



MINUTES OF ORDINARY MEETING OF COUNCIL

HELD ON 16 JUNE 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, AT 6:00 PM

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

The Deputy Shire President declared the meeting open at 6.00pm.

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

Cr R Addis	Deputy President
Cr D Ausburn	Councillor
Cr R Boshammer	Councillor
Cr P Caley	Councillor
Cr J Moulden	Councillor
Cr J Parker	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
I. D'Arcy	Executive Manager Development Services
M. Alchin	Acting Executive Manager Community Services
P. Flude	Minute Taker

LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Cr F Mills	Shire President
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PUBLIC GALLERY

D Spackman
M.Darch
S. Bell

3. DECLARATIONS OF INTEREST

- **Financial Interest**

Cr Boshammer declared a Financial Interest in Item 12.3.2.

Cr Addis declared a Financial Interest in Item 12.4.3, 12.4.5, 12.5.1 and 12.6.3 as he is CEO of Wunan and they have a Financial Interest regarding these Items.

- **Impartiality Interest**

Cr Wright declared an Impartiality Interest for item 12.5.1 due to being a member of the Kununurra Visitors Centre and the Ord River Ski Club Inc.

- **Proximity Interest**

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. PETITIONS

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 19 MAY 2009 (8683)

RECOMMENDATION

That Council confirm the minutes of the Ordinary Council Meeting held 19 May 2009.

COUNCIL DECISION

Minute No. 8683

Moved:Cr J Parker

Seconded:Cr D Ausburn

That Council confirm the minutes of the Ordinary Council Meeting held 19 May 2009.

CARRIED UNANIMOUSLY: (8/0)

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

On behalf of Council and staff we extend our sincere condolences to Fiona Kuiper, her family and friends on the tragic and sad loss of Courtney. The Kuiper family are a wonderful part of community life in the East Kimberley and their sad loss touches many people. Our thoughts and prayers are with them.

On Wednesday 20 May I attended the national ABARE Regional Outlook conference held in Kununurra. I thank the Australian Government for their initiative in choosing our region for one of the Outlook conferences. It was most appropriate that they do so given the significance of the \$195M investment package they are funding here over the next few years. I met with Senator Gary Gray that day for a briefing in the investment profile to be made and relayed the Senator Council's recently adopted position on the need for an East Kimberley Housing Trust. This was well received by the Senator and he undertook to take this up with Minister Troy Buswell.

On Thursday 21 May I, along with Cr Addis and the CEO attended a dinner event with the Western Australian Chamber of Commerce and Industry who made a brief visit to our region.

On Sunday 24 May Kununurra held its annual Street Festival. On behalf of Council I congratulate the Muster Committee who organised the event, the many business sponsors who collaborated, and Shire staff for their support ensuring that this was the best Street Festival for many years.

On 4th & 5th June the Hon Colin Barnett, Premier of Western Australia, Minister Grylls, Minister Redman and Senator Gary Gray visited the region to launch the East Kimberley investment package.

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 19 MAY 2009 (8684)**

RECOMMENDATION

That Council note the unconfirmed minutes of the Audit Committee meeting held on Tuesday 19 May 2009.

COUNCIL DECISION

Minute No. 8684

Moved:Cr K Wright

Seconded:Cr J Parker

That Council defer the noting of the unconfirmed minutes of the Audit Committee Meeting held on Tuesday 19 May 2009 until July's Ordinary Council Meeting.

DEFERRED: (8/0)

11.2. MINUTES OF AIRPORT COMMITTEE MEETINGS

Nil

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 REPEAL OF POLICY MC3 - CONFERENCE ATTENDANCE AND NEW POLICY MC 18 - ELECTED MEMBER TRAINING (8685)

DATE:	16 June 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 present Policy MC3 – Conference Attendance to Council for repeal and to consider and recommend to Council draft proposed Policy MC18 – Elected Member Training.

BACKGROUND

This policy was adopted by Council on 15 August 2002.
No evidence of review has been noted.

STATUTORY IMPLICATIONS

Local Government Act 1995.

POLICY IMPLICATIONS

Policies require regular review to ensure they remain relevant, consistent with legislative frameworks and represent good governance in the current local government environment.

FINANCIAL IMPLICATIONS

Annual budget allocations are required to meet costs of Elected Members Training.

STRATEGIC IMPLICATIONS

Investing in training assists Elected Members with ensuring that the roles and responsibilities of the position are understood and fulfilled.

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

The current policy relates to Conference Attendance only.
A more holistic approach to Elected Members Training and Development is recommended including provision for in-house and regional training and resource sharing with neighbouring local governments.

ATTACHMENTS

1. Current Policy MC3 – Conference Attendance.
2. Proposed Draft Policy MC18 – Elected Members Training.
3. Elected Members Training/Conference Request Form.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee recommend to Council to:

1. Repeal policy MC3 - Conference Attendance.
2. Adopt new policy MC18 – Elected Members Training.

COMMITTEE DECISION

Minute AC149

Moved: Cr R Addis

Seconded: Cr D Ausburn

That the Audit Committee recommend to Council to:

1. *Repeal policy MC3 - Conference Attendance*
2. *Adopt new policy MC18 – Elected Members Training, as attached.*

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council:

1. Repeal policy MC3 - Conference Attendance
2. Adopt new policy MC18 – Elected Members Training, as attached.

COUNCIL DECISION

Minute No. 8685

Moved:Cr D Ausburn
Seconded:Cr K Wright

That Council:

1. ***Repeal policy MC3 - Conference Attendance***

2. ***Adopt new policy MC18 - Elected Members Training, as attached with an amendment so that the Policy caters for attendance of all elected members at the Annual WALGA Conference.***

CARRIED UNANIMOUSLY: (8/0)

Attachment 1

Current Policy MC3 – Conference Attendance

POLICY NO:	MC3
DIVISION:	Members of Council
SUBJECT:	Conference Attendance
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE

To ensure that elected members have the opportunity to participate in relevant training and development opportunities in order to assist them to more effectively undertake their role as community representatives.

POLICY

Councillors are encouraged to participate in training that is aimed at assisting elected members to fulfil their roles effectively. Training may take the form of formal training such as that provided through the Municipal Training Scheme, and attendance at conferences and seminars relevant to local government and specific areas of concern to the Shire.

Each year, as part of the annual budget development process, the Council shall incorporate in its budget a conferences and training allocation elected members. This shall include funding for at least three elected members to attend the annual local government week conference and additional funds for further conferences and training opportunities which may arise throughout the year.

Reimbursement of Costs

Budgeted costs for attendance at conferences and training shall include the following:

- All reasonable accommodation costs including meals, refreshments and telephone;
- If staying in accommodation other than Hotel or Motel a daily allowance the equivalent of the State Public Travel Allowance Regulations;
- All conference registration costs.

All travel costs will be met and should members wish to use their private car to travel to conferences in the Northern Territory, Pilbara or Kimberley then reimbursement will be provided at the level prescribed in the Local Government Officers (WA) Award will apply to the maximum value of the amount equal to a return seven (7) day advanced purchase airfare to the point of destination.

Other Conditions

- Attendance by members of Council to all conferences and training must be authorised in advance by the Shire President.

- All travel and registration requirements to be arranged by the Chief Executive Officer and confirmed by issue of an official Council purchase order.
- All accommodation requirements to be wherever possible arranged by the Chief Executive Officer and confirmed by an official Council purchase order. In all other cases, receipts are to be submitted to the Chief Executive Officer for reimbursement.
- Accommodation and meal allowance may be paid in advanced
- All claims to be submitted on return together with receipts/dockets etc.
- Councillors are to provide a brief written report to the next Ordinary Meeting of Council after the conference.

Adopted: 15/08/2002

Reviewed:

Amended:

Repealed:

Attachment 2

Proposed Draft Policy MC3 – Elected Members Training

POLICY NO:	MC3
DIVISION:	Members of Council
SUBJECT:	Elected Members Training
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE

To ensure that elected members have the opportunity to participate in relevant training and development opportunities in order to assist them to more effectively undertake their role as community representatives.

POLICY

Elected Members are encouraged to participate in training and development opportunities that are aimed at assisting them to fulfil their roles effectively.

Training may take the form of formal training such as that provided through the Municipal Training Scheme, attendance at conferences and seminars relevant to local government and specific areas of concern to the Shire or in house training developed to meet the needs of the current Council.

Where relevant and practical Council will consider delivery of training to Elected Members in the East Kimberley. Opportunities to utilise current technologies such as web based or teleconference type training should be considered. Regional training opportunities are encouraged whereby training is organised by the Shire and other local governments are invited to attend on a cost recovery basis.

Each year, as part of the annual budget development process, the Council shall incorporate in its budget a conferences and training allocation for elected members. This shall include funding for elected members to attend the annual local government week conference and additional funds for further conferences and training opportunities which may arise throughout the year.

Reimbursement of Costs

Costs for attendance at conferences and training where travel is involved shall include the following:

- All reasonable accommodation costs including meals, refreshments and telephone.
- If staying in accommodation other than Hotel or Motel a daily allowance, inclusive of meals, refreshments and telephone, the equivalent of the State Public Travel Allowance Regulations.
- All conference registration costs.

- Taxi vouchers for travel to and from the airport and conference venue as required.
- Where a substantial amount of travel between meetings and venues is required a hire car can be provided if deemed more cost effective by the Shire President or Chief Executive Officer.

Should members wish to use their private car to travel to conferences in the Northern Territory, Pilbara or Kimberley then reimbursement will be provided at the level prescribed in the Local Government Officers (WA) Award to the maximum value of the amount equal to a return seven (7) day advanced purchase airfare to the point of destination.

Other Conditions

- All conference and training requests shall recorded on the application form attached to this policy.
- Attendance by members of Council to all conferences and training must be authorised in advance by the Shire President.
- All travel and registration requirements to be arranged by the Chief Executive Officer and confirmed by issue of an official Council purchase order.
- All accommodation and hire car requirements are to be arranged by the Chief Executive Officer and confirmed by an official Council purchase order.
- Accommodation and meal allowance may be paid in advanced but must be reconciled with tax invoices/receipts/dockets within 14 days of return.
- All claims to be submitted within 14 days of return together with tax invoices /receipts/dockets etc.
- Councillors are to provide a brief written report to the next Briefing Session after the conference.

Adopted: xxx

Reviewed:

Amended:

Repealed:

Attachment 3

Elected Members Training/Conference Request Form



**SHIRE OF WYNDHAM EAST-KIMBERLEY
ELECTED MEMBER APPLICATION TO ATTEND
CONFERENCE/TRAINING**

- Action to be taken:
1. Complete application form
 2. Obtain approval from Shire President
 3. Forward application to CEO
 4. Prepare written report to Council following training

Name of Elected Member: _____

Conference/Course Title: _____

Subject Matter: (list briefly and attach course outline): _____

Benefits of Conference/Course to Elected Member: _____

Benefits of Conference/Course to Council: _____

Date & Period: From: _____ To: _____

Venue: _____ Cost of Conference/Course: _____

Place already reserved at course: (please circle): YES/NO

Accommodation Needed (please circle): YES/NO

Travel Requirements Needed (please circle): Air/Taxi Cab

Charges/Hire Care

Reason for Hire Car _____

PLEASE
COMPLETE
REVERSE SIDE OF

** if you are arranging private accommodation please indicate the approximate distance from this accommodation to the venue in km: _____

Elected Members Signature _____ Date _____

Approved/Declined: (please circle) _____ Date _____
Shire President

*Copies to Personnel File and Training Folder (Administration Department)

TRAVEL AND ACCOMMODATION INFORMATION

Charge to Account No: _____ Title: _____

TRAVEL FROM	TRAVEL TO	DAY & DATE OF TRAVEL	FLIGHT AM/PM	FLIGHT NO.	DEPARTURE & ARRIVAL TIMES

ACCOMMODATION FROM IN (DAY & DATE)	ACCOMMODATION TO OUT (DAY AND DATE)	NAME, ADDRESS & PHONE/FAX NO. OF HOTEL

COST OF AIR TRAVEL	COST OF ACCOMMODATION	COST OF HIRE CAR

SPECIAL NOTES/COMMENTS: _____

12.1.2 GOVERNMENT GUARANTEE ON DEPOSITS (8686)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham-East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Finance Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.36.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a position regarding the Federal Governments Bank Deposits Guarantee.

BACKGROUND

Recent turmoil in the financial markets resulted in public concerns regarding security of money held with financial institutions.

As a result the Federal Government announced it would guarantee money on deposit with Authorised Deposit-Taking Institutions (ADIs) regulated by the Australian Prudential Regulation Authority for a period of three years from 12 October 2008.

This was provided at no charge to the institutions (and therefore customers) from 12 October 2008 to 28 November 2008. After this time deposits above a threshold of \$1M per customer would only be guaranteed by the Government if the institution applied for the guarantee and agreed to pay the relevant fee.

The Government indicated the guarantee fee would initially be set at:
70 basis points per annum (0.7% pa) for AA rated institutions;
100 basis points per annum (1.0% pa) for A rates institutions; and
150 basis points per annum (1.5% pa) for BBB rated and unrated institutions.

The authorised deposit-taking institutions to which the guarantee applies are subject to prudential regulation by the Australian Prudential Regulation Authority which is intended to assure investors that these institutions are adequately capitalised and have appropriate risk management systems in place to ensure they have the capacity to meet their obligations

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy F17 – Investments Policy

FINANCIAL IMPLICATIONS

Interest rates provided by institutions for investments would effectively be decreased by the fee (as a basis points per annum). This would impact on revenue received as interest payments on funds held with ADIs.

STRATEGIC IMPLICATIONS

Key result area 5 - Governance.

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

WALGA have advised that the history of failure of Australian deposit-taking institutions doesn't provide an extensive database to undertake a clear risk assessment. Similarly this is also the case with the current circumstances in financial and credit markets history. Therefore, it becomes a matter of risk preference as to whether to accept the guarantee, and pay the premium.

In February 2009 WALGA released results of a survey undertaken of Local Governments across the State regarding their attitude to the Federal Government Bank Deposits Guarantee.

Sixty one Local Governments responded, summarised as follows:

Amount on Deposit	Number of Respondents	Respondents Guaranteeing ALL Deposits	Respondents Guaranteeing SOME Deposits
\$1 – less than \$10 million	33	2 (6%)	5 (15%)
\$10 million or more	19	5 (26%)	4 (21%)

It was commented in the survey results that many smaller depositors noted that they deposited less than \$1million with each institution and so avoided the fee associated with guaranteeing deposits. It was also noted in some cases that term deposits had not matured since the fee was introduced; hence decision regarding roll-overs or new investments had not been made.

Financial institutions that hold our funds have advised that up to \$1M (cumulative customer holding) held with each institution is covered under the government guarantee free of charge. Where funds are held with any one institution over \$1M (cumulative customer holding), the customer must advise if they wish these funds to be covered by the Government Guarantee and the interest rate applied to these funds would then be reduced by 0.7% pa. The balance of the individual accounts is not relevant.

The Shire of Wyndham East Kimberley currently has funds with approved ADIs in accordance with Policy F17 – Investment Policy. This Policy was reviewed and adopted by Council in January 2009 with the best management practices as recommended by the Department of Local Government and Regional Development through a Local Government Operational Guideline. All funds are in cash accounts, and all ADI's utilised have a rating of AA.

Councils deposit funds as at 7 May 09 are as follows:

Bank	Type of Accounts	Total Amount with ADI	Maturity Dates (if applic)
Bankwest	Daily trading accounts, fixed term cash deposit investments	\$4,621,857	At call, July 2009
Westpac Banking Corporation	Fixed term cash deposit investments	\$2,200,000 (Principal)	June 2009
National Australia Bank	Fixed term cash deposit investments	\$1,113,571 (Principal)	June 2009
Commonwealth Bank of Australia	Fixed term cash deposit investments	\$1,000,000 (Principal)	June 2009

Provided is an example of impacts of the Government Guarantee option on returns:

Amount of funds held by ADIs	\$8,900,000
Amount covered by Guarantee with no fee applicable (ie: \$1M per ADI)	\$4,000,000
Balance of funds with ADIs not covered under Guarantee	\$4,900,000
Example interest rate (Not Guaranteed)	3.5%pa
Estimated revenue on funds not covered under Guarantee	\$171,500
Example interest rate (Guaranteed)	2.8%pa
Estimated revenue on funds covered under Guarantee	\$137,200

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee having considered the information regarding the Federal Government Bank Deposits Guarantee and the risk associated with investing in accordance with Council adopted Investment Policy, recommends to Council to adopt the position of not requiring funds in excess of \$1Million per Authorised Deposit -Taking Institutions to be covered by the Government Guarantee.

COMMITTEE DECISION

Minute AC150

Moved: Cr F Mills

Seconded: Cr R Addis

That the Audit Committee having considered the information regarding the Federal Government Bank Deposits Guarantee and the risk associated with investing in accordance with Council adopted Investment Policy, recommends to Council to

adopt the position of not requiring funds in excess of \$1Million per Authorised Deposit-Taking Institutions to be covered by the Government Guarantee.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council having considered the information regarding the Federal Government Bank Deposits Guarantee, the risk associated with investing in accordance with Council adopted Investment Policy, and the recommendation from the Audit Committee, adopts the position of not requiring funds in excess of \$1Million per Authorised Deposit-Taking Institutions to be covered by the Government Guarantee.

COUNCIL DECISION

Minute No. 8686

Moved:Cr D Ausburn

Seconded:Cr J Moulden

That Council having considered the information regarding the Federal Government Bank Deposits Guarantee, the risk associated with investing in accordance with Council adopted Investment Policy, and the recommendation from the Audit Committee, adopts the position of not requiring funds in excess of \$1Million per Authorised Deposit-Taking Institutions to be covered by the Government Guarantee.

CARRIED UNANIMOUSLY: (8/0)

12.1.3 PROPOSED NEW POLICY MC16 - FREEMAN OF THE SHIRE OF WYNDHAM EAST KIMBERLEY (8687)

DATE:	16 June 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 a new policy that sets the criteria, process of nomination and entitlements in relation to awarding an individual the honorary status of Freeman of the Shire of Wyndham East Kimberley.

BACKGROUND

In considering the recognition of Councillors on retirement the concept of Freeman Status was raised. Freeman Status in the Local Government context is to honour exceptional individuals who through their personal endeavours and commitment have made an outstanding contribution to their communities. Freeman status is often available to people who may not have served on Council so it is considered that a separate policy is required should Council wish to implement Freeman Status within the Shire.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

A new policy will be required.

FINANCIAL IMPLICATIONS

Freeman status can involve presentations such as framed certificates though these are generally at a low cost. Additionally, the policy may entitle the recipient to attend Council civic functions, at no cost.

STRATEGIC IMPLICATIONS

Recognition by Council of exceptional contribution by and individual to the Community of Wyndham East Kimberley.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

A review was undertaken of policies and procedures of Councils that award Freeman Status.

GENERAL OVERVIEW TO HONOUR EXCEPTIONAL INDIVIDUALS AS "FREEMAN OF THE SHIRE/CITY": (Extracts From Three Policies, City Of Armadale, City Of Joondalup and Shire Of Moora)

Criteria:

- *Exceptional service is a matter of public record.*
- *Lived in, worked or served the Shire or its former entity for a significant number of years (20 or more.)*
- *They will have identifiable and long standing connections with the community.*
- *Their endeavours will have benefited the community, Australia and humanity.*
- *Have made an outstanding, significant and meritorious contribution to the Shire.*
- *A limited number of living persons can be Freeman at any time.*

Process of Nomination:

- *Nominations will be considered infrequently or as the need is identified by Council.*
- *A nomination may be submitted by any person at any time, provided that nomination is in writing and addresses the criteria for the award.*
- *A nomination must be sponsored by an elected member and supported in writing by at least 3 other elected members.*
- *A nominee must not be made aware of their nomination*
- *Any nominations received will be validated and the findings presented at a meeting of Council behind closed doors, with recommendations to approve/not approve a nominee for the award. The decision will be based on a simple majority vote.*
- *Acceptance of the award must be determined prior to being conferred.*
- *Conferring the award upon an individual will take place at a meeting of council or at a special event to be determined by Council.*

Entitlements:

- *Any person who has the honour of Freemanship bestowed may refer to themselves as Freeman of the Shire/City.*
- *The Freeman will be presented with a special plaque, name badge and certificate at a function to be hosted by council to acknowledge their Freemanship*
- *The Freeman shall be invited at no cost to formal civic events and functions*
Freeman shall be included on the Shire's Honour Board.
- *A photograph and plaque of the Freeman is to be displayed in an appropriate place.*

Based on the above research the draft policy as attached is provided for discussion, consideration and recommendation to Council.

ATTACHMENTS

Draft Proposed Policy MC16 – Freeman of the Shire of Wyndham East Kimberley.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee having considered Draft Policy MC16 – Freeman of the Shire of Wyndham East Kimberley recommends the Policy to Council for adoption.

COMMITTEE DECISION

Minute AC146

Moved: Cr R Addis

Seconded: Cr F Mills

That the Audit Committee having considered Draft Policy MC16 – Freeman of the Shire of Wyndham East Kimberley recommends the Policy to Council for adoption with the following amendment:

Limitations:

- In recognition of the significance and standing of Freemanship a maximum of five (5) living persons shall hold title of Freeman of the Shire of Wyndham East Kimberley at any time.*

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council adopts the proposed Draft Policy MC16 – Freeman of the Shire of Wyndham East Kimberley as attached and amended.

COUNCIL DECISION

Minute No. 8687

Moved:Cr D Ausburn

Seconded:Cr K Wright

That Council adopts the proposed Draft Policy MC16 - Freeman of the Shire of Wyndham East Kimberley as attached and amended.

CARRIED UNANIMOUSLY: (8/0)

Attachment 1
Draft Proposed Policy

POLICY NO:	MC16
DIVISION:	Members of Council
SUBJECT:	Freeman of the Shire of Wyndham East Kimberley
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE

To enable Council to honour exceptional individuals who have served the community in an outstanding and meritorious manner that stands above the service and contribution of most other persons in provision of benefits to the community and advancing the strategic interests of the East Kimberley.

POLICY

Award Criteria:

A person may be nominated for the honorary award 'Freeman of the Shire of Wyndham East Kimberley' under the following circumstances:

- They will have identifiable and long standing connections with the community in the Shire of Wyndham East Kimberley and have made an outstanding, significant and meritorious contribution to the Shire
- Their exceptional service is a matter of public record.
- Their endeavours will have benefited the community of the East Kimberley, Australia and humanity.

Process of Nomination:

- Nominations will be considered infrequently or as the need is identified by Council.
- A nomination may be submitted by any person at any time, provided that nomination is in writing and addresses the criteria for the award.
- A nomination must be sponsored by an elected member and supported in writing by at least 3 other elected members.
- A nominee must not be made aware of their nomination.
- Any nominations received will be validated and the findings presented at a meeting of Council behind closed doors, with recommendations to approve/not approve a nominee for the award. The decision will be based on a simple majority vote.
- Acceptance of the award must be determined prior to being conferred.

Entitlements:

- Any person who has the honour of Freemanship bestowed may refer to themselves as Freeman of the Shire of Wyndham East Kimberley
- The Freeman will be presented with a special plaque, name badge and framed certificate at a function to be hosted by Council to acknowledge their Freemanship.
- The Freeman shall be invited to formal civic events and functions held by Council.

- A photograph and plaque of the Freeman is to be displayed in an appropriate place.

Limitations:

- In recognition of the significance and standing of Freemanship a maximum of three (3) living persons shall hold title of Freeman of the Shire of Wyndham East Kimberley at any time.
- Bestowing of the title Freeman of the Shire of Wyndham East Kimberley carries with it no legal rights or privileges.

Adopted: xxx

12.1.4 WRITE OFF OF ANSETT DEBT(8688)

DATE:	16 June 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 recommend to Council to write off the sundry debtor relating to the collapse of Ansett.

BACKGROUND

In September 2001 Ansett Australia collapsed leaving a debt with the Shire relating to unpaid airport fees (head taxes and landing fees). Some of the debt was repaid but a balance of \$163,681.15 is still outstanding. This amount is held on our balance sheet as a sundry debtor with an offset allowance for Provision for Doubtful Debts.

STATUTORY IMPLICATIONS

Local Government Act 1995 - 6.12 Power to defer, grant discount, waive or write off debts.

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

which is owed to the local government

**absolute majority required*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The debt has already been provided for in Provision for Doubtful Debts. The net balance carried in the balance sheet is nil.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The debt shows up in sundry debtors and doubtful debts on the notes to the balance sheet. This has the impact of appearing that our debt collection procedures are lacking. There is no real benefit in keeping the item in the balance sheet. The chances of any payment against the debt are minimal and writing back the debt does not preclude the Shire from the creditors claim against the company.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority.

OFFICER'S RECOMMENDATION

That the Audit Committee recommend to Council to write off the \$163,681.15 Ansett Debt and associated provision for doubtful debts recorded in the balance sheet.

COMMITTEE DECISION

Minute AC151

Moved: Cr D Ausburn

Seconded: Cr R Addis

That the Audit Committee recommend to Council to write off the \$163,681.15 Ansett Debt and associated provision for doubtful debts recorded in the balance sheet.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council write off the \$163,681.15 Ansett Debt and associated provision for doubtful debts recorded in the balance sheet.

COUNCIL DECISION

Minute No. 8688

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

That Council write off the \$163,681.15 Ansett Debt and associated provision for doubtful debts recorded in the balance sheet.

CARRIED UNANIMOUSLY: (8/0)

12.1.5 REPORT ON STATUS OF ACTIONS TAKEN IN RELATION TO THE RESULTS OF AUDIT FOR THE YEAR ENDED 30 JUNE 2008 (8689)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham-East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Finance Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.34.04
ASSESSMENT NO:	N/A

PURPOSE

That Council having ensured that appropriate actions and progress is being made in relation to results of audit for the year ended 30 June 2008 adopts this report and forwards a copy to the Minister of Local Government by 30 June 2009

BACKGROUND

The role of the Audit Committee is to examine and consider the results of the annual audit as well as the management response to any issues raised by auditors.

