009 ADM/ORD VALLEY MUSTER	330.00
EFT104938	16/01/2009	ORDCO	ROUNDUP AND KAMBAH HERBICIDE - AIRPORT	935.00
EFT104939	16/01/2009	ORIA ORCHARDS	TREES FOR MOTOR CROSS VERGE & BABY TREES WYN	96.40

EFT104940	16/01/2009	RACHEL WORNES	REIMBURSEMENT OF ANNUAL AIRFARE ALLOWANCE	1,300.00
EFT104941	16/01/2009	RAECO INTERNATIONAL P/L	LIBRARIES-SECURITY TATTLETAPE AND SPINE LABELS	843.30
EFT104942	16/01/2009	RED ELEVEN - RED 11 PTY LTD	KNX INFORMATION SERVICES-NETWORK CONNECTION	2,068.30
EFT104943	16/01/2009	REPEAT PLASTICS (WA)	TABLE AND SEATS PICNIC SET KNX SWIM BEACH	3,714.70
EFT104944	16/01/2009	ROGERS MACHINERY SERVICE	REPAIR RIDE ON MOWER & SPRAY UNIT, SLASHER BLADES	1,325.15
EFT104945	16/01/2009	ROYAL LIFE SAVING (WA BRANCH)	WYN SWIMMING POOL-BRONZE MEDALLION	146.30
EFT104946	16/01/2009	SEARLES MECHANICAL REPAIRS	80,000 SERVICE 1CIU595	771.10
EFT104947	16/01/2009	SHELF SUPPLY	WATER TANK WYN AIRPORT & 20 KG DOG BISCUITS	2,044.00
EFT104948	16/01/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	1,530.00
EFT104949	16/01/2009	ST JOHN AMBULANCE AUSTRALIA (WA)	KNX FIRE PREVENTION - FIRST AID OXY VIVA	129.09
EFT104950	16/01/2009	THINKWATER	KNX DEPOT - RETIC MAINTENANCE	397.10
EFT104951	16/01/2009	TNT AUSTRALIA PTY LIMITED	SAMPLING EXPENSES - FREIGHT OF WATER SAMPLES	231.48
EFT104952	16/01/2009	TOP END MOTORS	SERVICE, REPAIR/REPLACE SPOTLIGHT LENS 1CQN641	577.61
EFT104953	16/01/2009	TOP END TILT TRAY HIRE	TRANSPORT ABANDONED VEHICLE VIC HWY TO DEPOT	90.00
EFT104954	16/01/2009	TROPICAL PEST CONTROL	MOZZIE FOGGING KNX 23-30 DEC 08	550.00
EFT104955	16/01/2009	TOP CAR	CLEAN PROTO TYPE FIRE TENDER (FIREBREAKS)	110.00
EFT104956	16/01/2009	UHY HAINES NORTON (WA) PTY LTD	FINAL AUDIT FEES 30 JUNE 2008	29,261.10
EFT104957	16/01/2009	VINIDEX PTY LIMITED	WEABER PLAINS RD-DRAINAGE UPGRADE	61,380.00
EFT104958	16/01/2009	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	19,079.92
EFT104959	16/01/2009	WA TELECENTRE KUNUNURRA	HIRE OF COMPUTERS ONLINE TRAINING WITH BEN FLYNN	108.00
Chq/EFT	Date	Name	Description	Amount
EFT104960	16/01/2009	WESTERN ANGLER	12 MONTHS SUBSCRIPTION TO MAGAZINE	45.00
EFT104961	16/01/2009	WESTERN AUST. TREASURY CORPORATION	LOAN NO. 117 INTEREST PAYMENT	40,758.28
EFT104962	16/01/2009	WESTRAC EQUIPMENT PTY LTD	12H GRADER FUEL CAP AND PADLOCK	127.71
EFT104963	19/01/2009	K & M ALLCLEAN	CLEANING VARIOUS LOCATIONS DEC 08	13,374.22
EFT104964	22/01/2009	KIMBERLEY GREEN CONSTRUCTION	BAGGAGE SCREENING EXT & EXTRA WORKS	104,756.80
EFT104965	22/01/2009	RAPISCAN SYSTEMS AUSTRALIA PTY LTD	BALANCE SUPPLY OF X RAY EQUIPMENT	363,021.60
EFT104966	23/01/2009	APPERLEY, KARYN	ANNUAL AIRFARE ALLOWANCE	2,600.00
EFT104967	23/01/2009	AUSTRAL MERCANTILE COLLECTIONS P/L	DEBT COLLECTION FEES	704.58
EFT104968	23/01/2009	AUSTRALIAN TAXATION OFFICE	BAS DEC 08	37,125.00

EFT104969	23/01/2009	ANDREW MARSDEN	REFUND OF ELECTION NOMINATION FEE	80.00
EFT104970	23/01/2009	BLACKWOODS ATKINS PTY LTD	12 PAIR SAFETY GLASSES KNX DEPOT	146.78
EFT104971	23/01/2009	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL BOTTLE RENTAL DEC 08	254.02
EFT104972	23/01/2009	BOSS FLUID POWER	HAND TOWELS & TOILET ROLLS KLC	131.94
EFT104973	23/01/2009	BRANKO BP MOTORS	FUEL CONSUMPTION WYN DEC 08	1,727.94
EFT104974	23/01/2009	BRIDGESTONE AUSTRALIA LTD	1 TYRE WY 12885	242.88
EFT104975	23/01/2009	BRUCE HARDING	ANNUAL AIRFARE ALLOWANCE & POWER SUBSIDY	2,634.26
EFT104976	23/01/2009	CARPET VINYL & TILE CENTRE	REMOVE AND REPLACE CARPET AIRPORT	6,822.75
EFT104977	23/01/2009	CITY OF ROCKINGHAM	REPLACE YILPINJI LIBRARY BOOK (WYN LIBRARY)	28.75
EFT104978	23/01/2009	CORPORATE EXPRESS	OUTSTANDING STATIONERY ITEMS FOR DEC 08	1,539.82
EFT104979	23/01/2009	CHERIE MCADAM	REFUND OF ELECTION FEE NOMINATION	80.00
EFT104980	23/01/2009	DOUGLAS, KERRY LYNETTE	REIMBURSEMENT OF 4 BOOK PURCHASE	82.42
EFT104981	23/01/2009	DUNLOP SPORTS	SHOES TO SELL KLC	995.50
EFT104982	23/01/2009	DON WALKER	TRANSPORT OF WY11107	137.50
EFT104983	23/01/2009	EAST KIMBERLEY GLASS	REPAIR BROKEN WINDOW 264 RIVERFIG	236.00
EFT104984	23/01/2009	EAST KIMBERLEY HARDWARE	KNX AIRPORT - HARDWARE SUPPLIES	125.00
EFT104985	23/01/2009	EAST KIMBERLEY REAL ESTATE	WATER CHARGES JULY - NOV 08 4 BOOBIALLA	45.15
EFT104986	23/01/2009	EAST KIMBERLEY TROPICAL GARDENS	GARDEN PLANTS FOR 3A DRYANDRA	327.00
EFT104987	23/01/2009	FARMERS FRUIT & VEG - MART	SALAD FOR FESA BBQ	80.00
EFT104988	23/01/2009	FEWSTER, KELLY	ANNUAL AIRFARE ALLOWANCE	2,600.00
EFT104989	23/01/2009	FULTON HOGAN PTY LTD	2 COAT SEAL BOAT RAMP, MOBE & DEMOBE	6,600.00
EFT104990	23/01/2009	FUJI XEROX AUSTRALIA PTY LTD	COPY CHARGES FOR APEOSPORT-II PRINTER/COPIER	984.21
EFT104991	23/01/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE TIP MTCE	2,396.46
EFT104992	23/01/2009	GAMLEC ELECTRICAL	REPLACE FAULTY DOWN LIGHT 3B DRYANDRA.	143.00
EFT104993	23/01/2009	IMAGE PRINTING	LETTERHEAD ENVELOPES	1,661.00
EFT104994	23/01/2009	JH COMPUTER SERVICES	ACER AC ADAPTOR & POWER CORD KNX ADMIN	66.00
EFT104995	23/01/2009	JORRITSMA H & CO	FITTINGS FOR WATER TANK AIRPORT	80.95
EFT104996	23/01/2009	JSW HOLDINGS PTY LTD	CONCRETE TO WEABER PL RD	272.80
EFT104997	23/01/2009	KIMBERLEY COMMUNICATIONS	RESET DEPOT RADIO HUT AFTER POWER OUTAGE	55.00
EFT104998	23/01/2009	KIMBERLEY ECHO-ALBANY ADVERTISER	ADVERTISEMENT FOR POSITIONS, PUBLIC NOTICES	999.10

EFT104999	23/01/2009	KIMBERLEY FIRST NATIONAL REAL ESTATE	RATES REFUND	1,586.90
EFT105000	23/01/2009	KIMBERLEY STEEL	FABRICATION OF HANDRAILS FOR 2 CULVERTS LINKPATH	16,604.00
EFT105001	23/01/2009	KIMBERLEY WASTE SERVICES	TIDY TOWN LITTER COLLECTION, ROAD SWEEPING	26,585.50
Chq/EFT	Date	Name	Description	Amount
EFT105002	23/01/2009	KOSMOS FOODS PTY LTD	CONFECTIONARY FOR RESALE	5,075.75
EFT105003	23/01/2009	KUNUNURRA HOME & GARDEN	TAPE FLAGGING	15.50
EFT105004	23/01/2009	KUNUNURRA LOCK & KEY	NEW KEYS - 1/57 RIVERFIG, REPAIR DOORS EWIN CENTRE	382.00
EFT105005	23/01/2009	KATHERINE AUTO BODY	REPLACE WINDOW NON-SWEK VEHICLE-MOWER DAMAGE	440.00
EFT105006	23/01/2009	MCLEAN ENTERPRISES	FREIGHT DEC 08	880.00
EFT105007	23/01/2009	MCLEAN, AMANDA JANE	POWER SUBSIDY DEC	63.00
EFT105008	23/01/2009	MEGAN HUNT	CLEANING WYNDHAM JAN 09	1,947.00
EFT105009	23/01/2009	MICHELLE BICKERS	REFUND OF ELECTION NOMINATION FEE	80.00
EFT105010	23/01/2009	OFFICE NATIONAL KUNUNURRA	GENERAL STATIONERY ITEMS AIRPORT	96.50
EFT105011	23/01/2009	ORD RIVER CONTRACTING	SHEETING WORKS FOR BULL RUN RD	4,411.00
EFT105012	23/01/2009	ORDCO	4 X 20 LTRS ROUNDUP	759.00
EFT105013	23/01/2009	ORIA ORCHARDS	FLOWER DELIVERY KNX ADMIN	30.00
EFT105014	23/01/2009	QANTEC MCWILLIAM PTY LTD	PROG CLAIM MIXED BUSINESS ZONE & SEWER PROJECT	4,266.90
EFT105015	23/01/2009	R.KERR CONTRACTING	DRAINAGE WORK ON KALUMBURU ROAD	35,288.00
EFT105016	23/01/2009	RACHEL WORNES	POWER SUBSIDY DEC 08	442.97
EFT105017	23/01/2009	RED ELEVEN - RED 11 PTY LTD	ELECTRIC WHITEBOARD KNX ADMIN	15,543.12
EFT105018	23/01/2009	RICK SPRY	PHONE SUBSIDY NOV 08	41.28
EFT105019	23/01/2009	ROBERT BOSHAMMER	COUNCILLOR FEES NOV - DEC 08	1,521.66
EFT105020	23/01/2009	SHERIDAN'S FOR BADGES	FREIGHT CHARGE ON SUPPLY OF EMPLOYEE BADGES	13.75
EFT105021	23/01/2009	SNOWBALL, MIKE	POWER SUBSIDY DEC 08	445.97
EFT105022	23/01/2009	SPORTS SURFACES	PROGRESS PMT FOR TENNIS COURT UPGRADES	27,500.00
EFT105023	23/01/2009	STITCHED UP EMBROIDERY SERVICES	STAFF UNIFORMS	1,762.50
EFT105024	23/01/2009	STUBBS, PETER	ANNUAL AIRFARE ALLOWANCE	3,028.18
EFT105025	23/01/2009	TOLL EXPRESS	KNX ADMIN STATIONERY - FREIGHT CHARGES	96.10
EFT105026	23/01/2009	TOTAL EDEN - KP PUMPS	RETIC SUPPLIES KNX DEPOT	1,729.96
EFT105027	23/01/2009	TRIPP, KATYA MARIE	POWER SUBSIDY DEC 08	238.98
EFT105028	23/01/2009	TRISLEY'S HYDRAULIC SERVICE P/L	PH BUFFERS KLC	71.50

EFT105029	23/01/2009	TUCKERBOX/RETRAVISION	TUCKERBOX PURCHASES NOV - DEC 08	6,383.57
EFT105030	23/01/2009	W.C. CONVENIENCE MANAGEMENT PTY LTD	TOILET FLUSH BUTTONS AUTOMATED TOILET	587.51
EFT105031	23/01/2009	WANNA WORK LABOUR HIRE SOLUTIONS	50% LABOUR HIRE & MATERIALS FOR LAKESIDE LINKPATH	34,883.50
EFT105032	23/01/2009	WAYNE RICHARDS	POWER REIMBURSEMENT	197.19
EFT105033	23/01/2009	WESTRAC EQUIPMENT PTY LTD	FILTERS FOR 250HR SERVICE. LOADER	479.20
EFT105034	23/01/2009	WHELANS	SURVEY FORESHORE FAC & CHESTNUT DR REALIGNMENT	3,872.00
EFT105035	23/01/2009	WESTERN DRAINAGE	INSTAL - REPLACE WATER MAIN PIPE MULTI COURTS	1,144.00
EFT105036	29/01/2009	ALLGEAR MOTORCYCLES	MOWER BLADES RIDE ON AND HONDA MOWER KNX	610.20
EFT105037	29/01/2009	ARGYLE MOTORS	REPLACE DRIVE BELTS WY11486	118.10
EFT105038	29/01/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT105039	29/01/2009	ATTORNEY-GENERAL'S DEPT AUSCHECK	KNX AIRPORT - SECURITY ID	79.00
EFT105040	29/01/2009	AUSTRAL MERCANTILE COLLECTIONS P/L	DEBT COLLECTION FEES	15.32
EFT105041	29/01/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	179.00
EFT105042	29/01/2009	CENTURION TRANSPORT	FREIGHT GENERAL DEPOT	529.20
EFT105043	29/01/2009	CLINT SKOGLUND	RETURN OF ASIC CARD	50.00
Chq/EFT	Date	Name	Description	Amount
EFT105044	29/01/2009	CORPORATE EXPRESS	STATIONERY ORDER JAN 08	1,528.96
EFT105045	29/01/2009	COUNCIL JOBS	EMPLOYMENT ADVERT RECREATION OFFICER	165.00
EFT105046	29/01/2009	CROCODILE SIGNS	HEALTH PROMOTIONAL BUMPER STICKERS	583.55
EFT105047	29/01/2009	DEPARTMENT OF SPORT & RECREATION	REGISTRATION WAYNE RICHARD ACTIVE 08 CONFERENCE	198.00
EFT105048	29/01/2009	EAST KIMBERLEY HARDWARE	PALLETS OF CEMENT, FERTILISER, FENCE DROPPERS, ETC	3,418.10
EFT105049	29/01/2009	EAST KIMBERLEY TROPICAL GARDENS	STREET TREES AND YOUTH CENTRE PLANTS	1,854.00
EFT105050	29/01/2009	FRANMOR CONSTRUCTIONS PTY LTD	REPAIR OF GLASS POST BREAK IN KIOSK KLC	566.94
EFT105051	29/01/2009	FYSH GRADER HIRE	GRADER HIRE SHEET CAVE SPRINGS ROAD	9,240.00
EFT105052	29/01/2009	GRUNT LABOUR SERVICES PTY LTD	CONTRACT EMPLOYMENT TIP MTCE	3,994.10
EFT105053	29/01/2009	K & M ALLCLEAN	EXTRA CLEANING TO LEISURE CENTRE DEC 08	945.00
EFT105054	29/01/2009	KATHY LINTHORNE	ALTERATIONS TO WORK UNIFORM	50.00
EFT105055	29/01/2009	KIMBERLEY GROUP TRAINING	HOST EMPLOYERS CONTRIBUTION	191.47
EFT105056	29/01/2009	KIMBERLEY INDUSTRIES	FIX FAULT WITH STARTER MOTOR ON GRADER	99.00
EFT105057	29/01/2009	KIMBERLEY MARKETING	DRY ICE BLOCKS KLC	165.00
EFT105058	29/01/2009	KOSMOS FOODS PTY LTD	ICE CREAMS FOR SALE KNX LEISURE CENTRE	1,618.35

EFT105059	29/01/2009	KNX PANEL BEATING WORKS WA P/L	FIT GLASS TO CAB - GRADER	181.50
EFT105060	29/01/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT105061	29/01/2009	NOMAD CONCRETING	CONCRETE RAMP & PLATFORM CELEBRITY TREE PARK	1,400.00
EFT105062	29/01/2009	OFFICE NATIONAL KUNUNURRA	STATIONERY ITEMS KNX AIR PORT	184.00
EFT105063	29/01/2009	ORD ELECTRICAL SPARES	FLOOD LIGHT (FITTING ONLY) KNX AIR PORT	89.10
EFT105064	29/01/2009	ORICA AUSTRALIA PTY LTD	CHLORINE GAS CYLINDER HIRE WYNDHAM	391.81
EFT105065	29/01/2009	RAECO INTERNATIONAL P/L	BOOK EASEL KNX LIBRARY	83.56
EFT105066	29/01/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	385.00
EFT105067	29/01/2009	SNOWBALL, MIKE	WATER SUBSIDY 11/08 TO 02/12/08	176.75
EFT105068	29/01/2009	THORLEY'S STORE	DECEMBER INTERNAL MAIL WYN/KNX	395.90
EFT105069	29/01/2009	TOLL EXPRESS	FREIGHT DEC 08	354.59
EFT105070	29/01/2009	TOTAL EDEN - KP PUMPS	RETICULATION FITTINGS	609.48
EFT105071	29/01/2009	TOTAL SAFETY & FIRE SOLUTIONS	FLAMMABLE STORAGE & LOCKABLE CABINETS KNX DEPOT	2,932.60
EFT105072	29/01/2009	URBIS PTY LTD	STAGE 1 & 2 OF TRANSIENT ACCOMMODATION POLICY	8,538.02
EFT105073	29/01/2009	WA AQUATIC CLUB PTY LTD	SWIMMING POOL SUPPLIES RETAIL	228.80
EFT105074	29/01/2009	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	19,133.38
EFT105075	30/01/2009	AUSTRALIA POST	POSTAGE DEC 08	737.12
				2,051,639.83

Chq/EFT	Date	Name	Description	Amount
38798	05/01/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	125.43
38799	05/01/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	92.13
38800	05/01/2009	DEPARTMENT OF SPORT & RECREATION	REGISTRATION D JONES NTHN REGION REC CONFERENCE	70.00
38801	05/01/2009	K & J CONTRACTORS	HIRE MINI EXCAVATOR RESEARCH STN RD & LINKPATH	792.00
38802	05/01/2009	KIMBERLEY GREEN CONSTRUCTION	S&I GENERATOR SWITCH ESSENTIAL POWER BACK UP CBS	2,382.00
38803	05/01/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	329.17
38804	05/01/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	53.56
38805	05/01/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	252.24
Chq/EFT	Date	Name	Description	Amount
38806	05/01/2009	SHIRE OF BROOME	KIMBERLEY ZONE REG - CEO, CR MILLS, CR WRIGHT	1,202.00
38807	05/01/2009	TELSTRA	MOBILE PHONE CHARGES FOR NOV 2008	1,513.87

38808	05/01/2009	VIC SUPER	SUPERANNUATION CONTRIBUTIONS	162.89
38809	05/01/2009	VOCAM PTY LTD	TRAINING VIDEOS AND MANUALS	792.00
38810	05/01/2009	WATER CORPORATION	ANNUAL SERVICE 2ND INSTALMENT - AIRPORT	574.55
38811	05/01/2009	WEST SCHEME	SUPERANNUATION CONTRIBUTIONS	66.10
38812		CANCELLED CHEQUE	INCORRECTLY ASSIGNED	
38813	08/01/2009	2 K TOURS	STAFF BUS TRANSFER KNX - WYN RETURN	751.25
38814	08/01/2009	ACE SHELVING	KNX DEPOT-SHELVING	3,878.60
38815	08/01/2009	BISLAND LIBRARY CONSULTANTS	TECHNICAL SUPPORT FOR LIBRARY MGR	1,195.00
38816	08/01/2009	BUDGET RENT A CAR AUSTRALIA	HIRE CAR BROOME R SPRY TRAINING PROGRAM SORS 08	194.25
38817	08/01/2009	CEMEX AUSTRALIA PTY LTD (HUMES)	450MM HEADWALL - RIVERFARM ROAD	1,925.22
38818	08/01/2009	DEPARTMENT OF TREASURY AND FINANCE	RECOVERIES OF LOST AND DAMAGED BOOKS	122.10
38819	08/01/2009	QBD BOOKSHOP	PURCHASE OF BOOKS	495.06
38820	08/01/2009	TELSTRA	KNX YOUTH CENTRE BUILDING PHONE USAGE	239.65
38821	08/01/2009	WATER CORPORATION	WYN SWIMMING POOL - WATER USAGE	8,152.75
38822	16/01/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	133.22
38823	16/01/2009	AUSBURN, DI	RETURN DEPOSIT FOR KNX AIRPORT KEY	20.00
38824	16/01/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	165.85
38825	16/01/2009	COUNCILLOR DI AUSBURN	COUNCILLOR'S ALLOWANCE OCT - DEC 08	2,162.49
38826	16/01/2009	CR FRED MILLS	SHIRE PRESIDENTS ALLOWANCES OCT - DEC 08	4,787.49
38827	16/01/2009	CR JOHN HAMILTON MOULDEN	COUNCILLOR ALLOWANCES OCT - DEC 08	2,162.49
38828	16/01/2009	CR PAUL CALEY	COUNCILLOR ALLOWANCES OCT - DEC 08	2,162.49
38829	16/01/2009	CR RALPH ADDIS	COUNCILLOR ALLOWANCES OCT - DEC 08	2,818.74
38830	16/01/2009	DEPT OF PLANNING & INFRASTRUCTURE	GENERATION OF PLATE 1974WY	135.00
38831	16/01/2009	DERBY BOAB INN	KNX POOL MGRS COURSE - ACCOMMODATION	2,454.50
38832	16/01/2009	GRASS ROOTS MAGAZINE	LIBRARIES - MAGAZINE SUBSCRIPTION	39.50
38833	16/01/2009	MAGSHOP	LIBRARIES - MAGAZINE SUBSCRIPTIONS	375.18
38834	16/01/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	329.17
38835	16/01/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	287.15
38836	16/01/2009	THE ZEBRA ROCK GALLERY	GIFTS - PRIME MINISTER; MINISTER FOR AG	578.00
38837	16/01/2009	VIC SUPER	SUPERANNUATION CONTRIBUTIONS	162.89

38838	16/01/2009	WATER CORPORATION	WATER USAGE - WYN AIRPORT	17,566.75
38839	23/01/2009	ARGYLE DIAMOND MINE PTY LTD	RATES REFUND	6,503.23
38840	23/01/2009	AUSTRALIAN COMMUNICATIONS AUTHORITY	RADIO LICENCE RENEWAL	213.00
38841	23/01/2009	BRIGITTA WAYLEN	FOOTPATH DEPOSIT REPAYMENT	250.00
38842	23/01/2009	CASH - PETTY CASH KNX AIRPORT	PETTY CASH REIMBURSEMENT JAN 09	67.05
38843	23/01/2009	CASH - PETTY CASH KNX DEPOT	PETTY CASH REIMBURSEMENT KNX DEPOT	96.90
38844	23/01/2009	CASH - PETTY CASH WYNDHAM OFFICE	PETTY CASH REIMBURSEMENT WYN ADMIN	172.70
38845	23/01/2009	DARREN BRUCE FULCHER	RATES REFUND	912.00
38846	23/01/2009	KITMYTH PTY LTD	RATES REFUND	1,806.44
38847	23/01/2009	LAURINE MARY CECELIA GRACE WANSTALL	MEAL REIMBURSEMENT	53.00
Chq/EFT	Date	Name	Description	Amount
38848	23/01/2009	RHINO INDUSTRIAL	SUPPLY OF GUARDRAIL - RESEARCH STN RD	5,418.60
38849	23/01/2009	ROYAL FLYING DOCTOR SERVICE	DONATIONS RECEIVED AT AIR PORT	155.55
38850	23/01/2009	SHIRE OF BROOME	REGIONAL FEATURE ADVERT WEST AUSTRALIAN	1,724.45
38851	23/01/2009	SKILLPATH SEMINARS	FUNDAMENTALS OF SUCCESSFUL PROJ MGMT TRAINING	10,250.00
38852	23/01/2009	TELSTRA	LANDLINE CHARGES DEC 08	835.29
38853	23/01/2009	WATER CORPORATION	INDUSTRIAL WASTE PERMIT	270.20
38854	29/01/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	152.25
38855	29/01/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	110.56
38856	29/01/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	114.80
38857	29/01/2009	DEPT FOR PLANNING & INFRASTRUCTURE	APLN MODIFY LICENSE PUBLIC JETTY BOAT RAMP WYN	95.00
38858	29/01/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	329.58
38859	29/01/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	411.45
38860	29/01/2009	VIC SUPER	SUPERANNUATION CONTRIBUTIONS	162.88
38861	29/01/2009	WATER CORPORATION	WATER USE CHARGES 23 BOOBIALLA	329.45
				92,137.11

Date	Name	Description	Amount
14/01/2009	PAYROLL	PAYROLL	112,403.00

28/01/2009 PAYROLL

PAYROLL

117,776.29

230,179.29

Date	Name	Description	Amount
27/01/2009	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	1,733.33
15/01/2009	DIRECT DEBIT	RENT 4 BOOBIALLA WAY	2,383.33
20/01/2009	DIRECT DEBIT	RENT 20 BARRINGTONIA WAY	2,253.33
Jan-09	DIRECT DEBIT	BANK FEES	255.60
02/01/2009	DIRECT DEBIT	BPOINT	166.48
02/01/2009	DIRECT DEBIT	VISA PAYMENT	2,943.29
20/01/2009	DIRECT DEBIT	MASTERCARD	1,892.16
02/01/2009	DIRECT DEBIT	MERCHANT FEE	360.62
06/01/2009	DIRECT DEBIT	WESTNET P/L	1,369.34
		TOTAL DIRECT DEBIT PAYMENTS	<u>13,357.48</u>

12.2.2 BUDGET REVIEW 31 JANUARY 2009

DATE:	17 February 2009
PROPONENT:	Department Of Local Government And Regional Development
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.21.09
ASSESSMENT NO:	N/A

PURPOSE

To consider and adopt the budget review for the Period 1 July 2008 to 31 January 2009.