UHY Haines Norton, Councils appointed auditors conducted the annual audit for 2007/08. The result of this audit is an Independent Audit Report and a Management Report. These documents were presented to the 16 December Audit Committee Meeting. Following recommendation by the Audit Committee Council resolved:

Minute No. 8461

Moved: Cr K Wright

Seconded: Cr D Ausburn

1. *That Council receives the Independent Audit Report to the Electors of the Shire of Wyndham East Kimberley.*
2. *That Council receives the Management Report for the Year Ended 30 June 2008*
3. *That the following actions be taken in relation to the results of Audit for the Year Ended 30 June 2008*
 - a) *Management investigate and report back to the Audit Committee on adequate software controls including encryption of payment details to ensure security of electronic payments.*
 - b) *Management investigate, document and implement preventative controls over electronic payments.*
 - c) *Management issue a memo to all staff with purchasing authority detailing the audit findings in relation to purchasing procedures and direct them to comply with the requirement to issue a purchase order prior to ordering of goods and services or their purchasing authority will be revoked.*
 - d) *A revised Purchasing Policy is presented to the next Audit Committee meeting.*
 - e) *The Tender Register is to be made compliant with Functions and General Regulation 17 and this is reported back through the Audit Committee.*

4. *That a report on the status of actions taken in relation to the results of Audit for the Year Ended 30 June 2008 is included in the Audit Committee Agenda as a standing item until all issues are resolved.*
5. *That the actions in relation the results of Audit for the Year Ended 30 June 2008 are reported to the Minister following the May 2009 Audit Committee Meeting.*

STATUTORY IMPLICATIONS

Local Government Act 1995 Section 7.12A(3)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountability and transparency of the Shire's accounting functions.
The Audit Committee fulfilling the functions and responsibilities of the Committee

COMMUNITY CONSULTATION

Community Consultation in not required in relation to this item.

COMMENT

This item is a standing item to be included on the Audit Committee Agenda until all issues are resolved.

ATTACHMENTS

Report on status of actions taken in relation to the results of audit for the year ended 30 June 2008

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee having ensured that appropriate actions and progress is being made in relation to results of audit for the year ended 30 June 2008 recommend this report to Council for adoption and to forward a copy to the Minister of Local Government by 30 June 2009.

COMMITTEE DECISION

Minute AC156

Moved: Cr F Mills

Seconded: Cr D Ausburn

That the Audit Committee having ensured that appropriate actions and progress is being made in relation to results of audit for the year ended 30 June 2008 recommend this report to Council for adoption and to forward a copy to the Minister of Local Government by 30 June 2009.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council having ensured that appropriate actions and progress is being made in relation to results of audit for the year ended 30 June 2008 adopts this report and forwards a copy to the Minister of Local Government by 30 June 2009

COUNCIL DECISION

Minute No. 8689

Moved:Cr D Ausburn

Seconded:Cr K Wright

That Council having ensured that appropriate actions and progress is being made in relation to results of audit for the year ended 30 June 2008 adopts this report and forwards a copy to the Minister of Local Government by 30 June 2009.

CARRIED UNANIMOUSLY: (8/0)

Attachment Item 1

Actions be taken in relation to the results of Audit for the Year Ended 30 June 2008

Audit Issue - Electronic Payments

We note insufficient controls over the loading of EFT payments and changing of staff and creditor banking details.

Evidence suggests adequate preventative controls have not yet been established or implemented.

To ensure all payments made are bona fide and appropriately authorised, we recommend further investigation and implementation of appropriate higher level control measures that are preventative (rather than detective) in nature be implemented.

The system should be structured to allow for risk areas to be easily reviewed and these reviews should be routinely conducted by staff independent of the payment process.

Management Response – Electronic Payments

Control weaknesses exist in the way Synergy information is transferred to the Bank. For this control weakness to be addressed properly the payment files require encryption by Synergy in an agreed format with the Bank so the payment details can be read by the bank software. This preventative control may take some time to be developed.

The file transfer folders are restricted to ensure access to only those officers who have banking authority. Payment files are loaded into the banking software immediately on creation to reduce the window of opportunity for alteration. Further controls can be developed but these are detective in nature (eg. audit trails of changes to banking details) rather than preventative.

Action Required (Minute 8461)	Responsible Officer(s)	Actions taken to Date
Management investigate and report back to the Audit Committee on adequate software controls including encryption of payment details to ensure security of electronic payments.	EMCPS	13.01.2009 – Support request lodged with IT Vision 10.03.2009 – Discussions ongoing with IT Vision 12.05.2009 – The IT Vision User Group have raised this issue with IT Vision on behalf of user group members. Resolution still outstanding
Management investigate, document and implement preventative controls over electronic payments	EMCPS	13.01.2009 – Investigations current. 10.03.2009 – Database restrictions do not currently enable access to change banking details to be restricted without restricting amending all other details within module. IT Vision have lodged a development request for this as an enhancement in future releases. Until then, an audit trail logs changes to details. With the assistance of IT Vision, processes are being implemented whereby a report of banking details changes can be reviewed by the Manager Financial Services each week and cross referenced to supporting documentation. Documentation of controls still to be done. 12.05.2009 – Still awaiting resolution by IT Vision

Audit Issue – Purchasing Procedures

During testing of purchases we noted certain cases where Purchase Orders were raised after receipt of invoices or delivery of goods.

Once issued, purchase orders commit the Shire to expenditure. It is important for the value of the order to be known prior to the authorisation to control expenditure and ensure dollar value limits for staff are not exceeded. This will help ensure all goods ordered have been appropriately authorised and also helps ensure budget responsibility.

Management Response – Purchasing Procedures

In general most officers with purchasing authority comply with the requirement to issue a purchase order prior to the purchase goods and services. There are however a few employees who do not comply with this requirement. These employees have been reminded of the need to comply with purchasing requirements in the past.

Action Required (Minute 8461)	Responsible Officer(s)	Actions taken to Date
Management issue a memo to all staff with purchasing authority detailing the audit findings in relation to purchasing procedures and direct them to comply with the requirement to issue a purchase order prior to ordering of goods and services or their purchasing authority will be revoked.	EMCPS	13.01.2009 – Memo being drafted for circulation waiting on revised purchasing policy to distribute with memo. 10.03.2009 – Purchasing Policy held over in Council meeting as attachment not included in agenda. 12.05.2009 – Memo and copy of Purchasing Policy issued to all staff with purchasing authority. Administrative procedures for obtaining, recording and retaining quotes information are being developed to assist officers to comply with purchasing policy.

Audit Issue – 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.

Management Response – Purchasing Policy

Management agrees with the audit finding
Review of the purchasing policy is on the Audit Committee Planner for review.

Action Required (Minute 8461)	Responsible Officer(s)	Actions taken to Date
A revised Purchasing Policy is presented to the next Audit Committee meeting.	EMCPS	13.01.2009 – Draft revised Purchasing Policy included in agenda. 10.03.2009 – Policy recommended to Council by Audit Committee. Held over from February Council meeting to March meeting as attachment not included in agenda. 12.05.2009 – Policy adopted by Council 17 March 2009. Minute 8584 refers.

Audit Issue – Tender Register

As raised in previous years, the tender register did not appear to be up to date in respect of all necessary details required by Functions and General Regulation 17.

We recommend procedures be implemented to help ensure all details are recorded promptly and the register is complete with all necessary requirements.

Management Response – Tender Register

Management agrees with the audit finding

Review of the purchasing policy is on the Audit Committee Planner for review.

Action Required (Minute 8461)	Responsible Officer(s)	Actions taken to Date
The Tender Register is to be made compliant with Functions and General Regulation 17 and this is reported back through the Audit Committee.	EMCPS	13.01.2009 – Maintenance of the Tender Register is not in line responsibility of EMCPS but a new tender register will be developed by Corporate Services to ensure compliance with legislative requirements. 12.05.2009 – EMERS and Engineering Support Officer have reviewed the tender register requirements and developed procedures and a checklist to ensure compliance.

Legislative Compliance (Section 7.12A (3)& (4) Local Government Act 1995)

- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
- (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to —
- (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
 - (b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

Action Required (Minute 8461)	Responsible Officer(s)	Actions taken to Date
That a report on the status of actions taken in relation to the results of Audit for the Year Ended 30 June 2008 is included in the Audit Committee Agenda as a standing item until all issues are resolved.	EMCPS	13.01.2009 - Report included as standing item (This report)
The actions in relation the results of Audit for the Year Ended 30 June 2008 are reported to the Minister following the May 2009 Audit Committee Meeting	EMCPS	13.01.2009 – No action required until earlier of May 2009 or all issues being resolved. 12.05.2009 – Officer Recommendation to committee to accept report and recommend to Council for adoption and forwarding to Minister.

12.1.6 REVIEW OF POLICY MC6 - COUNCILLORS PRESENTATION ON RETIREMENT (8690)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham East Kimberely Wyndham-East Kimberley
LOCATION:	Shire Of Wyndham East Kimberely
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 present Policy MC6 - Councillors Presentation on Retirement, to the Audit Committee for review and recommendation to Council.

BACKGROUND

The current policy was adopted on 15 May 2005 and reviewed by Council on 21 February 2006. A revised policy was presented to the 10 March 2009 Audit Committee Meeting where the committee resolved:

Minute AC133

Moved: Cr D Ausburn

Seconded: Cr R Addis

That the Committee request modifications to policy MC6 – Councillors Presentation on Retirement, with consideration of other non monetary forms of recognition comparable with other Councils, including (but not limited to):

- *Recognition to be of contribution and roles undertaken, as well as term of office*
- *Potential forms of recognition:*
 - *Honour boards/photograph gallery*
 - *Civilian “Freeman” status (eg: honorary “freedom of the city”)*
 - *Media recognition*
 - *Recognition function:*
 - *Mid term retirement – presentation with Councillors and Senior Staff present*
 - *End of term retirement – social function with Councillors, Senior Staff and partners to be held just prior to election*

Carried Unanimously: 3/0

STATUTORY IMPLICATIONS

Local Government Act 1995.

POLICY IMPLICATIONS

Policy MC6 - Councillors Presentation on Retirement.

FINANCIAL IMPLICATIONS

Cost of functions and presentations need to budgeted for in members expenses.

STRATEGIC IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

No community consultation was required for this item.

COMMENT

The current policy entitles the retiring Councillor to retain their name plaque. It is considered that more should be done to recognise service to the Council and Community.

A review of policies from other Councils and discussion with the Chief Executive Officer has resulted in the following being proposed:

Councillors on retirement will be presented with:

- *Their name plaque*
- *An A3 framed Certificate of Service detailing term(s) of service as a Councillor, Shire President or Deputy Shire President.*
- *An appropriate gift bearing the Shire of Wyndham East Kimberley brand to be chosen by the Shire President to a value not exceeding \$200.*

The presentation shall be made at a Council social function to be held within three weeks of an election. The function with Councillors (existing, retiring and newly elected) and senior staff is to commemorate the service of retiring Councillors and welcome newly elected Council members.

Media recognition via a Press Release will be issued by the Shire President upon accepting the resignation of a Councillor or following a Councillor not being re-elected.

Freeman Status should be to honour exceptional individuals who through their personal endeavours and commitment have made an outstanding contribution to the community of Wyndham East Kimberley. As such this award is available to people who may not have served on Council so it is considered that this belongs in a separate policy.

The current honour boards display each Councillor and Shire President with terms detailed. It is not considered any additional honour boards are required. A photo galley is not proposed at this time due to the lack of space to display such a gallery. Issues such as availability of photos of previous Councillors, when the gallery should commence from, consistence of quality, size and colour of photos, responsibilities for maintaining the gallery and where it will be displayed need to be resolved. An alternative could be a photo album which has many similar issues but is easier to store.

ATTACHMENTS

1. Current Policy MC6 – Councillors Presentation on Retirement.
2. Proposed Amended Policy MC6 – Councillors Presentation on Retirement.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee recommends to Council that the following proposed amended Policy MC6 - Councillors Presentation on Retirement be adopted.

COMMITTEE DECISION

Minute AC145

Moved: Cr R Addis

Seconded: Cr D Ausburn

That the Audit Committee recommends to Council that the following proposed amended Policy MC6 - Councillors Presentation on Retirement be adopted.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council adopts the proposed amended Policy MC6 - Councillors Presentation on Retirement as attached.

COUNCIL DECISION

Minute No. 8690

Moved:Cr D Ausburn

Seconded:Cr K Wright

That Council adopts the proposed amended Policy MC6 - Councillors Presentation on Retirement as attached.

CARRIED UNANIMOUSLY: (8/0)

Attachment 1
Existing Policy

POLICY NO:	MC6
DIVISION:	Members of Council
SUBJECT:	Councillors Presentation on Retirement
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE

To recognise efforts of Councillors at the end of their term(s).

POLICY

Councillors retiring at the end of their term be presented with their engraved name plate including their years of service as a Councillor.

Last Reviewed: 21/02/06
Adopted: 15 May 2005

Attachment 2
Proposed Amended Policy

POLICY NO:	MC6
DIVISION:	Members of Council
SUBJECT:	Councillors Presentation on Retirement
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE

To provide formal recognition of service to Council and the Community of Councillors on retirement.

POLICY

To formally recognise the service to the Shire of Wyndham-East Kimberley of Councillors who resign, retire or are not re-elected and who have served a minimum of one (1) term as Councillor.

Councillors on retirement will be presented with:

- Their name plaque
- An A3 framed Certificate of Service detailing term(s) of service as a Councillor, Shire President or Deputy Shire President.
- An appropriate gift bearing the Shire of Wyndham East Kimberley brand to be chosen by the Shire President to a value not exceeding \$200.

The presentation shall be made at a Council social function to be held within three weeks of an election. The function with Councillors (existing, retiring and newly elected) and senior staff is to commemorate the service of retiring Councillors and welcome newly elected Council members.

Media recognition via a Press release will be issued by the Shire President upon accepting the resignation of a Councillor or following a Councillor not being re-elected.

Amended: xxx
Reviewed: 21 February 2006
Adopted: 15 May 2005

12.1.7 PROPOSED NEW POLICY MC17 - COUNCILLOR INDUCTION PROGRAM (8691)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham-East Kimberley
LOCATION:	Shire Of Wyndham East Kimberely
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 and recommend to Council a policy to ensure all new members are provided with sufficient and consistent induction into their new role.

BACKGROUND

At the briefing session on 5 May 2009 the Shire President and Chief Executive Officer presented a briefing on Councillor Code of Conduct. At this briefing Councillors noted that this presentation was valuable and should be incorporated into an Elected Members Induction Program to be delivered within three weeks of election. The concept of inviting Halls Creek Shire to join with the Council in this training was also noted.

STATUTORY IMPLICATIONS

Local Government Act 1995.

POLICY IMPLICATIONS

New policy is proposed.

FINANCIAL IMPLICATIONS

Cost in developing Program and delivery of training, for example catering, travel and training material resources. The external cost is expected to be relatively small.

STRATEGIC IMPLICATIONS

All Elected Members need to quickly become aware of the operation of the local government, the current issues that the local government is dealing with and, most importantly, their responsibilities and the role expected of them.

COMMUNITY CONSULTATION

Nil

COMMENT

The Department of Local Government and Regional Development releases Operational Guidelines to assist Local Governments to achieve a greater level of compliance and governance. Guideline Number 4 – Elected Member Induction is relevant to this item.

ATTACHMENTS

1. Draft Proposed Policy MC17 – Elected Member Induction Program
2. Local Government Operational Guideline Number 4. - Elected Member Induction.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee having considered Draft Policy MC17 – Elected Member Induction Program recommends the Policy to Council for adoption.

COMMITTEE DECISION

Minute AC147

Moved: Cr F Mills

Seconded: Cr R Addis

That the Audit Committee having considered Draft MC17 – Elected Member Induction Program recommends the Policy to Council for adoption.

Carried Unanimously: 4/0

COMMITTEE RECOMMENDATION

That Council adopts the proposed Draft Policy MC17 – Elected Member Induction Program as attached.

COUNCIL DECISION

Minute No. 8691

Moved:Cr D Ausburn

Seconded:Cr K Wright

That Council adopts the proposed Draft Policy MC17 – Elected Member Induction Program as attached.

CARRIED UNANIMOUSLY: (8/0)

Attachment 1

Draft Proposed Policy

POLICY NO:	MC17
DIVISION:	Members of Council
SUBJECT:	Elected Member Induction Program
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE

To ensure all new elected members quickly become aware of the operation of the local government, the current issues that the local government is dealing with and, most importantly, their responsibilities and the role expected of them.

POLICY

In setting the timeline and key dates for an election the Chief Executive Officer and Returning Officer shall determine and set aside two (2) days for an Elected Member Induction and Training Program. This date is to be within three (3) weeks of the election date and where practical prior to the next Ordinary Meeting of Council.

All candidates nominating for election will be notified that a compulsory two (2) day Elected Member Induction and Training Program has been scheduled and the dates they will be required to attend.

The Induction and Training Program will be delivered by the Shire President with assistance from the Chief Executive Officer and other Senior Staff. The program and resources will be developed by the Chief Executive Officer in consultation with the Shire President.

The program is to be based on the Induction Checklist and other guidance contained in The Department of Local Government and Regional Development publication Elected Member Induction – Local Government Operational Guideline Number 4.

A follow-up meeting involving the Shire President and individual new members shall take place six to nine months after election to identify and address any areas where additional support, training or development could be provided and to identify how the induction program can be improved.

To facilitate building relationships and regional co-operation the Shire President will invite adjoining Councils, in particular Halls Creek, to participate in the Councillor Induction and Training Program.

Adopted: xxx

Attachment 2

Local Government Operational Guideline Number 4 – Elected Member Induction

Elected Member Induction

Local Government Operational Guidelines – **Number 04** Revised February 2006



Department of Local Government
and Regional Development
Government of Western Australia

www.dlgrd.wa.gov.au

Elected Member Induction

1. Introduction

- 1 Local government is involved in a very diverse range of issues that have a direct impact on the community and its way of life. This provides elected members with many exciting challenges in effectively dealing with these issues. It is therefore vitally important that newly elected members quickly become aware of the operation of the local government, the current issues that the local government is dealing with and, most importantly, their responsibilities and the role expected of them.
- 2 Some newly elected members will begin their roles with prior knowledge of their local government's operations and the relevant legislation under which it works. Others may not have a great deal of knowledge.
- 3 A thorough induction program will effectively assist newly elected members to understand their roles and responsibilities as members of council and what is expected of them. This guideline will assist Chief Executive Officers (CEOs) and Mayors/Presidents in the development and delivery of such an induction program.

2. Developing an induction manual

- 4 To assist elected members to understand their roles and responsibilities, CEOs should consider the development of an appropriate 'Elected Members Induction Manual'. The 'Induction Checklist' included in this guideline will assist in developing the Manual and ensure all relevant topics are adequately covered. Publications likely to be needed as part of the induction program should also be identified.
- 5 The Manual may form the basis of the induction program instituted by the CEO and be in a format that provides a ready reference for new members.

3. Determining suitable new member induction procedures

- 6 Local governments are free to conduct induction programs that best suit their needs. The development and adoption of procedures covering issues as set out below, in conjunction with the use of the 'Induction Checklist', will facilitate a thorough induction program.

Timing

- 7 The new member induction should take place as soon as possible after the election. The 'declaration ceremony' presents an ideal opportunity to welcome new elected members, to acknowledge the significance of their election to represent the local community and to commence the induction process.
- 8 Attendance at the ceremony and an associated social gathering by the new members' families, existing elected members and their partners, the CEO and senior officers of the local government would be a positive team building exercise. All can use the social gathering to get to know one another and establish relationships with those that they will need to communicate and work with.
- 9 While it would be preferable in the interests of team building to have all newly elected members attend a 'declaration ceremony' together, legally the declaration of office by an elected member can be made before an authorised witness, who can be a JP, or the CEO, at any time after the declaration of the election.
- 10 Newly elected members should be made aware that one of their first duties will be to elect the Mayor/President (where not elected by the electors), Deputy Mayor/President and appointment of members to committees. If your local government does this immediately following the 'declaration ceremony', then newly elected members should be provided with information on the election process as an initial part of the induction program.
- 11 Pre-planning by the CEO will allow him or her to formally advise all of the candidates for election of the proposed timetable for the 'declaration ceremony' and induction program. Such notice will enable candidates to make their own tentative arrangements subject to their being elected.

Induction is a Shared Responsibility

- 12 Inductions will be more effective and beneficial if considered to be the shared responsibility of the CEO, the Mayor or President and the newly elected members. Ideally, the briefings by the Mayor or President and CEO would cover important local government operational issues such as meeting procedures, council structure, Code of Conduct and the roles and responsibilities of elected members.
- 13 Provision should be made in the induction program to enable the Mayor or President the opportunity to brief the newly elected members and provide guidance and advice from the elected members' perspective.
- 14 In the time period between the 'declaration ceremony' and the first council or committee meetings, new members have a responsibility to prepare themselves for their new role on council by full and active participation in the induction program. This can be through the study of the resource material provided by the CEO which may include a council agenda, past minutes, current and proposed budget, a briefing on current issues, Standing Orders, the Code of Conduct and an Induction Manual.

Local Government District Tour and Briefing

- 15 A tour of the district for the new members incorporating an onsite inspection of major works in progress or pending, inspection of council facilities and a briefing by relevant staff on the local government's facilities and services can be a valuable learning experience when incorporated into the induction program.

Induction Follow Up

- 16 A follow-up program should be held between six and nine months after the induction. This follow-up involving the Mayor/ President, new members and the CEO, will help to identify and address any areas where additional support, training or development could be provided to the members. It is also a great opportunity to obtain feedback from the new members with a view to improving the induction program.

INDUCTION CHECKLIST

General information

Declaration of Office

- When and where
- Making the declaration of office
- Code of Conduct
- Include advice that an offence is committed if the member elected acts as elected member prior to making the necessary declaration of office

Induction Briefings

- By Mayor/President
- By CEO
- By senior staff on facilities and services
- By others
- Tour of local government facilities

Induction/Training Courses Available

- "Getting Started" a module for newly elected members
- Local Government Week elected member training and development
- Elected Member Development Training Modules
- Mayors/Presidents Support Program [specifically for newly elected Mayors/Presidents]
- Other training both in-house and off-site

Importance of Honesty and Integrity

- Inform elected members that it is essential that at all times they act with utmost honesty, integrity, transparency and accountability, for their own benefit, their local government and that of the sector

Disclosure of Financial Interest in Returns

- Primary and Annual Returns – when and how
- Include advice of the significant penalties for failing to complete returns

Access to Council Offices/Chambers

- Restrictions on entry and access to Council Offices or Chambers during and after normal working hours
- Keys and key register
- Electronic security systems

Use of Council Property and Equipment

- Code of conduct, policy and guidelines
- Use of photocopiers, facsimiles, administration services, computers, e-mail, stationery, elected member rooms/offices
- Council and members' stationery, (eg. business cards not to be used for electioneering)

Parking

- Reserved parking and arrangements for council and committee meetings

Dress Standards

- For meetings and functions of council

Seating Arrangements

- For council and committee meetings

House Rules

- Prohibition on smoking
- Use and access to council facilities and refreshments
- Entertainment of guests
- Gifts and memorabilia
- Protocol for use of website

Media Comment

- *Local Government Act 1995* requirements
- How this applies to the local government and individual elected members

Elected Member Fees and Expenses

- *Local Government Act 1995* section 5.98 - 5.102, and regulations 30-34 AB of the *Local Government (Administration) Regulations 1995*
- How this applies to the local government and individual elected members

Insurance

- Extent of council insurance policies covering elected members

Defamation and limited privilege protection

- What this means for elected members

Government Records

- Effect of *State Records Act 2000* on elected members' mail and other documents

Publications

- Checklist of publications and documents issued to newly elected members

Council organisation

The Council

- Constitution of council and how elected. Include explanation of extraordinary elections
- Mayor/President and how elected, and for how long
- Ward representation map
- Expectation of members to work for the district as a whole rather than in isolation (wards)
- Names and contact details of all elected members
- General functions power, s3.1 of the *Local Government Act 1995* (the Act)
- Legislative power, s3.5 of the Act
- Executive functions, s3.18 of the Act

Main functions of Local Government

- Brief outline of services eg:
 - Planning
 - Works
 - Waste
 - Environmental Management
 - Economic Development
 - Community Development
 - Animal Control
 - Social Services
 - Sport and Recreation

Employees

- Organisational chart
- Names and contact details of senior employees
- Names and contact details of elected member support employees
- Policy(ies) on employee contact by elected members

Relationship between Council and Employees

- Roles and functions of the elected members, ss2.7 to 2.10, 5.2 and 5.41 of the Act

Electors

- Names and contact details of principal community groups and elector/ratepayer organisations
- Names and contact details of principal lobby groups in the local community

Meetings

Council Meetings

- Number of meetings per month
- Dates and venues for meetings
- Disclosure of Financial Interest and Conflict of Interest requirements
- Voting requirements, s5.21 of the Act

Committee Meetings

- Committee types, membership and functional responsibilities
- Dates and venues for meetings
- How and when representation to each committee is determined

Other Meetings

- Annual Electors Meeting
- Council Forums
- WALGA Meetings
- Local Government Week
- National General Assembly of Local Government

Conduct of Meetings

- Standing Orders as local laws governing meeting procedures
- How applied at council and committee meetings
- Public question time procedures for council and committee meetings
- Information provided should also include advice on how to propose motions and amendments to motions at council meetings

Agendas and Minutes

- How and when delivered
- Obligation on members to read and understand
- Process and procedure of compilation

Absence from Meetings

- Protocol for taking leave of absence
- Protocol for making an apology for a meeting
- Disqualification for not attending the number of meetings, as specified in the Act, without leave of absence

Council operations

Strategic Plan and Plan for the Future of the district

- Copy to be provided
- How and when reviewed

Finance and Budgeting

- Progress to date in developing next year's budget
- Advice of any budget meetings or workshops scheduled to be held in the next few months
- How items are listed for budget consideration
- How and when budgeted items are reviewed during each financial year
- Financial reports

Council Policies

- Explanation of how and when reviewed
- Council delegations to committees or CEO

Management Policies

- The distinction, if any, made between council policies and management policies

Requests for Works and Services

- How requests are lodged by elected members

The Council and State Government

- Explanation of the relationship between local and State Government
- Introduction to legislation that affect local government operations

Department of Local Government and Regional Development

- Explanation of the roles and responsibilities of the Department
- Contact details of the Department

Regional Development Commission (outside metropolitan area)

- Explanation of the roles and responsibilities of the Regional Development Commissions
- Contact details of the local Regional Development Commission

The Council and the Commonwealth Government

- Explanation of the relationship between local and Commonwealth Government

Obtaining Advice and Information

- Mayor/President for political and elected member issues
- CEO for policy, governance, organisation and employee management and general issues
- Senior employees for appropriate specialist issues
- The Department of Local Government and Regional Development can be contacted if the elected member feels they need comment or advice on an issue and they have exhausted all avenues within their own local government
- Freedom of Information legislation
- Access to and limits on inspection of council documents
- Newsletters
- Council's Information Bulletins

Networking

- Looking beyond the council for sources of information
- Community organisations
- Other relevant organisations
- Other local governments and regional local government (if one has been constituted for the area)
- Regional organisations and groups
- Conferences and seminars
- List of relevant web sites

Your local government

History

- Origins of the local government
- Changes in status
- Changes in boundaries
- Publication details of relevant local history

Size and Population

- Overall area
- Length and type of roads
- Area of parks and gardens
- Demographic trends (population trend, age profile, etc)

Briefing Notes

- Briefing notes on significant issues or projects currently before the council or in progress

Corporate Identity

As reflected in:

- Coat of Arms
- Emblem
- Motto
- Logo

Significant facilities

- Overview of the significant facilities provided

Significant events

- Citizenship/Australia Day Ceremonies Dates and venues
- Annual events
- Calendar of events

Publications

- *Local Government Act 1995* and associated Regulations
- Strategic Plan and Plan for the Future of the district
- Budget Papers (current or future)
- Council's most recent Annual Report
- Local Laws (including Standing Orders)
- Planning Scheme Text and Maps
- Policy Manual
- Register of Delegations of Power or Duty
- Code of Conduct
- Minutes of recent council and committee meetings
- Councillor Request for Works and Services Memorandum Book (or equivalent)
- Financial Interest Handbook by Department of Local Government and Regional Development (DLGRD)
- Other relevant DLGRD publications eg Guidelines, Lessons to be Learnt and other handbooks – select and download from DLGRD Website
- Councillor's Manual by WA Local Government Association
- WA Local Government Directory by WA Local Government Association
- Pocket Diary by Local Government Managers Australia
- Local Community Directory



Department of Local Government
and Regional Development
Government of Western Australia

www.dlgrd.wa.gov.au

FURTHER INFORMATION

For more information about this and other guidelines, contact the Local Government Support and Development Branch of the Department of Local Government and Regional Development on:

Tel: (08) 9217 1500

Fax: (08) 9217 1555

Freecall: 1800 620 511 (Country Only)

These guidelines are also available on the Department's website at www.dlgrd.wa.gov.au

ABOUT THE GUIDELINE SERIES

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance requirement. The content is based on Departmental officers' knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.