BACKGROUND

Local Governments are required to conduct a budget review between 1 January and 31 March each financial year. This is the third year in which this requirement has applied. A budget review is a detailed comparison of the year to date actual results with the adopted or amended budget.

The budget review is to be submitted to Council within 30 days of the review for Council to consider and determine whether or not to adopt the review and any recommendations made in the review.

A copy of the review and Council decision is to be provided to the Department of Local Government within 30 days of the decision by Council.

STATUTORY IMPLICATIONS

Regulation 33A – local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The budget review enables management to establish whether the local government continues to meet its budget commitments. It enables Council to determine whether income and expenditures are in accordance with adopted budget.

STRATEGIC IMPLICATIONS

The budget review helps determine and document any projects that are unlikely to be completed during the budget year and new opportunities that have arisen during the year. The review process ensures management and Councillors

review the performance of the Council for the year to date and apply corrective actions if required prior to 30 June to ensure a balanced budget is maintained.

COMMUNITY CONSULTATION

Nil

COMMENT

The Budget Review for the period 1 July 2008 to 31 January 2009 has been conducted by management and is provided as a separate attachment to this agenda.

ATTACHMENTS

Budget Review as at 31 January 2009

VOTING REQUIREMENT

Absolute Majority Required

RECOMMENDATION

That Council consider the budget review for the period 01 July 2008 to 31 January 2009 and adopts the review as tabled.

COUNCIL DECISION

Minute No. 8555

***Moved: Cr J Moulden
Seconded: Cr K Torres***

That Council consider the budget review for the period 01 July 2008 to 31 January 2009 and adopts the review as tabled

CARRIED UNANIMOUSLY: (7/0)



Shire of Wyndham East Kimberley

Budget Review

For the Period
01 July 2008 – 31 January 2009

Presented to Ordinary Meeting of Council
17 February 2009

Shire of Wyndham East Kimberley

Budget Review Statement of Financial Activity As at 31 January 2009

	Adopted Budget	Year to Date Actual	Budget Adjustment	Budget Projection	Adj as % of Adopted Budget
	\$	\$	\$	\$	
Recurrent Revenue - Excluding Rates					
General Purpose Funding	4,180,362	2,398,306	184,200	4,364,562	4%
Governance	47,000	27,317	1,010	48,010	2%
Law, Order And Public Safety	89,600	34,193	(17,000)	72,600	-19%
Health	145,420	74,781	1,500	146,920	1%
Education And Welfare	1,102,519	1,038,310	(19,360)	1,083,159	-2%
Housing	71,350	72,036	55,120	126,470	77%
Community Amenities	1,877,689	1,814,652	470,000	2,347,689	25%
Recreation And Culture	486,100	250,240	(21,200)	464,900	-4%
Transport	3,060,150	2,144,173	325,900	3,386,050	11%
Economic Services	292,285	65,869	4,000	296,285	1%
Other Properties And Services	275,637	118,734	0	275,637	0%
	11,628,112	8,038,611	984,170	12,612,282	8%
Recurrent Expenditure					
General Purpose Funding	(358,155)	(224,022)	(15,000)	(373,155)	4%
Governance	(1,057,900)	(487,139)	92,000	(965,900)	-9%
Law, Order And Public Safety	(482,548)	(311,793)	(32,000)	(514,548)	7%
Health	(339,005)	(177,614)	0	(339,005)	0%
Education And Welfare	(414,772)	(259,532)	16,000	(398,772)	-4%
Housing	(270,286)	(154,033)	(28,100)	(298,386)	10%
Community Amenities	(3,128,713)	(1,671,369)	(486,700)	(3,615,413)	16%
Recreation and Culture	(3,354,062)	(1,995,818)	4,500	(3,349,562)	0%
Transport	(5,236,286)	(2,589,501)	(6,500)	(5,242,786)	0%
Economic Services	(629,627)	(250,348)	0	(629,627)	0%
Other Properties And Services	(238,463)	(150,164)	(70,000)	(308,463)	29%
	(15,509,816)	(8,271,332)	(525,800)	(16,035,616)	3%
Capital Revenues					
Grants / Contributions for Development of Assets	4,514,260	1,313,098	1,116,711	5,630,971	25%
Proceeds from Disposal of Assets	1,583,053	1,231,575	(36,210)	1,546,843	-2%
Proceeds from Sale of Land Held for Resale	250,000	302,605	50,000	300,000	20%
	6,347,313	2,847,278	1,130,501	7,477,814	18%
Capital Expenditure (by Class)					
Purchase of Land Held for Resale	(750,000)	0	500,000	(250,000)	-67%
Purchase Land and Buildings	(1,371,000)	(298,486)	(119,000)	(1,490,000)	9%
Purchase Infrastructure Assets - Roads	(3,864,016)	(1,912,427)	(459,000)	(4,323,016)	12%
Purchase Infrastructure Assets - Parks	(1,000,000)	(299,005)	(12,187)	(1,012,187)	1%
Purchase Infrastructure Assets - Footpaths	(147,164)	(225,725)	0	(147,164)	0%
Purchase Infrastructure Assets - Drainage	(125,000)	(17,335)	0	(125,000)	0%
Purchase Infrastructure Assets - Other	(2,418,470)	(1,353,894)	(524,057)	(2,942,527)	22%
Purchase Plant and Equipment	(1,783,280)	(917,378)	22,000	(1,761,280)	-1%
Purchase Furniture and Equipment	(251,000)	(93,902)	(30,000)	(281,000)	12%
	(11,709,930)	(5,118,152)	(622,244)	(12,332,174)	5%

Shire of Wyndham East Kimberley
Budget Review
Statement of Financial Activity
As at 31 January 2009

	Adopted Budget	Year to Date Actual	Budget Adjustment	Budget Projection	Adj as % of Adopted Budget
	\$	\$	\$	\$	
Adjustments					
Repayment of Debentures	(127,300)	(78,098)	0	(127,300)	0%
Proceeds from New Debentures	1,071,000	0	0	1,071,000	0%
Self-Supporting Loan Principal Income	1,119	1,119	0	1,119	0%
Transfers to Reserves (Restricted Assets)	(968,595)	(1,121,036)	(1,020,286)	(1,988,881)	105%
Transfers from Reserves (Restricted Assets)	1,806,291	0	(682,906)	1,123,385	-38%
	<u>1,782,515</u>	<u>(1,198,014)</u>	<u>(1,703,192)</u>	<u>79,323</u>	<u>-96%</u>
Adjustments for Cash Budget Requirements					
Non-Cash Expenditure and Revenue	1,276,826	(15,001)	(275,869)	1,000,957	-22%
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	1,448,641	2,301,075	852,434	2,301,075	59%
LESS Estimated Surplus/(Deficit) June 30 C/Fwd		3,457,560	0	0	
Amount Required to be Raised from Rates	4,736,339	4,873,096	160,000	4,896,339	3%

Shire of Wyndham East Kimberley

Notes to Budget Review
For the Period Ended 31 January 2009

	YTD Actual 2008/09	Brought Forward 1 July 2008
Net Current Assets	\$	\$
<i>Composition of Net Current Asset Position</i>		
Current Assets		
Cash - Unrestricted	1,281,074	1,155,459
Cash - Reserves	6,223,198	5,102,163
Cash - Restricted Unspent Grants		1,091,078
Investments - Restricted		
Receivables	2,915,489	1,141,569
Self Supporting Loans		1,119
Inventories	23,496	7,834
Land Held for Resale		-
	10,443,257	8,499,222
<i>Less</i>		
Current Liabilities		
Payables	(762,498)	(1,095,984)
	(762,498)	(1,095,984)
<i>Less</i>		
Restricted Reserves		
Cash	(6,223,198)	(5,102,163)
Investments		
Net Current Asset Position	3,457,560	2,301,075

Shire of Wyndham East Kimberley

Budget Review

Statement of Financial Activity

As at 31 January 2009

Project Reconciliation - Kununurra and Wyndham Multi Purpose Court Projects			
Budget Review 31 January 2009			
Wyndham Court Project	Minute 8383 16.09.08	Minute 8491 16.12.08	Total Project
Upgrade of Wyndham multi purpose court			
Revised Contractor Quotation based on removal of fencing & furniture installation	(73,573)		(73,573)
Alternate Quote on fencing & furniture installation	(28,904)		(28,904)
Contingency	(7,523)		(7,523)
	(110,000)	0	(110,000)
Funding			
Additional Loan (Council Decision September 2008)	110,000	(110,000)	0
Regional and Local Community Infrastructure Program		110,000	110,000
	110,000	0	110,000

Kununurra Multi Purpose Court Project	Original Adopted Budget	Budget Amendments	Proposed Amended Budget
Income			
Multi Purpose Grants (CSRFF)	312,000		312,000
Multi Purpose Contributions	95,000	66,000	161,000
Tennis	30,000		
Netball	15,000	15,000	
Corporate Sponsorship	50,000		
Joint Clubs (Tennis, Netball, Basketball)		51,000	
Regional and Local Community Infrastructure Grant			250,000
Tennis Australia Court Rebate		120,000	120,000
Multi Purpose Court Loans	371,000		371,000
Recreation Participation Reserve - Transfer From Reserve	17,000		17,000
Recreation Hardcourts Reserve - Transfer From Reserve	40,000		40,000
	835,000	436,000	1,271,000
Expenditure			
Multi Purpose Court	(835,000)	(492,057)	(1,327,057)
Project Deficit Funding	0	(56,057)	(56,057)

Project Deficit needs to be funded from Municipal Funds - Budget Review 31 January 2009

Shire of Wyndham East Kimberley
Budget Review
Statement of Financial Activity
As at 31 January 2009

	Original Adopted Budget	Minute 8351 19.08.08	Minute 8381 16.09.08	Minute 8491 16.12.08	Minute 8542 20.01.09	Total Project
Kununurra Multi Purpose Court Project						
Contractor Costs	(835,000)					
Multi Purpose Courts						
Tendered Price (Accepted by Council)		(931,650)				(931,650)
Variations to accepted tender						
Savings for site preparation		21,600				21,600
Geo Fabric (original court size)		(14,050)				(14,050)
Security Fencing (Construction)		(18,475)				(18,475)
Fencing Rails - top and bottom		(23,544)				(23,544)
Fencing PVC coating		(34,910)				(34,910)
Fencing Gate changes		(4,961)				(4,961)
Adjustable netball goal posts - 6 sets		(680)				(680)
Addition of 2 Basketball Courts in Multi Purpose						
Additional Court Furniture (Basketball - 4 sets)			(45,000)			(45,000)
Added Earthworks			(14,375)			(14,375)
Additional Geo Fabric - (added basketball)			(520)			(520)
Additional surfacing and line marking			(2,870)		2,870	0
Additional 20 m fencing			(4,740)			(4,740)
Upgrade of single Basketball/Netball Court						
Contractor Quotation			(59,855)			(59,855)
Upgrade of additional 2 Basketball/Netball Court						
Estimated Cost					(110,000)	(110,000)
Other Costs						
Multi Purpose Courts						
Site preparation		(21,218)				(21,218)
Installation of retaining wall between courts & youth centre to address drainage		(5,174)				(5,174)
Telstra Line						
Water Pipe Upgrade in adjoining						
Public Utility Access Reserve		(5,005)				(5,005)
Contingency Allowance		(50,000)				(50,000)
Upgrade of single Basketball/Netball Court						
Re-fencing of single court re-using existing materials			(4,500)			(4,500)
	(835,000)	(1,088,067)	(131,860)	0	(107,130)	(1,327,057)
Funding						
Multi Purpose Courts						
CSRFF	312,000	312,000				312,000
Tennis	30,000	30,000				30,000
Netball	15,000	30,000				30,000
Corporate Sponsorship	50,000	50,000				50,000
Loan (Budget Adoption)	371,000	371,000				371,000
Transfer from Reserves	57,000	57,000				57,000
Tennis Australia Court Rebate		120,000				120,000
Regional and Local Community Infrastructure Program				250,000		250,000
Joint Clubs (Tennis, Netball, Basketball)					51,000	51,000
Addition of 2 Basketball Courts in Multi Purpose						
Upgrade of single Basketball/Netball Court						
Additional Loan (Council Decision September 2008)			80,000	(80,000)		0
	835,000	970,000.00	80,000.00	170,000.00	51,000.00	1,271,000.00
Project Deficit Funding	0	(118,067)	(51,860)	170,000	(56,130)	(56,057)

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity
Budget Review
For the Period 1 July 2008 to 31 January 2009

1. Budget Review Process

Managers undertook a review process whereby the detail underlying the Statement of Financial Activity was assessed to determine whether or not the adopted budget is achievable.

Year to date revenues and expenditures were reviewed and the budget requirements for the remainder of the year were considered. Based on this assessment proposed budget adjustments were recorded against the relevant area.

The overall effect of the proposed budget adjustments is presented in the Statement of Financial Activity – Budget Review as at 31 January 2009. Justification and explanation for the proposed budget adjustments is detailed below.

2. Definition of Terms

Net Effect – total effect on budget of operating revenue and operating expenditure adjustments.

Positive – increase in revenue/decrease in expenditure

Negative – decrease in revenue/increase in expenditure

3. Explanation of Proposed Budget Adjustments

Note: total adjustments explained will not necessarily add up to total increase or decrease due to small adjustments made to some budgets. All significant adjustments will be documented.

3.1 Operating

Net Effect – Positive \$458,370

Revenue – Increase \$984,170

Expenditure – Increase \$525,800

Broken down as follows:

Governance

Net Effect – Positive \$182,700

Revenue – Increase \$184,200

Rates

Increases of \$7,000 in Instalment Interest, \$1,000 in Administration Charges and \$1,250 in Contributions due to actual revenues exceeding budget.

An additional \$15,000 in Recovery of Legal Expenses due to increased activities to recover rates debts. (Note this is offset by increase in legal fees expense)

Other General Purpose Funding

Increase in Grants Commission income of \$30,000 due to actual grants being slightly higher than advised when setting budget.

Increase of \$130,000 interest on Reserve Funds due to higher interest rates (Note this is offset by transfer to reserves)

Dividend Income of \$2,200 from Cambridge Gulf Limited not included in original budget because shares were to be sold.

Expenditure – Increase \$15,000

Rates

Increase in Legal Fees of \$15,000 due to increase activities to recover outstanding rates. (Note: these expenses are added on to the rate debt and are recoverable from the ratepayer.)

General Purpose Funding

Net Effect – Positive \$93,010

Revenue – Increase \$1,010

Other Governance

Advertising Rebate \$3,500 less than expected.

Addition of line item for Wyndham Giant Crocodile Birthday Celebrations \$4,510. (Note: difference between revenue and expenditure has been allocated as expenditure on Wyndham Skate Park)

Expenditure – Decrease \$92,000

Members of Council

Increase in Election Expenses of \$6,000 due to extraordinary election.

Reduction in Public Relations \$2,500, Other Expenses \$2,500 and Conferences \$10,000 due to expected savings on budget.

Governance Other

Increase in Audit Fees by \$20,000 due to additional works including grant acquittals.

Savings of \$4,000 are achievable in Lobby and Representation.

In-kind Contributions for Wyndham Giant Crocodile Birthday Celebrations savings of \$1,300 on budget.

Addition of new line item Wyndham Giant Crocodile Birthday Celebrations – Expenses \$2,310 (Note: difference between revenue and expenditure has been allocated as expenditure on Wyndham Skate Park)

Removal of budget line for Administration Building Planning of \$100,000 and allocation of these funds to new capital expenditure line item Administration Building – Transportable Office to address critical office space issues in the Administration Building.

Law Order & Public Safety

Net Effect – Negative \$49,000

Revenue – Decrease \$17,000

Other Law Order and Public Safety

Grant income of \$17,000 for Cyclone Warning Signs was included in budget but was received late in 2007/08

Expenditure – Increase \$32,000

Other Law Order and Public Safety

\$8,000 saving on Cyclone Warning Signs due to some expenditure being incurred late in 2007/08.

\$40,000 contribution to East Kimberley Marine Rescue Shed. This project was originally in the budget as \$40,000 grant income and \$80,000 capital expenditure for shed construction. These two line items are to be removed and the net cost to Council moved to this recurrent expenditure item as it is expected that the project will not be controlled by the Shire.

Health

Net Effect – Positive \$1,500.

Revenue – Increase \$1,500

Preventative Services Administration

New line item for Effluent Disposal Applications (GST Free) has been included with a budget of \$1,500.

Expenditure – No Change

Education and Welfare

Net Effect – Negative \$3,360

Revenue – Decrease \$19,360

Care of Families and Children

Decrease in budget by \$19,360 for Profit on Sale of Assets – Ewin Centre to include selling fees not identified when setting budget.

Expenditure – Decrease \$16,000

Care of Families and Children

Transfer \$16,000 recurrent expenditure to capital improvements.

Housing

Net Effect – Positive \$27,020.

Revenue – Increase \$55,120

Staff Housing

Inclusion of \$58,000 for rental income 3 houses being rented on behalf of staff, omitted from budget as oversight.

Other Housing

Reduction of Rental Income from Wyndham Health Flat by \$2,880 as tenant moved out and inspection of property found not suitable to be rented again.

Expenditure – Increase \$28,100

Staff Housing

Inclusion of \$68,000 for rental expenses relating to 3 houses rented on behalf of staff, omitted from budget as oversight.

\$3,500 additional expenditure relating to additional cost of replacement blinds and replacement of damaged tiles in two staff houses.

Savings of \$43,400 due reassessment of strategy relating to a staff house that needs significant maintenance.

Community Amenities

Net Effect – Negative \$16,700

Revenue – Increase \$470,000

Sanitation - Household Refuse

\$15,000 reduction in budget for Additional Refuse Collection due to ratepayers requesting additional bin services be stopped.

Protection of the Environment

Additional grant income of \$50,000 on Lake Kununurra Project.

Budget of \$450,000 for Natural Disaster Mitigation Grant increased to \$900,000 due to additional Commonwealth Funding for Weaber Plain Flood Mitigation.

Other Community Amenities

Reduction in Kununurra Youth Centre Fees by \$15,000 due to centre not being utilised for full year.

Expenditure – Increase \$486,700

Protection of the Environment

Additional expenditure of \$12,000 on Lake Kununurra Project to finalise project and utilise all funds.

Budget of \$450,000 for Weaber Plain Flood Mitigation due to increased Commonwealth funding from Natural Disaster Mitigation Grant.

Town Planning and Regional Development

Increase in Legal Fees of \$18,000 relating to legal advice on Town Planning and land related issues.

Other Community Amenities

Increase in costs of maintaining Automated Toilet due to vandalism \$7,500 offset by \$4,800 in savings due to Celebrity Tree Park toilets not being constructed for full year.

\$3,000 transferred from Building Maintenance to Garden Maintenance at Kununurra Youth Centre.

\$2,000 saving in tidy Shire Awards due to increased sponsorship in form of vouchers rather than cash.

\$6,000 additional expenditure in recruitment costs advertising for Youth workers.

Recreation and Culture

Net Effect – Negative \$16,700

Revenue – Decrease \$21,200

Public Halls

Grant income of \$500 not expected to be received.

Swimming Areas and Beaches

Additional income of \$8,000 from Swim School at Kununurra Swimming Complex due to successful swim school programming.

Offset by \$3,000 reduction in income from Pool Hire (functions) at Kununurra Swimming Complex due to swimming club not operating.

\$8,800 additional grant income for Wyndham Swimming Complex due to planning grant for pool upgrade being omitted from budget. This is a carry forward grant with expenditure in 07/08 that was not identified at budget time.

Foreshore Leases revenue decrease by \$30,000 due to delays in finalisation of new leases and budget calculated on full year leases.

Other Recreation and Sport

Reduction in grant income by \$12,000 for Recreations services, \$5,000 for Kununurra Leisure Centre and \$5,000 for Wyndham Recreation Centre due to change in staff resulting in grants not being written in time for funds to be approved this financial year.

\$12,000 reduction in Classes and Programming revenue at Kununurra Leisure Centre due to staff shortages to run classes.

Increase usage resulting in \$5,000 additional revenue for casual gym use and \$3,000 squash court and equipment hire at Kununurra Leisure Centre.

\$28,000 additional revenue from sale of consumables at Kununurra Leisure Centre due to Kiosk not being leased. (Note: there is also an increase in the consumables purchased for resale).

Reduction of \$3,000 for court hire at Wyndham Recreation Centre due to less programming and activities than budgeted.

A new MOU with Garnduwa resulted in \$3,500 less revenue for centre fees at Wyndham Recreation Centre

Additional \$5,000 water contributions

Libraries

Reduction of \$5,000 joint use reimbursement from KDHS due to library funding not operating as per agreement due to not having a library manager.

Expenditure – Decrease \$4,500

Other Recreation and Sport

\$9,000 additional costs in purchasing consumables for sale at Kununurra Leisure Centre due to Kiosk not being leased.

Additional \$3,000 expenditure on replacement of court furniture at Wyndham Recreation Centre.

\$6,000 additional expenditure on Oval Lighting.

Savings of \$8,000 in Building Maintenance at Wyndham Grounds due to budget to fix water problem in Club Rooms being double counted in budget.

Inclusion of \$2,000 programming costs relating to Club Development as this was omitted from budget as an oversight.

Libraries

Savings of \$15,000 in Joint Use Contribution to KDHS due to library funding not operating as per agreement due to not having a library manager.

\$1,500 saving is Library Exchange Travel due to less book exchanges being attended to in person.

Transport

Net Effect – Positive \$319,400

Revenue – Increase \$325,900

Streets, Roads and Bridges

\$2,400 additional grant revenue from MRWA direct grants.

Aerodromes

Additional lease revenue (non terminal) at East Kimberley Regional Airport due to new lease being negotiated.

\$18,000 increase in reimbursements at East Kimberley Regional Airport for power consumption.

Addition of \$303,000 profit on sale of assets relating to land auctioned at East Kimberley Regional Airport.

Reduction of income of \$35,000 in fuel sales at Wyndham Airport due to facility being decommissioned.

Increase of \$30,000 in other income at Wyndham Airport for utility reimbursements.

Expenditure – Increase \$6,500

Streets, Roads and Bridges

Transfer of \$20,000 from Urban Road Maintenance Kununurra to Depot Maintenance Kununurra.

Aerodromes

Additional expenditure on East Kimberley Regional Airport of \$11,500 due to improvements to Flight Services Building to make suitable to lease some offices.

Increase budget of \$35,000 for Airport Operating at Wyndham Airport due to increase utilities expenses and repairs to runway lighting. (Note: utility costs are offset by increased revenue)

New budget of \$5,000 for Airport Outbuilding Maintenance at Wyndham Airport for repairs to storm damaged storage shed.

Reduction in budget for Fuel Purchases Wyndham Airport due to decommissioning of facility.

Economic Services

Net Effect – Positive \$4,000

Revenue – Increase \$4,000

Building Control

Increase in building fees relating to orders and requisitions by \$4,000.

Expenditure – No Change

Other Property and Services

Net Effect – Positive \$70,000

Revenue – No Change

Expenditure – Decrease \$70,000

Public Works Overheads

Increase budget of Depot Maintenance by \$20,000 due to increased works required to meet safety standards.

New budgets of \$5,000 for Kununurra and \$3,000 for Wyndham for purchase of Minor Equipment. Offset by removal of Minor Plant budget of \$5,000 from Capital Purchases.

An additional \$5,000 required to Wyndham Depot Toilet Refurbishment.

General Administration Overheads

An additional \$15,000 for Building Maintenance Wyndham Administration relating to broken windows, air conditioner replacement and new cleaning contract being more than budget estimates.

New budget of \$7,000 for Office Expenses Wyndham Administration to separately account for costs.

Additional \$15,000 for recruitment and relocation of Town Planner.

3.2 Capital

Grants / Contributions for Development of Assets

Net Effect – Positive \$1,116,711

Revenue – Increase \$1,116,711

Removal of \$40,000 grant for East Kimberley Marine Rescue Shed. This project was originally in the budget as \$40,000 grant income and \$80,000 capital expenditure for shed construction. These two line items are to be removed and the net cost to Council moved to this recurrent expenditure item as it is expected that the project will not be controlled by the Shire.

Increase Contributions by \$186,000 for Kununurra Multi Purpose Court Project as per reconciliation attached to this document. (Council Minutes 8351, 8381, 8491 and 8542 refers)

New budget for \$532,000 being grant funding from Regional and Local Government Community Infrastructure Fund (Council Minute 8491 refers).

New budget of \$6,000 for contributions for completion of half basketball court in Nicholson Park not completed in 2007/08.

New budget of \$459,000 for contributions for Carlton Hill Road to upgrade pastoral tracks to dedicated road. This is funded by contributions by Consolidated Pastoral Company \$99,000 and the State Government \$360,000.

Removal of Grant for Land Subdivision at East Kimberley Regional Airport because the project has been delayed until 2009/10.

Additional Developer Contributions Egret Close of \$23,711. These contributions are to be transferred to reserve.

Proceeds from Disposal of Assets

Net Effect – Negative \$36,210

Revenue – Decrease \$36,210

Decrease revenue by \$36,210 for Sale of Land – Ewin Centre due to prepaid selling costs identified during preparation of Annual Financials 2007/08 but not during budget preparation.

Proceeds from Sale of Land Held for Resale

Net Effect – Positive \$50,000

Revenue – Increase \$50,000

Additional \$50,000 proceeds from Sale of Land at East Kimberley Regional Airport.

Capital Expenditure (by class)

Net Effect – Negative \$622,244

Land Held for Resale – Decrease \$500,000

Removal of \$500,000 budget for Land Subdivision Stage One East Kimberley Regional Airport as project is delayed until 2009/10 due to Town Planning vacancy.

Land and Buildings – Increase \$119,000

Transfer of budget of \$56,000 from Administration Building – Land Acquisition to Administration Building – Transportable Office as no agreement in sale price has been reached and should agreement be reached settlement can be delayed until 2009/10.

New budget of \$200,000 for Administration Building – Transportable Office to address critical office space issues in the Kununurra Administration Building.

Removal of \$80,000 for East Kimberley Marine Rescue Shed. This project was originally in the budget as \$40,000 grant income and \$80,000 capital expenditure

for shed construction. These two line items are to be removed and the net cost to Council moved to this recurrent expenditure item as it is expected that the project will not be controlled by the Shire.

Addition of \$16,000 budget for Capital Improvements at Wyndham Child Care Centre. These funds have been transferred from recurrent expenditure.

Addition of \$59,000 budget for Capital Improvements Kununurra Child Care Centre. Council decision to allocate \$50,000 from reserve funds to remediate lawns. \$9,000 required to install blinds and address plumbing issues that relate to building construction.

Savings of \$20,000 from Office Upgrade Wyndham Airport.

Infrastructure Assets – Roads – Increase \$459,000

New budget of \$459,000 for Carlton Hill Road to upgrade pastoral tracks to dedicated road. This is funded by contributions by Consolidated Pastoral Company and the State Government.

Infrastructure Assets – Parks – Increase \$12,187

New budget of \$10,000 for completion of half basketball court in Nicholson Park not completed in 2007/08.

New budget of \$2,187 for Wyndham Skate Park from profits of Wyndham Giant Crocodile Birthday Celebrations

Infrastructure Assets – Footpaths – No Change

Infrastructure Assets – Drainage – No Change

Infrastructure Assets – Other – Increase \$524,057

Additional \$492,057 funds required for Kununurra Multi Purpose Court Project as per reconciliation attached to this document. (Council Minutes 8351, 8381, 8491 and 8542 refers)

New budget for \$100,000 for Wyndham Multi Purpose Court Project as per reconciliation attached to this document. (Council Minutes 8383 and 8491 refers)

New budget for \$172,000 for Extension of Power to Commercial Boat Facility (Council Minute 8491 refers)

Project savings of \$130,000 on Upgrade of Taxi-way Foxtrot and \$120,000 on Sand Seal of Aprons at East Kimberley Regional Airport.

Plant and Equipment – Decrease \$22,000

Savings of \$39,000 on Checked Baggage Screening Equipment Purchase offset partially by requirement for budget of \$22,000 for backup generator for new equipment.

Transfer of \$5,000 budget for minor Plant Purchase to Public Works Overheads.

Furniture and Equipment – Increase \$30,000

Increase of \$21,000 for purchase of Photocopier ordered in 2007/08 but not delivered until 2008/09.

New budget of \$9,000 to purchase furniture and fit out kitchen for a staff house for short term officer. This is more cost effective than relocating officer.

3.3 Adjustments

Repayment of Debentures – No Change

Proceeds from New Debentures – No Change

Self Supporting Loan Principal Income – No Change

Transfers to/from Reserves – Negative \$1,687,184

Additional \$130,000 Interest Revenue Transferred to Reserves

\$886,777 Transfer to Airport General Reserve.

Reduce transfer to Childcare Reserve by \$36,210 re selling costs

New Transfer to Reserve of \$23,711 for Developer Contributions Egret Close
Transfer to Reserve (Restricted Assets) – Increase \$1,004,278

Transfer from Reserves (Restricted Assets – Decrease \$682,906

Removal of \$741,906 Transfer from Airport General Reserve. Net transfer is effect of all adjustments to Airport Operations budget items.

New Transfer from Reserve of \$59,000 from Childcare Reserve to fund Capital Improvements Kununurra Child Care Centre.

3.4 Adjustments and Accruals

Non Cash Expenditure and Revenue – Adjustment of \$275,869

Adjustment of by \$19,360 for Profit on Sale of Assets – Ewin Centre to include selling fees not identified when setting budget.

Adjustment of \$303,000 profit on sale of assets relating to land auctioned at East Kimberley Regional Airport.

Adjustment to Provisions included in Opening Surplus of \$7,771

Opening Funds – Surplus \$852,434

An additional Surplus of \$852,434 relating to \$860,197 Transfer to Airport Reserve being budgeted for in 2007/08 but taking place in 2008/09 and minor adjustments to provisions at 30 June 2008.

Closing Funds – Surplus - \$nil

This is the net effect of all adjustments on the budget. This means the budget is still balanced.

Rates – Increase \$160,000

Additional rates revenue of \$130,000 and savings on rates discount of \$30,000.

4. Recommendation

That Council adopt the budget adjustments as detailed in the Statement of Financial Activity and related notes.

12.3. ENGINEERING & REGULATORY SERVICES

12.3.1 APPOINTMENT OF AUTHORISED OFFICERS INCLUDING BUSH FIRE CONTROL OFFICERS (8556)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Alex Douglas, Executive Manager Engineering and Regulatory Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	65.01.07
ASSESSMENT NO:	N/A

PURPOSE

To ensure that appropriate Council Officers and others appointed on behalf of Council have authorisation to perform their duties in accordance with relevant legislation and Council Local Laws.

BACKGROUND

Council last saw the Appointment of Authorised Officers item on the 15 May 2007. Given that there has been substantial movement in Council's employ since the Appointment of Authorised Officers and Inspectors were advertised in the Government Gazette the list of Officers needs to be updated with the appropriate gazettal being sought.

It is also a requirement under the Bushfires Act 1954 to Gazette the appointed Fire Control Officers for the Shire of Wyndham East Kimberley.

STATUTORY IMPLICATIONS

The following legislation applies: -

Local Government (Miscellaneous Provisions) Act 1960
Local Government Act 1995
Health Act 1911
Dog Act 1976
Bush Fires Act 1954
Environmental Protection Act Sections 87 and 88
Control of Vehicles (Off road vehicles) Act 1978
Caravan Park and Camping Grounds Act 1995
Building Regulations 1989
Council Local Laws
Town Planning Development Act 1928
Interpretation Act 1984

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The only direct costs associated with this item relates to the advertising of authorised officers through the Government Gazette.

STRATEGIC IMPLICATIONS

Council's Strategic Plan identifies in its Key Result Area 5 – Governance:

- *Key Result Area 5 - Governance*
That Council works in a co-operative way in delivering its obligations and to communicate well with the community
- compliance with legislative requirements.

The appointment of appropriate Registered and/or Authorised Officers is in order to meet Council's obligations in accordance with legislative requirements and is in keeping with Council's strategic direction.

COMMUNITY CONSULTATION

Not considered applicable.

COMMENT

Appointment of Council Officers:

In the past it has been Council practice to appoint individual officers under the respective Acts and Legislation, however given the number of staff changes since Council's resolution to appoint Authorised Officers on the 15 May 2007, it is recommended that Council delete all past employees and appoint the appropriate staff where necessary.

In accordance with the Interpretation Act 1984, s53 there is scope for Council to appoint the Authorised Positions as opposed to Authorised Officers. This will relieve the need for re-gazetting that has previously been required following staff changes.

- s. 53 Appointments by name or office*
Where a written law confers a power or imposes a duty upon a person to appoint or designate a person to -
- (a) perform any function;*
 - (b) be a member of any board, tribunal, commission, committee, council, or other similar body, whether corporate or unincorporated; or*
 - (c) be or do any other thing,*

That person may make the appointment or designation either by appointing or designating a person by name or by appointing or designating the holder of an officer by designating the term of his office; and any such appointment or designation of the holder of an office shall be construed as the appointment or designation of the person from time to time holding, acting in, or lawfully performing the functions of the office.

Appointment of Bush Fire Control Officers:

The secondary purpose of this report is to give Council the opportunity to appoint Bushfire Control Officers as there have been some changes over the past year.

In the past the Shire has taken the approach of having adequate numbers of FCO's to cover the volunteer fire brigade areas as well as the pastoral areas of the Shire. This appears to be effective and there is no reason to vary this process at this time.

The present approved listing is set out as follows: -

Existing Authorised Bush Fire Control Officers

NAME	AREA OF RESPONSIBILITY
Gary King (CBFCO & Shire Ranger)	Shire of Wyndham East Kimberley
John Koeyers (Deputy CBFCO)	Stations on Gibb river and Kalumburu Roads
Lindsay Middap	Wyndham Port to 12 Mile (Wyndham & adjoining areas)
Mr Fred Mills	Properties adjoining Fish Farm and Crossing Falls Roads
Peter Lacey	Stations on Gibb River and Kalumburu Roads (Kalumburu South Area)
Bruce Pontin	Argyle Diamond Mine
David Hasted	Ivanhoe
Mike Moore	Packsaddle

Limited Permit Issuing Authority

Greg Cummings	Ord Irrigation Area – Agricultural Crop Trash Only
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It is proposed to make the following amendments;

NAME	AREA OF RESPONSIBILITY	CONTACT NO.
Gary King (CBFCO & Shire Ranger)	Shire of Wyndham East Kimberley	0409 687 841 (Work) 9168 1798 (Work Fax)
John Koeys (Deputy CBFCO West)	Stations on Gibb river and Kalumburu Roads	9161 4326 (Home) 9161 4084 (Fax)
Adele Horn	Wyndham Port to 12 Mile (Wyndham & adjoining areas)	9161 2964 (Work/Fax) 0417 995 246
Mr Fred Mills	Properties adjoining Fish Farm and Crossing Falls Roads	9168 3105 (Home) 0400884202 (Mob)
Peter Lacey	Stations on Gibb River and Kalumburu Roads (Kalumburu South Area)	9191 4644 (Home/Fax)
Bruce Pontin	Argyle Diamond Mine	9167 1418 9167 1452 (Emergency)
David Hasted	Ivanhoe	9168 1388 (Home) 9168 1399 (Fax)
Grant Lodge	Packsaddle	91692887 (Home) 0417962277 (Mob) 90693085 (Fax)

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Cancel all previous Appointments
2. appoint the following positions as Authorised Offices under the provisions of the Local Government Act 1995;

Chief Executive Officer
Ranger
Executive Manager Engineering and Regulatory Services
Wyndham Operations Coordinator

3. appoint the following positions as Authorised Offices under the provisions of the Health Act 1911;

Chief Executive Officer
Environmental Health Officer
Ranger

4. appoint the following positions as Authorised Offices as Registration Officers under the provisions of the Dog Act 1976;

Wyndham Operations Coordinator
Customer Service Officer
Customer Service Officer - Records
Engineering and Regulatory Services Support Officer

5. appoint the following positions as Authorised Offices under the provisions of the Dog Act 1976;

Chief Executive Officer
Ranger
Environmental Health Officer

6. appoint the following positions as Authorised Offices under the provisions of the Environmental Protection Act, Sections 87 and 88;

Chief Executive Officer
Environmental Health Officer

7. appoint the following positions as Authorised Offices under the provisions of the Caravan Parks and Camping Grounds Act 1995;

Environmental Health Officer
Wyndham Operations Coordinator
Ranger

8. appoint the following positions as Authorised Offices under the provisions of the Local Government (Miscellaneous Provisions) Act 1960;

Building Maintenance Officer

9. appoint the following officers as Authorised Persons under the provisions of the Town Planning Development Act 1928;

Chief Executive Officer

11. That Council authorise and publish the following persons as Fire Control Officers for the Shire of Wyndham East Kimberley in accordance with the Bush Fires Act 1954;

NAME	AREA OF RESPONSIBILITY	CONTACT NO.
Gary King (CBFCO & Shire Ranger)	Shire of Wyndham East Kimberley	0409 687 841 (Work) 9168 1798 (Work Fax)
John Koeyers (Deputy CBFCO West)	Stations on Gibb river and Kalumburu Roads	9161 4326 (Home) 9161 4084 (Fax)
Adele Horn	Wyndham Port to 12 Mile (Wyndham & adjoining areas)	9161 2964 (Work/Fax) 0417 995 246
Mr Fred Mills	Properties adjoining Fish Farm and Crossing Falls Roads	9168 3195 (Home) 0400884202(Mob)
Peter Lacey	Stations on Gibb River and Kalumburu Roads (Kalumburu South Area)	9191 4644 (Home/Fax)
Bruce Pontin	Argyle Diamond Mine	9167 1418 9167 1452 (Emergency)
David Hasted	Ivanhoe	9168 1388 (Home) 9168 1399 (Fax)
Grant Lodge	Packsaddle	91692887 (Home) 0417962277 (Mob) 90693085 (Fax)

COUNCIL DECISION

Minute No. 8556

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

That Council:

- 1. Cancel all previous Appointments***
- 2. appoint the following positions as Authorised Offices under the provisions of the Local Government Act 1995;***

***Chief Executive Officer
Ranger***

**Executive Manager Engineering and Regulatory Services
Wyndham Operations Coordinator**

- 3. appoint the following positions as Authorised Offices under the provisions of the Health Act 1911;**

**Chief Executive Officer
Environmental Health Officer
Ranger**

- 4. appoint the following positions as Authorised Offices as Registration Officers under the provisions of the Dog Act 1976;**

**Wyndham Operations Coordinator
Customer Service Officer
Customer Service Officer - Records
Engineering and Regulatory Services Support Officer**

- 5. appoint the following positions as Authorised Offices under the provisions of the Dog Act 1976;**

**Chief Executive Officer
Ranger
Environmental Health Officer**

- 6. appoint the following positions as Authorised Offices under the provisions of the Environmental Protection Act, Sections 87 and 88;**

**Chief Executive Officer
Environmental Health Officer**

- 7. appoint the following positions as Authorised Offices under the provisions of the Caravan Parks and Camping Grounds Act 1995;**

**Environmental Health Officer
Wyndham Operations Coordinator
Ranger**

- 8. appoint the following positions as Authorised Offices under the provisions of the Local Government (Miscellaneous Provisions) Act 1960;**

Building Maintenance Officer

- 9. appoint the following officers as Authorised Persons under the provisions of the Town Planning Development Act 1928;**

Chief Executive Officer

- 11. That Council authorise and publish the following persons as Fire Control Officers for the Shire of Wyndham East Kimberley in accordance with the Bush Fires Act 1954;**

NAME	AREA OF RESPONSIBILITY	CONTACT NO.
Gary King (CBFCO & Shire Ranger)	Shire of Wyndham East Kimberley	0409 687 841 (Work) 9168 1798 (Work Fax)
John Koeyers (Deputy CBFCO West)	Stations on Gibb river and Kalumburu Roads	9161 4326 (Home) 9161 4084 (Fax)
Adele Horn	Wyndham Port to 12 Mile (Wyndham & adjoining areas)	9161 2964 (Work/Fax) 0417 995 246
Mr Fred Mills	Properties adjoining Fish Farm and Crossing Falls Roads	9168 3105 (Home) 0400884202 (Mob)
Peter Lacey	Stations on Gibb River and Kalumburu Roads (Kalumburu South Area)	9191 4644 (Home/Fax)
Bruce Pontin	Argyle Diamond Mine	9167 1418 9167 1452 (Emergency)
David Hasted	Ivanhoe	9168 1388 (Home) 9168 1399 (Fax)
Grant Lodge	Packsaddle	91692887 (Home) 0417962277 (Mob) 90693085 (Fax)

CARRIED UNANIMOUSLY: (7/0)

**12.3.2 PROPOSAL TO PURCHASE WYNDHAM TOWN LOT 829
KOOLAMA STREET WYNDHAM (EX INFANT HEALTH CLINIC)
(8557)**

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Koolama Street Wyndham
AUTHOR:	Alex Douglas, Executive Manager Engineering and Regulatory Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	01.2198.01
ASSESSMENT NO:	A2198

PURPOSE

For to Council to consider the proposal to purchase Lot 829 from the State Government for the purposes of staff housing.

BACKGROUND

The site is Crown Land and the improvements are the property of the Council. The site of the ex Wyndham Infant Health Clinic has a two storey building and until recently the accommodation section was rented to an external tenant.

The property is now vacant and considered to be in a state of disrepair with demolition recommended.

With a view to requiring additional staff housing the land would be suitable to purchase for that purpose as it is central to a range of facilities.

STATUTORY IMPLICATIONS

Purchase of Crown Land requires an application to the Minister for Lands.

POLICY IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

At this time an independent valuation has not been sought. If the State agrees to the sale it will be based on an agreed value which we would seek to have included in the preparation of the 2009/2010 budget.

Demolition of the building is being quoted, and again is to be included in the draft 2009/10 budget for consideration.

STRATEGIC IMPLICATIONS

Council's Strategic Plan identifies in its Key Result Area 5 – Governance:

- *Key Result Area 5 - Governance*
That Council works in a co-operative way in delivery its obligations and to communicate well with the community
- Council provides a quality work environment that achieves effective recruitment, retention, progression, succession and performance.

COMMUNITY CONSULTATION

Community consultation has not been sought or recommended.

COMMENT

The site is currently zoned R15, and on that basis only be sufficient for a single dwelling.



The demolition of the existing building is recommended however given the budget implications the site is to be made secure in the interim. The recommendation to demolish the building is included in this report as it is considered appropriate to make the site safe, and await the allocation of funds within the 2009/10 budget.

Budgeting for staff housing is listed for consideration in the forthcoming Budget Workshops, and whilst it is not presumed that funds will be available within the next twelve months the acquisition of the land is a prudent investment.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council make application to the Minister for Lands to purchase Lot 829 Koolama Street Wyndham for the purpose of staff housing.

COUNCIL DECISION

Minute No. 8557

Moved:Cr P Caley

Seconded:Cr D Ausburn

That Council make application to the Minister for Lands to grant title to Shire of Wyndham East Kimberley for Lot 829 Koolama Street Wyndham for the purpose of staff housing.

CARRIED UNANIMOUSLY: (7/0)

12.3.3 REQUEST TO LOCATE LPG GAS CYLINDERS WITHIN THE ROAD RESERVE ABUTTING LOT 554 PAPUANA STREET, KUNUNURRA (8558)

DATE:	17 February 2009
PROPONENT:	Origin Energy
LOCATION:	Papuana Street Kununurra
AUTHOR:	Alex Douglas, Executive Manager Engineering and Regulatory Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	01.1575.01
ASSESSMENT NO:	A1575

PURPOSE

For Council to consider an application for the installation of LPG gas cylinders within the road reserve abutting 4 Papuana Street, Kununurra.

BACKGROUND

Origin Energy have made application to install three LPG gas cylinders within the portion of road reserve abutting the western boundary of Lot 554 Papuana Street.

The proposal has come from a desire to increase the gas storage capacity for the Boab Coffee Shop and Bookstore, and the requirement to relocate the existing smaller storage cylinders from an adjoining property.

Lot 554 is fully developed and there is no land or area available to satisfy the area requirements and the licensing requirements for the storage of the LPG cylinders.

STATUTORY IMPLICATIONS

The use of the road reserve would require a lease with the Minister for Lands and Origin Energy (the providers of the cylinders and gas).

Section 57 of the Land Administration Act 1997 applies: -

57. Leases in relation to roads

(1) The Minister may —

- (a) grant a lease in respect of land above or below a road; or
- (b) with the consent of the relevant local government,

the Commissioner of Main Roads, or the Minister responsible for the administration of the *Public Works Act 1902*, as the case requires, grant a lease in respect of land comprising a road, if —

- (i) there are structures above the road; or
- (ii) the purpose of that lease is consistent with the use of the road by the public.

(2) When a lease is granted under subsection (1)(b) in respect of land comprising a road and the road is closed under section 58 during the subsistence of the

lease, the lease continues to subsist as an interest in Crown land until it terminates in accordance with law.

POLICY IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

There are no financial implications associated with the Officers Recommendation.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Not considered applicable

COMMENT

Consideration would not normally be given to this type of request due to the issues of pedestrian or vehicle movements, sight lines and refilling requirements for the gas cylinders. However the requested location is in an area where pedestrian and vehicle movement is currently restricted and there is a reasonable basis to the request.



The three cylinders will require an area measuring 2.4 metres by 5.7 metres. A Dial Before You Dig enquiry shows that there are no services located in this particular section of the road reserve.

For Origin Energy to approach the Minister for Lands it requires the advice of the Council as to whether a lease would be supported.

Staff consider that the request is reasonable and that the provisions that control the placement and storage of the LPG cylinders provide adequate protection to the public. The lease documentation would cover the issues of Public Liability Insurance, maintenance of the facility and provisions for removal if the business ceased trading or the facility was considered unsafe.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Origin Energy be advised that Council provides in principle support for the installation of LPG cylinders to be located within the road reserve abutting the south west corner of Lot 554 Papuana Street so to enable Origin Energy to enter in to lease negotiations with the Minister for Lands.

COUNCIL DECISION

Minute No. 8558

Moved:Cr J Moulden

Seconded:Cr D Ausburn

That Origin Energy be advised that Council provides in principle support for the installation of LPG cylinders to be located within the road reserve abutting the south west corner of Lot 554 Papuana Street so to enable Origin Energy to enter in to lease negotiations with the Minister for Lands.

CARRIED: (6/1)

For: Cr Mills, Addis, Ausburn, Caley, Moulden, Torres

Against: Cr Wright

12.4. DEVELOPMENT

12.4.1 BROLGA ROAD RESERVE PROPOSED AMALGAMATION

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Packsaddle, Kununurra
AUTHOR:	Jennifer Ninyette Town Planning Officer
REPORTING OFFICER:	Peter Stubbs Chief Executive Officer
FILE NO:	01.6023.02
ASSESSMENT NO:	A6023

PURPOSE

For Council to consider a request to close Brolga Road Reserve and allow it to be amalgamated with the adjoining properties

BACKGROUND

Council received a request from Mr TG Gascoyne on the 10 July 2008 and from Mr Ray and Mrs Debbie Chamberlain on the 23rd September 2008 asking for Council consideration of the closure of Brolga Roads Reserve (Packsaddle area), and the sale for the Road Reserve to them, as the adjacent landholders.

This request has been overlooked until now and requires Council consideration.

The request was included in the Councillor Briefing Session Agenda 2 February 2009 in order to familiarise Councillors with it prior to the report.

STATUTORY IMPLICATIONS

Land Administration Act.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

Road reserves are not owned by Council, but vested to it by the State Government.

It is common throughout the State for some road reserves to be unconstructed.

Any funds received from sale of the road reserve, should it be agreed too, would be returned to the State.

There is limited access the Lake Kununurra foreshore from the Packsaddle area.

Although there are no current plans requiring access it is considered prudent that an access/service corridor be maintained, should one ever be needed.

ATTACHMENTS

1. Request from Mr TG Gascoyne
2. Request Mr Ray and Mrs Debbie Chamberlain

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council advise Mr TG Gascoyne and Mr Ray and Mrs Debbie Chamberlain that it does not support closure of Brolga Road Reserve and sale of the reserve to the adjoining landholders, as the Reserve may be required in future years for service access to Lake Kununurra.

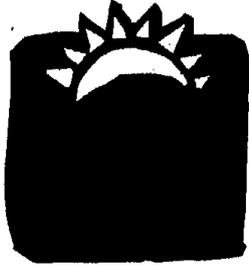
COUNCIL DECISION

MOVED: Cr R Addis

SECONDED: Cr P Caley

That Council advise Mr TG Gascoyne and Mr Ray and Mrs Debbie Chamberlain that it does not support closure of Brolga Road Reserve and sale of the reserve to the adjoining landholders, as the Reserve may be required in future years for service access to Lake Kununurra

CARRIED UNANIMOUSLY: (7/0)



PO Box 36
Kununurra
WA 6743

Doc No.	629013
Date	15 JUL 2008
Officer	fp
Response	
File	01.5618.02

Telephone: 08 9168 1066
Fax: 08 9168 2535
Email: outoftheord@bigpond.com

10 July 2008

Keith Williams
Town Planner
Shire of Wyndham East Kimberley
PO Box 614
Kununurra
WA 6743

Dear Keith

Re: Brolga Road

Should the land become available, we would like to formally lodge our interest in purchasing all or half of Brolga Road, which is situated between 53 Jabiru Road and our neighbours on lot 202, owned by Debbie and Ray Chamberlain.