12.2. CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT (8692)

DATE:	16 June 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:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to note and accept the Monthly Financial Report for May 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

Councils 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 Report.

ATTACHMENTS

Monthly Financial Report for May 2009.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Monthly Financial Report for the Month of May 2009.

COUNCIL DECISION

Minute No. 8692

Moved:Cr J Moulden

Seconded:Cr K Torres

That Council accept the Monthly Financial Report for the Month of May 2009.

CARRIED UNANIMOUSLY: (8/0)



Shire of Wyndham East Kimberley

Monthly Financial Report 2008/09

As at 31 May 2009

Presented to Council 16 June 2009

- Statement of Financial Activity
- Note to Statement of Financial Activity (Net Current Asset Position)
- Note to Statement of Financial Activity (Explanation of Material Variances)
- Note to Statement of Financial Activity (Budget Remaining to Collect/Spend)
- Monthly Report on Investment Portfolio (Cash)

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

	Year to Date Budget		Year to Date Actual		Variance	
	\$	\$	\$	\$	\$	
Revenues		11,827,256		11,271,028		
General Purpose Funding	4,317,656		4,311,486		(6,170)	0%
Governance	46,132		37,659		(8,473)	-18%
Law, Order And Public Safety	57,826		70,438		12,612	22%
Health	125,266		133,359		8,093	6%
Education And Welfare	1,074,140		1,076,079		1,939	0%
Housing	116,553		109,529		(7,024)	-6%
Community Amenities	2,309,860		2,001,934		(307,926)	-13%
Recreation And Culture	417,621		403,906		(13,715)	-3%
Transport	3,006,854		2,870,418		(136,436)	-5%
Economic Services	147,795		120,387		(27,408)	-19%
Other Properties And Services	207,553		135,834		(71,719)	-35%
Expenses		(14,486,451)		(12,882,727)		
General Purpose Funding	(348,902)		(396,347)		(47,445)	14%
Governance	(863,679)		(732,037)		131,642	-15%
Law, Order And Public Safety	(475,382)		(483,974)		(8,592)	2%
Health	(303,786)		(288,284)		15,502	-5%
Education And Welfare	(371,373)		(374,621)		(3,248)	1%
Housing	(260,723)		(248,045)		12,678	-5%
Community Amenities	(3,335,750)		(2,576,666)		759,084	-23%
Recreation and Culture	(3,074,763)		(3,081,478)		(6,715)	0%
Transport	(4,757,065)		(4,132,644)		624,421	-13%
Economic Services	(553,117)		(378,032)		175,085	-32%
Other Properties And Services	(141,911)		(190,600)		(48,689)	34%
Adjustments for Cash Budget Requirements						
Non-Cash Expenditure and Revenue		795,087		884,304	89,217	0
Capital Expenditure and Revenue		(3,275,371)		(37,728)		
<i>Purchase Land Held for Resale</i>	(125,000)		(4,545)		120,455	-96%
<i>Purchase Land and Buildings</i>	(635,000)		(426,320)		208,680	0%
<i>Purchase Infrastructure Assets - Roads</i>	(4,164,012)		(2,143,915)		2,020,097	-49%
<i>Purchase Infrastructure Assets - Parks</i>	(942,187)		(568,144)		374,043	-40%
<i>Purchase Infrastructure Assets - Footpaths</i>	(147,164)		(277,099)		(129,935)	88%
<i>Purchase Infrastructure Assets - Drainage</i>	(125,000)		(33,753)		91,247	0%
<i>Purchase Infrastructure Assets - Other</i>	(2,891,393)		(1,630,075)		1,261,318	-44%
<i>Purchase Plant and Equipment</i>	(1,632,780)		(1,017,475)		615,305	-38%
<i>Purchase Furniture and Equipment</i>	(254,250)		(138,652)		115,598	-45%
<i>Grants / Contributions for Development of Assets</i>	5,530,971		5,666,039		135,068	2%
<i>Proceeds from Disposal of Assets</i>	1,483,568		1,250,793		(232,775)	-16%
<i>Proceeds from Sale of Land Held for Resale</i>	300,000		302,605		2,605	1%
<i>Repayment of Debentures</i>	(122,866)		(122,750)		116	0%
<i>Proceeds from New Debentures</i>	1,071,000		371,000		(700,000)	-65%
<i>Self-Supporting Loan Principal Income</i>	1,119		1,119		0	0%
<i>Transfers to Reserves (Restricted Assets)</i>	(1,745,762)		(1,780,347)		(34,585)	2%
<i>Transfers from Reserves (Restricted Assets)</i>	1,123,385		513,790		(609,595)	-54%
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	1,205,501	1,205,501	6,415,856	6,415,856	5,210,355	432%
Amount Required to be Raised from Rates	4,896,339	4,896,339	4,879,904	4,879,904	(16,435)	0%

Shire of Wyndham East Kimberley

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

	YTD Actual 2008/09	Brought Forward
Net Current Assets	\$	1 July 2008 \$
<i>Composition of Net Current Asset Position</i>		
Current Assets		
Cash - Unrestricted	4,525,193	1,155,459
Cash - Reserves	6,368,719	5,102,163
Cash - Restricted Unspent Grants		1,091,078
Investments - Restricted		
Receivables	2,820,634	1,141,569
Self Supporting Loans		1,119
Inventories	44,139	7,834
Land Held for Resale		-
	13,758,686	8,499,221
<i>Less</i>		
Current Liabilities		
Payables	(974,110)	(1,095,984)
	(974,110)	(1,095,984)
<i>Less</i>		
Restricted Reserves		
Cash	(6,368,719)	(5,102,163)
Investments		
Net Current Asset Position	6,415,856	2,301,074

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

Explanation of Material Variances

Variances +/- \$50,000

Operating

Recurrent Revenue - Excluding Rates

Community Amenities: Natural Disaster Mitigation Grant - Receipt of funding delayed, negotiations regarding compliance with funding conditions continuing with other organisations. Hype Project delayed to next financial year. East Kimberley Youth Services Grant forecasted for May receipt expected in June.

Transport: Aircraft Landing Fees & Passenger Head Tax for East Kimberley Regional Airport invoicing for April yet to occur.

Other Properties and Services: Plant replacement has not occurred according to schedule. Expense will be included in next financial years budget for this to occur. Variances for this financial year are also reflected in other plant replacement income & expense accounts.

Recurrent Expenditure

General Purpose Funding - Write off of outstanding rates as per minute 8611 not including in original budget.

Governance - Salary budget allocations on this programme varies to actual salary allocation. This will balance out over other programmes. Overall salaries budget is on track. Branding project is with consultant, further expenses expected next financial year. Legal fees incurred that were not included in budget.

Community Amenities - Expected year to date expenditure not incurred in Youth Services due to inability to recruit officers. Crime Prevention Initiatives and Hype projects did not occur and will be carried forward to next financial year. Lake Kununurra Project contractor delays. Project works planned for Public Conveniences Wyndham Oval delayed due to technical requirements, expected now to occur next financial year. Weaber Plain Flood Mitigation works delayed due to inability to obtain required approvals/agreements.

Recreation and Culture : Projects Recreation Services - expenses have been allocated incorrectly, correction journals will occur.

Transport : Actual expenditure less than projected year to date for Rural Road Maintenance, Urban Road Maintenance Wyndham & Kununurra. Rural Road Maintenance works activity is increasing to end of financial year. Urban Road Maintenance Wyndham projects are scheduled to occur in next month or so, as are Kununurra Urban Road projects. It should be noted that last financial year Kununurra Urban Road projects overspent due to repairs on Lake Argyle Road being bought forward, this is likely to reflect in an underspend this year. Airside Operations for Kununurra Regional Airport actual expenditure less than projected year to date estimates, with activity increasing from now towards the end of the financial year. End of year savings are projected for Airside Operations, Terminal & Grounds Maintenance.

Economic Services : Something Concrete Project has seen no activity due to Dept Housing & Works not advancing contracts for construction. Variance also reflected in revenue.

Capital

Non-Cash Expenditure and Revenue

Profit on Sale of Assets (Plant Operation) - Plant replacement has not occurred according to schedule. Expense will be included in next financial years budget for this to occur. Variances for this financial year are also reflected in other plant replacement income & expense accounts. Depreciation recovered higher than estimated year to date.

Capital Expenditure and Revenue

Purchase for Land Held for Resale - Wyndham Airport Subdivision project not expected to proceed this financial year.

Purchase Land and Buildings - Transportable Office for Administration building, negotiations commenced with preferred supplier on details. Order expected to occur this financial year with payment and installation next financial year.

Purchase Infrastructure Assets (Roads) - Projects included in budget for this financial year but will commence next financial year are Kununurra Shopping Centre Carpark and Carlton Hill Road. Other projects have commenced (including Coolibah Drive) with all expenses except for stage 3 of Coolibah Drive expected to be incurred this financial year.

Purchase Infrastructure Assets (Parks) - Projections provided advise budget funds will be fully expended by end of financial year.

Purchase Infrastructure Assets (Footpaths) – Exceeded budget for Lakeside Linkpath. Executive Manager Engineering & Regulatory Services will provide a report to the next Audit Committee meeting.

Capital Expenditure and Revenue (cont.)

Purchase Infrastructure Assets (Drainage) – Projects have commenced with expectation for completion by end of financial year with the exception of Casuarina Way, where drainage quotes are being sought but works may occur next financial year. Projections indicate all projects may not be fully expended this financial year.

Purchase Infrastructure Assets (Other) - Multi Purpose Court Redevelopment expenses have been incurred later than originally estimated. Airport carpark in final stages, will be completed this financial year. Contractor engaged for power connection at Commercial Boating Facility, works yet to occur. All projects are forecast to be fully expended this financial year.

Purchase Plant & Equipment - Plant replacement has not occurred according to schedule. Expense will be included in next financial years budget for this to occur. Variances for this financial year are also reflected in other plant replacement income & expense accounts.

Purchase Furniture & Equipment - Kununurra Youth Centre equipment & Wyndham Youth Service set up costs are being incurred later than estimated due to inability to recruit staff. Items have been identified for expense. Estimated expense to end of financial year may not meet original budget estimates.

Grants/Contributions for Development of Assets - Grant applications for Youth to be submitted this month, approval & payment not expected until next financial year. Rotary Centenary Park Grant not expected this financial year. A portion of Roads to Recovery funding budgeted for this financial year was prepaid last financial year. Multi Purpose Courts contributions being finalised for invoicing. Royalties for Regions grant income was not budgeted for. Projections advise other grants/contributions will be received this financial year.

Proceeds from Disposal of Assets - Plant replacement has not occurred according to schedule. Expense will be included in next financial years budget for this to occur. Variances for this financial year are also reflected in other plant replacement income & expense accounts.

Proceeds from New Debentures - New Loan for staff housing not expected to be drawn down this financial year.

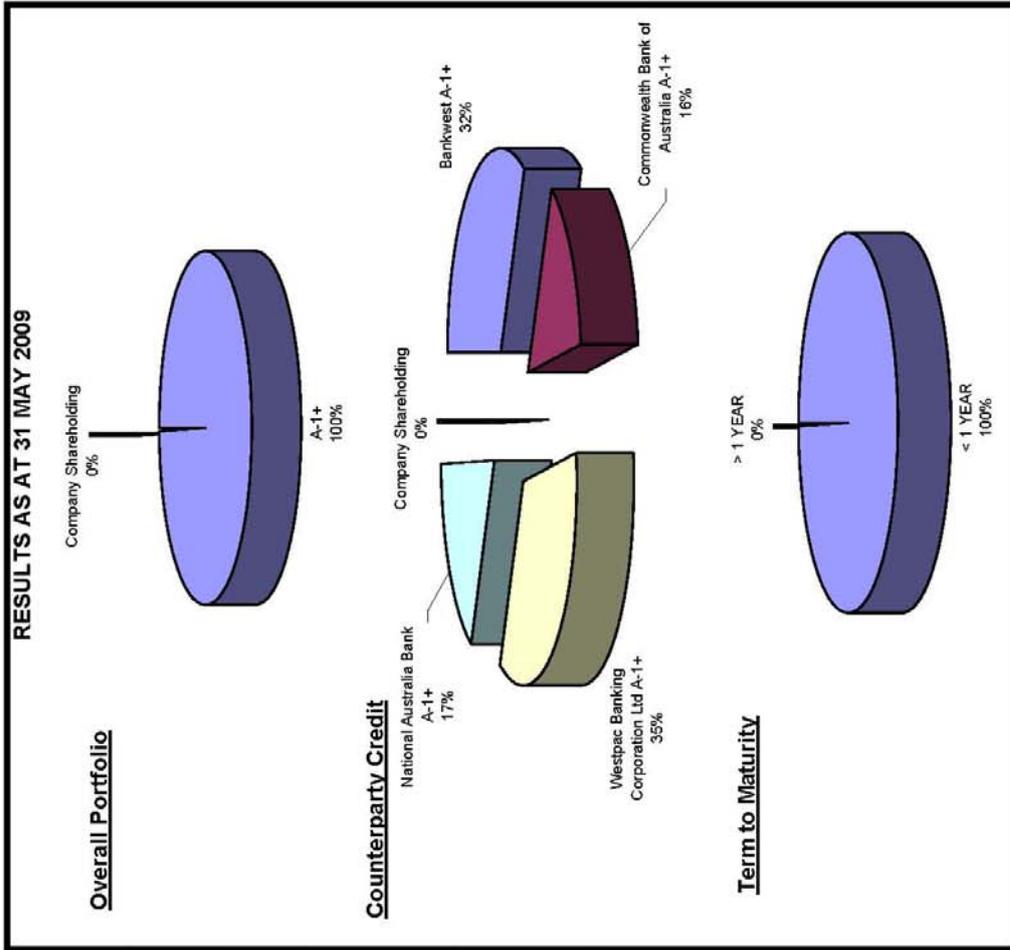
Transfers from Reserves (Restricted Assets) - Pending finalisation of delayed projects to determine final reserve transfers.

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

	Amended Adopted Budget		Year to Date Actual		Budget Remaining to Collect / (Spend)	
	\$	\$	\$	\$	\$	\$
Revenues		12,612,282		11,271,028		1,341,254
General Purpose Funding	4,364,562		4,311,486		53,076	
Governance	48,010		37,659		10,351	
Law, Order And Public Safety	72,600		70,438		2,162	
Health	146,920		133,359		13,561	
Education And Welfare	1,083,159		1,076,079		7,080	
Housing	126,470		109,529		16,941	
Community Amenities	2,347,689		2,001,934		345,755	
Recreation And Culture	464,900		403,906		60,994	
Transport	3,386,050		2,870,418		515,632	
Economic Services	296,285		120,387		175,898	
Other Properties And Services	275,637		135,834		139,803	
Expenses		(16,035,616)		(12,882,727)		(3,152,889)
General Purpose Funding	(373,155)		(396,347)		23,192	
Governance	(965,900)		(732,037)		(233,863)	
Law, Order And Public Safety	(514,548)		(483,974)		(30,574)	
Health	(339,005)		(288,284)		(50,721)	
Education And Welfare	(398,772)		(374,621)		(24,151)	
Housing	(298,386)		(248,045)		(50,340)	
Community Amenities	(3,615,413)		(2,576,666)		(1,038,747)	
Recreation and Culture	(3,349,562)		(3,081,478)		(268,084)	
Transport	(5,242,786)		(4,132,644)		(1,110,142)	
Economic Services	(629,627)		(378,032)		(251,594)	
Other Properties And Services	(308,463)		(190,600)		(117,864)	
Adjustments for Cash Budget Requirements						
Non-Cash Expenditure and Revenue		1,000,959		884,304		116,655
Capital Expenditure and Revenue		(4,775,039)		(37,728)		(4,737,311)
<i>Purchase Land Held for Resale</i>	(250,000)		(4,545)		(245,455)	
<i>Purchase Land and Buildings</i>	(1,490,000)		(426,320)		(1,063,680)	
<i>Purchase Infrastructure Assets - Roads</i>	(4,323,016)		(2,143,915)		(2,179,101)	
<i>Purchase Infrastructure Assets - Parks</i>	(1,012,187)		(568,144)		(444,043)	
<i>Purchase Infrastructure Assets - Footpaths</i>	(147,164)		(277,099)		129,935	
<i>Purchase Infrastructure Assets - Drainage</i>	(125,000)		(33,753)		(91,247)	
<i>Purchase Infrastructure Assets - Other</i>	(2,942,527)		(1,630,075)		(1,312,452)	
<i>Purchase Plant and Equipment</i>	(1,761,280)		(1,017,475)		(743,805)	
<i>Purchase Furniture and Equipment</i>	(281,000)		(138,652)		(142,348)	
<i>Grants / Contributions for Development of Assets</i>	5,630,971		5,666,039		(35,068)	
<i>Proceeds from Disposal of Assets</i>	1,546,843		1,250,793		296,050	
<i>Proceeds from Sale of Land Held for Resale</i>	300,000		302,605		(2,605)	
<i>Repayment of Debentures</i>	(127,300)		(122,750)		(4,550)	
<i>Proceeds from New Debentures</i>	1,071,000		371,000		700,000	
<i>Self-Supporting Loan Principal Income</i>	1,119		1,119		(0)	
<i>Transfers to Reserves (Restricted Assets)</i>	(1,988,883)		(1,780,347)		(208,536)	
<i>Transfers from Reserves (Restricted Assets)</i>	1,123,385		513,790		609,595	
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	2,301,075	2,301,075	2,301,074	2,301,074	1	1
LESS Estimated Surplus/(Deficit) June 30 C/Fwd		0	6,415,856	6,415,856	(6,415,856)	(6,415,856)
Amount Required to be Raised from Rates	4,896,339	4,896,339	4,879,904	4,879,904	16,435	16,435

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

RESULTS AS AT 31 MAY 2009



INVESTMENT POLICY F17			
"Overall Portfolio Limits"			
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%
<small>Note: "S & P" relates to Standard & Poors credit rating agency</small>			
"Counterparty Credit Framework"			
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%
"Term to Maturity Framework"			
Overall Portfolio Term to Maturity Limits	100% max 40% min		
Portfolio % < 1 year	60%		
Portfolio % > 1 year	35%		
Portfolio % > 3 year	25%		
Individual Investment Maturity Limits			
ADI	5 years		
Non ADI	3 years		
<small>Note: "ADI" relates to an Authorised Deposit Institution (authorised under the Banking Act 1959)</small>			

EXPLANATION OF VARIANCES:

Company shareholding (non S&P rated or ADI) represents less than 1% of investment portfolio. Council minute 8314 of 19 August 2008 provides instruction to sell shareholding. Council minute 8568 of 17 March 2009 instructs that status of shares be re-examined in six months time.

12.2.2 LIST OF ACCOUNTS PAID UNDER DELEGATION 18 (8693)

DATE:	4 June 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

OFFICER'S RECOMMENDATION

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

Municipal cheques 38984-38990; 39001-39032 (7-28 May 2009)	\$16,625.32
EFT 105855 – EFT 106102 (8-28 May 2009)	\$956,272.99
Payroll (6-26 May 2009)	\$268,645.34
Direct bank debits (May 2009)	\$19,347.82
Total	\$1,260,891.47

COUNCIL DECISION

Minute No. 8693

Moved:Cr K Wright

Seconded:Cr D Ausburn

Municipal cheques 38984-38990; 39001-39032 (7-28 May 2009)	\$16,625.32
EFT 105855 – EFT 106102 (8-28 May 2009)	\$956,272.99
Payroll (6-26 May 2009)	\$268,645.34
Direct bank debits (May 2009)	\$19,347.82
Total	\$1,260,891.47

CARRIED UNANIMOUSLY: (8/0)

Alex Douglas arrived at 6.20pm

List of Accounts Paid Under Delegation 18

List of accounts submitted to Council 16 June 2009

Chq/EFT	Date	Name	Description	Amount
EFT105855	8/05/2009	A1 ROAD LINES PTY LTD	PARTS LINEMARKER KNX A/PORT	884.43
EFT105856	8/05/2009	ADVANCED WEIGHING TECHNOLOGY NT P/L	ANNUAL CERTIFICATION OF BAGGAGE SCALES A/PORT	634.70
EFT105857	8/05/2009	ALLGEAR MOTORCYCLES	THROTTLE CABLE FOR WACKER PACKER	51.50
EFT105858	8/05/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT105859	8/05/2009	AUSTRAL MERCANTILE COLLECTIONS P/ L	DEBT COLLECTION FEES	719.32
EFT105860	8/05/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	179.00
EFT105861	8/05/2009	CABCHARGE	CAB CHARGE SERVICE FEES	47.08
EFT105862	8/05/2009	CITY OF ALBANY	LSL ROLLOVER LES HEWER	3,616.20
EFT105863	8/05/2009	CUSTOM IRRIGATION	CONTRACT PMT RETIC INSTALLATION WEABER PLN RD	13,200.00
EFT105864	8/05/2009	COMMUNICATION AND PROTECTIVE SOLUTIONS	INSTALL PA SPEAKER CBS ROOM KNX A/PORT	318.74
EFT105865	8/05/2009	DEPARTMENT OF SPORT & RECREATION	CERT 4 WORKPLACE TRAINING MRL	350.00
EFT105866	8/05/2009	DERRICK STEENSON	REPAIRS TO FLOATING JETTY WYN PORT/GRADER	2,711.50
EFT105867	8/05/2009	DEVITAS AUTO ELECTRICS	S&I STARTER MOTOR CASE BACKHOE WY9901	1,122.70
EFT105868	8/05/2009	DOWNER EDI T/AS WORKS INFRASTRUCTURE P/L	PREMIX VARIOUS ROADWORKS	17,160.00
EFT105869	8/05/2009	DRYSDALE RIVER STATION	OPENING GRADE GIBB TO KALUMBURU RD	16,830.00
EFT105870	8/05/2009	EAST KIMBERLEY GLASS	REPAIR DOORS 3A DRYANDRA	190.00
EFT105871	8/05/2009	EAST KIMBERLEY HARDWARE	MISC HARDWARE PURCHASES KNX DEPOT APR 09	484.55
EFT105872	8/05/2009	G DULEY CONSULTING ENGINEERS PTY LTD	COMPENSATION PAYMENT	38,000.00
EFT105873	8/05/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE LANDFILL	1,198.23
EFT105874	8/05/2009	GUERINONI & SON	GRADER HIRE FIREBREAKS KNX	14,872.00
EFT105875	8/05/2009	GULLIVERS TAVERN	CATERING COUNCIL MEETINGS	420.00
EFT105876	8/05/2009	HINE ELECTRICAL PTY LTD	CHERRY PICKER HIRE KING RIVER RD MTCE	1,760.00
EFT105877	8/05/2009	HORIZON POWER	POWER SUPPLY VARIOUS LOCATIONS	10,079.55
EFT105878	8/05/2009	HOT CHILLI SOURCE PTY LTD	120 PAIRS RIGGERS GLOVES WYN DEPOT	1,122.00
EFT105879	8/05/2009	IT VISION ITV	CENTRAL RECORDS TRAINING RECORDS OFFICER	880.00
EFT105880	8/05/2009	JASON SIGNMAKERS LTD	SIGNAGE CELEB TREE PARK	81.16