Many thanks
Kind regards

TG Gascoine
Managing Partner

Partners: TG Gascoine RD Sheppard

ABN: 54 796 404 029

Doc No.	063488
Date	26 SEP 2008
Officer	TP
Response	
File	01.6023.02
Cross Ref.	

23rd September 2008

Ray and Debbie Chamberlain
PO BOX 1072
KUNUNURRA WA 6743

Mr Keith Williams
Shire of Wyndham East Kimberley
PO BOX 614
KUNUNURRA WA 6743

Dear Keith,

I am writing to you in regards to Brolga Road.
As you are aware from our conversations in June 2008 we would like to purchase half or all of it as it runs parallel to our property.

I have spoken to our neighbour Terry Gascoigne and from our conversation I know that he is also keen to purchase either half or all of Brolga Road. We are hoping that the shire has no plans to open Brolga Road in which case we would like to purchase all or part of this.

I am asking if you can please present this letter to the shire at one of the meetings so that we can get a outcome in regards to this.

Many thanks and I look forward to hearing from you or the Shire of Wyndham East Kimberley.

Regards



Debbie Chamberlain.

12.4.2 PROPOSED WORKERS ACCOMMODATION - LOT 1126 BULL RUN ROAD, KUNUNURRA (8560)

DATE:	17 February 2009
PROPONENT:	Mick & Roz Bowles
LOCATION:	Lot 1126 Bull Run Road, Kununurra
AUTHOR:	Jennifer Ninnette Town Planning Officer
REPORTING OFFICER:	Peter Stubbs Chief Executive Officer
FILE NO:	01.1025.02
ASSESSMENT NO:	1025

Cr K Wright left the meeting at 6.27.

PURPOSE

For Council to consider an application for planning consent for the use and development of the subject land with three workers accommodation units linked to the plant nursery, operating on the site, and two retail outlets, being Red Sun Sports and Red Sun Casual Gear, operated by the owners of Lot 1126 Bull Run Road, Kununurra.

BACKGROUND

The application is to facilitate provision of accommodation for workers associated with the existing nursery on the property, as well as the applicants' two retail businesses located in town, to enable the proponent to attract and keep professional staff by providing affordable accommodation.

However the applicant has advised that it is the intention for the accommodation to be for permanent staff, rather than seasonal transient accommodation which allows habitation for the purposes of accommodation for a maximum of 6 months.

The owners of Lot 1126 have also submitted a subdivision application with the Western Australian Planning Commission (WAPC) to create a separate lot (5089m²) at the front of the property, and the proposed workers accommodation units would be located within this smaller front lot. A copy of this proposed subdivision is shown at Attachment 4.

SITE LOCATION

The subject site is one of six Composite Industry zoned lots located on Bull Run Road in Kununurra. The site includes an existing residence, a shade house for the nursery operation, and two smaller warehouses for storage purposes.

The subject land abuts three Composite Industry lots to the south, and the remaining boundaries are adjacent to a large parcel of Rural Living zoned land that surrounds the entire Composite Industry area on three sides. There is a fuel depot to the south of the Composite Industry zoned land area.

Of the three lots adjoining Lot 1126 to the south, two have been developed, the northern lot with a caretaker's residence and shed, and the southern lot with a

shed and office. The central lot is undeveloped, however planning approval for a single dwelling and shed was granted in December 2008.

Further south is a transport depot development with two existing transient accommodation units and a large shed recently developed. Planning approval for a single dwelling on this property was granted in November 2008.



PROPOSED LAND USE / DEVELOPMENT

The applicant is seeking approval for the use of the subject land for workers accommodation with development comprising three accommodation units for employees working at the nursery on the property, as well as at the two retail outlets located within the Coles complex in town.

The units proposed are small 2 bedroom self contained kit homes which include kitchen, bathroom, living area and outdoor deck. Plans of the proposed units are shown at Attachment 3.

FINANCIAL IMPLICATIONS

The Application Fee of \$300.00 has been paid.

COMMUNITY CONSULTATION

Under Town Planning Scheme No. 7 – Kununurra and Environs, transient accommodation is an AA use, meaning that there are no advertising

requirements. Officers do not have delegated authority to approve this AA use and accordingly, the application is to be considered by Council.

PLANNING ASSESSMENT

Strategic/Structure Plans

The Local Planning Strategy designates the subject land to be for Industrial purposes and states that although the surrounding land is currently zoned Rural Living, this land is inadequate for rural living purposes and should also be used to provide for the expansion of the Bull Run Road composite industry zone.

Accordingly, at the Ordinary Council Meeting in October 2008, Council resolved to advise the Department for Planning and Infrastructure that the unallocated Crown land (UCL) located between Victoria Highway and Bull Run Road should be subdivided and released for composite industry and/or light industry purposes.

Town Planning Scheme No. 7 – Kununurra and Environs

The land is located within the Composite Industry zone. Clause 5.15 of the town planning scheme states that the objectives of this zone are:

To provide for the establishment of minor industrial pursuits and single residential development on the same lot with particular regard being given to operating hours, levels of development, and potential impact of the development on adjoining composite industrial zoned lots and future rural residential uses in the locality.

In addition to objectives, the Scheme contains development requirements for lots situated within the Composite Industry zone, stating that a person may only:

- a) *Develop or establish a light industry where a residence is erected first and forms an integral part of the development.*
- b) *Allow the residence to be occupied by either the owner, manager or employee of the light industry established on the premises.*
- c) *Generally allows family or dependants to be employed in the industrial pursuit.*
- d) *Establish an industry that is of a nature as determined by Council that can operate compatibly with residential living and with minimal impact on adjoining residential uses.*
- e) *Establish an industry that is essentially a single person operation and is not reliant on attracting passing trade or customers.*
- f) *Develop single residential use in accordance with the R15 code.*
- g) *Develop industrial use in accordance with standards specified in Tables 1 and 2 of the Scheme.*

Under Table 1 of the Scheme, transient accommodation is listed as a form of residence, and defined in Appendix 1 as:

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 6 months.

Therefore under the Scheme provisions, Council can only approve single residential development on the property, and could then only approve further units as transient accommodation. However this would only allow habitation by employees for periods not exceeding 6 months, and should relate specifically to employees of the light industry established on the premises, being the nursery.

The zoning table specifies transient accommodation to be an AA use, however there is no guidance in the Scheme as to an appropriate density of transient accommodation in the Composite Industry zone, and therefore the number of allowed units would be at Councils' discretion.

CONCLUSION / COMMENT

Although consideration can be given to allowing transient accommodation on the property for employees of the existing nursery, if the proposed subdivision is approved this will compromise Council's ability to enforce that the units exclusively utilised as transient accommodation in conjunction with the nursery operation.

If the proposed subdivision is approved, this will allow the newly created front lot to be developed as a separate composite industry lot which will allow a single dwelling to be developed at that stage.

A further consideration for the subdivision is that the Western Australian Country Sewerage Policy does not allow the creation of lots less than 2000m² or to develop to a density greater than R5 where the lots are required to be serviced by an onsite waste water disposal system. Each domestic system requires an area of 2000m² to minimise the environmental impact of waste water loading on the area.

Therefore, as the front lot proposed has an area of 5089m², under the abovementioned policy the front lot could only be developed for a maximum of two dwellings.

It is therefore considered that the proposed use is not consistent with the objectives and development requirements of the Composite Industry zone, and it is recommended that the application be refused in light of the application to subdivide the property.

ATTACHMENTS

- Attachment 1 – Letter from applicant
- Attachment 2 – Site Plan
- Attachment 3 – Proposed Accommodation Unit plans
- Attachment 4 – Proposed Subdivision Plan

VOTING REQUIREMENT

Simple Majority.

OFFICER'S RECOMMENDATION

That Council refuse the application for planning consent to Mr M & Mrs R Bowles for the development of three workers' accommodation units on Lot 1126 Bull Run Road, in light of the proposed subdivision.

COUNCIL DECISION

Minute No. 8560

***Moved:Cr J Moulden
Seconded:Cr P Caley***

That Council refuse the application for planning consent to Mr M & Mrs R Bowles for the development of three workers' accommodation units on Lot 1126 Bull Run Road, in light of the proposed subdivision.

CARRIED: (4/2)

*For: Cr. Addis, Caley, Moulden, Torres, Wright
Against: Cr. Ausburn, Mills*

Cr K Wright returned 6.35

Shops 5 & 8
Kununurra Shopping Centre
Kununurra WA 6743



PO Box 90
Kununurra WA 6743
Ph: 08 9168 2525
Fx: 08 9168 2681
redsun@westnet.com.au

9 December 2008

Shire Wyndham-East Kimberly
Box 614
Kununurra WA 6743

Dear Sir

We wish to develop our residential block at Lot 1126 Bull Run Road in Kununurra.

We propose to build 3 accommodation units to house staff for both our retail shops, Red Sun Sports and Red Sun Casual Gear as well as our recently re-opened Bull Run Nursery. With the added incentive of suitable affordable accommodation we are confident we can attract and keep professional staff. At present we are finding it increasingly difficult to retain people in Kununurra.

One of our managers can only afford tent accommodation and has been forced to leave town.

Please find attached sketch showing our existing warehouses and nursery. Our two warehouses have been used by Red Sun Sports as storage for excess stock for 14 years. We have support from neighbours. A letter is available on request.

Bull Run Nursery was originally opened in 1988 and has been re-opened this year. Early next year we will need staff and accommodation to help run the nursery.

We hope you will consider our request to develop accommodation units to house our much needed staff.

Yours sincerely

Mick and Roz Bowles

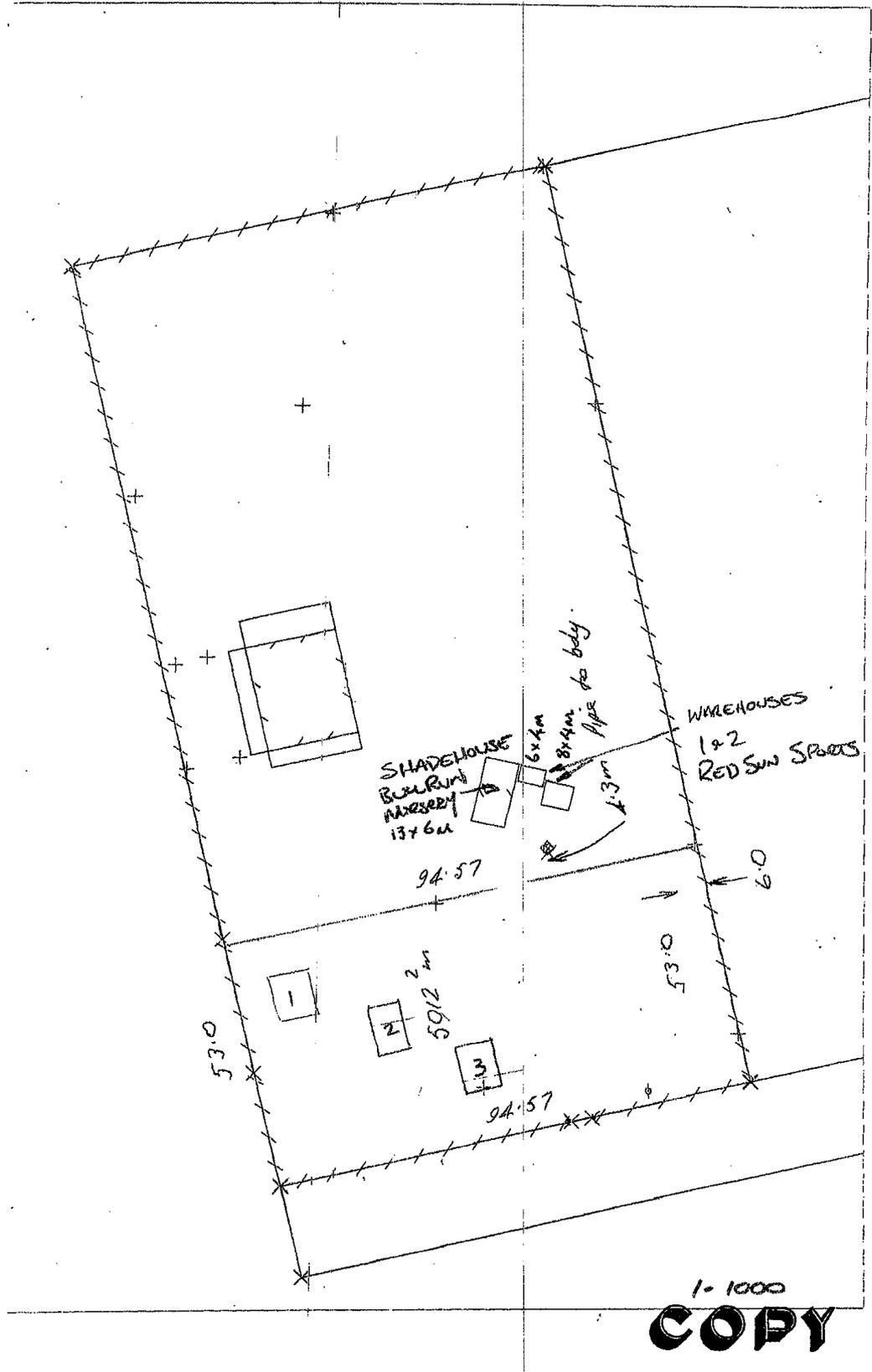
COPY

SPORTS

FISHING

CAMPING

SURFWEAR

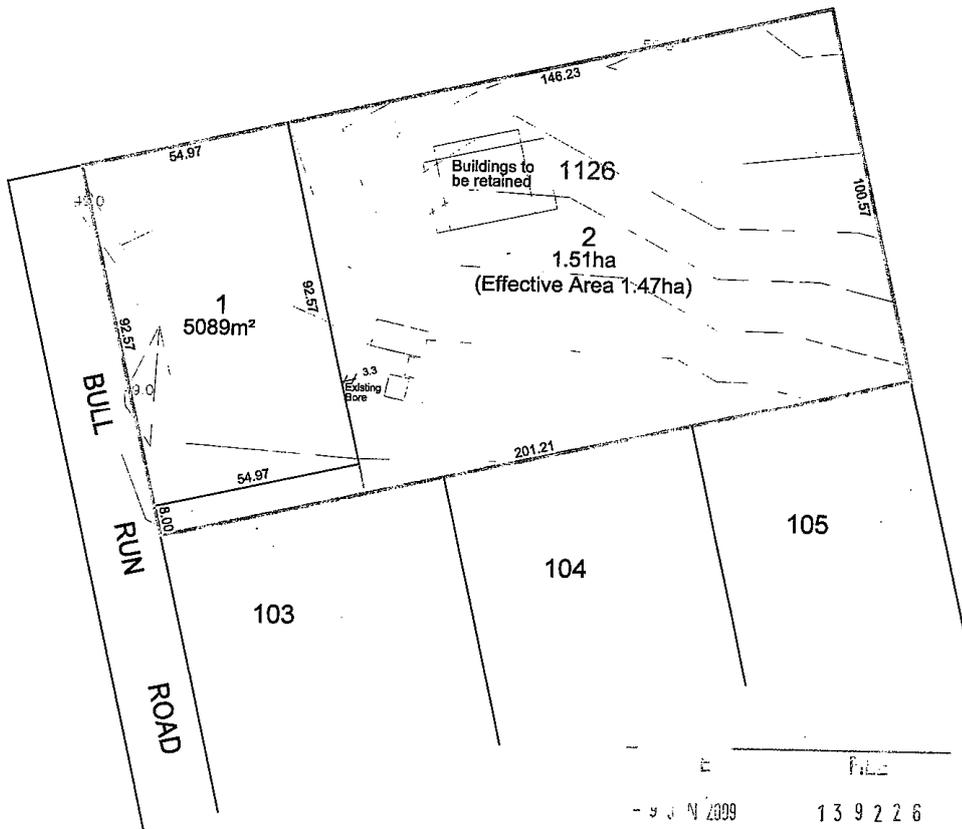


Existing
Lot 1126 - 2.0199ha

Proposed
Lot 1 - 5089m²
Lot 2 - 1.51ha

Existing No of Lots 1
Proposed No of Lots 2

UCL



FILE
- 9 JUN 2009 13 9 2 2 6

Note : No services available
in this area

Job Number: 12995
Sheet Name: 12995-001-Rev.0.0
Scale: 1:1500 @ A4
Date: 07 January 2009
Drawn By: CdeL
Checked by: GH
File: S:\pyp\kununurra\ky12995\survey\081201 subdivision.dwg
All dimensions and areas are subject to survey. This plan is subject to copyright and should not be reproduced without the permission of WHELANS.
The Co ordinate system adopted for this plan and digital data has been derived from whelans survey and is based on ... Datum.
This statement must accompany this plan and digital data at all times.



LEGEND

- Water Mains
- Sewer Mains
- Power Lines
- Contours
- 135
- Existing Boundary
- Proposed Boundary
- Application Area

**PROPOSED SUBDIVISION
LOT 1126 BULL RUN ROAD
KUNUNURRA**

133 Scarborough Beach Road, Mount Hawthorn WA 6016
PO Box 97, MOUNT HAWTHORN WA 6015
T: 08 9443 1511 F: 08 9444 3901
E: whelans@whelans.com.au W: www.whelans.com.au

whelans
TOWN PLANNING

12.4.3 KIMBERLEY WILDLIFE RESERVE PROPOSED WILDLIFE SANCTUARY (8561)

DATE:	17 February 2009
PROPONENT:	Kimberley Wildlife Rescue Incorporated
LOCATION:	Lot 649 Ivanhoe Road Kununurra
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Jennifer Ninyette, Town Planning Officer
FILE NO:	01.0100.02
ASSESSMENT NO:	A100

PURPOSE

1. For Council to consider the approval of the establishment of Wildlife Gardens on a portion of Lot 649 Ivanhoe Road Kununurra.
2. For Council to consider the waiving of the Planning Approval Application Fee and Building Licence Fee.

BACKGROUND

The Kimberley Wildlife Rescue Inc has been granted a peppercorn lease over a portion of Lot 649 Ivanhoe Road from the owner, Mr Paul Mock.

This Lot was formerly used for the purpose of a dairy farm, and now operates as a Sandalwood farm, with a portion of the property incorporating a lagoon and nature reserve, and the wildlife sanctuary is to be located within this nature reserve.

Council previously considered the development of Reserve 38368 Victoria Highway as a combined Wildlife Sanctuary and Botanic Garden at the Ordinary Council Meeting 21 October 2003. At this meeting Council resolved:

“That Council

1. *Grant approval to the Kimberley Wildlife and Orphan Carers’ Association to undertake the development of a combined Wildlife Sanctuary and Botanic Garden on Reserve 38368 Victoria Highway, Kununurra, subject to all proposals for development being submitted to Council and other agencies as required for approval, and all improvements being in keeping with the integrity of the area and natural environment.*
2. *Enter into a lease/management agreement with KWOCA for the use of the land.”*

Since that time the KWOCA has become the Kimberley Wildlife Rescue Inc, and have obtained a peppercorn lease over a portion of Lot 649 Ivanhoe Road, which is considered to be a better location.

Council has received an application for planning approval for Stage 1 of a three stage development for the Wildlife Gardens to be located at the old Mock Dairy. The area proposed to be developed for stage one is approximately 2500m².

SITE LOCATION

The subject lot is located at the Ord River end of the Ivanhoe plain on the corner block of Ivanhoe and Research Station Road. Lot 649 Ivanhoe Road is zoned Rural Agriculture 1.



PROPOSED LAND USE / DEVELOPMENT

The applicant is seeking approval to develop and operate a Wildlife Gardens Stage 1, on Lot 649 Ivanhoe Road. The Wildlife Gardens will be a pre-release rehabilitation centre for rescued fauna and provide long term housing for non-releasable creatures.

The proposed development is planned in three stages and the first stage is the development of aviaries and enclosures for various birds, reptiles and marsupials.

The proposed location and site layout are shown on attachments 1 and 2.

PLANNING ASSESSMENT

Local Planning Strategy

Diversification of land uses in agricultural zones is generally not supported due to the potential loss of productive PAL, the impact on management and operational practices and the potential externalisation of these impacts.

The Wildlife Gardens can be considered as a non-conflicting use. However these uses must not have a detrimental impact on the operations or threaten the productivity of agricultural land use and development in the locality.

Consideration must be given to the principal agricultural use and the current and ongoing farming practices. To ensure that a diversified use is subordinate to the primary objective of retaining agricultural land and all relevant issues such as the requirement for chemical buffer zones are addressed.

Town Planning Scheme No 7 – Kununurra and Environs

The land is zoned Rural Agriculture 1 under Town Planning Scheme No 7 – Kununurra and Environs (TPS 7). Under TPS 7 the establishment of Zoological Gardens in this zone is an AA use, and therefore Council may, at its discretion, permit the use.

Zoological Gardens is defined in the TPS 7 as follows:

means any land or buildings used for the keeping, breeding or display of animals and the term includes Zoo but does not include dog kennels or a cattery, animal husbandry or animal keeping.

Please note that although not defined it is understood that the term animal keeping refers to the keeping of domestic pets.

Under section 16 of the *Wildlife Conservation Regulations 1970*, subsidiary legislation of the *Wildlife Conservation Act 1970*, a Licence to keep fauna for educational or public purposes will be required to be obtained from the Department of Environment and Conservation.

FINANCIAL IMPLICATIONS

Application fees were not paid at the time of submission as the applicant have requested the waiving of the building licence and planning approval fees due to the Kimberley Wildlife Rescue Inc being a non-profit organisation.

Approximate calculated applicable fees for the planning approval and building licence are:

Planning Application Fee	\$ 250.00
Building Licence Fee	<u>\$ 500.00</u>
Total	<u>\$ 750.00</u>

COMMUNITY CONSULTATION

There is no requirement under the TPS to advertise the proposal, as zoological gardens is an AA use, which does not require advertising, but does require the discretion of Council to permit the use.

COMMENT

Under the Draft Shire of Wyndham – East Kimberley 2003 - 2008 Strategic Plan, Council identified the following key strategy of their environmental planning and management goals:

“Work with local environmental agencies and key stakeholders to develop a Native animal friendly reserve maintenance program”

This document was reviewed in late 2003, and was endorsed as the Shire of Wyndham – East Kimberley 2004 – 2008 Strategic Plan in January 2004. Although this endorsed document did not include the abovementioned strategy, it did identify a key strategy that appropriate environmental management policies are to be developed that reflect the communities’ expectations for the management of the Council’s environmental assets, and it is considered that this proposal will conform with the intent of this strategic plan.

ATTACHMENTS

1. Site Plan – Proposed Kununurra Wildlife Gardens.
2. Survey Plan – Stage One
3. Development Plan - Stage One Plan
4. Letter requesting Council’s consideration of waiving fees.
5. Letter of support from landowner.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council:

1. Approve the Planning Application submitted by Ms Sarah Brett, on behalf of the Kimberley Wildlife Rescue Inc, for the use of Zoological Gardens in a Rural Agricultural zone to enable the development of Wildlife Gardens Stage 1, on portion of Lot Ivanhoe Road, Kununurra, subject to;
 1. All proposals for development being submitted to Council and other agencies as required for approval, and all improvements being in keeping with the integrity of the area and natural environment.
 2. Compliance with the Wildlife Conservation Act 1950 and subsidiary legislation.
 3. Compliance with the Department of Environment and Conservation Section 16 Licence and conditions.
 4. Not to be within 500m of any existing residence.
 5. Required to be a minimum of 5km from any built up residential area.
2. Waive the requirement of payment of the \$250.00 Planning Application Fee and \$500.00 Building Licence fee due to the Kimberley Wildlife

Rescue Inc being a non-profit organisation. It is noted that statutory fees such as the BCITF fees cannot be waived.