EFT105881	8/05/2009	JSW HOLDINGS PTY LTD	ROAD WORKS WEABER PLAIN RD & CAVE SPRINGS RD	4,253.70
EFT105882	8/05/2009	KIMBERLEY COMMUNICATIONS	RESET CLASSIC FM TRANSMITTER	55.00
EFT105883	8/05/2009	KIMBERLEY EXCAVATIONS PTY LTD	WALKWAY CONSTRUCTION AT CENTENNIAL PARK	9,020.00
EFT105884	8/05/2009	KIMBERLEY FIRST NATIONAL REAL ESTATE	20 BARRINGTONIA RENT TOP UP DUE TO INCREASE	25.68
EFT105885	8/05/2009	KIMBERLEY GROUP TRAINING	TRAINEE EXPENSES KNX ADMIN	110.75
EFT105886	8/05/2009	KUNUNURRA MAINTENANCE SERVICE	DOOR & KITCHEN REPAIRS 3 EUCALYPTUS PL	720.50
EFT105887	8/05/2009	KUNUNURRA REFRIGERATION & AIR CON P/L	QUARTERLY AIR CON SERVICING KNX A/PORT	143.00
EFT105888	8/05/2009	KUNUNURRA RURAL TRADERS	REFILL OF FIRE EXTINGUISHER KLC	72.00
EFT105889	8/05/2009	KUNUNURRA SECURITY SERVICE	KNX A/PORT SECURITY FEB/MAR 09	18,637.20
EFT105890	8/05/2009	KUNUNURRA COMMERCIAL BODY WORKS	AS PER QUOTE BODYWORKS TO KNX GRADER	3,977.60
EFT105891	8/05/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT105892	8/05/2009	LANDGATE	GRV VALUATION CHARGES MAR/APR 09	1,303.90
Chq/EFT	Date	Name	Description	Amount
EFT105893	8/05/2009	LGIS WORKCARE	WORKERS COMPENSATION INSURANCE	32,307.00
EFT105894	8/05/2009	NORTHERN IT SERVICES	INTERNET ROUTER	180.00
EFT105895	8/05/2009	ORD LAND AND WATER INCORPORATED	VEGETATION MAPPING LILY CK	7,115.37
EFT105896	8/05/2009	ORD RIVER ELECTRICS	ELECTRICAL REPAIRS WYN A/PORT, WHITEGUM PARK	1,694.79
EFT105897	8/05/2009	ORIA ORCHARDS	TREES FOR VIC HWY, KLC & FLOWERS ADMIN KNX	183.00
EFT105898	8/05/2009	RICK SPRY	ANNUAL AIRFARE ALLOWANCE	2,600.00
EFT105899	8/05/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	335.00
EFT105900	8/05/2009	SIGMA CHEMICALS	CHLORINE TESTING TABLETS	728.00
EFT105901	8/05/2009	STEPHEN COTTER	BLOCK LAYING CELEB TREE PARK TOILET	11,363.00
EFT105902	8/05/2009	STITCHED UP EMBROIDERY SERVICES	UNIFORMS LIBRARY STAFF	486.00
EFT105903	8/05/2009	SYLEX ERGONOMICS	LAPTOP SADDLE	435.60
EFT105904	8/05/2009	TOLL EXPRESS	FREIGHT CHARGES	1,016.75
EFT105905	8/05/2009	TONY'S PLUMBING & EXCAVATION PTY LTD	REPAIR WYN PORT TOILETS	112.20
EFT105906	8/05/2009	TOP END MOTORS	NEW AERIAL AND FITTINGS FOR RADIO WY11719	59.62
EFT105907	8/05/2009	TOTAL EDEN KP PUMPS	TORO 4 STN RETIC CONTROLLER	414.08
EFT105908	8/05/2009	TOTAL SAFETY & FIRE SOLUTIONS	BENCH GRINDER WYN DEPOT	398.00
EFT105909	8/05/2009	TRENNY'S REFRIGERATION AND AIRCON P/L	REPAIR AIR CON WYN ADMIN	697.95
EFT105910	8/05/2009	TRIPP, KATYA MARIE	POWER SUBSIDY CORRECTION AUG-OCT 08	72.28
EFT105911	8/05/2009	UHY HAINES NORTON (WA) PTY LTD	ACCOUNTING & FIN REPORTCOURSE XMCPS & MFS	2,035.00

EFT105912	8/05/2009	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	22,041.42
EFT105913	8/05/2009	WANNA WORK LABOUR HIRE SOLUTIONS	ADDITIONAL WORKS LAKESIDE LINK PATH	9,507.25
EFT105914	8/05/2009	WESTRALIA AIRPORTS CORP PTY LTD	ASIC PRINTING KNX A/PORT	50.00
EFT105915	8/05/2009	WYNDHAM TELECENTRE	WYN CHILD CARE VACANCY ADVERT	44.00
EFT105916	14/05/2009	ALL ABOUT CANVAS	BANNER FOR BANNERS IN TERRACE COMP	139.85
EFT105917	14/05/2009	ALLGEAR MOTORCYCLES	SERVICE TO CHAINSAWS	248.00
EFT105918	14/05/2009	ARGYLE ENGINEERING	TOILET ROOFING IN WYN A/PORT & CELEB TREE PARK	3,157.00
EFT105919	14/05/2009	AUSFUEL AFD AUST FUEL DISTRIBUTORS	H/D HAND CLEANER, CLEANER, GREASE, COOLANT	329.13
EFT105920	14/05/2009	ANDREW MARSDEN	DRUG SCREEN KNX A/PORT STAFF	96.80
EFT105921	14/05/2009	BERM BACKHOE HIRE	CONTRACT PMT VERGE SLASHING KNX	16,478.00
EFT105922	14/05/2009	BITRE INFRASTRUCTURE COLLOQUIUM	INFRASTRUCTURE COLLOQUIUM REG CR MILLS	770.00
EFT105923	14/05/2009	BLACKWOODS ATKINS PTY LTD	GOGGLES CROSSING FALLS BUSH FIRE BRIGADE	261.86
EFT105924	14/05/2009	BRANKO BP MOTORS	REPAIRS 1APW451 & 1CWM013, FUEL, GENERAL MTCE	2,797.03
EFT105925	14/05/2009	BUSBY INVESTMENTS T/A BUDGET RENT A CAR	HIRE CAR RECORDS OFFICER SYNERGY TRAINING	212.41
EFT105926	14/05/2009	BUSH CAMP SURPLUS STORES	WORK SHORTS KNX RANGER	245.00
EFT105927	14/05/2009	CARPET VINYL & TILE CENTRE	HOLLAND BLINDS TO KNX YOUTH CTR	444.00
EFT105928	14/05/2009	CEMEX AUSTRALIA PTY LTD (HUMES)	CONCRETE FOR CARPARK UPGRADE KNX A/PORT	814.00
EFT105929	14/05/2009	CONFERENCE COORDINATORS ALGA	NATIONAL GENERAL ASSEMBLY REG CR MILLS	1,009.00
EFT105930	14/05/2009	COOLIBAH PLUMBING AND GAS	TOILET & BASINS WYN A/PORT & CELEB TREE TOILETS	24,611.20
EFT105931	14/05/2009	CORPORATE EXPRESS	ASSORTED OFFICE SUPPLIES	994.95
EFT105932	14/05/2009	DEPT FOR PLANNING AND INFRASTRUCTURE	DEPOSIT FOR PURCHASE OF LAND	5,000.00
EFT105933	14/05/2009	EAST KIMBERLEY HARDWARE	HACKSAW BLADES BMO	33.50
EFT105934	14/05/2009	EAST KIMBERLEY TROPICAL GARDENS	PLANTS FOR LEISURE CENTRE	322.00
Chq/EFT	Date	Name	Description	Amount
EFT105935	14/05/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE KNX LANDFILL	1,997.05
EFT105936	14/05/2009	GUERINONI & SON	FIREBREAKS WYN HIRE OF GRADER	2,359.50
EFT105937	14/05/2009	HORIZON POWER	ELECTRICITY SUPPLY VARIOUS LOCATIONS	17,072.05
EFT105938	14/05/2009	ICEAGE REFRIGERATION & AIRCONDITIONING	REPLACE AIR CON TO INTERVIEW KNX ADMIN QUOTED	1,320.00
EFT105939	14/05/2009	IOR PETROLEUM PTY LTD	BULK FUEL PURCHASES APR 09 KNX DEPOT	5,981.50
EFT105940	14/05/2009	JAB INDUSTRIES	REPAIRS TO RETIC CNR COOLIBAH & IVANHOE	423.50
EFT105941	14/05/2009	JASON SIGNMAKERS LTD	VARIOUS SIGNAGE KNX	2,346.30
EFT105942	14/05/2009	JSW HOLDINGS PTY LTD	REINSTATE 2 X CROSSOVERS LEICHHARDT ST	265.65

EFT105943	14/05/2009	KIMBERLEY EXCAVATIONS PTY LTD	REMOVAL OF TREES & LEVELING CENTENNARY PARK	1,320.00
EFT105944	14/05/2009	KIMBERLEY PROPERTY VALUERS	VALUATION FEES	990.00
EFT105945	14/05/2009	KIMBERLEY WASTE SERVICES	WASTE MANAGEMENT CONTRACT WYN & KNX MAR 09	63,161.10
EFT105946	14/05/2009	KUNUNURRA LOCK & KEY	4 X KEYS FOR OVERRIDE ON GATE	108.00
EFT105947	14/05/2009	KUNUNURRA SECURITY SERVICE	PASSEGER SCREENING MAY 09 KNX A/PORT	16,560.00
EFT105948	14/05/2009	KUNUNURRA TYREPOWER	BALANCE AND ROTATE 4 TYRES FOR PRADO WY01	33.00
EFT105949	14/05/2009	LANDGATE	MINING TENEMENT VALUATIONS	155.00
EFT105950	14/05/2009	LANGFORD MACHINERY PTY LTD	REPAIRS TO GENERATOR WYN A/PORT, TRACTOR	10,049.00
EFT105951	14/05/2009	LATERAL LEARNING PTY LTD	DEPOSIT FOR BRUCE WHATLEY WRITERS FESTIVAL	330.00
EFT105952	14/05/2009	LAWRENCE & HANSON GROUP	KNX AIRPORT DUEL FLOOD LAMP HOLDERS	142.82
EFT105953	14/05/2009	MAGLION ENTERPRISES PTY LTD	PAVER & GATE REPAIRS KNX CHILD CARE	592.12
EFT105954	14/05/2009	MATTHEW WAYLEN	REIMBURSEMENT MEALS WHEN TRAINING (KLC STAFF)	245.60
EFT105955	14/05/2009	MEGAN HUNT	CLEANING WYN CHILDCARE	482.62
EFT105956	14/05/2009	MIRIMA COUNCIL, LANGUAGE & CULTURE CENTRE	SHARING OUR STORIES FEE NANCY DILYAI	385.00
EFT105957	14/05/2009	NORTHERN MACHINERY SALES	OPENING GRADE FOR DUNCAN RD FROM NT BORDER	12,508.65
EFT105958	14/05/2009	OFFICE NATIONAL KUNUNURRA	LAMINATOR WYNDHAM OFFICE	140.00
EFT105959	14/05/2009	ORD RIVER CONTRACTING	52HR OF LANDFILL SITE MAINTENANCE KNX LANDFILL	11,440.00
EFT105960	14/05/2009	ORD RIVER ELECTRICS	S&I DEEP CYCLE BATTERY FOR BBQ AT SWIM BEACH	557.98
EFT105961	14/05/2009	ORIA ORCHARDS	PLANTS FOR YOUTH CENTRE	150.00
EFT105962	14/05/2009	OUTBACK CLEANING	CLEANING KNX YOUTH CTR APR 09	1,760.00
EFT105963	14/05/2009	PETER FOX	FIREBREAKS WEABER PLAIN BRIGADE AREA	2,244.00
EFT105964	14/05/2009	RED ELEVEN RED 11 PTY LTD	PANABOARDS KNX YOUTH CTR, P/COPIER FREIGHT	2,926.36
EFT105965	14/05/2009	REPEAT PLASTICS (WA)	BOLLARDS WYN SKATE PARK AS PER QUOTE	13,723.47
EFT105966	14/05/2009	SAVE THE CHILDREN	PAYMENT FAIRGROUND YOUTH PROJECT	25,000.00
EFT105967	14/05/2009	SKIPPER TRUCKS BELMONT	3 TONNE TIP TRUCK	65,120.00
EFT105968	14/05/2009	STEWART & HEATON CLOTHING CO. PTY LTD	CLOTHING FOR CROSSING FALLS FIRE BRIGADE	1,383.84
EFT105969	14/05/2009	STITCHED UP EMBROIDERY SERVICES	SWEK UNIFORMS FOR SHIRE PRESIDENT	334.70
EFT105970	14/05/2009	TANAMI EARTHMOVING	REPAIRS TO LAKE ARGYLE ROAD	1,309.00
EFT105971	14/05/2009	TENSENS CLEANING SUPPLIES	SUPPLY & FREIGHT GOJO CLEANING LOTION	178.24
EFT105972	14/05/2009	THINKWATER	PVS FITTINGS & PV SOLVENT CEMENT GN HIGHWAY	41.58
EFT105973	14/05/2009	THORLEY'S STORE	TRANSPORT & DELIVERY SHIRE BAG WYN TO KNX	767.25
EFT105974	14/05/2009	TOLL IPEC PTY LTD	FREIGHT CHARGES APRIL 09	115.89

Chq/EFT	Date	Name	Description	Amount
EFT105975	14/05/2009	TOP END MOTORS	50,000KM SERVICE WY12752	303.50
EFT105976	14/05/2009	WANNA WORK LABOUR HIRE SOLUTIONS	CONSTRUCTION OF ROCK WALL KNX SKATE PARK	10,818.50
EFT105977	14/05/2009	WAYNE RICHARDS & REBECCA MORRALL	REIMB MEALS, TROPHIES & REFRESHMENTS	728.68
EFT105978	14/05/2009	WYNDHAM EXCAVATIONS	ROAD WORKS KING RIVER RD & LANDFILL MTCE WYN	24,894.25
EFT105979	22/05/2009	ARGYLE MOTORS	SERVICE WY1,WY11719,WY12926 REPAIRS WY9901	2,983.12
EFT105980	22/05/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT105981	22/05/2009	ATTORNEYGENERAL'S DEPT AUSCHECK	ASIC AUSCHECKS KNX A/PORT	180.00
EFT105982	22/05/2009	AUSFUEL AFD AUST FUEL DISTRIBUTORS	FUEL FOR AIRPORT PLANT KUNUNURRA AIRPORT	55.54
EFT105983	22/05/2009	AUSTRALIA POST	POSTAGE AND STATIONERY PUCHASES	514.67
EFT105984	22/05/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	179.00
EFT105985	22/05/2009	BANKWEST CONVEYANCING	RATES REFUND	147.94
EFT105986	22/05/2009	BLACKWOODS ATKINS PTY LTD	GREASE CARTRIDGES VARIOUS PLANT	173.45
EFT105987	22/05/2009	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL BOTTLE RENTAL APRIL 09	245.79
EFT105988	22/05/2009	BRIDGESTONE AUSTRALIA LTD	SUPPLY AND FIT 2 NEW FRONT TYRES TO JD TRACTOR	1,448.30
EFT105989	22/05/2009	BUSBY INVESTMENTS T/A BUDGET RENT A CAR	HIRE CAR CEO 29 APR - 5 MAY 2009	222.97
EFT105990	22/05/2009	BRUCE HARDING	WATER SUBSIDY ALLOCATION 21/11/08 25/03/09	18.65
EFT105991	22/05/2009	CENTURION TRANSPORT	FREIGHT CHARGES FOR PARTS FOR KUBOTA MOWER	66.58
EFT105992	22/05/2009	CIVIC LEGAL	PROFESSIONAL FEES	9,622.32
EFT105993	22/05/2009	COVENTRYS	DEGREASER & RAGS KNX DEPOT	387.82
EFT105994	22/05/2009	DAVEY TYRE AND BATTERY SERVICE	NEW TYRES WY12752, WY11719, WY12324	1,550.18
EFT105995	22/05/2009	DEPT OF INDIGENOUS AFFAIRS DIA	RETURN UNSPENT GRANT ARTS TO RECON PROJECT	5,500.00
EFT105996	22/05/2009	DOUGLAS ALEXANDER	WATER SUBSIDY ALLOCATION 27/11/08 - 03/04/09	26.49
EFT105997	22/05/2009	EAST KIMBERLEY HARDWARE	DROPPERS, 10 YRS OF SERVICE GIFT D STRANDRING	1,066.00
EFT105998	22/05/2009	EAST KIMBERLEY PLUMBING	MTCE 3 EUCALYPTUS, WHITE GUM PARK, SWIM BEACH	1,506.95
EFT105999	22/05/2009	ENVIRONMENTAL HEALTH AUSTRALIA	REGISTRATION - 63RD WA/NT ANNUAL HEALTH CONF	505.00
EFT106000	22/05/2009	FEWSTER, KELLY	ELECTRICITY SUBSIDY FOR PERIOD 03/02/09 - 03/04/09	23.21
EFT106001	22/05/2009	FISCHER, CYNTHIA	MONTHLY CLEAN OF WYN TOILETS	3,642.37
EFT106002	22/05/2009	FRONTIER POST & NEWS	POSTAGE & STATIONERY WYN ADMIN APR 09	39.95
EFT106003	22/05/2009	FULTON HOGAN PTY LTD	2 COAT BITUMEN SEAL FOR BOAT RAMP CARPARK KNX	49,208.61
EFT106004	22/05/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE KNX LANDFILL	1,198.23
EFT106005	22/05/2009	GUERINONI & SON	HIRE FLAT TOP MOVE GOODS CO-OP - RIVERFARM RD	247.50

EFT106006	22/05/2009	HART SPORT	TROPHIES FOR WATERPOLO CHAMPIONS	120.50
EFT106007	22/05/2009	HORIZON POWER	POWER SUPPLY VARIOUS LOCATIONS	17,333.20
EFT106008	22/05/2009	IT VISION ITV	ANNUAL LICENCE FEE VARIOUS SYNERGY PROGRAMS	1,606.00
EFT106009	22/05/2009	JASON SIGNMAKERS LTD	VARIOUS SIGNAGE KNX	3,034.90
EFT106010	22/05/2009	JORRITSMA H & CO	1 X 150MM REPAIR CLAMP	212.50
EFT106011	22/05/2009	JSW HOLDINGS PTY LTD	CRACKER DUST, CONCRETE FOR ROADWORKS	2,499.20
EFT106012	22/05/2009	KIMBERLEY HYDRAULICS	HOSES KNX GRADER	695.15
EFT106013	22/05/2009	CANCELLED		0.00
EFT106014	22/05/2009	KUNUNURRA DIESEL SERVICES	SERVICE,S&I RADIATOR/FAN W11160,SERVICE KWW319	6,307.80
EFT106015	22/05/2009	KUNUNURRA DISTRICT HIGH SCHOOL	QUICK GRANT KNX DISTRICT HIGH SCHOOL BALL	550.00
EFT106016	22/05/2009	KUNUNURRA LOCK & KEY	KNX OVAL TOILETS 2 X ADDITIONAL KEYS CUT	52.00
EFT106017	22/05/2009	KUNUNURRA NETBALL ASSOCIATION	QUICK GRANT KNX NETBALL & SOFTBALL ASSC	550.00
EFT106018	22/05/2009	KUNUNURRA PANEL BEATING WORKS WA P/L	REPAIR STONE CHIP MITSUB CANTER	66.00
Chq/EFT	Date	Name	Description	Amount
EFT106019	22/05/2009	KUNUNURRA REFRIGERATION & AIR CON PTY LTD	REPAIRS WYN ICE MACHINE, AIR CON KNX ADMIN	1,018.05
EFT106020	22/05/2009	KUNUNURRA SECURITY SERVICE	ALARM DEACTIVATION CALLOUT	68.00
EFT106021	22/05/2009	KUNUNURRA T WELD	WELD BACK WHEELS ON SLASHER	231.00
EFT106022	22/05/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT106023	22/05/2009	LENNYS LANDSCAPE	REMOVE DEAD TREE KNX HISTORICAL SOCIETY	429.00
EFT106024	22/05/2009	LOCK, STOCK & FARRELL LOCKSMITH	KEY ALIKE MASTER LOCKS KNX & WYN	903.60
EFT106025	22/05/2009	MCKINLAY, BETTY	TELEPHONE REIMBURSEMENT 25/12/08 - 24/01/09	30.09
EFT106026	22/05/2009	MEGAN HUNT	CLEANING WYN ADMIN & OTHER LOCATIONS	3,296.86
EFT106027	22/05/2009	ORD RIVER ELECTRICS	ELECTRICAL WORKS WYN CHILD CARE & KNX A/PORT	962.50
EFT106028	22/05/2009	ORDCO	CYDECTIN & GLYPHOSATE	719.40
EFT106029	22/05/2009	ORIA ORCHARDS	FLOWERS FOR NEW CLARKE BABY	50.00
EFT106030	22/05/2009	OUTBACK CLEANING	MONTHLY CLEAN KNX YOUTH CENTRE	1,501.73
EFT106031	22/05/2009	PIERCE POOL SUPPLIES	LANE ROPE TENSIONER KNX POOL	165.00
EFT106032	22/05/2009	RICK SPRY	TELEPHONE REIMBURSEMENT 01/3/09 TO 31/03/09	38.19
EFT106033	22/05/2009	ROYAL LIFE SAVING (WA BRANCH)	BRONZE MEDALLION CERTIFICATE	156.20
EFT106034	22/05/2009	RUMOURS PATISSERIE	CATERING FOR BUDGET WORKSHOPS	134.90
EFT106035	22/05/2009	SBA OFFICE NATIONAL	ROLLS OF PAPER FOR THE PLOTTING MACHINE	83.70
EFT106036	22/05/2009	SHERIDAN'S FOR BADGES	NAME BADGES	37.08

EFT106037	22/05/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	335.00
EFT106038	22/05/2009	THINKWATER	HUNTER SPRINKLERS FOR WYNDHAM OVAL RETIC	1,848.00
EFT106039	22/05/2009	TOLL EXPRESS	FREIGHT CHARGES	265.85
EFT106040	22/05/2009	TOP END MOTORS	40,000KM SERVICE WY 11635	892.20
EFT106041	22/05/2009	TOP END TILT TRAY HIRE	REMOVE ABANDONED VEHICLES TO DEPOT	335.50
EFT106042	22/05/2009	TOTAL EDEN KP PUMPS	RETIC SUPPLIES CELEBRITRY TREE PARK	114.62
EFT106043	22/05/2009	TRIPP, KATYA MARIE	POWER SUBSIDY REIMB 16/02/09 TO 22/04/09	381.02
EFT106044	22/05/2009	TROPICAL PEST CONTROL	MOZZIE FOGGING KNX 31/03/09 - 30/04/09	1,980.00
EFT106045	22/05/2009	USER FRIENDLY RESOUSES	RESOURCE BOOKS WYN CHILDCARE	263.90
EFT106046	22/05/2009	VANDERFIELD MACHINERY PTY LTD	BLADES & HOSE KNX A/PORT	113.54
EFT106047	22/05/2009	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	22,470.84
EFT106048	22/05/2009	WANNA WORK LABOUR HIRE SOLUTIONS	REPAIRS TO BRICK PAVERS AT YOUTH CENTRE	1,119.72
EFT106049	22/05/2009	K & M ALLCLEAN	CONTRACT CLEANING APR 09	14,697.72
EFT106050	22/05/2009	ALLGEAR MOTORCYCLES	BRUSH CUTTER, LAWNMOWER BLADES, C/SAW FILES	856.55
EFT106051	28/05/2009	ARGYLE ENGINEERING	FABRICATE ROOF WYN A/PORT & CELEB TREE PARK	31,384.10
EFT106052	28/05/2009	ARGYLE MOTORS	REAR BOTTOM WINDOW KUBOTA TRACTOR WY12283	266.34
EFT106053	28/05/2009	BOSS FLUID POWER	CONSUMABLES PUBLIC TOILETS KNX	339.16
EFT106054	28/05/2009	BUSH CAMP SURPLUS STORES	FISHING HAND NET SENTINEL CHICKEN PROGRAM	65.00
EFT106055	28/05/2009	CABCHARGE	CAB CHARGE EXPENSES APR 09	99.44
EFT106056	28/05/2009	COATES HIRE	HIRE OF PORTABLE TOILET	185.63
EFT106057	28/05/2009	COOLIBAH PLUMBING AND GAS	INSTALLATION WORKS NEW CELEB TREE PARK TOILET	10,849.70
EFT106058	28/05/2009	COMFORT INN PERTH HOTEL	ACCOMM CR MILLS	165.50
EFT106059	28/05/2009	DARWIN AIRPORT RESORT	ACCOMM CR MILLS	172.50
EFT106060	28/05/2009	DEPARTMENT OF TREASURY AND FINANCE	BOOK PURCHASES WYN LIB	279.50
Chq/EFT	Date	Name	Description	Amount
EFT106061	28/05/2009	DUNLOP SPORTS EQUIP DIVISION	SUPPLY & FIT TYRE WY11650	268.59
EFT106062	28/05/2009	EAST KIMBERLEY HARDWARE	RAPID SET CEMENT WYN PARKS, DROPPERS, ETC	2,883.15
EFT106063	28/05/2009	EAST KIMBERLEY TROPICAL GARDENS	PLANTS FOR YOUTH CENTRE	182.00
EFT106064	28/05/2009	FLAMETREE NURSERY	PLANTS FOR WAR MEMORIAL	98.80
EFT106065	28/05/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE KNX LANDFILL	1,198.23
EFT106066	28/05/2009	GUERINONI & SON	ROADWORKS CAVE SPRINGS RD, HIRE GRADER/FLOAT	7,712.65
EFT106067	28/05/2009	GULLIVERS TAVERN	CATERING FOR COUNCIL MEETING	261.00