3. Sanction the CEO with delegated authority to grant planning consent upon receipt of more detailed development plans.

COUNCIL DECISION

Minute No. 8561

Moved:Cr J Moulden

Seconded:Cr D Ausburn

That Council:

1. ***Approve the Planning Application submitted by Ms Sarah Brett, on behalf of the Kimberley Wildlife Rescue Inc, for the use of Zoological Gardens in a Rural Agricultural zone to enable the development of Wildlife Gardens Stage 1, on portion of Lot Ivanhoe Road, Kununurra, subject to;***
 - 1.***All proposals for development being submitted to Council and other agencies as required for approval, and all improvements being in keeping with the integrity of the area and natural environment.***
 - 2.***Compliance with the Wildlife Conservation Act 1950 and subsidiary legislation.***
 - 3.***Compliance with the Department of Environment and Conservation Section 16 Licence and conditions.***
 - 4.***Not to be within 500m of any existing residence.***
 - 5.***Required to be a minimum of 5km from any built up residential area.***
2. ***Waive the requirement of payment of the \$250.00 Planning Application Fee and \$500.00 Building Licence fee due to the Kimberley Wildlife Rescue Inc being a non-profit organisation. It is noted that statutory fees such as the BCITF fees cannot be waived.***
3. ***Sanction the CEO with delegated authority to grant planning consent upon receipt of more detailed development plans.***

CARRIED UNANIMOUSLY: (7/0)

A

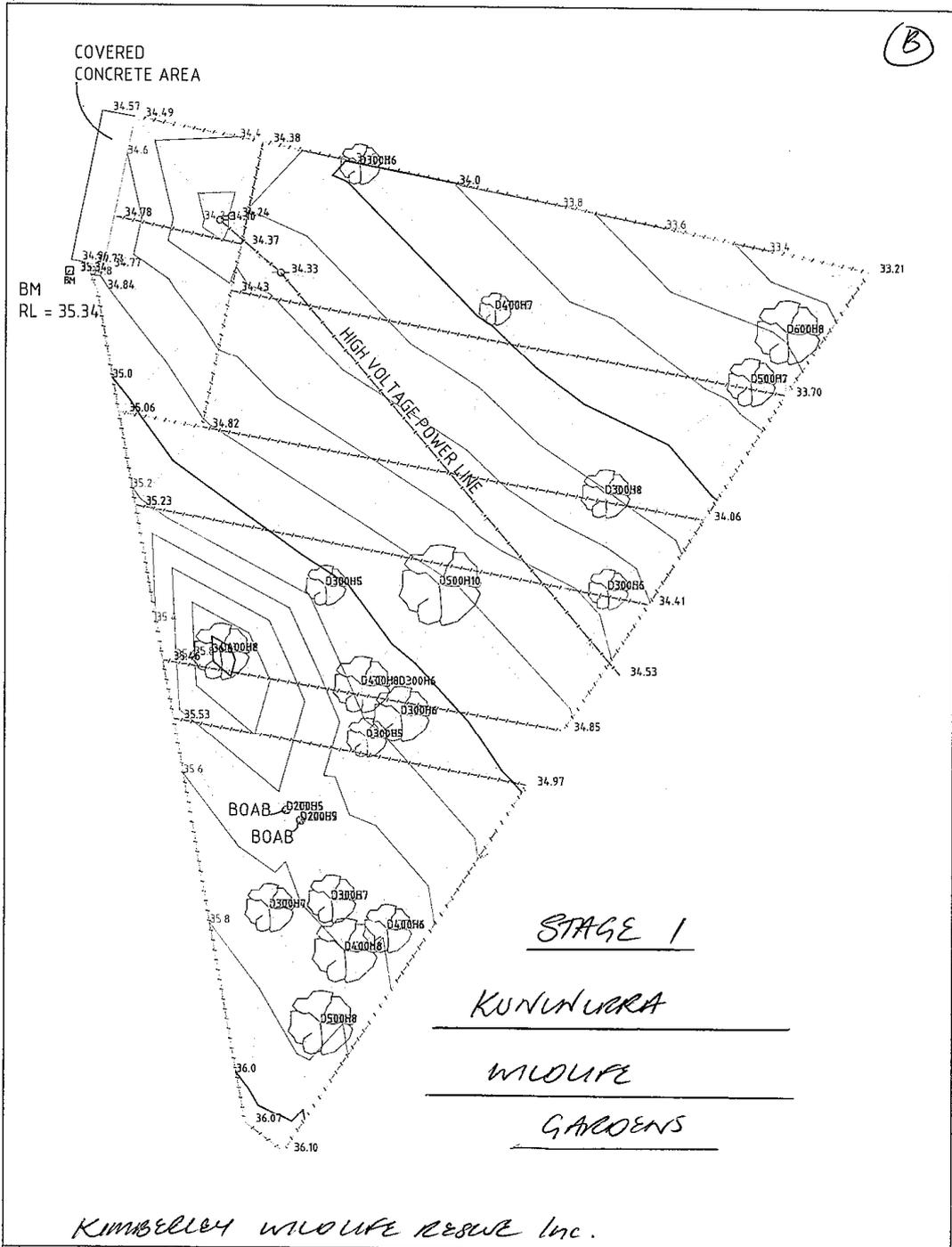


	LEGEND <input type="checkbox"/> Aerial Photography 2005 <input type="checkbox"/> Local Authority boundaries <input type="checkbox"/> Cadastre land parcels <input type="checkbox"/> Cadastre street frontages <input type="checkbox"/> Cadastre High Water Mark	Lot 649 Research Station road
		<p><i>KIMBELEY WINDMILL GREENS. (Old)</i></p> <p><i>DEVELOPMENT BY KIMBELEY WINDMILL RESERVE INC.</i></p>
<p> Prepared by Applied Research & Modelling Scale 1:2000 Date: December 04, 2007 <small>© 2007 A.R.M.P. All rights reserved. PROJECT: Kimberley Windmill Reserve & Reserve 649 / Reserve 649</small> </p>		

(B)

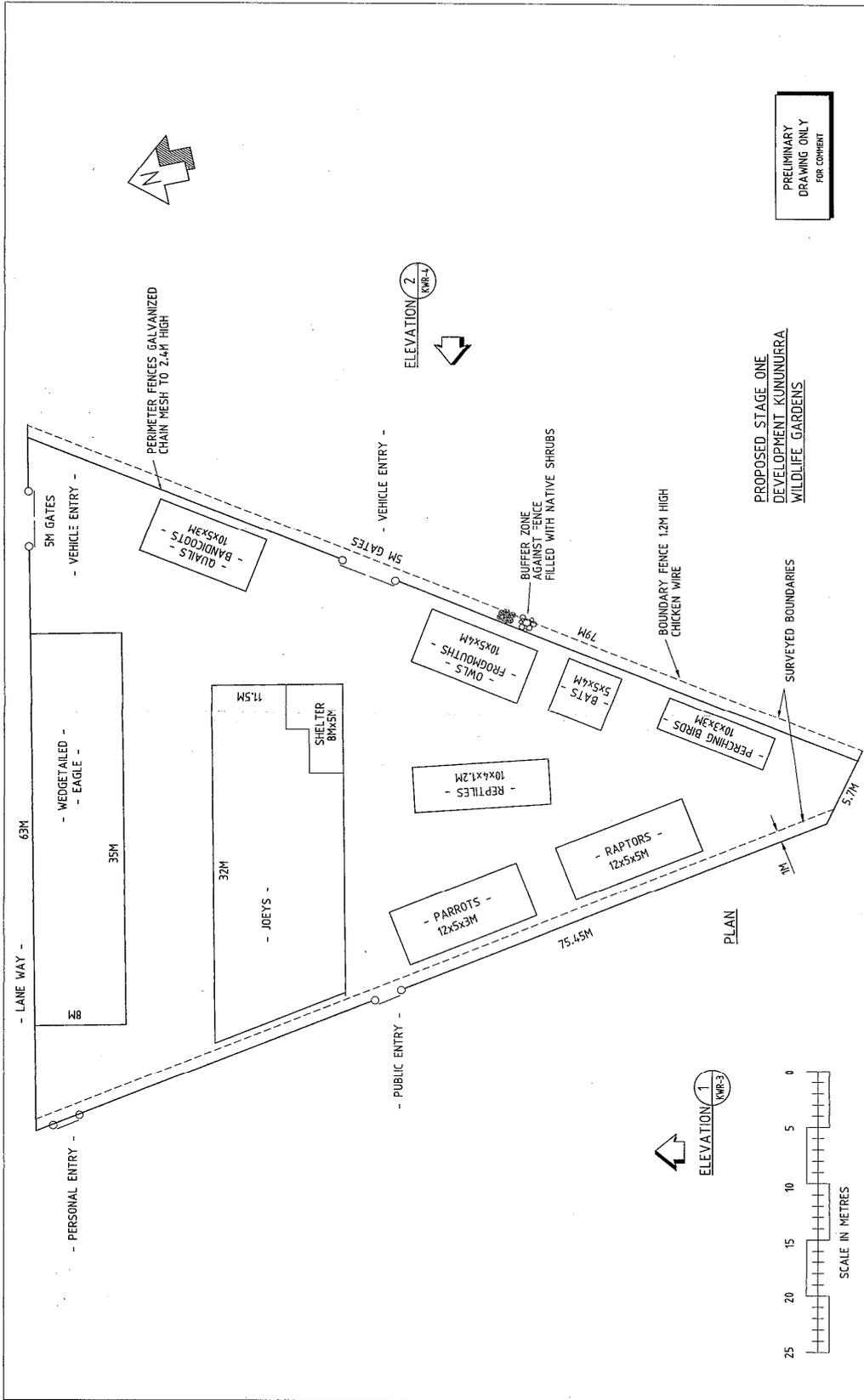
COVERED
CONCRETE AREA

BM
RL = 35.34



Kimberley Wildlife Reserve Inc.

SCALE: 1:400	DATE DRAWN: 21/11/07	 <small>133 Scarborough Beach Road, Mount Hawthorn, WA, 6016 PO Box 99, Mount Hawthorn WA 6016 T: 08 9443 1811 F: 08 9444 3901 E: whelans@whelans.com.au W: www.whelans.com.au</small>	DETAIL SURVEY PART OF LOT 649 VIA RESEARCH STATION ROAD <small>© This plan may not be reproduced without the permission of WHELANS</small>	REV
VDATOR: AHD	DRMNGY: NGA			0
HDATAN: MGSAG4z50	CHECKED BY: ABB			PLAN
SURVEY DATE: 09/11/07	DATA FILE: 071109_12243.ecs			12243-001
SURVEYOR: MDK	JOB NO: 12243			ORIGINAL SIZE: A3 SHEET 1 OF 1
FILE: S:\svp\clsvy12112243\det\071109-10649.dwg		CLIENT: KIMBERLEY WILDLIFE SANCTUARY		



PRELIMINARY
DRAWING ONLY
FOR COMMENT

DO NOT SCALE - IF IN DOUBT ASK

		NORTHERN DESIGN CONSULTANTS	
PROJECT NO. 12-10-08	DATE	PROJECT X	SECTION X
DRAWING NO. XXX-X-XXX	DATE 12-10-08	DRAWING NO. KWR-002	SHEET NO. SHT 2 OF 4
TITLE KIMBERLEY WILDLIFE RESCUE AT LOT 649 IVANHOE RD KUNUNURRA PLAN OF STAGE 1		SCALE 1:300	
ISSUED FOR APPROVAL		REVISIONS	
DRAWN BY DR XXX	CHECKED BY DR XXX	DATE 12-10-08	REVISIONS
PROJECT NO. 12-10-08	DATE 12-10-08	PROJECT X	SECTION X
DRAWING NO. XXX-X-XXX	DATE 12-10-08	DRAWING NO. KWR-002	SHEET NO. SHT 2 OF 4



**Kimberley Wildlife
Rescue Inc.**

Ph/Fax: Kimberley Vet Centre 08 9169 1229 P.O. Box 1442, Kununurra WA 6743
kimberleywildlife@westnet.com.au ABN: 46 205 629 682

Shire of Wyndham East Kimberley

6th November 2008

It is with great excitement that we submit our preliminary plans for the Kununurra Wildlife Gardens, for planning approval and a building application licence. These plans are for Stage 1 of a 3 stage development, on part of Lot 649 Ivanhoe Road (The Old Dairy), which is being developed by Kimberley Wildlife Rescue Inc (KWR).

KWR have a formal lease over this section of land, from the owner Mr Paul Mock, and we are acquiring the necessary Regulation 16 Licence for such a facility, from DEC. The aim of this development is to provide the region with a much needed site for educating both locals and travellers about the perilous state of our wildlife, and of the great threat habitat destruction, frequent fires, and the imminent arrival of the cane toad currently poses to our fauna.

It will be a site for pre-release rehabilitation of our rescued fauna, and it will provide long term housing for non-releasable creatures that are appropriate to display for education purposes. All primary care of injured fauna will continue to be provided at the Kimberley Vet Centre, and creatures in care will remain at the KVC or with our wildlife carers, until they can be transferred to the KWG for housing and or release.

All fencing at the KWG will be done by Frontier Fencing, Mr Bruce Carey has agreed to be our builder/overseer, and Mr Dáin Réad of Northern Design Consultants has produced our plans. Aviaries are being constructed of box steel by Argyle Engineering and NE Sheds, and our reptile enclosure will be created of glass and concrete by East Kimberley Glass. Most aviaries will have concrete flooring, which is being created by Nomad Concreting. We are currently applying to Lotterywest for \$100 000 of funding, and we will seek an Annual Grant from SWEK in the next funding round. Our own fundraising efforts are ongoing, and further large sources of funding are currently being sourced.

KWR would like to apply to SWEK to waive both the Planning application fee and the building application fee, as we are a not for profit incorporated community group. We do understand that we will have to pay all statutory fees such as the BCITF fees.

Please feel free to contact myself (President) should you have any further enquiries, on 0407 691229.

Regards

Dr Sarah Brett.

President

Proudly supported by Tropical Forestry Services Limited



Kimberly Wildlife Rescue
23rd October 2008
RE: Support for Funding Application

Hi Sarah,

As you know, the Sandalwood Sanctuary is a family owned farm located 10km from Kununurra in the Kimberley. Originally a dairy farm, it is now a Sandalwood farm incorporating a lagoon and nature reserve, with plans to build a tourism facility in the future. Our family loves animals, and we thought that our farm would be an ideal place to have a wildlife refuge because of our proximity to vacant crown land and the Ord River, plus the potential to incorporate it with our plans for a tourism facility. We believe in educating the community on the conservation and rehabilitation of all native animals. With the imminent arrival of the cane toad in the next 2 years, this program has become even more important.

The strength of the Kimberley Wildlife Rescue's committee, their passion for rescuing and caring for the native animals, and their active participation in the community gives us the confidence to join with you. Our 10 plus 10 year peppercorn lease shows our commitment to a long term partnership with you.

I encourage anyone considering an application for funding, to be generous. This is a genuine grass roots community based project with momentum. Together we can achieve something fantastic for the animals & the community.

Regards
Paul Mock

P & A Mock
The Sandalwood Sanctuary
PO Box 593
Kununurra
WA 6743
0417098238

THE
SANDALWOOD
SANCTUARY 

12.4.4 PROPOSED ROAD CLOSURE - PORTION OF CARPENTARIA STREET - KUNUNURRA (8562)

DATE:	17 February 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Carpentaria Street, Kununurra
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	01.5203.02
ASSESSMENT NO:	A5203

PURPOSE

For Council to consider the closure of an unconstructed portion of Carpentaria Street road reserve and the subsequent amalgamation of the land, into the adjoining properties.

BACKGROUND

The Shire has received a request from the owner of Lot 2340 Kentia Way, Kununurra, to purchase a 1500 m² portion of unconstructed road reserve adjoining the property, to provide more space for truck and bin storage for their business (Kimberley Waste Services).

The portion of road reserve only extends to Lot 16 Cocus Way, however as this property already has legal access via Cocus Way, construction of this portion is not required.

The Shire does not intend to construct this section of the road reserve due to the existence of the drainage line located between Lot 2340 Kentia Way and Lot 16 Cocus Way.

Instead it is considered appropriate to amalgamate this section of the unconstructed road reserve, being approximately 1000 m², with the adjoining drainage reserve, Reserve 41909, which is under the care, control and management of the Shire.

SITE LOCATION

The portion of Carpentaria Street road reserve proposed to be closed is located within the Weaber Plain Light Industrial Area, parallel to Weaber Plain Road and north of the intersection of Carpentaria Street and Kentia Way. The total area of road reserve proposed to be closed is approximately 2500 m².



STATUTORY IMPLICATIONS

In order to effect the road closure, it is a requirement under the Land Administration Act 1997 (LAA) that the Local Government Authority advertises the proposal for a period of 35 days, following which Council is required to consider any submissions prior to passing a resolution to close the road.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The applicant will be responsible for advertising costs. If Council resolve to close the road following advertising, the matter is then finalised by the State.

STRATEGIC IMPLICATIONS

This portion of the road reserve is already reserved as Public Purposes (Drain) in the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs.

It is considered that the portion of road reserve proposed to be amalgamated with Lot 2340 is not large enough to be realised as a stand alone lot, as the average lot size within the Light Industrial Area is over 2000 m².

COMMUNITY CONSULTATION

The proposed road closure will be required to be advertised in a local newspaper for a period of 35 days in line with requirements of the *Land Administration Act*

1997 (LAA), and notification letters would also be sent to service agencies and adjoining landowners seeking their comment.

COMMENT

As the Shire has no intention to construct this portion of the road due to the northern section serving an important drainage function, it is considered appropriate to close this section of road reserve for amalgamation into adjoining Reserve and Lot 2340 Kentia Way.

ATTACHMENTS

1. Proposed Closure Area
2. Land Tenure Plan

VOTING REQUIREMENT

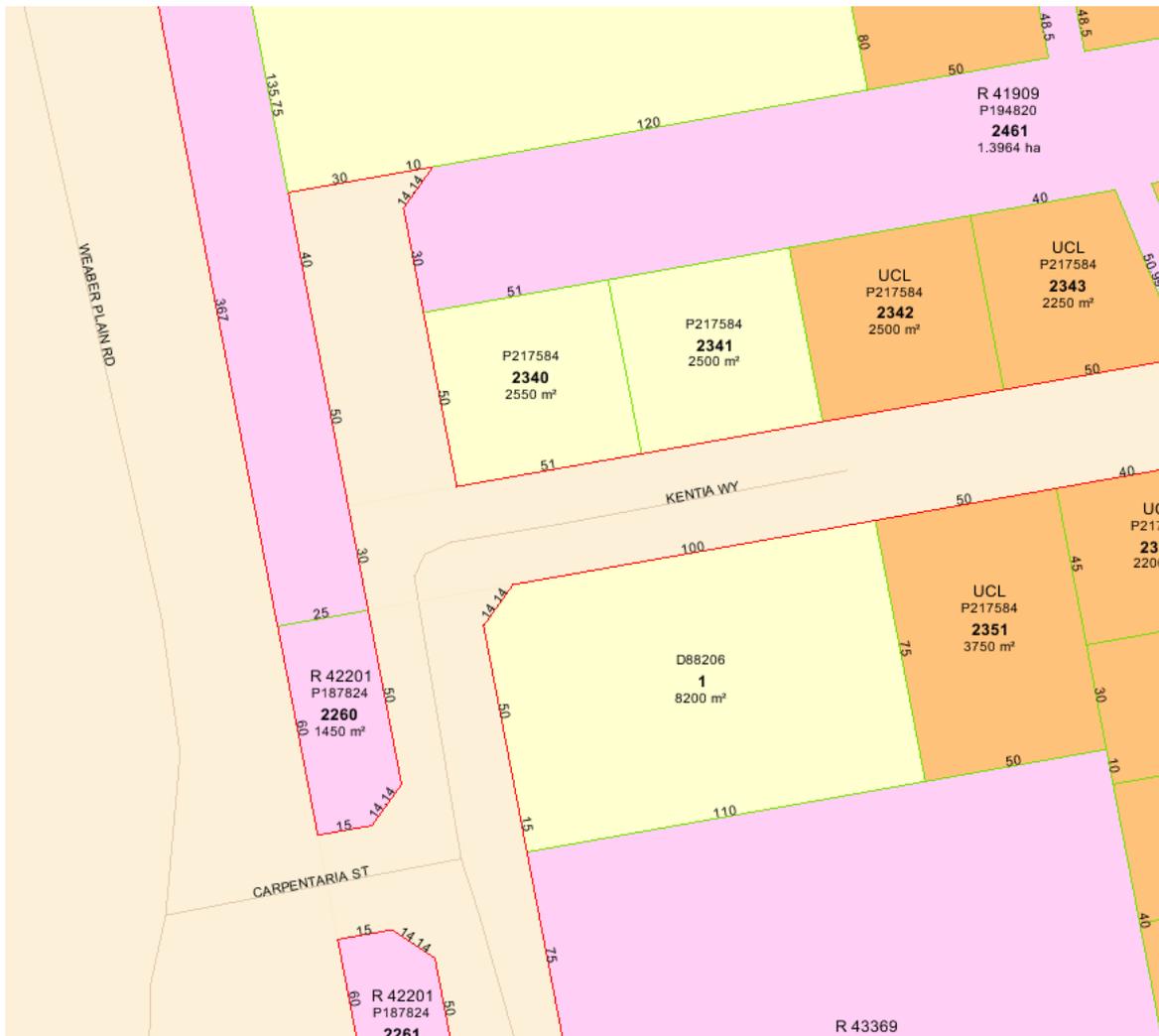
Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Advertise the proposed road closure
2. Resolve to close a portion of Carpentaria Street subject to no objections being received during the advertising period.
3. Following completion of the advertising period, request the Department for Planning and Infrastructure (DPI) to close an approximately 2,500 m² portion of the Carpentaria Street with;
 - (i) The northern 1000 m² portion to be amalgamated into Drainage Reserve 41909; and
 - (ii) The southern 1500 m² portion to be sold and amalgamated into Lot 2340 Kentia Way.

ATTACHMENT 2: LAND TENURE PLAN



COUNCIL DECISION

Minute No. 8562

Moved:Cr K Wright

Seconded:Cr K Torres

That Council:

- 1. Advertise the proposed road closure***
- 2. Resolve to close a portion of Carpentaria Street subject to no objections being received during the advertising period.***
- 3. Following completion of the advertising period, request the Department for Planning and Infrastructure (DPI) to close an approximately 2,500 m² portion of the Carpentaria Street with;***
 - (i) The northern 1000 m² portion to be amalgamated into Drainage Reserve 41909; and***
 - (ii) The southern 1500 m² portion to be sold and amalgamated into Lot 2340 Kentia Way.***

CARRIED: (7/0)

12.5. COMMUNITY SERVICES

Nil

12.6. CHIEF EXECUTIVE OFFICER

12.6.12 CELLISTON NOMINEES/DIVERSION CRUISE & HIRE OCCUPATION OF FORESHORE RESERVE 41812 (8563) (8564) (8565) (8566)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Foreshore Reserve 41812 End Of Messmate Way, Kununurra
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	66.20.02
ASSESSMENT NO:	A2860

PURPOSE

For Council to be updated on matters related to the proposed 9 month lease to Celliston Nominees for a portion of Foreshore Reserve 41812 (Council Minute Number 8508, 22 December 2008).

BACKGROUND

At a Special Meeting of Council held on the 22 December 2008 Council resolved as follows:

Minute No. 8563

Minute No 8508

*Moved:Cr K Wright
Seconded:Cr F Mills*

That Council, with the approval of the co-vestee Dept. of Water, will offer Celliston Nominees a lease over the portion of Reserve 41812, to expire on 30th September 2009. The lease is conditional on: -

- 1. no further development occurring on the site, including connection to effluent disposal and electricity, but does not prevent the lessee undertaking works to render the site safe, and*
- 2. the lessee will pay a rent of \$3825. No additional or further lease payments by or on behalf of Celliston Nominees will be accepted by Council, and*
- 3. at the expiration of this lease, Council will remove, at its expense, any building or development remaining on the site, returning all materials to Celliston Nominees and returning that portion of Reserve 41812 to public open space, and*
- 4. the lease on Reserve 41812 to be duly authorised and signed by all parties covering such lease*

CARRIED: (5/4)

- 29 Dec 08 Written advice of Council resolution provided to Celliston Nominees.
- 15 Jan 09 Letter received from Celliston Nominees (Attached) seeking further information and advising *"we are not in a position to respond at the moment as we will need more information in order to respond."*
- 21 Jan 09 Written confirmation received from the Department of Water as co-vestee of Reserve 41812 that is support Council's resolution 8508.
- 21 Jan 09 Written advice provided to Diversion Cruises as per the request received 15 January 2009 (Attached)

A written request was sent to the Director General of the Department of Local Government 13 January 2009 requesting support to instigate an independent review of Council leases in reserve 41812 s per Council resolution Minute Number 8510, 22 December 2008. No response has been received yet from the Department.

STATUTORY IMPLICATIONS

Section 3.58 of the Local Government Act applies to the disposal of land including leased land.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The cost of removal of the infrastructure has not been costed.

STRATEGIC IMPLICATIONS

Council strategically trying to locate a node of commercial boating activity between the Kununurra Ski Beach leased site and Swim Beach.

The current level of development on the ex Celliston Nominees/Diversion Cruises leased site is not considered strategic.

COMMUNITY CONSULTATION

Public consultation on a proposed new Lease to Celliston Nominees was conducted in November 2008 and was presented to Council 16 December 2008.

COMMENT

The issue is effectively in 'limbo' as Celliston Nominees/Diversion Cruises has not accepted or declined the offer of a new lease as per Council resolution 8508, and this resolution gives no direction as to what action should be taken should the offer not be accepted.

Does to offer remain open until September 2009 for example and what is the value of the offer and potential lease if more months elapse before acceptance is made?

Celliston Nominees are occupying the site without tenure. Given that Celliston Nominees paid lease fees yearly in advance they have been regarded as tenants at will until the 11 February 2009, being 12 months from when they paid the last lease payment.

Celliston Nominees/Diversion Cruises have been provided with an alternative lease site and ways to operate their business as documented in the response to Celliston Nominees/Diversion Cruises 21 January 2009.

This issue as been considered by Council numerous times. Clear decision making by Council and decisive action is recommended to bring this matter to finality.

ATTACHMENTS

Letter from Diversion Cruises 15 January 2009.
Letter to Diversion Cruises 21 January 2009.

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council advise Celliston Nominees/Diversion Cruises that if the offer of a new lease until 30 September 2009 consistent with the Council decisions Minute Number 8508, 22 December 2008, is not accepted in writing by 27 February 2009 then the offer will lapse and the building owned by Celliston Nominees/Diversion Cruises on Reserve 41812 adjacent Lily Creek Lagoon will be removed at Council's expense and the land returned to public open space.

COUNCIL DECISION

Minute No. 8563

***Moved:Cr K Wright
Seconded:Cr F Mills***

That Council defer item until the 21 April 2009 Meeting

LOST: (6/1)

Minute No: 8564

***Moved:Cr P Caley
Seconded:Cr D Ausburn***

That Council suspend Standing Orders 7.5 to enable Councillors to speak more than once in relation to matter being discussed.