EFT106068	28/05/2009	INSTITUTE OF PUBLIC WORKS ENGINEERING	DIPLOMA PUBLIC WORKS WASTE MANAGEMENT	660.00
EFT106069	28/05/2009	JAB INDUSTRIES	HIRE OF EXCAVATOR KNX LANDFILL	3,162.50
EFT106070	28/05/2009	JEFF RAGLUS ART	T SHIRTS DESIGN KIMBERLEY WRITERS FESTIVAL 2009	440.00
EFT106071	28/05/2009	JSW HOLDINGS PTY LTD	VARIOUS RURAL ROAD WORKS	47,682.65
EFT106072	28/05/2009	KIMBERLEY COLLEGE OF TAFE	WORD DOC & SPREAD SHEET TRAINING COURSE CSO	146.20
EFT106073	28/05/2009	KIMBERLEY ECHO ALBANY ADVERTISER	MONTHLY ADVERTISING KIMBERLEY ECHO APR 09	3,085.07
EFT106074	28/05/2009	KIMBERLEY GREEN CONSTRUCTION	REFUND OF FOOTPATH/KERB BONDS	950.00
EFT106075	28/05/2009	KIMBERLEY KOOL REFRIGERATION	AIR CON REPAIRS KNX A/PORT	2,073.50
EFT106076	28/05/2009	KIMBERLEY WASTE SERVICES	TIDY TOWN LITTER COLLECTION APR 09	17,635.00
EFT106077	28/05/2009	KUNUNURRA AMCAL PHARMACY	GENERAL MEDICINAL SUPPLIES FOR REC CTR WYN	28.65
EFT106078	28/05/2009	KUNUNURRA COURIERS	DELIVERY OF WATER KNX ADMIN	92.50
EFT106079	28/05/2009	KUNUNURRA SECURITY SERVICE	SECURITY PATROLS & ALARM MONITORING	1,900.20
EFT106080	28/05/2009	KENT TRANSPORT INDUSTRIES PTY LTD	INTERSTATE REMOVAL TO WA YOUTH COORDINATOR	9,140.65
EFT106081	28/05/2009	LESLIE KING	REIMB FOR PMT OF REGO FOR P469	54.95
EFT106082	28/05/2009	MEGAN HUNT	CLEANING WYN REC CENTRE	365.75
EFT106083	28/05/2009	ORD RIVER CONTRACTING	KNX LANDFILL MAINTENANCE	3,256.00
EFT106084	28/05/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	10.00
EFT106085	28/05/2009	ORICA AUSTRALIA PTY LTD	CHLORINE FOR 4 X WYN AND 1 X KLC	143.75
EFT106086	28/05/2009	PIERCE POOL SUPPLIES	POOL LANE ROPE TENSIONER	165.00
EFT106087	28/05/2009	PLANT HIRE SERVICES PTY LTD	HIRE CAT GRADER WEABER PLAIN RD	2,194.50
EFT106088	28/05/2009	RACHEL WORNES	REFUND BONDS 5/71 RIVERFIG, ACCOMM & MEALS	1,578.00
EFT106089	28/05/2009	ROYAL LIFE SAVING (WA BRANCH)	POOL LIFEGUARD SHIRTS KLC	481.80
EFT106090	28/05/2009	SEARLES MECHANICAL REPAIRS	FULL SERVICE TO ISUZU T/TRUCK 1BAX455	330.10
EFT106091	28/05/2009	STITCHED UP EMBROIDERY SERVICES	UNIFORMS FOR VARIOUS STAFF	2,433.20
EFT106092	28/05/2009	SUPA FRESH HOT BREAD SHOP	CATERING PAYROLL MEETING WYN OFFICE	70.00
EFT106093	28/05/2009	THINKWATER	RETIC SUPPLIES TRAFFIC ISLANDS GN HIGHWAY	63.25
EFT106094	28/05/2009	TOLL EXPRESS	FREIGHT CHARGES APR 09	3,433.32
EFT106095	28/05/2009	TUCKERBOX/RETRAVISION	OFFICE CHAIRS, CAMERA, CONSUMABLES	3,684.21
EFT106096	28/05/2009	VANDERFIELD MACHINERY PTY LTD	COOLANT & SLASHER BLADES FOR WY11719	464.16
EFT106097	28/05/2009	WA DEPARTMENT OF HEALTH	RENEWAL OF PERMIT TO PURCHASE CHLORINE GAS	175.00
EFT106098	28/05/2009	WA LOCAL GOVERNMENT ASSOC WALGA	REFORM WORKSHOP CR MILLS	220.00
EFT106099	28/05/2009	WHELANS	SURVEY OF COMMERCIAL BOATING FACILITY LEASES	1,793.00

EFT106100	28/05/2009	WYNDHAM EXCAVATIONS	CART SHALE AND GRADE RD TO AFGHAN CEMETERY	1,941.50
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Chq/EFT	Date	Name	Description	Amount
EFT106101	28/05/2009	WYNDHAM SUPERMARKET	CONSUMABLES WYN REC	164.74
EFT106102	28/05/2009	BP ORD RIVER ROADHOUSE	REFUND OF OVERPAYMENT TO DEBTOR INVOICE 14612	419.25
				956,272.99

Chq/EFT	Date	Name	Description	Amount
38984	7/05/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	202.25
38985	7/05/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	128.99
38986	7/05/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	163.60
38987	7/05/2009	CR PAUL CALEY	TRAVEL REIMBURSEMENT BUDGET MEETING	157.40
38988	7/05/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	343.80
38989	7/05/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	267.79
38990	7/05/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	213.24
		CHQS 38991-39000 USED IN MARCH 2009		0.00
39001	22/05/2009	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	167.94
39002	22/05/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	214.35
39003	22/05/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	52.98
39004	22/05/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	163.60
39005	22/05/2009	BRANDY, PETER	PERFORMANCE FEE FOR SHARING OUR STORIES	500.00
39006	22/05/2009	CANCELLED		0.00
39007	22/05/2009	PETTY CASH WYNDHAM OFFICE	PETTY CASH WYNDHAM ADMIN	177.60
39008	22/05/2009	DEPARTMENT OF TREASURY AND FINANCE	LOST BOOK RECOVERY FEES	209.00
39009	22/05/2009	E & MJ ROSHER PTY LTD	PARTS CATALOGUE FOR KUBOTA M6800DHC	92.80
39010	22/05/2009	EWIN CENTRE CHILDREN SERVICES	REPAIR OF AIR CON EWIN CENTRE	633.05
39011	22/05/2009	GREEN, PETER JOHN	RATES REFUND	300.62
39012	22/05/2009	KUNUNURRA MEDICAL	RETURN TO WORK MEDICAL PARKS & GARDENS STAFF	165.00
39013	22/05/2009	KUNUNURRA PHARMACY	SUPPLY HEPATITIS A AND B SHOTS FOR 4 EMPLOYEES	881.70
39014	22/05/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	343.80

39015	22/05/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	267.79
39016	22/05/2009	RAC GROUP ACCOUNTS	ROADSIDE ASSISTANCE EXEC VEHICLES 09/10	440.00
39017	22/05/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	254.93
39018	22/05/2009	RED METAL LTD	RATES REFUND	1,103.29
39019	22/05/2009	T & L WESTWOOD	SLASHING OF FIREBREAKS KNX	800.00
39020	22/05/2009	TELSTRA	LANDLINE USAGE KNX YOUTH CTR	213.04
39021	22/05/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	166.50
39022	22/05/2009	WATER CORPORATION	WATER SUPPLY WYN REC	214.30
39023	28/05/2009	PETTY CASH KNX DEPOT	PETTY CASH KNX DEPOT	96.20
39024	28/05/2009	INDIAN OCEAN HOTEL	ACCOMM MRL & XMCMS	760.00
39025	28/05/2009	CANCELLED		0.00
39026	28/05/2009	KIM MOORE	REFUND FOOTPATH DEPOSIT	250.00
39027	28/05/2009	LEIGH MARDON AUSTRALASIA PTY LTD	NEW CHEQUES CREATED AND PRINTED FOR SWEK	1,985.30
39028	28/05/2009	MERCURE INN BROOME	ACCOMMODATION FOR CEO ZONE MEETING 7 & 8 MAY	360.00
Chq/EFT	Date	Name	Description	Amount
39029	28/05/2009	TELSTRA	LANDLINE USAGE APR/MAY 09	3,968.96
39030	28/05/2009	THE ZEBRA ROCK GALLERY	TRIATHLON PERPETUAL SHIELD	169.00
39031	28/05/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	166.50
39032	28/05/2009	SELINA JOITA MCLEAN	REFUND OF FOOD STALL LICENCE. DID NOT REQUIRE.	30.00
				16,625.32
	Date	Name	Description	Amount
	06/05/2009	PAYROLL	PAYROLL	132,565.36
	14/05/2009	PAYROLL	ONE OFF PAY	5,599.14
	20/05/2009	PAYROLL	PAYROLL	127,250.72
	22/05/2009	PAYROLL	ONE OFF PAY	3,079.60
	26/05/2009	PAYROLL	ONE OFF PAY	150.52
				268,645.34
	Date	Name	Description	Amount
	25/05/2009	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	2,036.66
	15/05/2009	DIRECT DEBIT	RENT 4 BOOBIALLA WAY	2,491.67

20/05/2009 DIRECT DEBIT
 May-09 DIRECT DEBIT
 May-09 DIRECT DEBIT
 04/05/2009 DIRECT DEBIT
 20/05/2009 DIRECT DEBIT
 26/05/2009 DIRECT DEBIT
 May-09 DIRECT DEBIT
 01/05/2009 DIRECT DEBIT

RENT 20 BARRINGTONIA WAY	2,383.33
BANK FEES	196.50
BPOINT	122.03
VISA PAYMENT	6,068.47
MASTERCARD	621.38
EXTRA PAYMENT MASTERCARD	4,793.29
MERCHANT FEE	-
WESTNET P/L	634.49
TOTAL DIRECT DEBIT PAYMENTS	<u>19,347.82</u>

12.3. ENGINEERING & REGULATORY SERVICES

12.3.1 PROPOSED CLOSURE OF PORTION OF CHESTNUT AVENUE (8693)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Kununurra
AUTHOR:	Alex Douglas, Executive Manager Engineering & Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering & Development Services
FILE NO:	21.09.06
ASSESSMENT NO:	N/A

PURPOSE

The purpose of this report is for Council to consider submissions to the proposed closure of portion of Chestnut Avenue abutting Reserve 29799.

BACKGROUND

In determining the sizing of the new multi-purpose courts the decision was made to allow the courts to encroach on to the Chestnut Ave road reserve. Council resolved to proceed with the closure of portion of the road reserve and have the portion amalgamated with the recreation reserve 29799.

At the Council Meeting held on 16 December 2008 the following resolution was passed: -

Minute No. 8474

Moved: Cr J Moulden

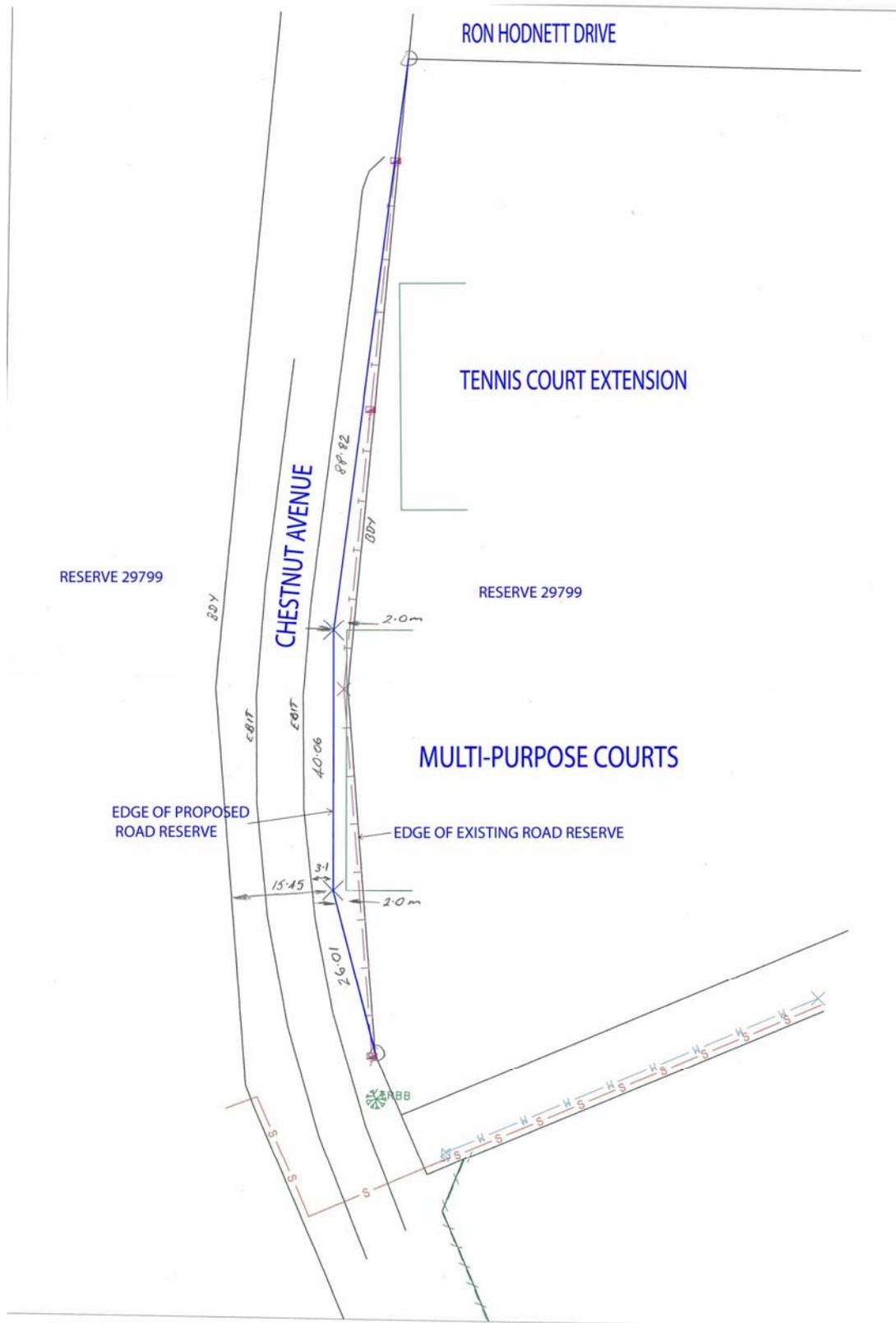
Seconded Cr D Ausburn

That Council approve the advertising in accordance with the provisions of S58, Land Administration Act 1997 the intent to close portion of Chestnut Avenue as shown in the sketch plan and for the close portion to be amalgamated with Reserve 29799

CARRIED UNANIMOUSLY 8/0

Advertising and notification to public utility providers was undertaken in January and February 2009. No objections were received.

The following plan was provided for the public consultation and advice to service providers: -



A follow up letter to Telstra was sent as they had not responded by the end of the submission period on 13 February 2009 and of the services possibly affected theirs was the most obvious as the existing service is located under the edge of the new courts nearest Chestnut Avenue. There has been no response to the second letter

and therefore the finalisation of easements or service relocation will be dealt with by State Land Services.

Independent of the road closure, the Department of Land Administration wrote to suggest that the section of public utilities reserve (R31144) abutting the southern/western boundary of R29277 (rear of the Picture Gardens land) could be amalgamated with R29277.

STATUTORY IMPLICATIONS

In order to proceed with the implantation of 3b, it is necessary to comply with the provisions of S58, Land Administration Act 1997 which reads as follows: -

58. Closure of roads

- (1) *When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) *When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —*
 - (a) by order grant the request;*
 - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
 - (c) refuse the request.*
- (5) *If the Minister grants a request under subsection (4) —*
 - (a) the road concerned is closed on and from the day on which the relevant order is registered; and*
 - (b) any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) *When a road is closed under this section, the land comprising the former road*
 - (a) becomes unallocated Crown land; or*
 - (b) if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.*

POLICY IMPLICATIONS

No specific policies apply.

FINANCIAL IMPLICATIONS

The estimated cost of survey and advertising is \$3,500, and will be debited against the Engineering Consultancies budget allocation.

STRATEGIC IMPLICATIONS

No strategic implications apply.

COMMUNITY CONSULTATION

Consultation is required by way of advertising of the proposed closure and advice to utility service providers, and the consideration of any submissions.

COMMENT

The process for closure of portion of the road reserve should now proceed.

The utilities reserve (R31144) does not impede or affect the operation of the recreation reserve and there is no particular reason to seek amalgamation of the reserve in to R29799.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council in accordance with the provisions of S58(4)(a), Land Administration Act 1997 seek the consent of the Minister for Lands to close portion of Chestnut Avenue as shown in the sketch plan and for the closed portion to be amalgamated with Reserve 29799.

COUNCIL DECISION

Minute No. 8693

Moved:Cr K Wright

Seconded:Cr J Parker

That Council in accordance with the provisions of S58(4)(a), Land Administration Act 1997 seek the consent of the Minister for Lands to close portion of Chestnut Avenue as shown in the sketch plan and for the closed portion to be amalgamated with Reserve 29799.

CARRIED UNANIMOUSLY: (8/0)

Cr R Boshammer left the room at 6.25pm.

**12.3.2 LPG GAS CYLINDER STORAGE WITHIN RESERVE 36966
ABUTTING LOT 554 PAPUANA STREET (8694) (8695)**

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Kununurra
AUTHOR:	Alex Douglas, Executive Manager Engineering & Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering & Development Services
FILE NO:	01.1575.0101.1575.01
ASSESSMENT NO:	A1575

PURPOSE

For Council to reconsider the proposal to site LPG storage cylinders within Reserve 36966.

BACKGROUND

At the Council Meeting held 17 February 2009 Council considered a report that advised that the placement of LPG cylinders in the road reserve abutting the south western corner of Lot 554 Papuana Street.

The Council resolved the following: -

Minute Number 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

The State Land Service responded to our correspondence by advising that the proposed location was not road reserve, but is a reserve vested in Council.

They also advised that there was no power to lease if Council wished to enter in to a lease with Origin Energy.

Given the preparedness by Council to allow the facility to be placed in the location, albeit on the understanding that it was road reserve; a request was submitted to State Land Services to amend the management order to provide the power to lease. Email advice has been received that the management order has been amended.

STATUTORY IMPLICATIONS

With the power to lease, Council may enter in to a lease with Origin Energy on the basis of a private treaty arrangement.

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

POLICY IMPLICATIONS

There are specific policy implications associated with this report.

FINANCIAL IMPLICATIONS

The cost of preparation of the lease, and lease fee will be met by the applicant.

STRATEGIC IMPLICATIONS

There are no specific strategic implications associated with this report.

COMMUNITY CONSULTATION

No consultation has been undertaken in the preparation of this report. The requirements for advertising of a private treaty lease will provide opportunity for submissions.

COMMENT

The identification of the land being a reserve as distinct from a road reserve was a staff error.

The proposal is being re-submitted for Council to consider the rescission of the previous resolution (Minute Number 8558) and the appropriateness of a lease between Council and Origin Energy.

The proposal was considered favourably by Council due to the location of the gas cylinders not interfering with public access.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

1. That Council consider the rescission of Minute Number 8558.
2. That Council rescind Minute Number 8558.
3. That Council delegate authority to the Chief Executive Officer to negotiate an appropriate private treaty lease with Origin Energy for the lease of portion of Reserve 36966 abutting Lot 554 Papuana Street for the purposes of installation of LP Gas Storage Cylinders for a period of ten years with an option for ten years and the proposed lease be advertised in accordance with the provisions of S3.58, Local Government Act 1995.

4. That subject to there being no valid adverse objections to the private treaty lease that the Shire President and Chief Executive Officer be delegated authority to sign the lease agreement and affix the Common Seal.

COUNCIL DECISION

Minute No. 8694

Moved:Cr J Moulden

Seconded:Cr D Ausburn

Cr Jane Parker is additional councillor required to rescind a previous motion.

1. **That Council consider the rescission of Minute Number 8558.**
2. **That Council rescind Minute Number 8558.**

CARRIED BY ABSOLUTE MAJORITY: (7/0)

Cr Boshammer declared a financial interest and left Council Chambers at 6.25pm

Minute No: 8695

Moved:Cr D Ausburn

Seconded:Cr J Parker

3. **That Council delegate authority to the Chief Executive Officer to negotiate an appropriate private treaty lease with Origin Energy for the lease of portion of Reserve 36966 abutting Lot 554 Papuana Street for the purposes of installation of LP Gas Storage Cylinders for a period of ten years with an option for ten years and the proposed lease be advertised in accordance with the provisions of S3.58, Local Government Act 1995.**

4. **That subject to there being no valid adverse objections to the private treaty lease that the Shire President and Chief Executive Officer be delegated authority to sign the lease agreement and affix the Common Seal.**

CARRIED UNANIMOUSLY: (7/0)

Cr R Boshammer returned to the room at 6.30pm

12.4. DEVELOPMENT

12.4.1 DRAFT LPP 6 - LOCAL PLANNING POLICY NO 6 CARETAKERS DWELLING(8696)

DATE:	16 June 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Wyndham and Kununurra Townsites
AUTHOR:	Ian D'arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.02.01
ASSESSMENT NO:	N/A

PURPOSE

This report relates to the preparation of a draft Local Planning Policy for Caretaker's Dwellings in Light Industrial Areas and seeks to reiterate and clarify the minimum standards required by the Local Government.

BACKGROUND

This draft policy has been prepared in response to a number of enquiries from prospective purchasers interested in acquiring land in the latest stage of the Landcorp Light Industrial Area subdivision off Weaber Plain Road where purchasers wish to reside and operate a business from the same property.

In acknowledging that the respective Shire Town Planning Schemes grant entitlement for a caretaker's dwelling subject to being incidental to a light industry, this draft Policy seeks to clarify the parameters and standards to be applied for future applications in this regard.

STATUTORY IMPLICATIONS

The ability to prepare a Local Planning Policy is afforded to the council under Clause 3.3.2 (a) of the Town Planning Scheme (TPS) No. 6 and Clause 12.6.1 of Town Planning Scheme (TPS) No. 7.

Furthermore, under the respective Town Planning Schemes and Zoning Tables a Caretaker's dwelling is designated as an 'IP' use in the Light Industry Zone. This effectively means a Caretaker's Dwelling is a permitted use, although TPS No. 7 qualifies the Caretaker's use under Clause 5.13.1 (b), which effectively states that residential uses should not be entertained until industry is established on the same and surrounding allotments.

However, Clause 5.3 of TPS No. 6 and Clause 5.5 of TPS No. 7 also affords the Council the opportunity to modify or relax the development standards within the Scheme area subject to the use of development being consistent with the orderly and proper planning of the locality.

POLICY IMPLICATIONS

This policy will assist the general public in understanding the Council's position on the establishment of Caretaker's dwelling in Light Industrial Areas within the townsites of Wyndham and Kununurra, as well as benefit the Shire Officers in providing advice and issuing approvals for this form of development.

FINANCIAL IMPLICATIONS

A cost in the order of \$300 - \$400 for publication of advertisements in the local newspaper will be incurred by Council. However, it is intended to include 4 – 5 Development Control (Local Planning) Policies within the one advertisement to minimise the costs associated with the Policy review.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

In accordance with Clause 12.6.4 (a) of the TPS No. 7 (for example) the Council is required to advertise the draft Policy at least once per week for two consecutive weeks in a local newspaper requesting submissions be lodged within a period of no less than 21 days.

COMMENT

As mentioned above, the draft Policy is modelled on the provisions detailed in the TPS No. 7 which designates a caretaker's dwelling is a permitted use in the 'Light Industry' zone provided it is deemed incidental to the predominant use of the land as determined by the Council.

With this in mind, the draft Policy advocates that:

- Although a caretaker's dwelling is a permitted use, it must be treated and maintained as incidental to a predominant industrial use,
- Approval for a caretaker's dwelling is restricted in size, presentation and placement on a subject property,
- An application for a caretakers dwelling at the very least shall be accompanied by an application for a legitimate industrial use, and if not established within two years (designated period of approval), could be subject to enforcement action being taken to remove the caretakers use.
- The applicant through a signed Statutory Declaration and Notification being placed on the Certificate of Title acknowledges the inherent nuisance and potential health issues associated with residing in a Light Industrial Area.
- The Shire Council does not favour the strata of a property that results in a caretaker's dwelling being excised from an established industrial use or activity.

ATTACHMENTS

Draft Local Planning Policy 6 – Caretaker's dwelling in a Light Industrial Area.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council

1. resolve to adopt the draft Local Planning Policy 6 – Caretaker's Dwelling in a Light Industrial Area as shown in Attachment 1 (with or without modification by Council) pursuant Clause 3.3.2 (a) of the Shire of Wyndham East Kimberley Town Planning Scheme No. 6, and Clause 12.6.1 (a) of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7, and proceed to publish a notice to this effect in the local newspaper pursuant to Clauses 3.3.2 (a) and 12.6.4 (a) of the respective Schemes;
2. delegate authority to the Chief Executive Officer to enact the policy subject to there being no valid adverse comment.

COUNCIL DECISION

Minute No. 8696

Moved:Cr K Wright

Seconded:Cr P Caley

That Council

1. *resolve to adopt the draft Local Planning Policy 6 - Caretaker's Dwelling in a Light Industrial Area as shown in Attachment 1 (with or without modification by Council) pursuant Clause 3.3.2 (a) of the Shire of Wyndham East Kimberley Town Planning Scheme No. 6, and Clause 12.6.1 (a) of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7, and proceed to publish a notice to this effect in the local newspaper pursuant to Clauses 3.3.2 (a) and 12.6.4 (a) of the respective Schemes;*
2. *delegate authority to the Chief Executive Officer to enact the policy subject to there being no valid adverse comment.*

CARRIED UNANIMOUSLY: (8/0)

Attachment 1

POLICY NO:	LPP 6
DIVISION:	Development Services
SUBJECT:	Caretaker's Dwellings in Light Industrial Areas (draft)
ENABLING LEGISLATION:	Town Planning Scheme No.6 - Wyndham Town Planning Scheme No 7 - Kununurra & Environs

OBJECTIVES:

- To reiterate, clarify and to some degree relax the development standards applied to the establishment of a Caretaker's Dwelling in industrial zones as prescribed under Clauses 5.13.1(b), 5.13.2 a) – f) and 5.16.5 of Town Planning Scheme No.7 and apply consistent standards through Town Planning Scheme No.6.
- To ensure that residential living through the use of caretaker's dwellings does not impose constraints on lawful use of land for industrial purposes nor compromise the integrity of industrial areas.
- To acknowledge that caretaker's dwellings at times are needed for financial and security purposes, whilst equally recognising that the physical environment in industrial areas is potentially unsafe and unattractive for residents.
- To provide for caretaker's dwellings in industrial areas subject to appropriate planning controls.