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 suspended at 6.38

Minute No: 8565

Moved:Cr P Caley

Seconded:Cr R Addis

That Council resume Standing Order 7.5

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 resumed at 6.49

Minute No: 8566

Moved:Cr J MOULDEN

Seconded:Cr P Caley

That Council advise Celliston Nominees/Diversion Cruises that if the offer of a new lease until 30 September 2009 consistent with the Council decisions Minute Number 8508, 22 December 2008, is not accepted in writing by 27 February 2009 then the offer will lapse and be withdrawn and the building owned by Celliston Nominees/Diversion Cruises on Reserve 41812 adjacent Lily Creek Lagoon will be removed at Council's expense and the land returned to public open space.

CARRIED: (5/2)

For: Cr Addis, Ausburn, Caley, Moulden and Torres.

Against: Cr Wright and Mills

Doc No.	064575
Date	15 JAN 2009
Officer	CEO
Response	
File	01.2860.02
Cross Ref.	66.20.02

DIVERSION CRUISES

PO Box 303 Kununurra WA 6743
Ph: (08) 91683 333 Fax (08) 91693 333
Mobile: 0418 681 100
15 jan 09

Shire of Wyndham & East Kimberley
CEO-Peter Stubbs
PO Box 604
Kununurra WA 6743

Dear Peter

Thanks for your letter dated the 29th December 2008.

Do you have a written response from DOW confirming their support for resolution 8498 and can we have a copy of it please.

We are not in a position to respond at the moment as we will need more information in order to respond.

What right of appeal do we have and which act is it under?

If we can't connect power and sewage it is not viable for us to operate for this season and this will be a restriction of trade imposed by SWEK.

If we do not accept the offer what do we do, where do we operate from as there is no other identified area that we can operate from? Can you confirm that all operators are going to be relocated or is it only us or can operators use the publicly funded facility in Lily creek?

If there has been a resolution of council regarding the relocating of operators, could you please forward this or confirm that no resolution regarding relocating has been passed.

Is there a resolution of council that we have to relocate to another area and can you please confirm this and send a copy of the resolution showing this.

Thanks



Darren Spackman

21 January 2009

Mr Darren Spackman
Diversion Cruises
PO Box 303
KUNUNURRA WA 6743

Darren

Thankyou for your letter received at the Shire 15 January 2009 (Shire document number 064575).

1. Written confirmation from the Department of Water (DoW) supporting the Council resolution Minute Number 8498, adopted by Council 22 December 2008 is attached.
2. I note your advice that you are not in a position to respond to the Council offer of a new short term lease through until 30 September 2009. Council's resolution gives no further direction hence I cannot comment further.
3. You have asked what right of appeal you have. There are several. You can appeal to the Council, to the State Administrative Tribunal, or challenge through civil court action.
4. You have asked where you can operate from if you do not accept the offer as per Council Minute 8498. An offer of a new 21 year lease on Lake Kununurra between the Ski Club and Swim Beach was made to you on 26 August 2008, consistent with the Council resolution adopted 19 August 2008, Minute Number 8337.

Minute No. 8337

Moved: Cr J Parker

Seconded: Cr K Wright

1. *That Council offer by private treaty 21 year leases to the following companies; Triple J, BBQ Boat, Alligator Airways and Celliston Nominees, to facilitate establishment of their business on the Lake Kununurra Foreshore in the area indentified as Proposed Leases Stage 1 on Map 1 attached, with the following conditions:*
 - a. *That the rental rate shall be \$7 per square metre.*
 - b. *That lease fees be set at 50% of market rate in year one of the proposed lease, 75% of the market rate in year two, and 100% in year three.*
 - c. *That fees are payable annually in advance.*

- d. *That leases are reviewed annually, with cpi adjustments to apply.*
2. *That Council engage Western Australian Local Government Association to provide probity advice for the disposal process, to ensure independent and transparent processes.*
3. *That Alligator Airways be positioned on the eastern side of the existing inlet from the Sailing Club.*
4. *That Council conduct a ballot to determine which of the remaining commercial boat operators are offered which proposed leased sites.*
5. *That subject to acceptance in principle by companies of those proposed leases, the proposed leases be advertised for public comment.*
6. *That Council consider any public comment received before making a final decision on adopting the proposed leases.*
7. *That in surveying proposed lease areas allowance be made for the option of a future lease to accommodate the Kununurra Sailing Club at the site indicated on the map in attachment 4 and that all infrastructure be relocated or replaced at no cost to the Kununurra Sailing Club.*

Carried Unanimously 7/0

Additionally Council has adopted the following lease offer provisions:

Minute No. 8414

Moved: Cr K Wright

Seconded: Cr P Caley

That Council adopt the following additional provisions in the Lease Schedule:

1. *Offer a 21 year lease to the commercial operators, BBQ Boat, Triple J, Alligators Airways and Celliston Nominees on Lake Kununurra*
2. *Shire Rates apply the proposed leases.*
3. *Rent shall be reviewed on an annual basis with the rent to increase by the State CPI. Should the application of CPI result in a reduction in rent the current rent shall be charged.*

Carried 5/2

This offer remains open to you.

The requirement for a ballot was rescinded by Council (Minute Number 8416) on 21 October 2008.

Your past concerns about this site being unsuitable for paddle craft are noted. You might like to consider application for a *licence* to operate these craft from the

banks of Celebrity Tree Park as another operator has done and which Council has approved.

Your house boat activity is considered appropriate at the site offered.

As indicated in the Council resolutions offer of new 21 year lease have been made to all commercial boat operators

The publicly funded jetty facility in Lily Creek lagoon is for recreational boating users, not for commercial use.

Regards

Peter Stubbs
Chief Executive Officer

12.6.13 AMALGAMATIONS OF LOCAL GOVERNMENTS (8567) (8568) (8569)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	State Of Western Australia
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	65.13.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the February 2009 announcement by the State Government of Western Australia that Local Governments have been given six months to advise the Minister for Local Government on amalgamation proposals to reduce the number of Local Governments and reduce the number of elected members to between 6 and 9.

BACKGROUND

The structure of Local Government in Western Australia has been under constant review for the better part of the last decade.

All other Australian States and Territories have undergone various re-structures of the Local Government industry, the most recent being the Northern Territory and Queensland in 2007/08. In general this has resulted in fewer and larger Councils. The thinking being that this brings increased efficiencies. Critics argue that the case of efficiencies has not been well documented or proved by past experience.

Some amalgamations have occurred in Western Australia. The most recent examples are Geraldton and Greenough, and the Shire of Northam with the Town of Northam Councils. Councils in very close proximity to each other such as these have colloquially been referred to as 'donut' Councils, because one tends to wrap around the other. Other historical examples include - Kalgoorlie- Boulder, and Bridgetown – Greenbushes.

The Western Australian Local Government Association (WALGA), representing its member Councils, has maintained a position against forced amalgamation and re-structuring. State Movements of both political persuasions have supported that approach, while encouraging reform, until this most recent announcement by the current Minister.

WALGA have engaged in a Sustainability Study of Local Government and reform as suggested by the Minister is embodied in that study.

Conversely, the Local Government Managers Association has been more forceful in arguing for reform.

The email below received from WALGA provides further background

From: Kate Murray [mailto:KMurray@walga.asn.au]

Sent: Monday, 9 February 2009 2:39 PM

To: Kate Murray
Subject: ATT: MAYOR/PRESIDENT - Local Government Response to Amalgamation

Sent on behalf of WALGA CEO, Ricky Burges

Dear Local Government Mayors/Presidents and CEOs

Re: Local Government Response to Amalgamation

I've received a number of emails and messages from you enquiring about the 'next step'. We are also contemplating that ourselves, here in WALGA and will be in urgent strategic meetings for the next two or three days as we try and work out the way forward.

I will ensure that we keep you informed as information comes to hand and there will be regular emails and updates.

At this stage we are aware that there is a Local Government Reform Steering Committee put forward by the Minister on which our President, Cr Bill Mitchell will sit along with Mayor Ron Yuryevich, City of Kalgoorlie-Boulder and Cr Helen Dullard, President, Shire of Mundaring.

Other members of the Steering Committee are:

- o Department of Local Government and Regional Development (one representative)
- o Local Government Managers Australia (WA) (one representative)
- o Department for Planning and Infrastructure (one representative)
- o Department of Treasury and Finance (one representative)
- o Regional Development Council (one representative)
- o Chamber of Commerce and Industry WA (one representative)
- o Tim Shanahan
- o Minister for Local Government Chief of Staff, Gary Brennan

I understand that WALGA is expected to coordinate the 'amalgamation' effort and we will move to develop a strategy for a response to this immediately.

Please understand, we will put all available resources towards working through this issue and will maintain a continuous line of communication with you.

The WALGA team who are working on this are:

Cr Bill Mitchell WALGA President bmitchell@walga.asn.au 9213 2026
Mayor Troy Pickard WALGA Deputy President
troy.pickard@joondalup.wa.gov.au 9400 4450
Ricky Burges WALGA CEO rburges@walga.asn.au 9213 2026
Wayne Scheggia WALGA Deputy CEO wscheggia@walga.asn.au 9213
2024
Tony Brown EM, Governance & Strategy tbrown@walga.asn.au 9213
2051
Jo Burges Regional Cooperation Manager jburges@walga.asn.au 9213
2048
Zac Donovan EM, Marketing & Communications zdonovan@walga.asn.au
9213 2038
Kate Murray Public Relations Officer kmurray@walga.asn.au 9213
2083

Please let us know by return email if you have an alternative email address to which you would like any future correspondence on this issue to be sent.

Regards,

Ricky

Ricky Burges
Chief Executive Officer
Western Australian Local Government Association

STATUTORY IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Unknown

STRATEGIC IMPLICATIONS

Unclear

COMMUNITY CONSULTATION

Nil

COMMENT

The issue of Local Government structure and reform is sure to receive considerable discussion by Kimberley Council representatives at their March 2009 Kimberley Zone meeting. It will be important that Council delegates to the Zone, Cr Mills and Torres, can accurately articulate Council's views on this matter.

The focus of Local Government reform in Western Australia has mostly been on the Wheatbelt, South West and Metropolitan areas where Local Governments are geographically closer together.

There has been little if any focus on Local Government reform in the Kimberley until now. With large geographical areas in the Kimberley it is difficult to see how amalgamations in this region would be beneficial.

There may benefit in the Kimberley Council's however being open to debate on the potential for two Local Governments instead of the present four - for example one based on the West Kimberley and one based in the East Kimberley.

The Kimberley Local Governments already share resources where they see potential for that. For example the Shires of Halls Creek and Wyndham -East Kimberley have recently been sharing a Town Planning Officer and Club Development officer.

The case for amalgamations in terms of efficiencies in the Kimberley region is not at all clear.

ATTACHMENTS

Circular by Minister Castrilli, February 2009.

Maps extracted from the Western Australian Local Government Directory 2008, showing the locations of Local Governments in Western Australia.

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council adopt to following position in relation to Local Government reform for the Kimberley region:

That given the vast geographical challenges of the Kimberley, resource sharing already occurring, and the unclear benefits from any amalgamations of Local Governments in this region, that existing structure of the four Local Governments be maintained.

COUNCIL DECISION

Minute No. 8567

***Moved:Cr K Wright
Seconded:Cr D Ausburn***

That Council suspend Standing Orders 7.5 to enable Councillors to speak more than once in relation to matter being discussed.

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 was suspended at 6.53pm

Minute No: 8568

***Moved:Cr R Addis
Seconded:Cr P Caley***

That Council resume Standing Order 7.5

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 was resumed at 7.02pm

Minute No: 8569

***Moved:Cr P Caley
Seconded:Cr K Wright***

That Council adopt to following position in relation to Local Government reform for the Kimberley region:

That given the vast geographical challenges of the Kimberley, resource sharing already occurring, and the unclear benefits from any amalgamations of Local Governments in this region, that existing structure of the four Local Governments be maintained.

CARRIED UNANIMOUSLY: (7/0)



Minister for Local Government; Heritage; Citizenship and Multicultural Interests

Our Ref: M0901084

TO ALL CHIEF EXECUTIVE OFFICERS

CIRCULAR N^o 01-2009

LOCAL GOVERNMENT REFORM STRATEGIES

Today, at the combined Local Government ward meeting in Exmouth, I announced the Liberal-National Government package of Local Government reform strategies. These strategies are aimed at achieving greater capacity for local governments to better plan, manage and deliver services to their communities with a focus on social, environmental and economic sustainability.

The principal strategies in the package focus on voluntary structural reform of local government that, if adopted, will completely transform the sector. Specifically, these strategies encourage local governments to take steps over the next six months to voluntarily amalgamate and form larger local governments, to reduce the total number of elected members to between six and nine, and for local governments to form appropriate regional groupings of councils to assist with the efficient delivery of services.

I formally invite each of the 139 councils within Western Australia to embrace this opportunity to voluntarily amalgamate and to voluntarily reduce the total number of elected members for each council. I look forward to receiving advice on your council's clear intention on these matters within a period of six months from the date of this announcement.

Other key strategies of the State Government's reform package include:

- Adoption by local governments of a longer term strategic planning framework, including asset and financial management and workforce planning;
- Development of measures to enhance the skills and competency of elected members and staff;
- Examination of options to maintain local community identity and greater community representation including consideration of community-based committees;
- Identification of proposals to amend the local government legislation to facilitate local government sustainability;
- Examination of the ability for local governments to form corporate entities to undertake urban regeneration projects and other business activities;
- Identification and implementation of approaches to reduce town planning and building licence approvals time; and

Level 12, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 9213 6800 Facsimile: +61 8 9213 6801 Email: Minister.Castrilli@dpc.wa.gov.au

- Development of measures to encourage a diverse range of citizens to stand for council.

Many of these directly relate to the actions outlined in the WA Local Government Association's Local Government Sustainability report, *The Journey: Sustainability into the Future – Shaping the Future of Local Government in Western Australia*, released in 2008.

To oversee and assist local governments with implementation of the strategies, I am establishing a Local Government Reform Steering Committee with State Government, local government and private sector representation, including from the two elected members of the Local Government Advisory Board. Four working groups will report to the Steering Committee on a regular basis.

The Steering Committee, through the Department of Local Government and Regional Development, will contact all local governments to advise you of the work program for the implementation of the strategies and to provide further guidance. Details of the reform strategies will soon be available on the Department's website www.dlgrd.wa.gov.au and will also be forwarded to you by the Department. I expect the Steering Committee to complete its work and report to me by December 2009.

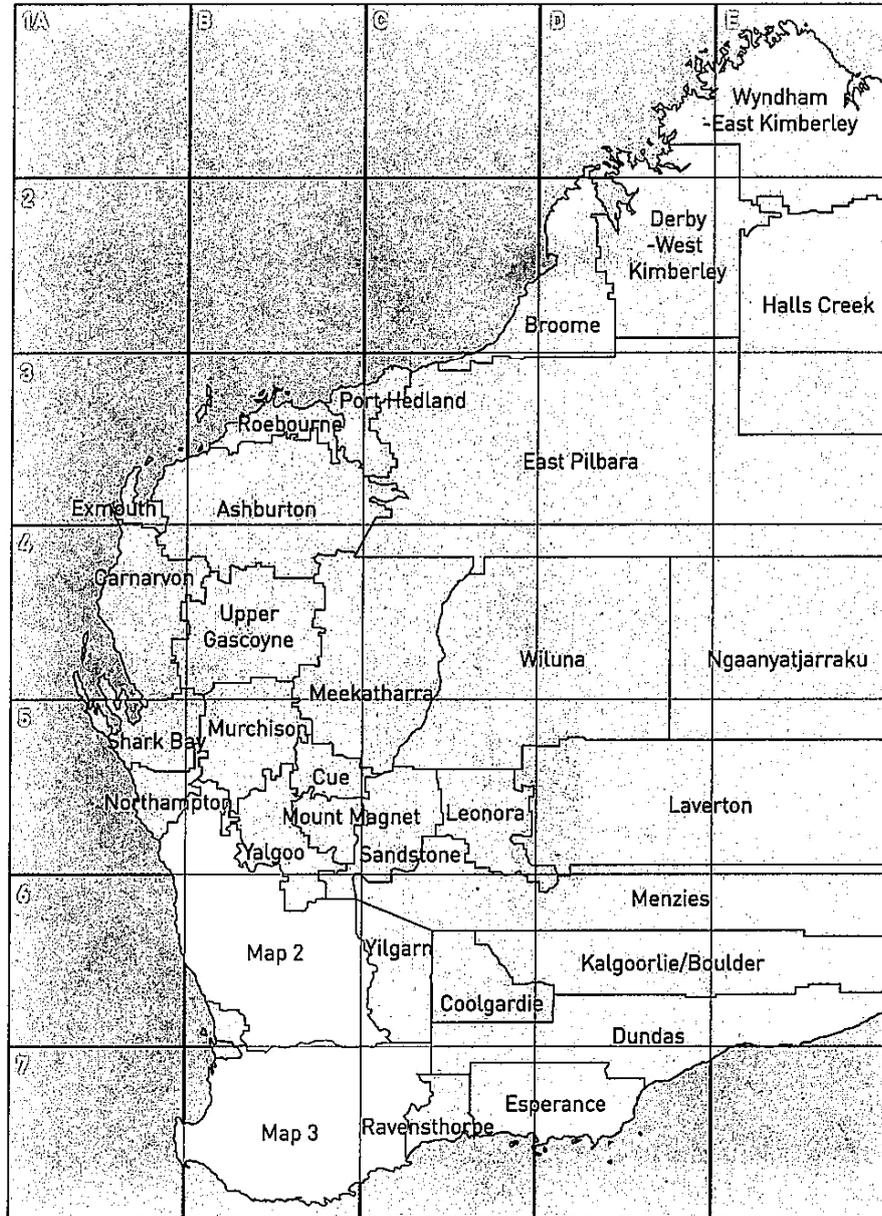
I look forward to working in partnership with the sector to deliver these significant reforms to local government, thus ensuring Western Australia has a dynamic and sustainable local government sector that can deliver high quality and effective services to communities into the future.



**Hon G M (John) Castrilli MLA
MINISTER FOR LOCAL GOVERNMENT; HERITAGE;
CITIZENSHIP AND MULTICULTURAL INTERESTS**

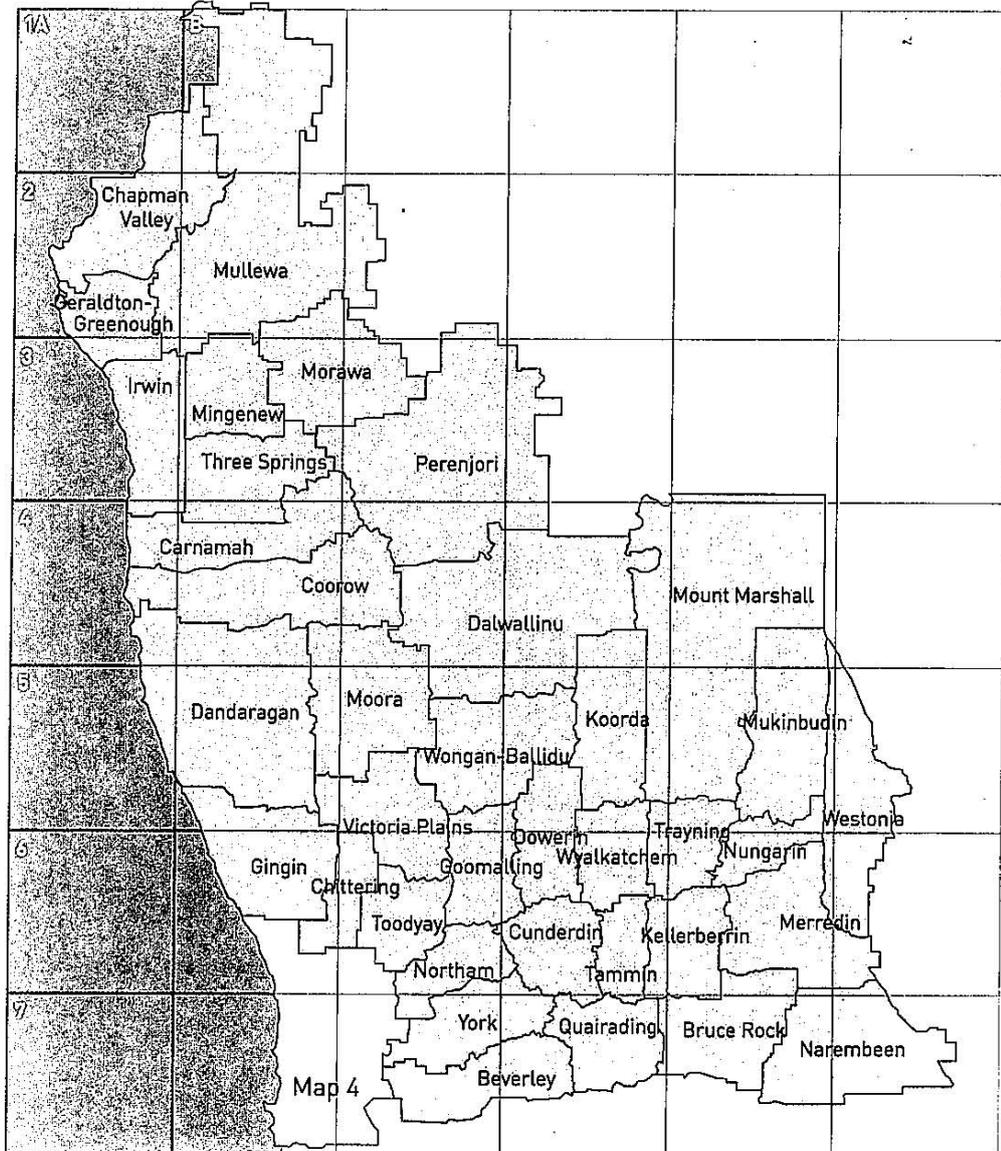
5 February 2009

Map 1



Ashburton 3B	Dundas 6D	Laverton 5D	Ngaanyatjarraku 4E	Shark Bay 5A
Broome 2C	East Pilbara 3C	Leonora 5C	Northampton 5A	Upper Gascoyne 4B
Carnarvon 4A	Esperance 7C	Meekatharra 4C	Port Hedland 3C	Wiluna 4C
Coolgardie 6C	Exmouth 3A	Menzies 6D	Ravensthorpe 7C	Wyndham-East Kimberley 1E
Cue 5B	Halls Creek 2E	Mount Magnet 5B	Roebourne 3B	Yalgoo 5B
Derby 2D	Kalgoorlie/Boulder 6D	Murchison 5B	Sandstone 5C	Yilgarn 6C

Map 2



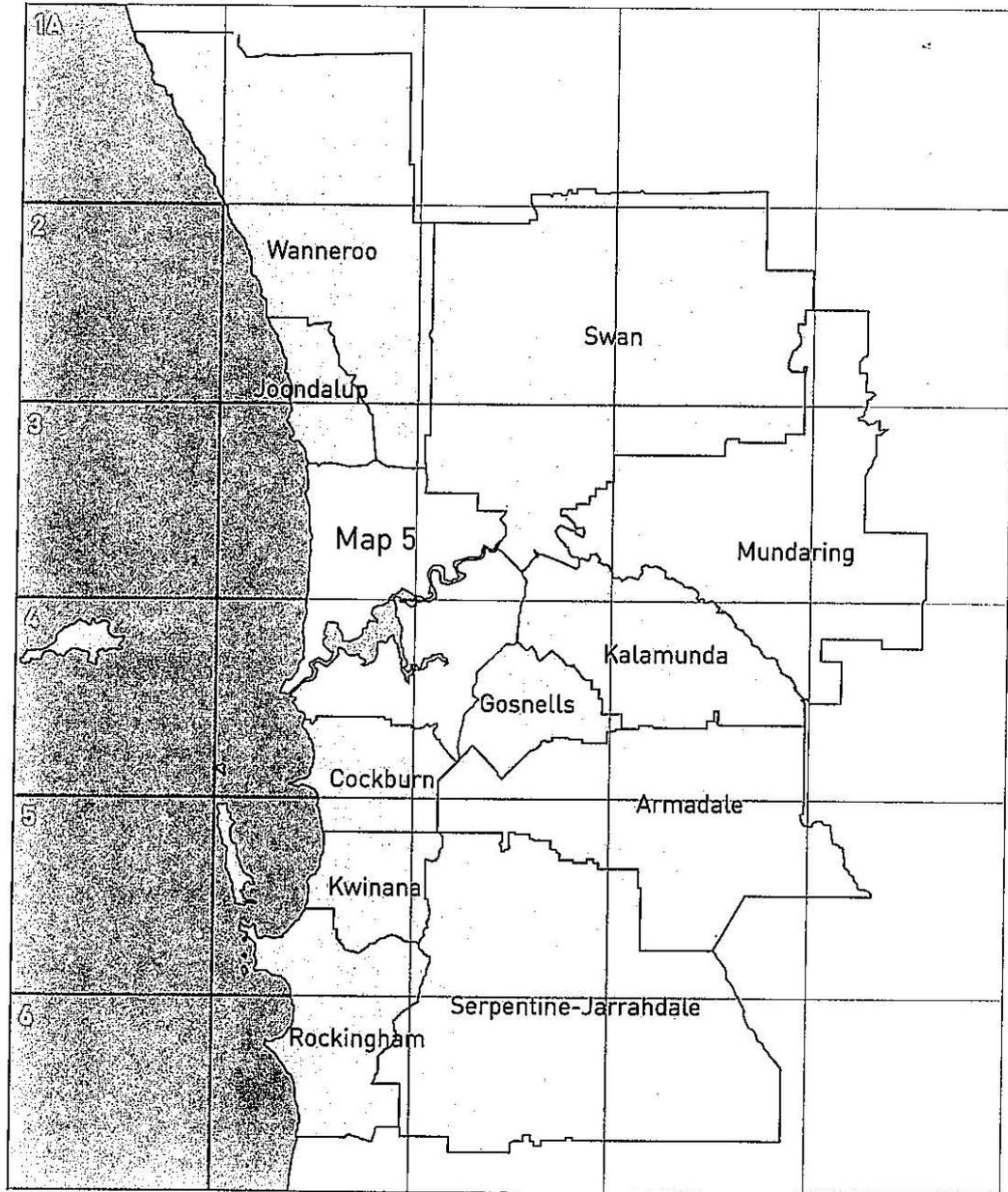
Beverley 7C	Dalwallinu 4C	Irwin 3A	Mount Marshall 4E	Quairading 7D	Wongan-Ballidu 5C
Bruce Rock 7E	Dandaragan 5A	Kellerberrin 6E	Mukinbudin 5E	Tammin 6D	Wyalkatchem 6D
Carnamah 4B	Dowerin 6D	Koorda 5D	Mullewa 2B	Three Springs 3B	York 7C
Chapman Valley 2A	Geraldton-Greenough 2A	Merredin 6E	Narembeen 7E	Toodyay 6C	
Chittering 6C	Gingin 6B	Mingenew 3B	Northam 6C	Trayning 6E	
Coorow 4B	Goomalling 6C	Moora 5C	Nungarin 6E	Victoria Plains 5C	
Cunderdin 6D		Morawa 3B	Perenjori 3C	Westonia 5F	

Map 3



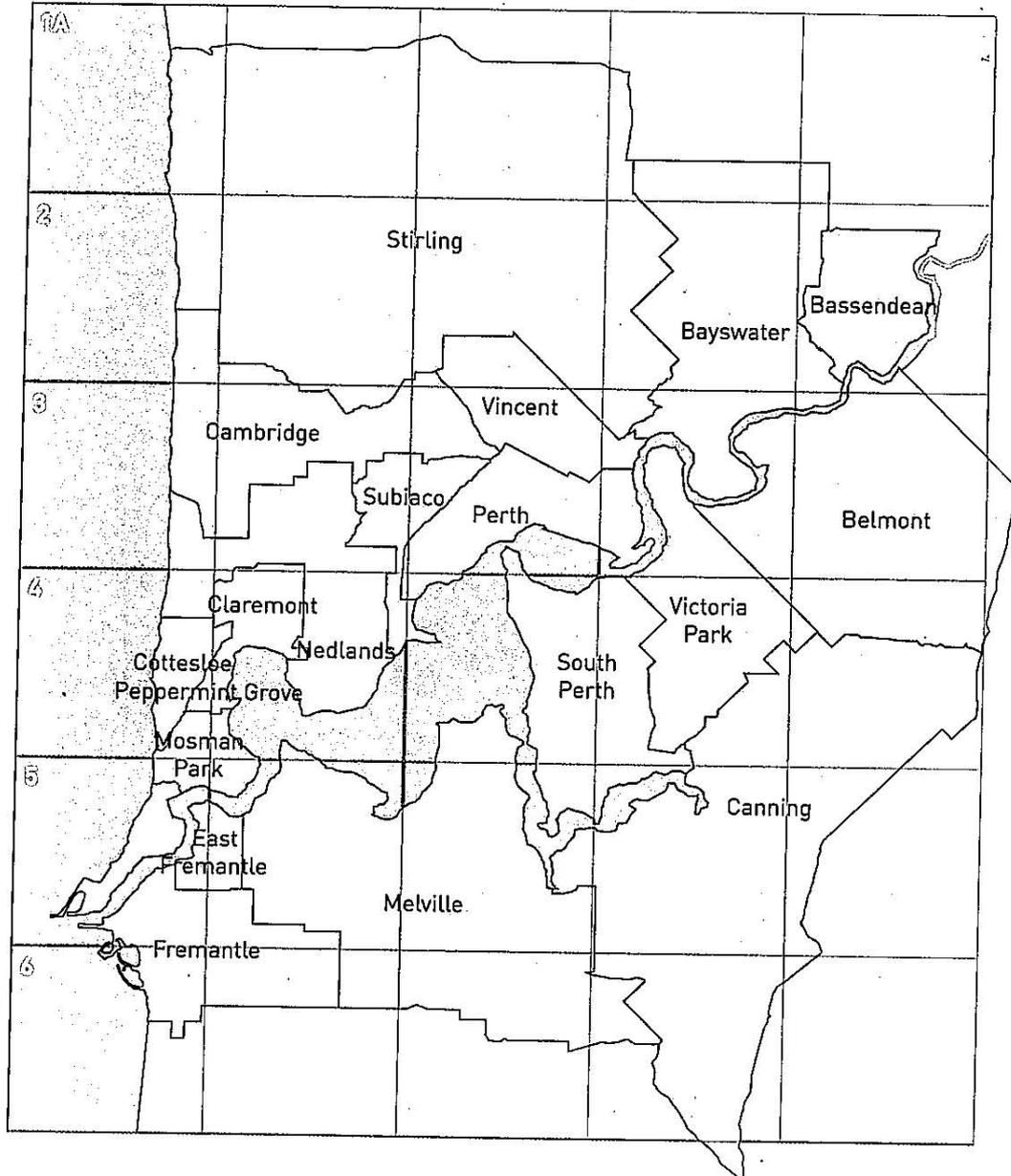
Albany 6D	Busselton 4A	Donnybrook 4B	Kondinin 2F	Narrogin 3C	Wandering 2B
Augusta 5A	Capel 4A	Dumbleyung 3D	Kulin 3D	Narrogin (TJ) 3C	Waroona 3B
Boddington 3B	Collie 3B	Gnowangerup 4E	Kwinana 2B	Pingelly 2C	West Arthur 4C
Boyup Brook 4B	Corrigin 2D	Harvey 3B	Lake Grace 3E	Plantagenet 5D	Wickepin 3D
Bridgetown 4B	Cranbrook 5C	Jerramungup 5F	Mandurah 3A	Rockingham 2B	Williams 3C
Brookton 2C	Cuballing 3C	Katanning 4D	Manjimup 5B	Serpentine 2B	Woodanilling 4C
Broomehill 4D	Dardanup 4B	Kent 4E	Murray 2B	Tambellup 5D	
Bunbury 3A	Denmark 6C	Kojonup 4C	Nannup 5A	Wagin 3C	

Map 4



Armadale 4D	Kalamunda 4D	Serpentine-Jarrahdale 6C
Cockburn 4B	Kwinana 5B	Swan 2C
Gosnells 4C	Mundaring 3D	Wanneroo 1B
Joondalup 2B	Rockingham 6B	

Map 5



Bassendean 2E	Canning 5D	Fremantle 6A	Peppermint Grove 4A	Subiaco 3B
Bayswater 2D	Claremont 4B	Melville 5B	Perth 3C	Victoria Park 4D
Belmont 3E	Cottesloe 4A	Mosman Park 4A	South Perth 4C	Vincent 3C
Cambridge 3B	East Fremantle 5B	Nedlands 4B	Stirling 2B	

From: Kate Murray [mailto:KMurray@walga.asn.au]
Sent: Wednesday, 11 February 2009 9:52 AM
To: Kate Murray
Subject: Local Government Response to Structural Reform - Bulletin 2

Sent on behalf of WALGA CEO, Ricky Burges

LOCAL GOVERNMENT RESPONSE TO STRUCTURAL REFORM

Dear Mayor/President/Chief Executive Officer

The WALGA Team met on Tuesday to develop a response and a plan to ensure that the Local Government structural reform process is strategic and makes the most of this unique opportunity but doesn't lose all the good work we've done so far.

The overwhelming view from this group which we'll be putting to State Council is that

***Local Government should control the structural reform process
through WALGA, backed by the State Council
and
we'll deliver the improvements that State Government is looking for!***

A special State Council Meeting will take place on March 4, 2009 and Zone Secretaries have been requested to arrange Zone Meetings to deal with this special item of business to ensure that State Council is well informed about member views. The President has requested that the SSS State Council Task Force be re-activated and that I ensure that there is a WALGA Work Team to manage the process. The WALGA Governance Team has also been boosted to ensure that we have expert advice and resources available to consult to the sector.

A background paper outlining our process, thinking, actions taken to date and recommendations to State Council will be made available to Councils for discussion as soon as possible. We have a plan and we're putting it in place.

There are a number of layers in this process and we are endeavouring to work through them concurrently. We understand that there is an urgency in having a strategic conversation with State Government in relation to the process, assets, people, IT, infrastructure, Council business systems, accommodation, services and the many other critical aspects of Council operation.

The sense of uncertainty and lack of clarity on our Elected Members, our CEOs and staff members within the sector cannot be underestimated and I am sure that it goes without saying that this is a time to work calmly and confidently. We ask that Elected Members continue with their leadership role; ask CEOs to continue supporting and encouraging staff through the changing environment and reassure you that WALGA will work with members and State Council to provide a Local Government response and represent the views of the sector to the Minister.

A letter outlining a number of issues and requesting clarity on a number of issues has already been sent to the Minister. We have requested immediate clarification from the Minister that the State Government will ensure that the current Act requirement of a two-year moratorium on job losses is honoured.

If you want to discuss any of these issues and/or have particular concerns please don't hesitate to contact me or any of the WALGA team.

Kind regards, Ricky

Ricky Burges

Chief Executive Officer

Western Australian Local Government Association

15 Altona St West Perth WA 6005

PO Box 1544 West Perth WA 6872

Tel: +61 8 9213 2025 Fax: +61 8 9322 2611

Email:

rburges@walga.asn.au

Website: <http://www.walga.asn.au>

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12.6.14 USE OF COMMON SEAL (8570)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from the period 9 January to 6 February 2009.

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:

- Employment Contract - Kelly Fewster
- Employment Contract Ian D'Arcy
- Employment Contract - Karyn Apperley

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

This report aligns with Council's focus on Governance, Key Result Area 5, in Council's Strategic Plan.

COMMENT

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

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 9 January to 6 February 2009.

COUNCIL DECISION

Minute No. 8570

Moved:Cr K Torres

Seconded:Cr J Moulden

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 9 January to 6 February 2009.

CARRIED UNANIMOUSLY: (7/0)

12.6.15 DELEGATED AUTHORITY REPORT (8571)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

To report to Council on the use of Delegated Authority by Officers for the period 1 January to 9 February 2009.

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

This report aligns with Council's focus on Governance, Key Result Area 5, in Council's Strategic Plan.

COMMUNITY CONSULTATION

Not Applicable

COMMENT

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

ATTACHMENTS

Delegated Authority Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receive the Delegated Authority Report for the period 1 January to 9 February 2009.

COUNCIL DECISION

Minute No. 8571

Moved:Cr K Wright

Seconded:Cr D Ausburn

That Council receive the Delegated Authority Report for the period 1 January to 9 February 2009.

CARRIED UNANIMOUSLY: (7/0)

Attachment: Delegated Authority Report

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 January 2009

LIC#	DATE	OWNER	ADDRESS	BUILDER	LOCATION	DESCRIPTION	NEW /ADD	LOT AREA	FLOOR AREA	EST. VALUE
001 /2009	9/01/2009	Noelene Green	PO Box 701 Kununurra	Peter Green Reg	Lot 237 Livistonia	New Dwelling class 1a with class 10a carport and verandah	New	656	245	\$380,000.00
002 /2009	9/01/2009	Peter Green	PO Box 701 Kununurra	Peter Green Reg	Lot 246 Emu Apple	New Dwelling class 1a with class 10a carport and verandah	New	656	245	\$380,000.00
003/ 2009	23/01/2009	Garth Rider	44/2 Sherwood court Perth WA	Epcuire Homes	Lot 187 (5) baker street	New Dwelling class 1a with class 10a carport and verandah	New		230	\$310,000.00
004/ 2009	22/01/2009	Jeff Walters	PO Box 822 Kununurra	Franmor Construction	Lot 1 (Loc 216) Riverfarm Rd	Coolroom within Shed	New			\$4,447.00
005/ 2009	26/01/2009	D & K Menzel	PO Box 350 Kununurra	D & K Menzel	Lot 23 (18) Mangaloo Street Kununurra	Verandah extension to existing dwelling	New		51	\$72,000.00
006/ 2009	28/01/2009	Ann Duley	218 Attunga Rd, Yowie Bay NSW 2228	Colin Wilkinson developments	Lot 262 (126) Casuarina way Kununurra	New Dwelling class 1a with class 10a carport and verandah	New		243.69	\$388,401.00
007/ 2009	27/01/2009	Julia Gray	PO Box 1802 Kununurra	Julia Gray	Lot 1032 (7) Carbeen Street Kununurra	Garage / shed	New	1009	36	\$14,464.00
008/ 2009	28/01/2009	Tony Isaac	PO Box 154, Oyster Bay NSW	Colin Wilkinson developments	Lot 263 (126) Casuarina way Kununurra	New Dwelling class 1a with class 10a carport and	New		261.61	\$384,767.00

						verandah				
009/ 2009	28/01/2009	H & H Munro	PO Box 1450 Kununurra	Darren Fulcher	Lot 227/1203 (5) Messmate Way Kununurra	Pylon sign	New		2	\$5,000.00
010/ 2009	30/01/2009	Coleman Bros	PO Box 376 Wyndham	Coleman Bros	Lot 1770 Gully Road Wyndham	Tropical Roof/Carport	New		388	\$26,000.00
011/ 2009	30/01/2009	C M Shaw	PO Box 1579 Kununurra	C M Shaw	Lot 134 (13) Rosewood Avenue Kununurra	Carport & extensions to existing garage	Add		72	\$15,000.00
										\$1,980,079.00

SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 January 2009

Licence No.	Date	Assess No.	Lot No.	Street Address	Applicant Name	Type	Fee	Receipt No	Planning Approval / Delegation
001/2009	28/01/09	#1550	227	Messmate Way, Kununurra	H & H Munro	Non-standard Pylon sign	\$50.00	317588	PA 11/06
002/2009	29/01/09	#2148	2446	Coolibah Drive, Kununurra	The Ord Valley Muster (Kununurra Chamber of Commerce & Industry)	Temporary Banner Sign	Nil	N/A	N/A exempt sign

DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 January 2009

Licence Number	Date	Assess No	Property Address	Premises	Owner	Builder/ Contractor	Contact Details	Comments (Asbestos)
01/2009	5/02/2009		Lot 1056(8) Woolybutt St Kununurra	Garden Shed	Paul Hutton	Paul Hutton	PO Box 285 Kununurra WA	

12.6.16 REQUEST FOR GROUNDS MAINTENANCE AT KUNUNURRA CLUB LEASE SITE

DATE:	17 February 2009
PROPONENT:	Kununurra Water Ski Club
LOCATION:	Kununurra Water Ski Club Lease Site
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	66.20.18
ASSESSMENT NO:	A2860

PURPOSE

For Council to consider a request made by the Kununurra Water Ski Club for the Shire to resume maintenance of the grounds at the Kununurra Water Ski Club lease site.

BACKGROUND

The Kununurra Water Ski Club operates under a lease over a Portion of Reserves No.29297& 41812, King Locations 714 & 667.

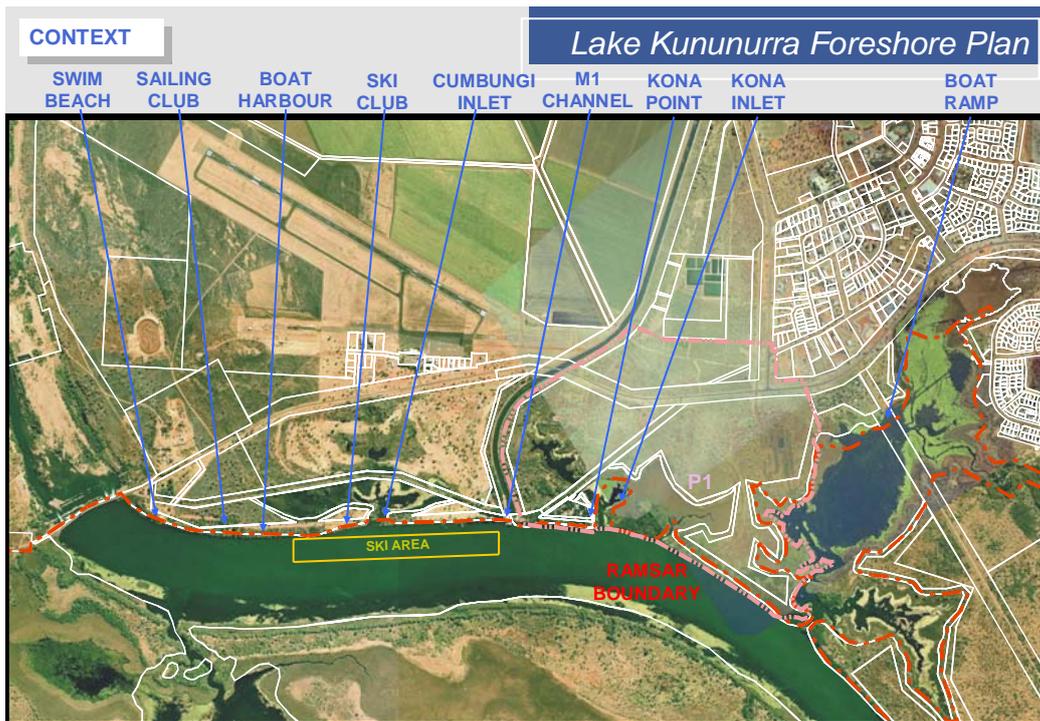
Lease summary;

Established	1/7/1992
Lease termination	1/07/2013
Tenure	21 years
Lease Payment	\$110/year, paid yearly in advance

In the previous 5 years to mid 2008 the Shire had an external contract for gardening, mowing and roadside slashing. At the expiry of that contract the service was bought back in house.

Mowing of the Ski Club leased site was being done by the external contractor. This service ceased when the Shire resumed this function.

A map showing the location of Ski Club area is shown below:



STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is estimated that the cost of the Shire delivering the mowing service the Ski Club leased area would be around \$6,500 per year.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

Council's mowing functions are will increase in 2009 as the new reticulated areas as part of the investment of the Parks and Public Open space continue (Pindan Park, Rotary Centenary Park).

In addition, the new Oval to be constructed at the Aboriginal Hostel is likely to be completed and Council has agreed to fully maintain this in return for it being scaled up to full sized oval lit for night sport.

Council currently mows grassed surfaces near Swim Beach to maintain this public open space and this is close to the Ski Club leased site.

Whits mowing as requested can be done if Council so determines, it does come at a cost.

In considering the Ski Club request, Council should be mindful of a number of issues including precedence, the support it provides other Clubs and if the request is a reasonable thing for Council to do versus the role of Club volunteers.

It is not clear if other options to assist the Club such grant applications for mowers etc have been pursued, so that the burden on volunteers is lessened. (e.g. Volunteer Grants).

ATTACHMENTS

Kununurra Ski Club letter

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council advise the Kununurra Ski Club that it recommends the Club investigate grants for capital equipment to assist its members to maintain the grassed surfaces at the Ski Club lease adjacent Lake Kununurra.

COUNCIL DECISION

Minute No. 8572

Moved: Cr P Caley

Seconded: Cr D Ausburn

That Council advise the Kununurra Ski Club that it recommends the Club investigate grants for capital equipment to assist its members to maintain the grassed surfaces at the Ski Club lease adjacent Lake Kununurra.

CARRIED: (5/2)

For: Cr Mills, Addis, Caley, Moulden and Torres
Against: Cr Wright and Ausburn

Kununurra Waterski Club
PO Box 466
Reserve 29297
Lot 714
Millington Rd
Kununurra WA 6743

Mr Peter Stubbs
CEO Shire Wyndham East Kimberley
PO BOX 614
Kununurra WA 6743

02/02/2009

Doc No.	064755
Date	3 FEB 2009
Officer	CEO
Response	
File	UG.20.18
Cross Ref.	

Dear Mr Stubbs,

Further to our initial discussion via email regarding the ground maintenance at the Ski Club, we as a club would like the matter to be taken formally to council on the 16th February.

Please retain the letter which was sent to you late last year regarding our reasons for requesting the grounds keeping (mowing of lawns) to be once again performed by the shire as it was in the past.

In addition we would like to comment further on why we are requesting to have this service reinstated by the shire.

1. THE CLUB GATE.

The gate at the Ski Club was installed to deter vandalism which was costing the club large amounts of money and to avoid the rubbish build up on the ski beach.

Rubbish similar to that which occasionally occurs at the swim beach was a major problem for the club until the gate was put into place. We now have a location where minimal amount of rubbish is left behind, saving time and money on clean up.

The gate does not stop the public entering the ski club area on foot and people can obviously easily access the ski club grounds via boat on Lake Kununurra.

We do not stop the public using the grounds and our only request is that after using the Ski Club grounds three times for recreation – to join as a member to assist in the running costs of the club.

If the gate is a concern we will happily provide a designated public access gate and walking track for people to park outside the club and walk into the grounds.

2. COST TO THE CLUB

The Kununurra water ski club is a not for profit organisation and put all its funds back into club events and ground maintenance for the enjoyment of the community.

To have the lawns kept by a contractor the cost to the club exceeds \$4000 annually, this is a large sum of money for a low income club to service.

3. THE LOCATION

The grounds are the Ski Clubs biggest asset.

It is also one of the only safe vantage points to Lake Kununurra for the public as far as safe boating and water front access.

Kununurra should be proud to show off its river and the Ski Club is a great area to do so.

The grounds at the Ski Club provide much more than just a location for water skiing and recreation.

The club grounds are frequently used for such events as weddings, work functions, Christmas parties, Apex fun days, fishing lessons and of course the annual dam to dam.

The community get a lot from the club grounds and for many of these functions there is no charge to the other party for the use of the facilities.

By keeping the grounds in top condition we are positive that the club will attract more use and continue to be a sought after venue for the town's future functions.

What we request is that the ski clubs lawns be regularly maintained by the shire as they have been in the past.

Having the lawns mown and edges maintained allows the club to spend its funds on further improving the facilities and head towards some long term goals.

Please take these points into consideration when discussing this issue and I hope that we can come to a beneficial result for the club.

I look forward to your response post the councillors' discussion.

Yours Sincerely,

Mark Coventry

President Kununurra Water Ski Club
PH: 0407728486

12.6.17 PROPOSED COMMERCIAL BOAT LEASES (8573)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Lake Kununurra, Reserve 41812
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	43.04.01
ASSESSMENT NO:	A2860

PURPOSE

For Council to be updated on progress with the proposed commercial boat leases and consider new developments.

BACKGROUND

At the 16 December 2008 Council meeting resolved as follows:

Minute No. 8573

*Moved:Cr J Moulden
Seconded:Cr R Addis*

That after consideration of public comment:

1. *Council offer by private treaty 21 year leases to the following companies; Triple J, Kununurra Cruises- The BBQ Boat, Alligator Airways and Diversion Cruises & Hire - Celliston Nominees, to facilitate establishment of their business on the Lake Kununurra Foreshore in the area indentified as Proposed Leases Stage 1 on Map 1 attached, with the following conditions:*
 - a. *That the rental rate shall be \$7 per square metre.*
 - b. *That lease fees be set at 50% of market rate in year one of the proposed lease, 75% of the market rate in year two, and 100% in year three.*
 - c. *That fees are payable annually in advance.*
 - d. *Rent shall be reviewed on an annual basis with the rent to increase by the State CPI. Should the application of CPI result in a reduction in rent the current rent shall be charged*
 - e. *Shire rate to apply to lease.*
2. *Council advise the proprietors for Triple J, Kununurra Cruises - The BBQ Boat, Alligator Airways and Diversion Cruises & Hire - Celliston Nominees that should the offer of the lease not be confirmed in writing to the Council by the 30 January 2009, then the offer of the leases will lapse, and Council will reconsider its options including disposal of the proposed leased areas by public tender and or auction.*

CARRIED BY ABSOLUTE MAJORITY: (7/0)

Triple J, Kununurra Cruises - The BBQ Boat, and Alligator Airways have each confirmed in writing that they accept the conditions and offer. Draft leases have been prepared and provided to these companies for their consideration.

Surveying of sites is completed. Clearing permits are pending.

No response has been received from Celliston Nominees.

In accepting the offer Kununurra Cruises - The BBQ Boat have asked that Council, consideration be given amending the condition set by Council for lease fees to be paid annually in advance due to cash flows patterns in their business.

From: "Julie Milner" <thebbqboat@wn.com.au>
To: ceo@thelastfrontier.com
Sent: Tuesday, 27 January, 2009 11:35:58 AM GMT +10:00
Brisbane
Subject: KUNUNURRA CRUISES - THE BBQ BOAT. PROPOSED
FORESHORE LEASES

KUNUNURRA CRUISES - THE BBQ BOAT
PO BOX 1511
KUNUNURRA WA 6743
PH: (08) 91681718
FAX: (08) 91681719
MOBILE: 0409 681716
MOBILE: 0409 681718
EMAIL: thebbqboat@wn.com.au
WEBSITE: www.kununurracruises.com.au

Dear Peter,

Further to your letter re the Proposed Foreshore Leases, we write to advise that Paul and Julie Milner of Kununurra Cruises agree to the proposed lease area and conditions outlined in the Council Resolution on December 16 2008.

As discussed with you in mid January, we do request that you approach Council re the matter of advance annual fee payments. As we are seasonal, we would like to request that we have a payment arrangement. **Is it possible to make payments over July, August and September?**

Peter, we are currently away on holidays, and wish to confirm that you were willing to accept an email response to this matter.