POLICY:

1.0 Introduction

A Caretaker's Dwelling is listed as a permitted use in the Shire's Town Planning Scheme No.6 and Town Planning Scheme No.7 providing an industrial use has first been approved and established on the same property.

However, it is widely accepted that caretaker's dwelling, deemed a sensitive land use under the Environmental Protection Authority guidelines, can potentially conflict with some industrial uses, particularly general industry uses. In light of this, consideration needs to be given to a range of standards and provisions that provide for a caretaker's dwelling whilst ensuring the industrial purpose and integrity of the zoning is adequately maintained.

2.0 Definitions

“Caretaker’s Dwelling” means a habitable building used by a person having the care of buildings, plant, equipment and grounds associated with an industrial business or use that is conducted on the same site.

3.0 Policy Statements

- 3.1 This policy is only applicable to the establishment of a caretaker’s dwelling in the Industrial’ zone in TPS No.6 and the ‘Light Industry’ zone for TPS No.7.
- 3.2 A caretaker’s dwelling is to be incidental to the predominant industrial use of the site.
- 3.3 Only one (1) caretaker’s dwelling may be supported on any one lot.
- 3.4 A caretaker’s dwelling will not be supported by the local government without a legitimate industrial use/business also being applied for and approved at the same time.
- 3.5 Failure to proceed with a legitimate industrial use/business within a two (2) period may result in the Local Government instigating enforcement action to remove the caretaker’s use.
- 3.6 A caretaker’s dwelling shall not take the form of a caravan or basic ‘flat roof’ transportable accommodation unit, although a park home structure may be acceptable based on condition and overall presentation of the building at the discretion of the Local Government.
- 3.7 A caretaker’s dwelling is to fully accord with the requirements of the Building Code of Australia (BCA) for a Class 1 or 4 building.
- 3.8 A caretaker’s dwelling shall, as per the Town Planning Scheme provisions:
 - a) not exceed three bedrooms and a total floor area of 100m² measured from the external face of the outer walls. Open verandahs may be permitted but must not be enclosed by any means unless the total floor area remains within the 100m² in floor area;
 - b) be adequately screened from view from the street, and where possible, be located behind existing buildings on the lot.
- 3.9 The applicant for a caretaker’s dwelling is to submit with an application for planning consent a Statutory Declaration that clearly acknowledges the potential for high levels of nuisance (i.e. noise, dust, traffic, and hours of operation) that can

emanate from an industrial activity that may have an adverse effect on the residential habitation of a caretaker's dwelling.

- 3.10 This applicant is to place a notification on the Certificate of Title for the subject property that affords notice to any prospective purchaser and heir or successor of the Title in regards to Statement 2.9, above.
- 3.11 The Local Government will not support a survey strata subdivision that involves a caretaker's dwelling unless a viable industrial business is established on the same strata lot – refer to Figure 1.

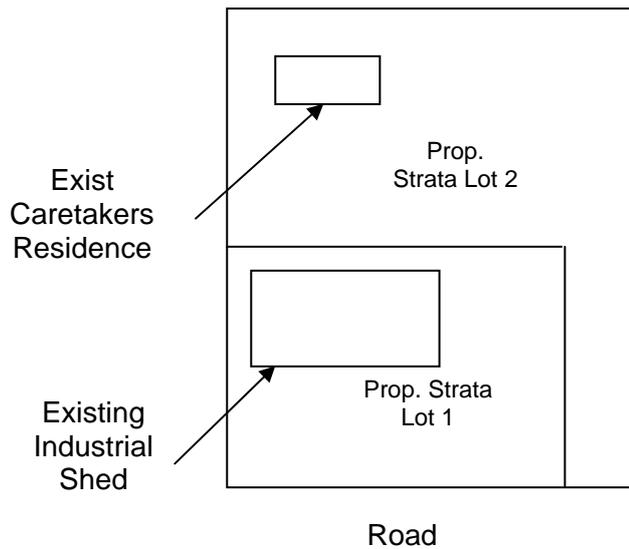


Figure 1 – Proposed Survey Strata Subdivision – **not supported**

3.12 Notwithstanding Statement 3.10 above, the Local Government will only support one caretaker’s dwelling on the ‘parent’ lot where approval for a built strata subdivision is sought.

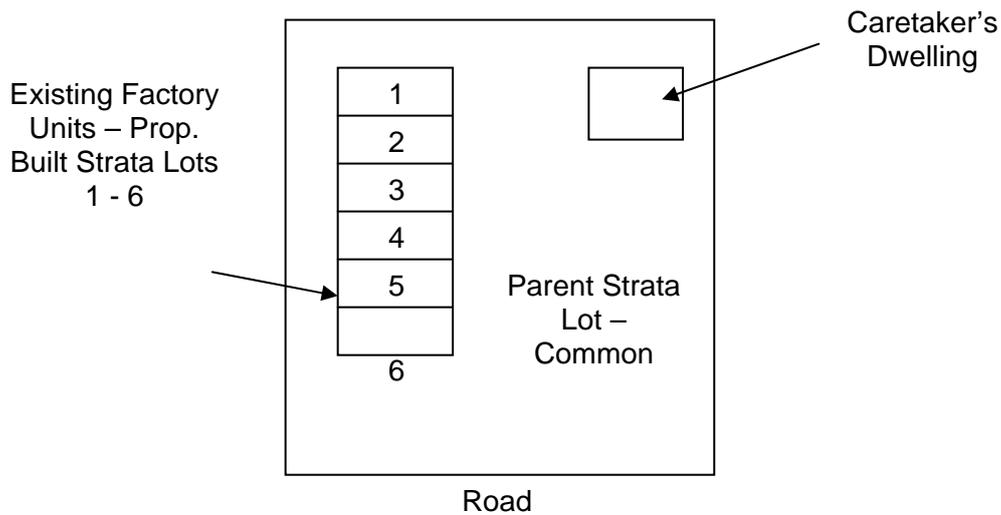


Figure 2 – Proposed Built Strata Subdivision – **only one caretaker’s dwelling**

REFERENCE:

The Shire of Wyndham – East Kimberley Town Planning Scheme No.6 and No.7, and the *Planning & Development Act (2005)*.

Adopted:
 Reviewed:
 Amended:

12.4.2 DRAFT LPP 7 - RELOCATED AND TRANSPORTABLE BUILDINGS (8697)

DATE:	16 June 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Wyndham and Kununurra Townsites
AUTHOR:	Ian D'arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.02.01
ASSESSMENT NO:	N/A

PURPOSE

This report relates to the preparation of a draft Local Planning Policy for Relocated and Transportable Buildings within the Shire and seeks to establish the minimum standards required in obtaining planning consent and a building licence.

BACKGROUND

As part of the review of the Development policies over the coming months the current DC Policy 11 (refer to Attachment 1) has been redrafted as Local Planning Policy No. 7 (refer to Attachment 2) and accordingly been assessed by the Development Control Unit to ensure its functionality.

STATUTORY IMPLICATIONS

The ability to prepare a Local Planning Policy is afforded to the Council under Clause 3.3.2 (a) of the Shire Town Planning Scheme (TPS) No. 6 and Clause 12.6.1 of the Shire of Wyndham East Kimberley Town Planning Scheme (TPS) No. 7.

POLICY IMPLICATIONS

This policy will assist the general public in understanding the Council's position on the establishment of Relocated and Transportable Buildings within the town sites of Wyndham and Kununurra, as well as benefit Shire Officers in providing advice and issuing approvals for this form of development.

FINANCIAL IMPLICATIONS

A cost in the order of \$300 - \$400 for publication of advertisements in the local newspaper will be incurred by Council. However, it is intended to include 4 – 5 Development Control (Local Planning) Policies within the one advertisement to minimise the costs associated with the Policy review.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

In accordance with Clause 12.6.4 (a) of the TPS No. 7 (for example) the Council is required to advertise the draft Policy at least once per week for two consecutive weeks in a local newspaper requesting submissions to be lodged within a period of no less than 21 days.

COMMENT

Simply, the draft Local Planning Policy has removed all reference to use of caravans and temporary accommodation with the view taken that this Policy needs to focus on providing guidance for the placement of new or near purpose built transportable buildings, and the relocation and re-use of 'second-hand' buildings.

Furthermore, the revision of this policy also seeks to address a number of matters, particularly in regard to the 'relocated dwelling' component, which includes structural integrity, appearance and suitability in design, aesthetic presentation, and removal of asbestos in the interest of public health.

For transportable buildings, both new and near new, the revised Policy prescribes the minimum information required for the purpose of obtaining planning consent and a building licence.

ATTACHMENTS

Attachment 1 – Current Development Control Policy 11 – Relocated Dwellings.

Attachment 2 – Draft Local Planning Policy 7 – Relocated and Transportable Buildings.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council

1. Resolve to adopt the draft Local Planning Policy No. 7 – Relocated and Transportable Buildings as shown in Attachment 2 (with or without modification by Council) pursuant to Clause 3.3.2 (a) of the Shire Wyndham – East Kimberley Town Planning Scheme No. 6 and Clause 12.6.1 (a) of the Shire of Wyndham – East Kimberley Town Planning Scheme No. 7, and proceed to publish a notice to this effect in the local newspaper pursuant to Clauses 3.3.2 (a) and 12.6.4 (a) of the respective Schemes;
2. delegate authority to the Chief Executive Officer to enact the policy subject to there being no valid adverse comment.

COUNCIL DECISION

Minute No. 8697

Moved:Cr K Wright

Seconded:Cr K Torres

That Council

- 1. Resolve to adopt the draft Local Planning Policy No. 7 - Relocated and Transportable Buildings as shown in Attachment 2 (with or without modification by Council) pursuant to Clause 3.3.2 (a) of the Shire Wyndham - East Kimberley Town Planning Scheme No. 6 and Clause 12.6.1 (a) of the Shire of Wyndham - East Kimberley Town Planning Scheme No. 7, and proceed to publish a notice to this effect in the local newspaper pursuant to Clauses 3.3.2 (a) and 12.6.4 (a) of the respective Schemes;**
- 2. delegate authority to the Chief Executive Officer to enact the policy subject to there being no valid adverse comment.**

CARRIED UNANIMOUSLY: (8/0)

Attachment 1

POLICY NO:	DC11
DIVISION:	Development Control
SUBJECT:	Relocated Dwellings
REPORTING OFFICER:	Executive Manager Engineering and Development Services
ENABLING LEGISLATION:	Town Planning Scheme 7

OBJECTIVE:

To maintain a parity of the completed standard between relocated buildings, newly built dwellings and caretakers accommodation.

POLICY:

Conditions of Approval:

The Chief Executive Officer may grant approval for the use of a building or caravan as a dwelling on a lot in accordance with table 1, definitions and the following conditions where applicable;

1. The proposed use complies with the provisions of the Town Planning Scheme.
2. A transportable dwelling is to have the appearance of a dwelling.
3. A bond where applicable of a minimum of \$7,500 is imposed to ensure that any condition on the approval is observed.
4. Chief Executive Officer is authorised to make progressive refunds of the bond as the required works are completed.
5. A transported building is to be modified to give the appearance of being a dwelling. ie roof line, verandahs etc.
6. A caravan is to be used for temporary accommodation for a maximum period of three months, or for such time as the Council deems appropriate (reviewed annually), where approval by the Department of Local Government has been granted in accordance with Part 2, section 11(1)(2) of the Caravan Parks and Camping Grounds Regulations 1997.
7. An outbuilding used as a dwelling must comply with the Building Codes of Australia and the provisions of the Health Act.

Definitions

1. Transportable Dwelling (relocated) is a building that was originally designed, constructed and occupied as a dwelling and is able to be relocated onto another site.

2. Transportable dwelling (new) is a new building that is designed & constructed, and has the appearance of a dwelling and is able to be transported onto another site.
3. Transportable Building (previously used) is a building that does not have the appearance of a dwelling, however is capable of being converted into a dwelling that will satisfy the requirements of the Health Act.
4. Transportable Building (new) is a building that does not have the appearance of a dwelling, however is capable of being converted into a dwelling that will satisfy the requirements of the Health Act.
5. Caravan means a vehicle as defined under the Road Traffic Act 1974-82 maintained in condition suitable for licence under that Act at all times and being designed or fitted or capable of use as a habitation or for a dwelling or sleeping purposes.
6. Outbuilding is a structure, designed as a shed, garage or the like. An outbuilding that is to be used as a dwelling is required to contain the facilities of a dwelling to satisfy the requirements of the Health Act.

Adopted: 17/07/1997
Reviewed: 20/07/2000
Amended: 15/10/1998
Amended:

July 2004

POLICY NO:	LPP7
DIVISION:	Development Services
SUBJECT:	Relocated and Transportable Buildings
REPORTING OFFICER:	Executive Manager of Development
ENABLING LEGISLATION:	Town Planning Scheme No 7 - Kununurra & Environs Town Planning Scheme No.6 - Wyndham

OBJECTIVE:

This policy is intended to:

- Ensure an acceptable quality of development is achieved that does not detrimentally affect the amenity and streetscape of a locality.
- Establish clear guidelines for the assessment of proposals to transport or relocate new and ‘second-hand’ buildings to land within the Shire.

POLICY:

1.0 Introduction

This Policy seeks to provide a level of clarity as to the requirements for relocation of previously used buildings and the transportation of purpose built new or near new pre-fabricated buildings.

In many circumstances relocated buildings are 20 – 40 years of age and are often clad with asbestos, which when transported can present a significant health risk. Additionally, the structural integrity of the building needs to be considered, particularly with the use of ‘second hand’ materials, and design and placement of the building requires due consideration to its presentation and harmony with surrounding environs.

To the contrary transportable buildings are usually designed and pre-fabricated for transportation with a specific purpose, and therefore do not require the same level consideration and assessment.

2.0 Definitions

2.1 **“Relocated Building”** (previously used) *means a building that was originally designed, constructed for purpose and is capable of being relocated and re-used on another site for the same purpose.*

2.2 **“Transportable Building”** (new or near new) *means a new prefabricated building that is designed & constructed for transport to a site on a design for purpose basis.*

3.0 Policy Statements

- 3.1 An application for transportable building shall be accompanied by a relevant building licence application inclusive of site plan, floor plan, elevations, working drawings and specification, engineering certification, and energy efficiency assessment.
- 3.2 The application for a Relocated Building (previously used) shall be accompanied by:
- a) A floor plan of the re-located building drawn to scale of no less than 1:100;
 - b) A series of photographs of each elevation of the relocated building prior to it being dismantled showing its standard of presentation;
 - c) A site plan of the property where the building is being relocated too showing the proposed location of the relocated building (and effluent disposal system if applicable) in relation to boundary setbacks, natural features, and existing buildings;
 - d) A detail report on the structural integrity of the relocated building prepared by a certified Building Surveyor or practicing structural engineer;
 - e) An energy efficient assessment should the intended use of the building be for residential habitation;
 - f) A written submission from the proponent detailing the proposed works to be undertaken to the relocated building to improve its visual presentation and ensure it complies with the relevant building and health standards as required under the *Building Code of Australia* and the *Health Act 1911*.
- 3.3 The Local Government may not support the placement of a transportable or relocated building on a particular property should there be concern regarding design and aesthetic presentation of the building that could have an adverse affect on the quality of housing stock in a specific area or locality.
- 3.4 A relocated or transportable building shall not be sited on a property within the Shire without planning consent and a building licence being first obtained from the Local Government.
- 3.5 Any dwelling containing or suspected of containing asbestos must be considered by Shire's Environmental Health Department prior to relocation. If asbestos is determined as present, it shall be removed prior to the building it being transported in the Shire. Any removal of asbestos must comply with WorkSafe WA Asbestos Handling Guidelines.
- 3.6 The Local Government at its discretion may impose conditions requiring the relocated building to be re-roofed, re-clad and/or re-painted within a specified time frame to ensure the building presentation is of an acceptable standard to the Council.

- 3.7 The Local Government at its discretion may impose a bond or bank guarantee to a minimum value of \$7,500 to ensure that any condition on the approval is observed and met to the satisfaction of the Local Government.

ADOPTED:

REVIEWED:

AMENDED:

12.4.3 SHIRE HOUSING TENDER (8698) (8699)

DATE:	16 June 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Wyndham and Kununurra Town sites
AUTHOR:	Ian D'arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.04.37
ASSESSMENT NO:	N/A

PURPOSE

For the Council to endorse tender documentation for the design and construction of housing on the following sites:

Site 1 – Lot 191 Quondong Street, Kununurra – one single storey 3 bedroom/2 bathroom house,

Site 2 – Lot 174 Banyan Street, Kununurra – one single storey 3 bedroom/2 bathroom house,

Site 3 – Lot 501 – Casuarina Way, Kununurra – multiple two storey 3 bedroom/2 bathroom dwelling units.

BACKGROUND

As a part of the Council's housing replacement and economic development program it has over the past year:-

- Budgeted for the construction of two new single storey 3 bedroom/2 bathroom staff houses in the Lakeside Estate;
- Investigated a number of housing options in this regard, including the feasibility of pre-fabricated transportable houses, and
- Secured a grouped housing site, which is currently being rezoned too a Residential R30 density to accommodate approximately twelve two storey 3 bedroom/ 2 bathroom dwelling units.

To progress this program a tender specification that incorporates the development for all three sites had been prepared for the Council's consideration and endorsement – refer to Attachment 1.

STATUTORY IMPLICATIONS

The Council is compelled to call for tender submissions to be received pursuant to Section 3.57 of the *Local Government Act (1995)*.

POLICY IMPLICATIONS

The tender documentation incorporates the minimum standards outlined in the Lakeside Design Guidelines.

FINANCIAL IMPLICATIONS

In relation to the tender process the only cost relates to the publication of advertisements in the local and Western Australian newspapers. It is expected that will be in the order of \$2,000.

With regard to construction costs funding will be derived from the Council's municipal 2009/2010 budget, Royalty for Regions Funds and Loans funding, if required.

STRATEGIC IMPLICATIONS

From a strategic perspective the intent is to retain the two single dwellings to address the growing demand for staff housing, while all of the grouped dwelling units will be sold to derive a profit to assist in funding the construction of a new administration building.

COMMUNITY CONSULTATION

The Council has sought public comment on the future development of Lot 501 Casuarina Way, Kununurra through the erection of promotional signage on the site over the past 9 months, with no submissions being received.

COMMENT

The tender specification provides for a variation in housing style and design allowing flexibility for transportable, kit and site built homes to be considered against quality, value for money, energy efficiency, functionality, aesthetic appeal and timeliness of delivery/construction. Tenders can be submitted for one site and all three sites, although it is hoped tenderers focus on a 'package approach' to achieve an appropriate economy of scale, associated cost savings and construction of all three sites within an optimum time line.

It is suggested the tender be open for a period of 6 weeks to allow adequate time for design and costing, and at the conclusion of this period evaluation be undertaken by a panel consisting of the Chief Executive Officer, Executive Manager of Engineering and Regulatory Services, Executive Manager of Development Services and one of the Shire's Building Surveyors.

The evaluation will be based on three main criteria listed as follows and in consideration of the contract specifications outlined in Section 3 of the Tender Documentation:

Price:	60%
Experience	20%
Design	20%
Total	100%

ATTACHMENTS

Attachment 1 – Shire Housing Tender Specification Extract – Section 5 - Evaluation Criteria

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Adopt Tender Documentation T10 08/09 as provided in Attachment 1 (with or without modification by Council) for the design and construction of Shire Housing on the sites listed below:

Site 1 – Lot 191 Quondong Street, Kununurra – one single storey 3 bedroom/2 bathroom house,

Site 2 – Lot 174 Banyan Street, Kununurra – one single storey 3 bedroom/2 bathroom house,

Site 3 – Lot 501 Casuarina Way, Kununurra – multiple two storey 3 bedroom/ 2 bathroom dwelling units.

2. Proceed to call tenders for a period of six (6) weeks pursuant to Part 4. Local Government (Functions and General) Regulations 1996, with the evaluation to be undertaken based on the following criteria and in consideration of the Contract Specification detailed in Section 3 of the Tender Documentation:

Price:	60%
Experience	20%
Design	20%
Total	100%

COUNCIL DECISION

Minute No. 8698

Moved:Cr J Moulden

Seconded:Cr K Wright

That Cr Ausburn take the chair for items 12.4.3, 12.4.5, 12.5.1, 12.6.3 as Cr Addis declared a financial interest and left the room at 6.25pm

CARRIED UNANIMOUSLY: (7/0)

Council went straight to Item 12.4.5 while Cr Addis was out the room.

Minute No: 8699

Moved:Cr K Wright

Seconded:Cr J Moulden

That Council resolve to:

- 1. Adopt Tender Documentation T10 08/09 as provided in Attachment 1 (with or without modification by Council) for the design and construction of Shire Housing on the sites listed below:**

Site 1 - Lot 191 Quondong Street, Kununurra - one single storey 3 bedroom/2 bathroom house,

Site 2 - Lot 174 Banyan Street, Kununurra - one single storey 3 bedroom/2 bathroom house,

Site 3 - Lot 501 Casuarina Way, Kununurra - multiple two storey 3 bedroom/ 2 bathroom dwelling units.

- 2. Proceed to call tenders for a period of six (6) weeks pursuant to Part 4. Local Government (Functions and General) Regulations 1996, with the evaluation to be undertaken based on the following criteria and in consideration of the Contract Specification detailed in Section 3 of the Tender Documentation:**

Price:	60%
Experience	20%
Design	20%
Total	100%

CARRIED UNANIMOUSLY: (7/0)

Attachment 1

5. TENDER EVALUATION SCHEDULE

Tender submitted by:

The prices tendered shall include all delivery charges, custom tariffs, labour and material components. **All rates to be GST exclusive.** The successful tenderer will need to provide GST separately on invoice.

The rates and prices entered shall include fully for all the obligations of the Tenderer under the Contract.

WHILE THE PROVISION OF INFORMATION REQUESTED IN THIS SCHEDULE IS MANDATORY, TENDERERS ARE INVITED TO SUPPLY ANY OTHER INFORMATION THAT THEY BELIEVE WILL SUPPORT THEIR BID.

Price (60%)

Indicate the lump sum price for construction of Sites 1, 2 and 3 at the minimum standard specified in the Council's tender specification.

Site 1 \$ (GST Exclusive)

Site 2 \$ (GST Exclusive)

Site 3 \$ (GST Exclusive)

Experience (20%)

In the table provided below, please provide examples of similar types of constructions that the tenderer has undertaken:

Location	Nature of Construction	Construction Value

Design (20%)

Tenders are required to provide an indicative lot layout plan, internal floor plans and elevation plans for the building.

Items that will be reviewed in the design include:

- Functionality of internal design
- Appropriate use of lot area.
- Visual appearance of property from street.
- Active and passive energy efficient design (solar orientation, awnings, eaves, overhangs, screening, breezes, shade structures/solar pergolas, etc.)
- Passive surveillance of street and communal areas

Construction Method and PC Items

1. Please stipulate the proposed construction style (ie. Brick, steel frame with corrugated sheeting, tilt slab)
2. Within the Lump Sum tender price submitted, what budget allocation has been made for the following PC items:

Provisional Item	Site 1	Site 2	Site 3
Kitchen Carpentry	\$	\$	\$
Plumbing fittings/fixtures	\$	\$	\$
Flooring/Tiling	\$	\$	\$
Landscaping	\$	\$	\$

Signature of Tenderer: Date:.....

Printed Name:

**12.4.4 TOWN PLANNING SCHEME NO. 7 - PROPOSED AMENDMENT 28
- WEABER PLAIN ROAD AND ERYTHRINA STREET KUNUNURRA
(8701)**

DATE:	16 June 2009
PROPONENT:	Department of Housing and Works
LOCATION:	Weaber Plain Road/Erythrina Street Kununurra
AUTHOR:	Jennifer Ninnette, Town Planning Officer
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.31.28
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the adoption of an amendment to Shire of Wyndham - East Kimberley Town Planning Scheme No 7 - Kununurra and Environs for the recoding of density for residential land in the vicinity of Weaber Plain Road and Erythrina Street, and Hidden Valley residential area in Kununurra.

BACKGROUND

The amendment proposes to rezone a number of lots along Weaber Plain Road, Erythrina Street and the Hidden Valley residential area to increase density, allowing future redevelopment and provision of additional housing stock in this area.

The amendment is comprised of three components:

- Rezone land in Erythrina Street and the western side of Weaber Plain Road from Residential R15/R50 to Residential R50;
- Rezone land on the eastern side of Weaber Plain Road from Residential R15 to Residential R30;
- Rezone land in Hidden Valley residential area from Residential R15 to Residential R20.

Council resolved to initiate the proposal in January 2009, which in turn was forwarded to the Western Australian Planning Commission (WAPC) and Environmental Protection Authority (EPA) prior to advertising.

The WAPC acknowledged receipt of the amendment documents and noted the Council's intent to advertise.

The EPA advised that the amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and that it was not necessary to provide any advice or recommendations.

Prior to advertising, minor modifications were made to the amendment documents, as follows:

1. Remove Lot 1037 Greybox Crescent from the Scheme Amendment Map due to an administrative error and anomaly in this property not being correctly represented in the Scheme Amendment Text at the time of advertising.

2. Removal of Lots 1471 & 1476 Dryandra from the Scheme Amendment Text as these Lots are reserved in the Town Planning Scheme for public purposes (drainage), and are indicated to stay as such on the amendment plan.