We are currently working on our brochure for the 2009/10 season, and would like to have an idea as to when we might expect to be relocated down to the Proposed Foreshore Lease Area. As you will well appreciate, we are going to have to re-arrange our complete cruise schedule and will need to take this into account when finalising the brochure.

Please pass this letter of acceptance onto the Shire Councillors.

Please also note that this is not our email address and any correspondence should be made to the above email address.

Thankyou for your assistance Peter and we look forward to your reply.

Sincerely,

JULIE & PAUL MILNER

STATUTORY IMPLICATIONS

Section 3.58 of the Local Government Act 1995 applies to disposal of land including leases.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Lease fees paid will generate revenue for re-investment back into the management of the Lake Kununurra Foreshore.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Public comment was advertised and comments received have been considered by Council 16 December 2008.

COMMENT

The request by Kununurra Cruises - The BBQ Boat for revised payment terms in the lease should be considered in the context that if it is agreed to then the other lessees may also want variations.

For this reason it is recommended that Council give consideration to delegating to the Shire President, Deputy Shire President and Chief Executive Officer to authority to negotiate any lease variations from the parameters set by Council in Minute Number 8493.

The request by Kununurra Cruises - The BBQ Boat is considered reasonable and is supported.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute majority

OFFICER'S RECOMMENDATION

1 That Council rescind decision 1c of Council resolution Minute Number 8493 being "*That fees are payable annually in advance*" for commercial boat leases.

2 That Council delegate the Shire President, Deputy Shire President and Chief Executive officer to jointly negotiate appropriate lease payment schedules for commercial leases between Ski Beach and Swim Beach, Lake Kununurra, Reserve 41812.

COUNCIL DECISION

Minute No. 8573

Moved:Cr J Moulden

Seconded:Cr R Addis

1 ***That Council rescind decision 1c of Council resolution Minute Number 8493 being 'That fees are payable annually in advance' for commercial boat leases.***

2 ***That Council delegate the Shire President, Deputy Shire President and Chief Executive officer to jointly negotiate appropriate lease payment schedules for commercial leases between Ski Beach and Swim Beach, Lake Kununurra, Reserve 41812.***

CARRIED BY ABSOLUTE MAJORITY: (7/0)

12.7. ELECTED MEMBER REPORTS

Cr Fred Mills

21/01/09 Argyle Stakeholders meeting
22/01/09 Wyndham Hospital public meeting
29/01/09 Monthly briefing meeting MG Corp and CEO
10/02/09 Warringarri Radio interview re Councils support for bushfire appeals
11/02/09 KVC Board meeting
12/02/09 Briefing meeting with Glen Chidlow Aust Northwest
12/02/09 Telecentre (Brendon Gryllis announcements)
12/02/09 Business after hours joint function with KVC (donated on behalf of Council to Vic Bushfires Appeal
12/02/09 Victorian Bushfire Appeal Auction - Purchase of Australia Movie Banner \$2100

Cr D Ausburn

For the month of Jan/Feb 09

26/01/09 Australia Day Service
Landcorp Briefing
17/02/09 Liquor Accord

Cr K Wright

2 February 2009 Ord River Sports Club
9 February 2009 Ord River Sports Club

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

15.1 ORD RIVER SPORTS CLUB - REQUEST FOR SELF SUPPORTING LOAN (8574) (8575) (8576) (8577)

DATE:	17 February 2009
PROPONENT:	Ord River Sports Club
LOCATION:	Chestnut Avenue, Kununurra
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	66.20.37
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a request by the Ord River Sports Club Incorporated for a 24 month \$70,000, self supporting loan.

BACKGROUND

At the Ordinary Council Meeting 16 December 2008 a report was presented to Council regarding the current lease the Council has with the Ord River Sports Club. Council made the following resolution as a result of its consideration of this report:

*Moved:Cr K Wright
Seconded:Cr P Caley*

That Council assist the Ord River Sports Club (Inc) in their assessment of the Club's future, by providing clarity on the Club lease tenure and invite the Ord River Sports Club to accept a new 2 year lease from 26 April 2009 to 26 April 2011, subject to the Club:

- a) entering into a written agreement with Council to undertake a Master Planning exercise for the future of site as a community asset; and*
- b) Agreeing in writing to re-structuring its Board and constitution to include Councillor positions, and external Board members to facilitate a broader more strategic community approach to the Club future.*

CARRIED UNANIMOUSLY: (7/0) Meetings have been held with representatives of the Ord River Sports Club 2 and 9 February 2009 to progress this decision of Council.

The Ord River Sports Club has responded by requesting Council consider application for a 24 month, \$70,000 self supporting loan to assist the Club consolidate its debt, provide cash flow, and trade back into a stable situation. The Club cites its past record at re-paying self supporting loans.

The Ord River Sports Club debt to Council is currently:

\$13,703.53 Loan repayment owed. Council raised a Loan of
\$121,800 in 2000 and paid this loan of in 2007. The
Club owes \$13,703.53.

\$5,988.29 Outstanding rates (includes \$222.41 penalties)

Further background provided to Council on 16 December 2008 is listed below:

1. The Ord River Sports Club site in Kununurra is vested to Council through a Management Order (attached). The Management Order gives Council the Power to Lease the Reserve for any term not exceeding 21 years.
2. It is understood that Council has had the Management Order for many years, dating back to the early development of the Kununurra town site.
3. A lease between Council and the Ord River Sports Club (Inc) was established 5 September 1973. This lease described the Shire at the time raising a loan of \$100,000 to construct the initial Sport Club, with the Ord River Sports Club (Inc) agreeing to pay back the loan. Clause 5 (w) of this lease required the Club to yield up the Clubhouse and all other buildings erected at the determination of the tenancy. This lease is attached.
4. In 1989 a new lease was signed between the Shire and Ord River Sports Club. This lease scheduled shows a commencement date for the lease of 28 April 1988, with the lease being for 21 years. On that basis the lease is due to expire 28 April 2009. This Lease between Council and Ord River Sports Club Inc is also attached.
5. In 1999 Council raised a Loan of \$123,000 to assist the Ord River Sports Club refurbish the building. The loan is self funding and currently has a balance of \$13,703.53 outstanding.
6. The Reserve also contains the bowling greens; an "indoor" cricket shed, and practice cricket wickets.
7. The Ord River Sports Club (Inc) main business is bar and TAB services.
8. The issue of the pending lease expiry was been advised to elected members at the April and December 2008 Briefing Sessions.

STATUTORY IMPLICATIONS

Council has a Management Order over the Reserve where the Sports Club is located. The Management Order provides for the power to lease for up to 21 years.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council has raised self supporting loans in past year for various community organisations. Self supporting loans provided repayments are met by the recipient organisation have minimal financial impact on Council. However, Local Governments are required to operate within State Treasury loan ratios guidelines. The greater loans Council carries the more it can restrict Council borrowings for other strategic project it may want funds for. A \$70,000 self supporting loan would not take Council outside of the Treasury ratios.

STRATEGIC IMPLICATIONS

Council has a stated strategic goal to provide community and cultural development. The Club provide a facility for community use.

COMMUNITY CONSULTATION

Consultation at this time has been limited to representatives of the Club, as indicated in the Minutes of meetings held (attached).

COMMENT

The Council decision 16 December 2008 seeks to engage with the Ord River Sports Club to assist it to assess and move toward change to equip the Club to align with changing community needs over the longer term.

The Club however is struggling to focus on the process required to achieve this because of the immediacy of their operational and cash flow needs. This is highlighted in the Club's submission where it is stated that the Club is being run by volunteers, with Club members have their own funds providing cash flow (debentures) or debt relief. The Club acknowledges these strategies are not sustainable, with the impact on volunteers being significant.

There have been various discussions at Council Audit Committee meetings about the need for improved risk management and whether any loans by Council ought to have a requirement for Director Guarantees. This issue has recently been considered in Council deliberations for example on a proposed Loan to the Kununurra Tennis and Netball Clubs. Representatives of the Ord River Sports Club have advised they would not be prepared to provide such guarantees.

It is not clear if the Club is operating constitutionally and Club representatives acknowledge that the Club constitution is well out of date for its needs.

While Directors Guarantees may provide good risk management it is considered unlikely that most Local Government would pursue individual for debt defaults. An alternative approach is recommended whereby Club members more formally engage and take responsibility for the decisions through a properly constituted General Meetings of the Club, get involved

with the future of the Club and engage with the forward planning as requested by Council through its decision 16 December 2008.

In meetings held with the Club, representatives have advised that given the acknowledge unsustainable method in which the Club is currently operating and its short term challenges, that unless quick relief is provided, then I may need to close its doors and hand the premise back to the Council. The Club sees this as being a significant disadvantage to many community groups who use it.

Council should consider whether it considers the Club has the capacity to pay back any new loan.

ATTACHMENTS

Submission from the Ord River Sports Club

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

1. That Council support the Ord River Sports Club request for a 24 month, \$70,000 self supporting loan, with the loan being only provided after the Council is in receipt of a copy of Minutes of a properly constituted General Meeting of the Club in which the Club membership resolves:
 1. to support the loan request
 2. to take responsibility for servicing the loan debt
 3. enter into a written agreement with Council to undertake a Master Planning exercise for the future of Club site as a community asset; and
 4. Agreeing in writing to re-structuring the Club Board and constitution, within 6 months, to include Councillor positions, and external Board members, in particular the MG Corporation, to facilitate a broader more strategic community approach to the Clubs future.
2. That Council waive penalties of associated with outstanding rates owed by the Ord River Sports Club of \$222.41.

COUNCIL DECISION

Minute No. 8574

***Moved: Cr K Wright
Seconded: Cr P Caley***

That Council accept Late Item 15.1 and 15.2

CARRIED UNANIMOUSLY: (7/0)

Minute No: 8575

**Moved:Cr P Caley
Seconded:Cr D Ausburn**

That Council suspend Standing Orders 7.5 to enable Councillors to speak more than once in relation to matter being discussed.

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 suspended at 7.17pm

Minute No: 8576

**Moved:Cr K Wright
Seconded:Cr P Caley**

That Council resume Standing Order 7.5

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 resumed at 7.21

Minute No: 8577

**Moved:Cr K WRIGHT
Seconded:Cr P Caley**

1. That Council support the Ord River Sports Club request for a 24 month, \$70,000 self supporting loan, with the loan being only provided after the Council is in receipt of a copy of Minutes of a properly constituted General Meeting of the Club in which the Club membership resolves:

- 1. to support the loan request.**
- 2. to take responsibility for servicing the loan debt,**
- 3. enter into a written agreement with Council to undertake a Master Planning exercise for the future of Club site as a community asset; and**
- 4. Agreeing in writing to re-structuring the Club Board and constitution, within 6 months, to include Councillor positions, and external Board members, in particular the MG Corporation, to facilitate a broader more strategic community approach to the Clubs future.**

2. That Council waive penalties of associated with outstanding rates owed by the Ord River Sports Club of \$222.41.

CARRIED UNANIMOUSLY: (7/0)

Mr. Peter Stubbs
C.E.O
Shire of Wyndham East Kimberley

Dear Peter

Please find attached an application / submission from the Ord River Sports Club, for inclusion on the agenda of the upcoming meeting of the Shire Councillors, scheduled for Tuesday the 16th of February 2009.

I thank you and Councillor Wright for your input and assistance with the preparation of this application / submission.

We do ask that Council give this issue their utmost attention as the matters raised in this application / submission have now become urgent and will have serious ramifications on the future of the Ord River Sports Club.

Yours in appreciation



Mr. Gary Bishop
President, Ord River Sports Club

12th February 2009

916911342



Ord River Sports Club Inc

To the Members of the Shire of Wyndham East Kimberley Council

I, Gary Bishop, being the current President of the Ord River Sports Club Incorporated, ORSC Inc (the Club) hereby make this application on behalf of the Committee and members of the Club

Relevant background information:

In previous years the Club has had a number of Managers and Committees who have adapted different styles and approaches to how the Club conducted its core business, sometimes with very poor results. In recent times, (the last two months) the Club has been run on a purely volunteer basis, with amazingly good results in debt reduction and cash flow.

The Club is currently trading very well, with takings being \$ 41207.31 to date this year, (Please see current trading figures attached) with a projected trading income for the year (Jan '09 – Dec '09) being \$ 650,000 –750,000.

The Club has at present, 175 financial members with an expected total, (given the 'ebb and flow' of residents traditionally experienced in Kununurra) of approximately 400. Whilst the Club is primarily for the use of its members and affiliated sporting bodies, it has and does continue to provide a myriad of uses and services for a large group of people and community bodies well beyond its charter. Said uses and services would need to be provided by other establishments or the Shire, if the Club was to cease to exist: OVAHS, Dept of Child Protection, MG Corp, Warringarri, EKFA, Demons FC, Kununurra Softball, Junior Teeball, Auskick, Weight Watchers, Apex, Rotary, Lions Club, Clontarf, Dept of Sport and Rec, Netball, School Sports Day, Kiwi Club, Moto-cross, Polocrosse, Indoor Cricket, Bowls, Touch Footy, Basketball, Dept of Environment and Conservation, Cricket, NAIDOC

We are seeking financial assistance from the Council in the form of a short term (24 month) self funding interest free loan of \$70,000, payable at approximately \$700 per week or \$36,400 per calendar year, this being an extension of, or continuance of, an already existing loan that the Club has with SWEK (the Shire). The Club has demonstrated its willingness, commitment and ability to successfully pay off its

previous loans, from the Shire and others, as is attested to by the full payment of Shire Loan 109, of \$128,000 which was finalised on the 27th of November 2007, and the very minor residual amount of its current Shire loan. In subsequent years the Club has serviced over \$ 600,000 in various loans leading to the creation, maintenance and upgrading of the current Club, a Shire owned asset.

The purpose of this loan would be to retire some of the debts currently incurred by previous management (including debts to the Shire) along with a number of smaller asset and lease plans that could be finalised at minimal costs. This would stop further financial erosion of the Club, which in turn, along with other financial planning being undertaken, would help ensure the re-establishment of the Club to a sound commercial footing once again, with the ability to employ paid staff and trade successfully.

This new loan would be in line with the proposed 2-year “bridging lease” or extension of the current lease that the Club currently has with the Shire, On the proviso that the Club enter into negotiations with the Shire to adopt “Option 3” of the proposal put to the Club on the 16th of December 2008 by the Shire. This proposal being in reference to the future of the Club and the role that the Club may play in the proposed “Chestnut Drive Precinct Plan”. The ramifications of the proposal were further explained to a co-opted sub-committee of the Club by the Shire CEO, Mr. Peter Stubbs and Councillor Mr. Keith Wright at a meeting held at the Club premises on Monday the 9th of February 2009.

As stated previously, currently the Club is being staffed and run by volunteers on an unpaid basis with some funding (\$ 9,000) being contributed to the financial affairs of the Club in the form of “debentures” raised by members. Clearly this cannot continue as the “goodwill of members” and their financial commitments will eventually flag. Many of the local tradesmen of the town have contributed their time, money and expertise to ensuring that the premises of the Club, its plant and equipment, are kept in good repair.

As can be gauged from the information supplied, the Club plays a vital role in the cohesion of the fabric of the town of Kununurra and its surrounds, and has done so in one form or another for nearly 40 years.

On behalf of myself, the Committee and the members of the Ord River Sports Club, I would urge the members of the Shire Council to look favourably upon this application as we look forward to working with the Shire for the further good of the residents and community groups of Kununurra.

Should any further explanation or background information be required by the Shire Council to support this application please do not hesitate to contact me.

Yours sincerely



**Gary Bishop
President Ord River Sports Club Inc
0891691 778**

12th February 2009

Ord River Sports Club Inc.

Chestnut Avenue
PO Box 54
Kununurra 6743
Western Australia

Profit & Loss [Last Year Analysis]

January 2009 through February 2009

12/02/2009
11:07:30 AM

	This Year	Last Year	\$ Difference	% Difference
Income				
Drink Sales - Drink Here	\$27,112.72	\$0.00	\$27,112.72	NA
Drink Sales - Take Away	\$4,474.64	\$0.00	\$4,474.64	NA
Cigarette Sales	\$1,769.54	\$0.00	\$1,769.54	NA
Chips & Nuts	\$301.74	\$0.00	\$301.74	NA
TAB Commission	\$3,034.85	\$0.00	\$3,034.85	NA
Juke Box	\$707.00	\$0.00	\$707.00	NA
Memberships	\$3,291.82	\$0.00	\$3,291.82	NA
Indoor Cricket	\$85.00	\$0.00	\$85.00	NA
Pool Tables	\$430.00	\$0.00	\$430.00	NA
Total Income	\$41,207.31	\$0.00	\$41,207.31	NA
Cost Of Sales				
Alcohol Purchases	\$5,974.11	\$0.00	\$5,974.11	NA
Cigarettes	\$693.19	\$0.00	\$693.19	NA
Soft Drink	\$200.21	\$0.00	\$200.21	NA
Misc Bar Consumables	\$25.25	\$0.00	\$25.25	NA
Juke Box	\$2,243.64	\$0.00	\$2,243.64	NA
Total Cost Of Sales	\$9,136.40	\$0.00	\$9,136.40	NA
Gross Profit	\$32,070.91	\$0.00	\$32,070.91	NA
Expenses				
Licence to Sell Tobacco	\$170.00	\$0.00	\$170.00	NA
liquor licensing expenses	\$520.00	\$0.00	\$520.00	NA
ATM Shortfall	\$682.88	\$0.00	\$682.88	NA
Repairs And Maintenance	\$222.78	\$0.00	\$222.78	NA
Cleaning Supplies	\$118.04	\$0.00	\$118.04	NA
Misc Bar Expenses	\$388.66	\$0.00	\$388.66	NA
Telephone	\$447.43	\$0.00	\$447.43	NA
Office Supplies	\$74.73	\$0.00	\$74.73	NA
Vehicle Expenses	\$296.20	\$0.00	\$296.20	NA
Security Services	\$620.00	\$0.00	\$620.00	NA
Total Expenses	\$3,540.72	\$0.00	\$3,540.72	NA
Operating Profit	\$28,530.19	\$0.00	\$28,530.19	NA
Other Expenses				
Subscriptions	\$117.00	\$0.00	\$117.00	NA
Total Other Expenses	\$117.00	\$0.00	\$117.00	NA
Net Profit/(Loss)	\$28,413.19	\$0.00	\$28,413.19	NA

15.2 TENDER 05 - 08/09 PROJECT MANAGER EAST KIMBERLEY REGIONAL AIRPORT TERMINAL UPGRADE (8578) (8579)

DATE:	17 February 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	East Kimberley Regional Airport
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	66.57.05
ASSESSMENT NO:	N/A

PURPOSE

To revise tender selection criteria for Project Manager for East Kimberley Regional Airport Terminal Expansion based on advice from WALGA tender services Bureau.

BACKGROUND

At the 16 December Ordinary Council Meeting Council resolved:

Minute No. 8467

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

1. *That Council to issue a Request for Tender for Project Management of the East Kimberley Regional Airport Terminal Expansion Project.*
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 experience and satisfactory performance in managing an Airport Terminal Expansion/Redevelopment project – 40%*
 - b) *Sufficient and appropriate resources to manage the project from consultation, and tender selection through to completed construction - 40%*
 - c) *Understanding of project timeline including requirement for the airport to remain operational and functional - 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.

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

This project is estimated at over \$8 million to be funded from Royalties for Regions, Reserve Funds and Loan if required

STRATEGIC IMPLICATIONS

Airport statistics show that the usage of the East Kimberley Regional Airport Terminal is increasing. Additionally the strategic outlook to encourage interstate and international jet services requires a terminal building with a greater capacity to cater for the needs of the travelling public.

COMMUNITY CONSULTATION

Limited stakeholder consultation has taken place to date. Community consultation is included as one of the project phases the tender seeks to secure.

COMMENT

The recommendation in relation to managing this project is to tender for a consultant/project manager who has experience with similar projects in the aviation industry. The tender will include requirements to:

- develop project timeline detail/milestones for Council approval (including details of staging of project to allow airport operation to continue with minimal disruption)
- commission final plans
- present final plans to airport stakeholders
- undertake quantity surveys
- develop a detailed budget for project
- develop tender specifications for construction
- call tenders
- project manage the construction process to handover on completion.
- Sign off on final project

The Western Australian Local Government Association (WALGA) Tender Services Bureau has been commissioned to develop, advertise and assess the tenders. The Executive Manager Corporate Services will also be involved in the tender assessments.

In preparing the tender WALGA have suggested the following revised tender selection criteria that they believe will deliver a better result from the tendering process.

Compliance Criteria

(a)	Completion of Tenderers Offer (Including the Price Schedule and Offer Form and Tenderer Information Form)	Tenderers are to address this criteria and label it Attachment 1 Completion of Tenderers Offer.
(b)	Compliance with the Conditions of Tendering	Tenderers are to address this criteria and label it Attachment 2 Conditions of Tendering.
(c)	Compliance with Specification	Tenderers are to address this criteria and label it Attachment 3 Specification.
(d)	Corporate Information <ul style="list-style-type: none"> • Advise if agent or a trust for another party. • Provide evidence as to ability, if awarded the Contract, to fulfil the Requirements from your own resources or from resources readily available to you. • Provide details of a minimum of two referees including their Name, Position, Company, Address and contact Telephone Number • Ability to commence on the Principal's commencement date. 	Tenderers are to address this criteria and label it Attachment 4 Corporate Information.
(e)	Financial Position <ul style="list-style-type: none"> • Tenderer to confirm ability to pay all debts in full as and when they fall due, and • Advise of any current litigation as a result of which you may be liable for \$50,000 or more. 	Tenderers are to address this criteria and label it Attachment 5 Financial Position.
(f)	Conflict of Interest <ul style="list-style-type: none"> • Will any actual or potential conflict of interest in the performance of your obligations under the Contract exist if you are awarded the Contract, or are any such conflicts of interest likely to arise during the Contract? 	Tenderers are to address this criteria and label it Attachment 6 Conflict of Interest.
(g)	Insurance	Tenderers are to address this criteria and label it

- Provide evidence of current insurance coverage that meets the Requirements of this Request.

Attachment 7 Insurance.

Qualitative Criteria

<p>A) Organisation Capabilities Tenderers must, as a minimum, address the following information in an attachment and label it “Attachment 8 Organisation Capabilities”:</p> <ul style="list-style-type: none"> • Organisations to demonstrate industry-recognised qualifications; • Provide evidence of recent experience with contracts of similar size and scope displaying high quality outcomes; • Tenderers are to also include the percentage of operational capacity represented by this work; • Provide scope of the Tenderer’s involvement including details of outcomes; • Provide details of each project including, building and construction details and project budget; 	<p>Weighting 40%</p>
<p>B) Key Personnel Tenderers must, as a minimum, address the following information in an attachment and label it “Attachment 9 Key Personnel”:</p> <ul style="list-style-type: none"> • Nominate key personnel to be involved in this Contract; • Provide relevant industry experience, current qualifications and registrations of the key personnel; 	<p>Weighting 35%</p>
<p>C) Performance Tenderers must, as a minimum, address the following information in an attachment and label it “Attachment 10 Performance”:</p> <ul style="list-style-type: none"> • The ability to supply and sustain the necessary technical resources, staff and equipment; • Quality and standard of work; • Ability to adhere to the Principal’s timelines; • Provide details as to how you will meet the Requirements of this Request. • Any other issues or matters which will maximise the net benefit of the Services to the Principal and community 	<p>Weighting 25%</p>
<p>TOTAL 100%</p>	

ATTACHMENTS

Nil

VOTING REQUIREMENT

3 Councillors required to consider rescission motion Officers Recommendation 1.

Simple majority for Officers Recommendation 2

OFFICER'S RECOMMENDATION 1

That Council rescind minute 8467.

OFFICER'S RECOMMENDATION 2

1. *That Council issue Request for Tender T05 – 08/09 Project Manager for East Kimberley Regional Airport Terminal Expansion Project.*
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) *Completion of Tenderers Offer*
 - b) *Compliance with Conditions of Tendering*
 - c) *Compliance with Specification*
 - d) *Corporate Information*
 - e) *Financial Information*
 - f) *Conflict of Interest*
 - g) *Insurance*
 - 2.2 *Qualitative Criteria (used to Rank Tenders)*
 - a) *Organisational Capabilities – 40%*
 - b) *Key Personnel – 35%*
 - c) *Performance – 25%*
 - 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.

....

COUNCIL DECISION

Minute No. 8578

Moved:Cr K Wright
Seconded:Cr P Caley

OFFICER'S RECOMMENDATION 1

That Council rescind minute 8467.

CARRIED: (7/0)

Cr Wright, Torres and Caley voted to consider rescission motion Officers Recommendation 1.

Minute No: 8579

Moved:Cr P Caley

Seconded:Cr R Addis

OFFICER'S RECOMMENDATION 2

1. That Council issue Request for Tender T05 - 08/09 Project Manager for East Kimberley Regional Airport Terminal Expansion Project.

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) Completion of Tenderers Offer**
- b) Compliance with Conditions of Tendering**
- c) Compliance with Specification**
- d) Corporate Information**
- e) Financial Information**
- f) Conflict of Interest**
- g) Insurance**

2.2 Qualitative Criteria (used to Rank Tenders)

- a) Organisational Capabilities - 40%**
- b) Key Personnel - 35%**
- c) Performance - 25%**

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: (7/0)

Nil

16. MATTERS BEHIND CLOSED DOORS

Nil

17. CLOSURE

With all matters of Business complete Cr F Mills, Shire President declared the meeting closed at 7.35pm