The advertising period effectively closed on 15th May 2009 and the proposed amendment is now presented with a schedule of submissions to the Council for consideration and progress of the Amendment for final approval.

STATUTORY IMPLICATIONS

Planning and Development Act (2005)

Amendments to Local Planning Schemes are required to be undertaken in accordance with the provisions of the *Planning and Development Act, 2005* [the Act] and the Town Planning Regulations, 1967. Council is therefore required to adopt the Amendment for final approval in accordance with Regulations 17(2) and 22(1) of the Town Planning Regulations 1967 (as amended).

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

An initiation fee of \$500 has been paid by the proponent. A further fee of \$500 is payable upon Council's adoption of the final amendment.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Council's adopted Local Planning Strategy [LPS] designates the area as Residential and states that there is both a housing shortage and a lack of appropriate housing types to adequately meet demographics because single dwellings are the predominant style of housing. The LPS also suggests ways and means of overcoming the housing shortage and lack of choice with the following recommendations:

- Up-coding residential densities to slightly higher densities where lot sizes allow;
- Encouraging a variety of housing forms that promote climate sensitivity and sustainability;
- Providing for infill development opportunities where they do not conflict with prevailing densities and amenity; and
- Modifying provisions and R-Coding in the Scheme to provide more flexibility in the creation of housing styles and type.

Draft Plan for the Future 2008 – 2010

This plan provides:

Key Result Area 3 – Economic Development

The strategic objective is to work in partnership with Government, community and industry leaders to promote and provide opportunities for economic and social growth across the Shire through Town Planning that guides sustainable land use and development.

Urban renewal is a key project addressed in the draft Plan for the Future, to address areas within Kununurra which have high levels of social housing and/or older housing stock, and have been become run down, resulting in substandard streetscape amenity.

On the basis of the above extracts from the Councils key strategic planning documents the proposed Scheme Amendment clearly accords with the strategic direction set by the Council.

COMMUNITY CONSULTATION

The amendment was advertised for 42 days from 2 April 2009 to 15 May 2009, with an advertisement placed in the Kimberley Echo and notification available for viewing at the Shire offices, and notices posted to affected and surrounding land owners and relevant service agencies.

In total, three submissions were received, one each from the Department of Water and the Water Corporation, advising of no objection to the proposed amendment. The third submission of support was received from the applicant, being the Department of Housing. The submissions are detailed in Attachment 1 – Schedule of Submissions.

COMMENT

It is noted that from initiation of the Amendment by the Council in January 2009 neither the WAPC nor the EPA has raised any objections to the proposed rezoning, and further, through the formal advertising there has been no objections from any affected or adjacent landowners with only three submissions received all in support of the proposal. Of these submissions further comment is provided in the Schedule of Submissions.

ATTACHMENTS

Attachment 1 - Summary of Submissions

Attachment 2 - Revised Scheme Amendment Map

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Amend, pursuant to Section 75 of the Planning and Development Act 2005 (as amended), the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 - Kununurra and Environs, by:

- a) Rezoning Lots 2, 3 997, 1015, 1082, 1083 and 1257 Erythrina Street and Lots 828 - 832, 1016, 1017 and 1077 - 1081 Weaber Plain Road from Residential R15/50 to Residential R50;
 - b) Rezoning Lots 858 - 861, 1035, 1060 - 1062 and 1073 - 1075 Weaber Plain Road from Residential R15 to Residential R30;
 - c) Rezoning Lots 401, 862, 873, 1036, 1394 - 1397, 1403 - 1406, 1410 - 1413, 1424, 1425, 1433, 1443 - 1445, 1469, 1620, 1621, 2218- 2220 and 2398 Barringtonia Street; Lots 1434, 1449, 1450, 1470, 1472 - 1475, 1477 - 1478, 1622, 1625 -1634 and 2262 Dryandra Road; Lots 1451, 1452, 1456, 1481, 1482, 1486 - 1488, 2205 - 2210 and 2266 Wilga Place; Lots 1435, 1441, 1461 - 1466, 2211 - 2217 Mallee Court; Lots 1379 - 1386, 1393, 1398 - 1402 1414, 1415, 1420 - 1422, 1427, 1428, 1431, 1521, 1616 - 1619 and 2231 Boobiella Way; Lots 1378, 1387 - 1392, 1426 and 1498 - 1501 Acacia Court; Lots 1495 - 1497 and 1502 Calatropis Court; Lots 402, 863, 864, 907, 1018 - 1025 and 1038 Greybox Crescent; Lots 1026-1034, 1040 - 1043 and 1063 - 1067 Carbeen Street and Lots 1044 - 1048, 1049 - 1059 and 1068 - 1072 Woollybutt Place from Residential R15 to Residential R20.
 - d) Amending the Scheme Maps accordingly.
2. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation pursuant to Regulation 22(1) of the Town Planning Regulations 1967 (as amended)
 3. Forward the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the signed and sealed Amendment Documents for endorsement pursuant to Regulation 22(2) of the Town Planning Regulations 1967 (as amended).
 4. Request that the Honourable Minister for Planning grants final approval to Amendment 28 of Town Planning Scheme No. 7 – Kununurra and Environs.

COUNCIL DECISION

Minute No. 8701

Moved:Cr K Wright

Seconded:Cr D Ausburn

That Council resolves to:

1. ***Amend, pursuant to Section 75 of the Planning and Development Act 2005 (as amended), the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 - Kununurra and Environs, by:***

a)Rezoning Lots 2, 3 997, 1015, 1082, 1083 and 1257 Erythrina Street and Lots 828 - 832, 1016, 1017 and 1077 - 1081 Weaber Plain Road from Residential R15/50 to Residential R50;

b)Rezoning Lots 858 - 861, 1035, 1060 - 1062 and 1073 - 1075 Weaber Plain Road from Residential R15 to Residential R30;

c)Rezoning Lots 401, 862, 873, 1036, 1394 - 1397, 1403 - 1406, 1410 - 1413, 1424, 1425, 1433, 1443 - 1445, 1469, 1620, 1621, 2218- 2220 and 2398 Barringtonia Street; Lots 1434, 1449, 1450, 1470, 1472 -1475, 1477 - 1478, 1622, 1625 -1634 and 2262 Dryandra Road; Lots 1451, 1452, 1456, 1481, 1482, 1486 - 1488, 2205 - 2210 and 2266 Wilga Place; Lots 1435, 1441, 1461 - 1466, 2211 - 2217 Mallee Court; Lots 1379 - 1386, 1393, 1398 - 1402 1414, 1415, 1420 - 1422, 1427, 1428, 1431, 1521, 1616 - 1619 and 2231 Boobiella Way; Lots 1378, 1387 - 1392, 1426 and 1498 - 1501 Acacia Court; Lots 1495 - 1497 and 1502 Calatropis Court; Lots 402, 863, 864, 907, 1018 - 1025 and 1038 Greybox Crescent; Lots 1026-1034, 1040 - 1043 and 1063 - 1067 Carbeen Street and Lots 1044 - 1048, 1049 - 1059 and 1068 - 1072 Woolybutt Place from Residential R15 to Residential R20.

d)Amending the Scheme Maps accordingly.

- 2. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation pursuant to Regulation 22(1) of the Town Planning Regulations 1967 (as amended)**
- 3. Forward the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the signed and sealed Amendment Documents for endorsement pursuant to Regulation 22(2) of the Town Planning Regulations 1967 (as amended).**
- 4. Request that the Honourable Minister for Planning grants final approval to Amendment 28 of Town Planning Scheme No. 7 - Kununurra and Environs.**

CARRIED UNANIMOUSLY: (8/0)

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

Amendment No. 28:

- Rezoning from Residential R15/50 to Residential R50 Erythrina Street, Weaber Plain Road, Kununurra,
- Rezoning from Residential R15 to Residential R30, Weaber Plain Road, Kununurra
- Rezoning from Residential R15 to Residential R30, Barringtonia Street, Dryandra Road, Wilga Place, Mallee Court, Boobialla Way, Acacia Court, Calatropis Court, Greybox Crescent, Carbeen Street, Woollybutt Place, Kununurra

Schedule of Submissions

SCHEDULE NO, NAME & ADDRESS	OBJECTION/SUPPORT	SUMMARY OF RESPONSES (all comments typed as received)	COMMENTS
RESPONSE 1 Department of Water PO Box 625	<i>1.1.1.1.</i> <i>1.1.1.2.</i> <i>1.1.1.3. Comment</i>	1. The Department of Water has no objections to the proposal.	1. Noted
RESPONSE 2 Department of Housing 99 Plain Street East Perth WA 6004	Support	1. Please be advised that the Department of Housing supports Scheme Amendment No. 28 to Town Planning Scheme No. 7.	1. Noted
RESPONSE 3 Water Corporation PO Box 100 Leederville WA 6902	Comment	1. In relation to the proposed Town Planning Scheme Amendment above, the Water Corporation has no objections in principle.	1. Noted.

12.4.5 TOWN PLANNING SCHEME NO 7 - PROPOSED AMENDMENT 31 COOLIBAH DRIVE (CHESTNUT) (8700)

DATE:	16 June 2009
PROPONENT:	Landcorp/Shire of Wyndham - East Kimberley
LOCATION:	Lot 505, Lot 506 and a portion of Lot 501 Coolibah Drive and Lot 507 Chestnut Avenue, Kununurra
AUTHOR:	Urbis Planning Consultants/Ian D'Arcy - Executive Manager Development Services
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.31.31
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider initiating an amendment to the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 (TPS 7) – Kununurra and Environs, to:

1. Rezone Lot 505, Lot 506 and a portion of Lot 501 Coolibah Drive and Lot 507 Chestnut Avenue, Kununurra from Parks and Recreation to Town Centre; and
2. Apply an additional use of Single Dwelling to Lot 505 and a portion of Lot 501 Coolibah Drive, Kununurra.

The proposed Scheme Amendment shall be known as Amendment No. 31.

BACKGROUND

Over the past 9 months the Shire has been collaborating with Landcorp, the Department for State Development and others to facilitate the development of Lot 505 and a portion of Lot 501 Coolibah Drive, Kununurra for the purpose of community housing that is to include the provision of “stepping stone” housing for both Indigenous and non-Indigenous workers, thus assisting them with employment opportunities and moving towards home ownership.

Lot 506 Coolibah Drive and Lot 507 Chestnut Avenue, containing a childcare centre, have been included in the proposed rezoning to Town Centre. Redevelopment of these sites is not proposed, with the Lots being included only to regularise and essentially “round-off” the rezoning area.

Location

The subject site is located within the townsite of Kununurra in the Shire of Wyndham East Kimberley. The site is bound by Coolibah Drive to the north, Chestnut Avenue to the east, the Kununurra Hospital site to the south, and the Kununurra Agricultural Showgrounds to the west.

Figure 1 to this report provides an understanding of the subject area:



Figure 1 – Location Plan

Site Details

The site consists of Lot 505, Lot 506 and a portion of Lot 501 Coolibah Drive and Lot 507 Chestnut Avenue, Kununurra, with the total Scheme Amendment area being approximately 5.9348ha.

Land Tenure

Lot 505 was previously reserved for recreation, but has been recently transferred to Unallocated Crown Land, with the purpose being to facilitate development the subject of this proposal.

Lot 501 is currently reserved for the purposes of health (hospital and allied purposes). Consideration is currently being given to transferring the portion of Lot 501 subject to this application to Unallocated Crown Land.

Physical Condition

A childcare centre is located on Lots 506 and 507 and aside from this building, and as a result of previous land clearing, the majority of the subject site is vacant parkland dispersed with natural regrowth vegetation.

Noted along the western boundary the site is separated from the adjoining Agricultural Showgrounds by a rural type fence.

Envisaged Development

The Scheme Amendment is proposed to facilitate a mix of residential, mixed-use and community uses. Whilst the form of development has yet to be finalised, the following is envisaged:

- Transitional housing for indigenous and non-indigenous workers;
- Housing for key workers, including government employees;
- Housing for the private market;
- A hostel for out-of-town patients and carers visiting the neighbouring Kununurra Hospital; and
- Mixed-use commercial and residential development fronting Chestnut Avenue. In this regard it is suggested that commercial development be located on the ground floor with two or three levels of residential development above.

Based on this mix of development it is suggested the site will yield between 100 and 130 dwellings, configured in clusters of grouped dwellings, or in the form of rows of medium-density attached and detached dwellings.

Additionally, it is proposed that up to 50 “transitional” housing units will be interspersed across the site. The transitional housing will be used by indigenous and non-indigenous workers and is based on a “stepping-stone” model. This model proposes giving housing occupants within the programme the opportunity to transition from rental accommodation to home ownership within the site or elsewhere within Kununurra. The units will be scattered throughout the site with maintenance and management services expected to be handed over to an independent agent on occupancy. In conjunction with the provision of housing, specialist mentoring is proposed to assist occupants in obtaining the responsibilities associated with independence and home ownership. It is hoped that the proposed development can be used as a model for other similar “stepping-stone” developments in Western Australia.

Planning Framework

The subject site is located within the Kununurra townsite. The following are key elements of the planning framework applicable to the site:

Shire of Wyndham - East Kimberley Plan for the Future 2008-2010 - The site is identified as a large parcel of land in close proximity to the Kununurra Town Centre, with strategic locational advantages for development. On this basis, Council has resolved to excise the site for the development of residential and community uses. Accordingly, this Scheme Amendment proposal will facilitate the future development of the site in accordance with the strategic direction as outlined in the Shire’s ‘Plan for the Future’.

Kununurra Wyndham Area Development Strategy - The Kununurra Structure Plan, contained within the Kununurra Wyndham Area Development Strategy, identifies the subject site as being suitable for Town Centre development.

Shire of Wyndham East Kimberley Local Planning Strategy - With regard to the Town Centre and inner residential development, the Shire Local Planning Strategy identifies that:

- The retail, commercial, health and community sectors are major employers in Kununurra. The Strategy suggests this will increase as a result of increased development and population in response to renewed economic growth in regional areas that in turn will result in expansion of Town Centres;

- Tourism will benefit from additional commercial development and an improved Town Centre for Kununurra. The strategy identifies that the current Town Centre is not attractive or enticing;
- There is a high turnover of key workers, especially Government and professional employees, due to renting costs and housing shortage issues;
- A variety of housing types should be promoted within the Town Centre to address a lack of housing choice as well as an on-going housing shortage in Kununurra;
- High quality residential environments with readily accessible amenities should be provided; and
- Indigenous business development and employment should be encouraged within the Town Centre.

It is intended the proposed Amendment will work toward addressing many of the above issues, especially in terms of providing for housing diversity and assisting with Indigenous employment and business development.

Furthermore, the Strategy's Land Use Plan for Kununurra identifies the subject site for Town Centre, and notes that mixed-use development is encouraged to revitalise and provide security to the Town Centre. The Strategy also notes that significant growth constraints exist to the west of Kununurra that has resulted in most residential development for the town being located to the east. The development envisaged through this Scheme Amendment will provide a counterbalance to this trend with additional residential populations being sited to the west of the Town Centre area.

Town Planning Scheme No. 7 – Kununurra and Environs - The site is currently reserved for Parks and Recreation under Shire TPS 7. The proposed Scheme Amendment will see this land rezoned to 'Town Centre' with an additional use of Single Dwelling to meet the broad aim of community housing.

The objectives for the Town Centre zone are:

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

It is promoted the 'Town Centre' zone will be the most appropriate zoning for the subject site to achieve the desired mix of land uses due to the level of flexibility in terms of land use permissibility applicable to a range of residential, commercial and community uses subject to specific development controls. However, the current 'Town Centre' zone does not permit 'Single Dwellings', which is vital in the establishment of a successful "stepping-stone" housing project within Kununurra, as well as provide a diversity of residential accommodation options within the Town Centre area. As such, it is proposed that the current TPS No.7 be amended to provide an additional use of 'Single Dwelling' to the subject site.

It should also be noted that TPS 7 is currently being reviewed, along with the Shire's Town Planning Scheme No. 6 (TPS 6), relating to the Wyndham Townsite. The aim of this project is to consolidate the two Schemes and prepare a comprehensive Scheme covering the entire Shire. Given the scale of this project, it is assumed that Amendment No. 31 will be finalised first and in turn be incorporated into the new Scheme.

Issues for Consideration

Enquiry-By-Design

An Enquiry-By-Design (EBD) process is currently being undertaken for Kununurra.

The Town Centre, including the subject site, will be a key focus of the EBD process culminating in the preparation of a Development Concept Plan and supporting implementation plan. The Plans will form the basis for more detailed planning such as the preparation of the new Local Planning Scheme for the Shire, the preparation of design guidelines and requirements, future car parking strategy and landscaping/street scaping works. In addition, the Development Concept Plan will form a holistic basis for the consideration of individual development proposals.

Detailed planning for the site the subject of this report will run parallel with and be informed by the EBD process. To this end, it is understood Urban Design consultants have been engaged by Landcorp to prepare a concept plan for Lot 505 and the portion of Lot 501.

Infrastructure

Existing infrastructure and services within Kununurra, including sewer, water and electricity, have ample capacity to cater for envisaged growth. The proposed development for the subject site is therefore expected to be supported through standard extension and upgrade measures to existing services and utilities, where required.

It is also expected drainage from future development of the site will be discharged into the Shire's comprehensive drainage system, with upgrade measures undertaken where required.

Vegetation

As already mentioned, the subject site is largely parkland cleared consisting of dispersed natural regrowth vegetation. An objective of the proposed development in terms of environmental sustainability will be to ensure the retention or relocation of significant vegetation where possible and practical.

As with other developments, such as the Lakeside Stages, vegetation may be relocated to a certain portion of the site or be utilised for street tree planting.

Surrounding Development

The following land uses surround the subject site:

- Schools to the north;

- A recreation ground to the east;
- The Kununurra Hospital to the south; and
- The Kununurra Showgrounds to the west.

The proposed Town Centre zoning and envisaged development is not expected to conflict with any of the surrounding land uses. It should be noted that the Shire Local Planning Strategy identifies the abutting Kununurra Showgrounds as being suitable for Town Centre development in the future. This would complement the current proposal. Investigations would be required to determine an appropriate alternative location for the Showgrounds before this could occur. Nevertheless, a changing in zoning of this site may be contemplated as part of the Local Planning Scheme Review.

STATUTORY IMPLICATIONS

A Scheme Amendment is progressed in accordance with the requirements of the *Planning and Development Act (2005)* and the Town Planning Regulations (1967).

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is understood all costs associated with the Scheme Amendment will be borne by Landcorp. An exception to this however, is the usual local government amendment fees of \$1,000 that should be waived on this occasion given this project is to be facilitated on a partnership basis with the Shire.

STRATEGIC IMPLICATIONS

As outlined in the body of this report, the subject site has been identified through the Shire Local Planning Strategy as an expansion area to the Kununurra town centre to provide for a range of residential, commercial and community uses subject to specific development controls. On this basis it is accepted the proposed zoning is consistent with the strategic direction already established by the Council and endorsed by the Western Australian Planning Commission.

COMMUNITY CONSULTATION

Should the Council resolve to adopt the proposed Scheme Amendment, Shire staff will in turn forward the formal Amendment documentation to the Environmental Protection Authority (EPA) for comment, and Western Australian Planning Commission (WAPC) for information. Subject to no objections being received from the Environmental Protection Authority and acknowledgement being received from then Western Australian Planning Commission, Shire staff will then advertise the proposed Amendment for a mandatory period of 42 days. Following the advertising period, the matter will be referred back to Council for consideration of submissions received and determined.

In addition to the statutory advertising period for the Scheme Amendment, the proposal will also be discussed and reviewed through the EBD process. This is likely

to occur through the presentation of a development concept plan being prepared for the site.

COMMENT

Given the proposal to develop the subject site for Town Centre and residential purposes has been identified in various strategic planning documents for the Shire, most of all the Shire Local Planning Strategy, the nominated change in zoning with an additional single house use is considered appropriate.

Furthermore, it is understood that funding will soon be announced by the Commonwealth and State Governments to progress much needed community housing. Therefore, it is imperative the proposed Scheme Amendment 31 be initiated as one of the significant steps to facilitate this development.

ATTACHMENTS

Attachment 1 - Proposed Scheme Amendment Map

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. In pursuance of Section 75 of the *Planning and Development Act 2005* (as amended), amend Town Planning Scheme No. 7 – Kununurra and Environs by:
 - (a) Rezoning Lot 505, Lot 506 and a portion of Lot 501 Coolibah Drive and Lot 507 Chestnut Avenue, Kununurra, from Parks and Recreation to Town Centre, as indicated on the Scheme Amendment Map.
 - (b) Identifying Lot 505 and a portion of Lot 501 Coolibah Drive, Kununurra, as being subject to an Additional Use A3, as indicated on the Scheme Amendment Map.
 - (c) Adding the following row to the Additional Uses Schedule table contained within Appendix 2A of the Scheme Text:

		Headings needed.		
A3	3.	Lot 505 and a portion of Lot 501 Coolibah Drive, Kununurra	Single Dwelling	Nil.

2. That the Council advise the applicant of its decision with recommendation 1 above and request formal amendment documentation be prepared to enable referral to the Environmental Protection Authority;
3. That the Council forward Amendment No. 31 to Town Planning Scheme No. 7 to the Environmental Protection Authority for comment, pursuant to Section 81 of the *Planning and Development Act (2005)* and the Western Australian

Planning Commission for information, and subject to no objections being received from the Environmental Protection Authority and acknowledgement being received from the Western Australian Planning Commission, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations (1967) for a period of 42 days to the satisfaction of the Executive Manager Development Services.

4. That the Council resolve to waive the Scheme Amendment fees given its partnership involvement in this proposal.

COUNCIL DECISION

Minute No. 8700

Moved:Cr K Wright

Seconded:Cr R Boshammer

That Council:

1. In pursuance of Section 75 of the *Planning and Development Act 2005* (as amended), amend Town Planning Scheme No. 7 – Kununurra and Environs by:
 - (a) Rezoning Lot 505, Lot 506 and a portion of Lot 501 Coolibah Drive and Lot 507 Chestnut Avenue, Kununurra, from Parks and Recreation to Town Centre, as indicated on the Scheme Amendment Map.
 - (b) Identifying Lot 505 and a portion of Lot 501 Coolibah Drive, Kununurra, as being subject to an Additional Use A3, as indicated on the Scheme Amendment Map.
 - (c) Adding the following row to the Additional Uses Schedule table contained within Appendix 2A of the Scheme Text:

		Headings needed.		
A3	3.	Lot 505 and a portion of Lot 501 Coolibah Drive, Kununurra	Single Dwelling	Nil.

2. ***That the Council advise the applicant of its decision with recommendation 1 above and request formal amendment documentation be prepared to enable referral to the Environmental Protection Authority;***
3. ***That the Council forward Amendment No. 31 to Town Planning Scheme No. 7 to the Environmental Protection Authority for comment, pursuant to Section 81 of the Planning and Development Act (2005) and the Western Australian Planning Commission for information, and subject to no objections being received from the Environmental Protection Authority and acknowledgement being received from the Western***

Australian Planning Commission, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations (1967) for a period of 42 days to the satisfaction of the Executive Manager Development Services.

- 4. That the Council resolve to waive the Scheme Amendment fees given its partnership involvement in this proposal.***

CARRIED UNANIMOUSLY: (7/0)

Cr Addis returned to Council Chambers at 6.28pm and Item 12.4.4 was reviewed.

Attachment 1

SHIRE OF WYNDHAM EAST KIMBERLEY TOWN PLANNING SCHEME NO.7 AMENDMENT NO. 31



EXISTING ZONING



PROPOSED ZONING

LEGEND:

LOCAL SCHEME RESERVES

- PARKS AND RECREATION
- PUBLIC PURPOSES
DENOTED AS FOLLOWS:
H: HOSPITAL
A: ARBORETUM

ZONES

- TOWN CENTRE
- TOURIST
- MIXED BUSINESS

OTHER

- TOWN SITE-LAND ACT
- A3 ADDITIONAL USES
- SPECIAL SITE
DENOTED AS FOLLOWS:
S: SCHOOL

AMENDMENT NO. 31

COOLIBAH SCHEME AMENDMENT PROPOSAL

DATE 03.06.2009

DWG NO 001

REV A

SCALE NTS

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12.4.6 TOWN PLANNING SCHEME NO 7 - PROPOSED AMENDMENT 32 REZONING OF AGRICULTURAL LAND (8702)

DATE:	16 June 2009
PROPONENT:	LandCorp/RPS Koltasz Smith
LOCATION:	Agricultural and Conservation areas, Weaber Plain, East Kimberley
AUTHOR:	RPS Koltasz Smith/Ian D'Arcy – Executive Manager Development Services
REPORTING OFFICER:	Ian D'Arcy – Executive Manager Development Services
FILE NO:	43.31.32
ASSESSMENT NO:	N/A

PURPOSE

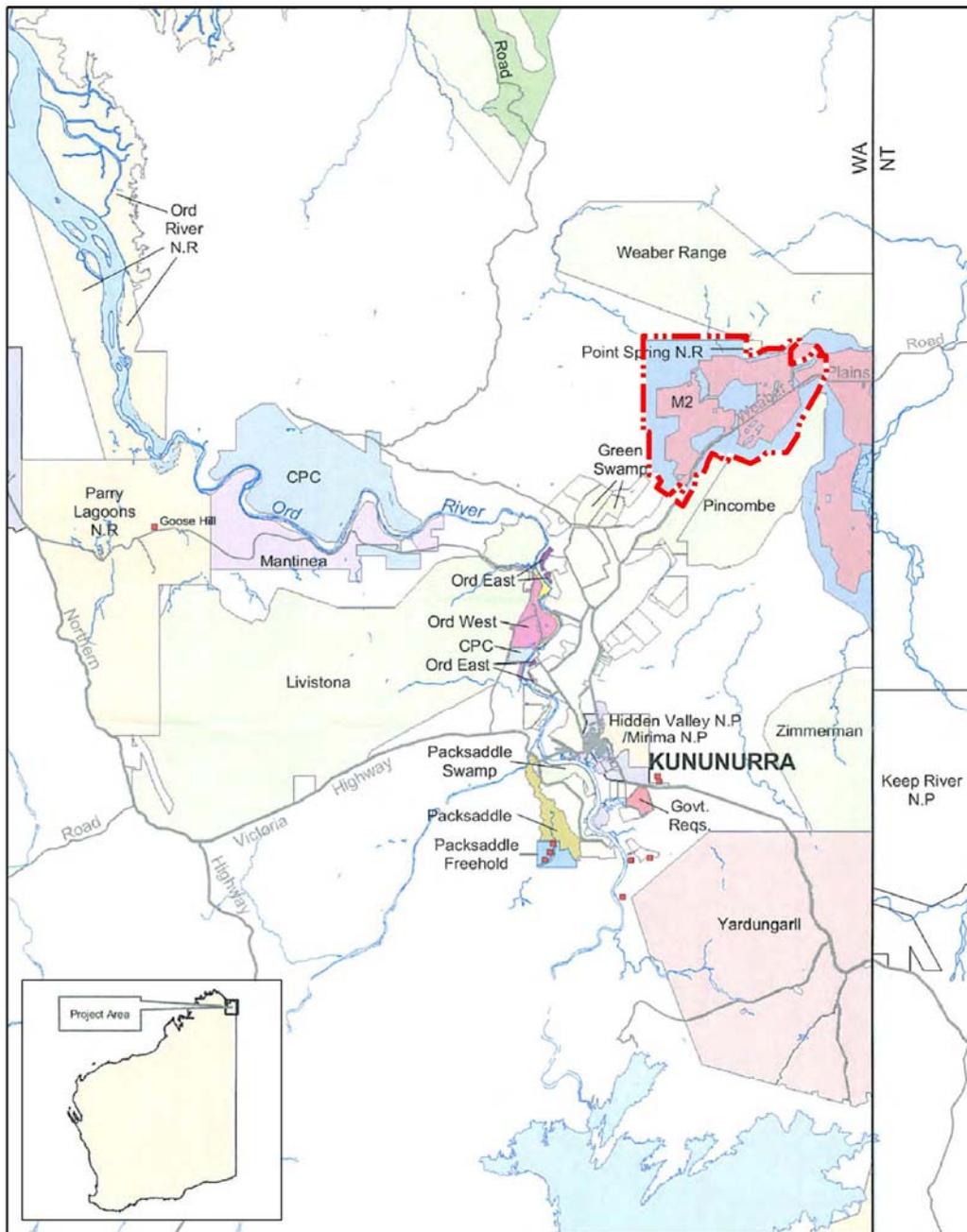
The purpose for this report is for Council to initiate an amendment to facilitate the M2 Ord Expansion Area for increased agricultural land.

BACKGROUND

RPS Koltasz Smith Town Planning and Urban Design Consultants, acting on behalf of LandCorp, have submitted a Rezoning Submission relating to the first stage of the Ord River Irrigation Stage 2 Expansion. The area is primarily located along Weaber Plain Road and is known as the M2 Ord Expansion Area.

For the Council's reference Figure 1 below provides an understanding of the M2 Ord Expansion Area:

Figure 1

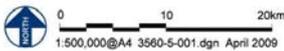


Source: Department of Industry and Resources

--- Subject Land

FIGURE 1

LOCATION PLAN
Ord East Kimberley Expansion



TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN DEVELOPMENT CONSULTING
141 Burswood Road BURSWOOD WA 6100 Tel. (08) 9486 2222 Fax. (08) 9486 2233
PO Box 127 BURSWOOD WA 6100 Email perth@ksap.com.au

The proposed rezoning and expansion of the TPS No. 7 area has been requested in order to facilitate the strategic development of the Ord Stage 2 Expansion to realise the full potential of available resources in the East Kimberley to create a vibrant and major regional centre.

The proposed Amendment is to include the conservation area that forms part of the Ord Final Agreement (OFA) signed by the Government of WA and Miriuwung Gajerrong Traditional Owners, and will facilitate subdivision of 21 agricultural Lots ranging in size from 157 to 753 hectares, as agreed by the project's Community Reference Group. Overall, the Ord-East Kimberley Expansion Project aims to introduce a further 8,000 hectares of agricultural land under this Amendment and double the size of the Ord Irrigation area to about 28,000ha, which will provide major opportunities for growth and sustainability for the region's economic and social development.

Further, it is understood that this project is a key priority of the State Government's Royalties for Regions initiative that clearly recognises regional centres as the backbone of the Western Australian economy. On this basis the Department of Local Government and Regional Development is administering the roll-out of the program and LandCorp is managing the planning and environmental approvals process. It is understood from the RPS submission that the Water Corporation is currently undertaking the upgrade of the existing M1 channel in preparation for the extension of the new M2 irrigation area, with the infrastructure works to be supported by this Amendment.

STATUTORY IMPLICATIONS

The Scheme Amendment has been prepared pursuant to Section 75 of the *Planning and Development Act 2005*, with the process to amend the zoning enacted under the *Town Planning Regulations, 1967*.

In the Council initiating the proposed Scheme Amendment, the amendment and supporting documentation will be submitted to the EPA for assessment. Once the EPA releases the amendment for advertising, the amendment will be advertised in accordance with the *Town Planning Regulations 1967* and the *Planning and Development Act 2005* prior to Council considering any submissions and resolving whether to proceed with the amendment, with or without modification, and submitting it to the WAPC for approval.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Ordinarily there would be no financial implications associated with this proposal as the proponent (Landcorp) is required to accept all costs associated with the rezoning process, including payment of fees. However, in light of the significant contribution from the State Government to the region, by way of resources and funding, the Council may wish to waive the rezoning fee of \$1,000 for this proposal.

STRATEGIC IMPLICATIONS

The Shire draft Plan for the Future 2008 -2010 outlines the following strategic directions:

Key Result Area 2 - Community

To develop the strengths and potential of our community now and into the future through advocacy and leadership focussed on improved outcomes and addressing social issues in our community.

Key Result Area 3 – Economic Development

Work in partnership with Government, community and industry leaders to promote and provide opportunities for economic and social growth across the Shire through Town Planning that guides sustainable land use and development.

In consideration of these strategic directions the Amendment facilitates the extension of Ord Stage 2, a major state economic development project that will provide for local and regional jobs both during construction and operation.

The amendment has also deliberately been focussed on ensuring the land is made available for agricultural pursuits in the most efficient, yet effective manner possible, whilst ensuring due diligence, appropriate planning investigations and due process. This will allow for the positive economic impacts of the farming and development of the land to effect as soon as possible.

COMMUNITY CONSULTATION

The planning for the Ord East Kimberley Expansion has involved a number of community, local government and state government stakeholders. This has primarily been facilitated through the establishment of the Community Reference Group (CRG). The CRG consists of a number of local farmers and business operators and is chaired by the Shire CEO.

The CRG has attended to a number of workshops and meetings to provide direction on how the expansion is to proceed. It is understood this dialogue and consultation will continue throughout the course of the expansion project to ensure maximum benefit is gained from local knowledge and the experts in agricultural pursuits.

Once adopted, the amendment documentation will be forwarded to the Western Australian Planning Commission (WAPC) and Environmental Protection Authority (EPA) seeking consent to advertise. Advertising will be for a period of 42 days, and will include signage, newspaper advertisements and correspondence to all affected parties and adjoining owners.

COMMENT

Clearly the proposed zoning to 'Rural Agriculture 1' is essential and integral to the successful extension of the Ord Stage 2 project, thus ensuring consistency in zoning with the prime agricultural land in the Ord Stage 1 development.

Further, it is recognised the Ord Stage 2 project will be a significant catalyst for new economic investment in the region that will bolster social and community infrastructure. Some of the investments and improvements expected in the short term include:

- New sports oval, lit for night sport to be included with the new 42 bed indigenous hostel under construction in 2009;
- Kununurra Airport Terminal Expansion;
- Wyndham Swimming Pool Upgrade;
- Community and Private Housing Development;
- Expansion of Education Facilities;
- Expansion of Health facilities;
- New Early Childhood Centre for Wyndham; and
- Wyndham Port Upgrade.

Additionally, it is accepted the proposal accords with the Shire Local Planning Strategy (LSP) which acknowledges the importance of the agricultural industry to the region and resultantly seeks to identify and protect the subject land for this purpose.

In regards to the Shire's pending Town Planning Scheme Review, the proposed Amendment has been discussed between the relevant planning consultants to ensure this proposal is consistent with the objectives of the Review.

ATTACHMENTS

Attachment 1 - Subdivision Guide Plan

Attachment 2 - Amendment Plan

Amendment Documents are available for review on request.

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

1. That the Council Pursuant to Section 75 of the *Planning and Development Act 2005 (as amended)*, amend the Shire of Wyndham-East Kimberley Town Planning Scheme (TPS) No. 7 - Kununurra and Environs by:
 - a. Rezoning the identified agricultural land within the TPS Area to the "Rural Agriculture 1" zone under the Shire of Wyndham-East Kimberley TPS No. 7;
 - b. Expanding the current TPS No. 7 area to include the identified agricultural land, which falls outside of the current TPS No. 7 area in the "Rural Agriculture 1" zone under the Shire of Wyndham-East Kimberley TPS No. 7;
 - c. Reserving the identified conservation land, within the TPS No. 7 Scheme Area, for "Conservation/Environmental Protection" under the Shire of Wyndham-East Kimberley TPS No. 7; and
 - d. Expanding the current TPS No. 7 area to include the identified conservation land which falls outside of the current TPS No. 7 area, in the

“Conservation/ Environmental Protection” reserve under the Shire of Wyndham-East Kimberley TPS No. 7.

- e. Amending the Scheme Maps accordingly.
2. That the Council advise the applicant of its decision with recommendation 1 above and request formal amendment documentation be prepared to enable referral to the Environmental Protection Authority;
3. That the Council forward Amendment No. 32 to Town Planning Scheme No. 7 to the Environmental Protection Authority for comment, pursuant to Section 81 of the *Planning and Development Act (2005)* and the Western Australian Planning Commission for information, and subject to no objections being received from the Environmental Protection Authority and acknowledgement being received from the Western Australian Planning Commission, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations (1967) for a period of 42 days to the satisfaction of the Executive Manager Development Services.

That the Council resolves to waive the Scheme Amendment fees given its partnership involvement in this proposal.

COUNCIL DECISION

Minute No. 8702

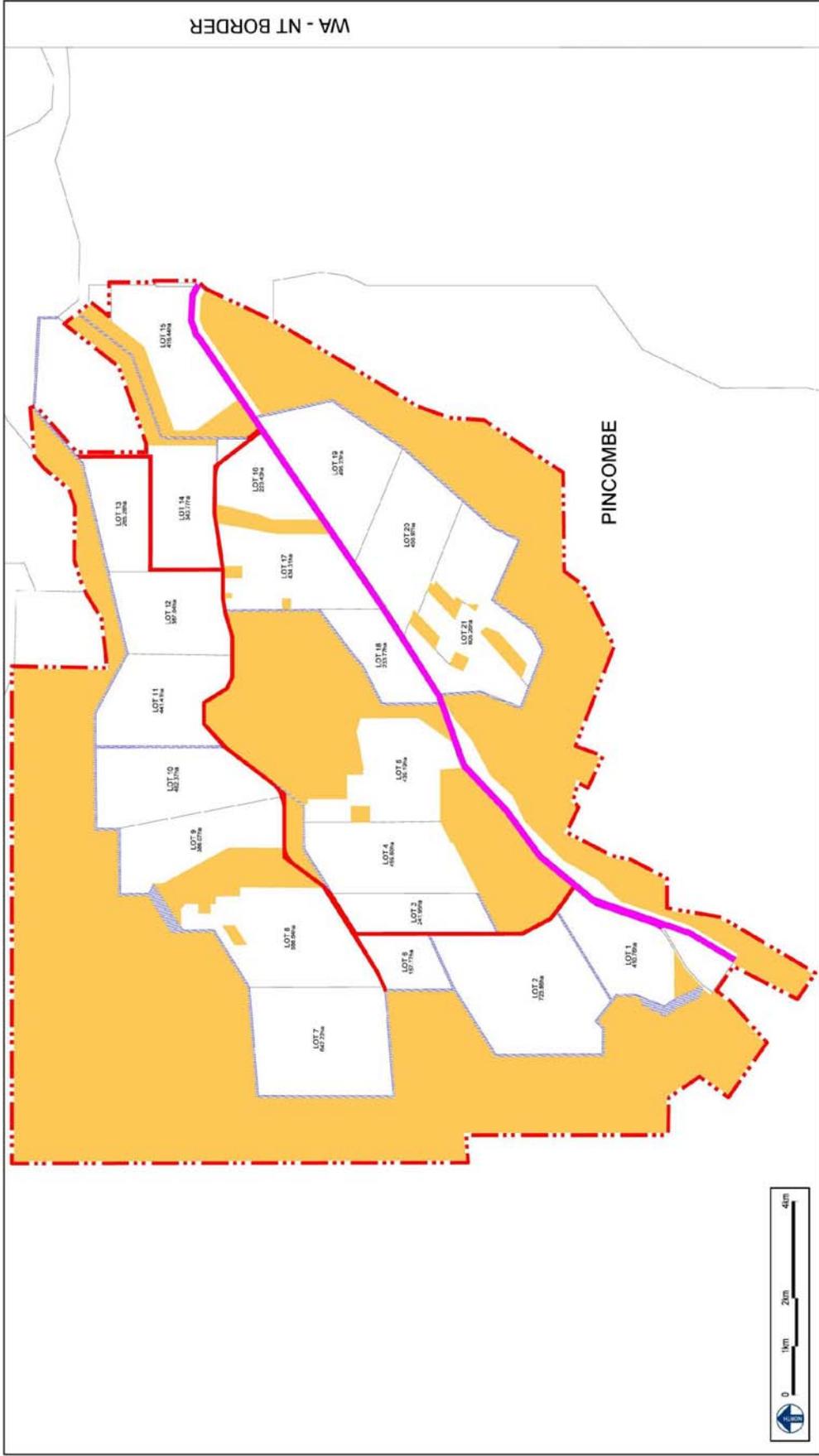
Moved:Cr J Moulden

Seconded:Cr D Ausburn

1. ***That the Council Pursuant to Section 75 of the Planning and Development Act 2005 (as amended), amend the Shire of Wyndham-East Kimberley Town Planning Scheme (TPS) No. 7 - Kununurra and Environs by:***
 - a. ***Rezoning the identified agricultural land within the TPS Area to the 'Rural Agriculture 1' zone under the Shire of Wyndham-East Kimberley TPS No. 7;***
 - b. ***Expanding the current TPS No. 7 area to include the identified agricultural land, which falls outside of the current TPS No. 7 area in the 'Rural Agriculture 1' zone under the Shire of Wyndham-East Kimberley TPS No. 7;***
 - c. ***Reserving the identified conservation land, within the TPS No. 7 Scheme Area, for 'Conservation/Environmental Protection' under the Shire of Wyndham-East Kimberley TPS No. 7; and***
 - d. ***Expanding the current TPS No. 7 area to include the identified conservation land which falls outside of the current TPS No. 7 area, in the 'Conservation/ Environmental Protection' reserve under the Shire of Wyndham-East Kimberley TPS No. 7.***
 - e. ***Amending the Scheme Maps accordingly.***
2. ***That the Council advise the applicant of its decision with recommendation 1 above and request formal amendment documentation be prepared to enable referral to the Environmental Protection Authority;***

- 3. That the Council forward Amendment No. 32 to Town Planning Scheme No. 7 to the Environmental Protection Authority for comment, pursuant to Section 81 of the Planning and Development Act (2005) and the Western Australian Planning Commission for information, and subject to no objections being received from the Environmental Protection Authority and acknowledgement being received from the Western Australian Planning Commission, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations (1967) for a period of 42 days to the satisfaction of the Executive Manager Development Services.**
- 4. That the Council resolves to waive the Scheme Amendment fees given its partnership involvement in this proposal.**

CARRIED UNANIMOUSLY: (8/0)



PROPOSED SUBDIVISION GUIDE PLAN
Ord East Kimberley Expansion

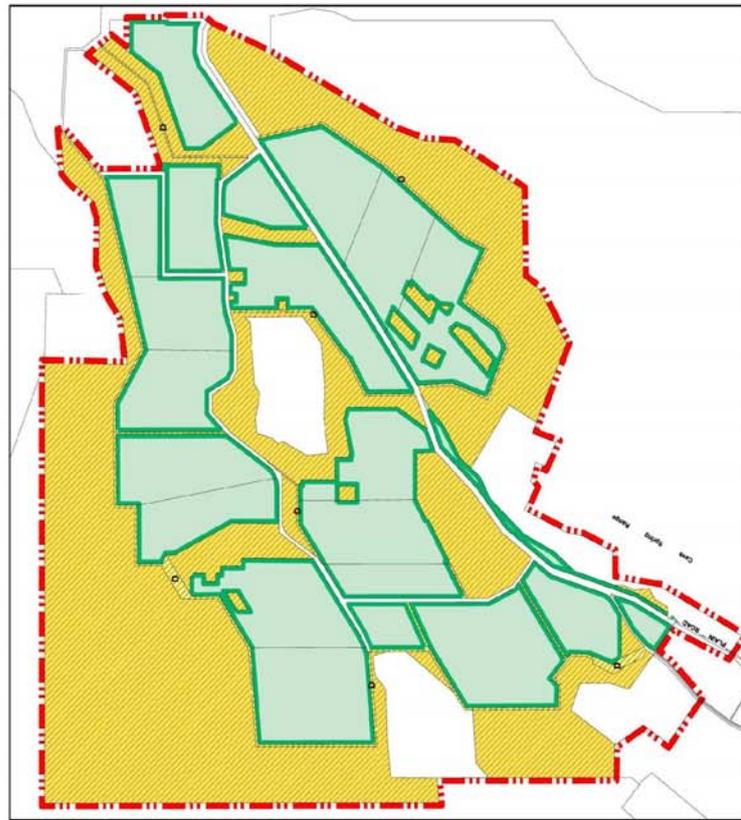
RPS koltasz & smith
TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN DEVELOPMENT CONSULTING
141 Burrup Road BIRREWOOD WA 6100 Tel: (08) 948 2322 Fax: (08) 948 2333
PO Box 127 BIRREWOOD WA 6100 Email: rps@rpsks.com.au

LANDSCAP	CLIENT	SCALE	DATE
175/0000A3	175/0000A3	1:1000	5 June 2009
PLAN No	REVISION	PLANNER	DRAWN
3660 E-006-09n	1	MH	MH

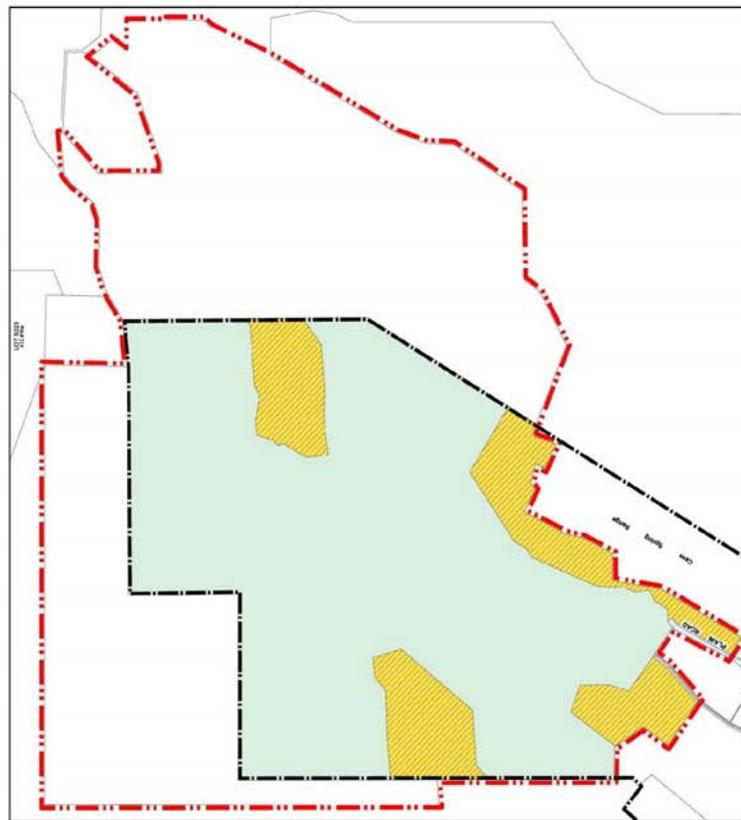
- LEGEND**
- SUBJECT LAND
 - 120 METRE ROAD RESERVE
 - 80 METRE ROAD RESERVE
 - FLOOD PROTECTION LEVEE & DRAINS
 - M2 BUFFER

Base data supplied by Metlira and JMAPC
Projection: MOA Zone 50
Areas and dimensions shown are subject to final survey calculations
All cartography are shown for illustrative purposes only and are subject to detailed engineering design
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SCHEME AMENDMENT
 SHIRE OF WYNDHAM - EAST KIMBERLEY
 TOWN PLANNING SCHEME No.7
 AMENDMENT No. XX



PROPOSED ZONING



EXISTING ZONING

LEGEND

	LOCAL SCHEME RESERVES CONSERVATION / ENVIRONMENTAL PROTECTION		ZONES GENERAL RURAL		OTHER SITE BOUNDARY
	PUBLIC PURPOSES DRAIN		RURAL AGRICULTURE 1		SCHEME BOUNDARY
	WATERWAY				NO ZONE

12.4.7 TOWN PLANNING SCHEME NO 7 - PROPOSED AMENDMENT 29 PINDAN AVENUE (8703)

DATE:	16 June 2009
PROPONENT:	Department of Housing and Works
LOCATION:	Pindan Avenue, Kununurra
AUTHOR:	Jennifer Ninnette, Town Planning Officer
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.31.29
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the adoption of an amendment to Shire of Wyndham East Kimberley Town Planning Scheme No 7 - Kununurra and Environs for the recoding of residential land in the vicinity of Pindan Avenue, Kununurra.

BACKGROUND

This amendment proposes to rezone a number of lots principally fronting Pindan Park to increase the residential density of this area from R20 to R30 to facilitate urban renewal with a range of grouped dwelling sites capable of accommodating two – three dwelling units on each.

On this basis the Council resolved to initiate a Town Planning Scheme Amendment in January 2009. The formal documents were in turn forwarded to the Environmental Protection Authority (EPA) for assessment prior to advertising the Amendment, with advice to this effect offered to the Western Australia Planning Commission (WAPC).

The EPA advised that the amendment did not require any formal assessment under Part IV Division 3 of the *Environmental Protection Act 1986* and the proposal was subsequently advertised for the mandatory period of 42 days in accordance with the Town Planning Regulations, 1967 (as amended).

The advertising period closed on 15 May 2009 and the proposed amendment is presented to Council for consideration for final approval.

STATUTORY IMPLICATIONS

Planning and Development Act (2005)

Amendments to Local Planning Schemes are required to be undertaken in accordance with the provisions of the *Planning and Development Act, 2005* [the Act] and the Town Planning Regulations, 1967. Council is therefore required to adopt the Amendment for final approval in accordance with Regulations 17(2) and 22(1) of the Town Planning Regulations 1967 (as amended).

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An initiation fee of \$500 has been paid. A further fee of \$500 is payable upon Council's adoption of the final amendment.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Council's adopted Local Planning Strategy [LPS] designates the area as Residential and states that there is both a housing shortage and a lack of appropriate housing types to adequately meet demographics because single dwellings are the predominant style of housing. The LPS also suggests ways and means of overcoming the housing shortage and lack of choice with the following recommendations:

- Up-coding residential densities to slightly higher densities where lot sizes allow;
- Encouraging a variety of housing forms that promote climate sensitivity and sustainability;
- Providing for infill development opportunities where they do not conflict with prevailing densities and amenity; and
- Modifying provisions and R-Coding in the Scheme to provide more flexibility in the creation of housing styles and type.

Draft Plan for the Future 2008 -2010

This Plan provides:

Key Result Area 3 – Economic Development

The strategic objective is to work in partnership with Government, community and industry leaders to promote and provide opportunities for economic and social growth across the Shire through Town Planning that guides sustainable land use and development.

Urban renewal is a key project addressed in the draft Plan for the Future, to address areas within Kununurra which have high levels of social housing and/or older housing stock, and have been become run down, resulting in substandard streetscape amenity.

On the basis of the above extracts from the Councils key strategic planning documents the proposed Scheme Amendment clearly accords with the strategic direction set by the Council.

COMMUNITY CONSULTATION

The amendment was advertised for 42 days from 2 April 2009 to 15 March 2009, with an advertisement placed in the Kimberley Echo and notification available for viewing at the Shire offices, and notices posted to affected and surrounding land owners and relevant service agencies.

Six (6) submissions were received detailed in Attachment 1 – Schedule of Submissions. Of these submissions:

- Two are from the Department of Environment and Conservation and Department of Water, advising that there is no comment and no objection to the proposed Amendment, respectively.
- One is from the Department of Housing expressing support and seeking consideration to extend the Scheme Amendment Area recoding a greater area to R30 to include other Department landholdings located just outside the area advertised.
- One from the owner of Lot 678 Leichhardt Street, also in support, but additionally requesting the Scheme Amendment area be extended to include her property, thus granting an increased opportunity for grouped dwelling development.
- Two from the owners of Lot 684 Pindan Avenue, who opposed the rezoning on the basis that the majority of properties were Homeswest owned, and that an increase of families in the area would lead to an increase of anti-social behaviour. The Chief Executive Officer responded to the owners of Lot 684 to advise that the Amendment is subject to the Department of Housing selling off a number of properties to the private sector to break up the density of social housing in various areas. Subsequently, the owners of Lot 684 withdrew their objection, as they felt that sale of some of the Department of Housing properties to the private sector would improve the area.

COMMENT

It is noted that from initiation of the Amendment by the Council in January 2009 that neither the WAPC nor the EPA has raised any objections to the proposed rezoning, and further, through the formal advertising there has been no objections from any affected or adjacent landowners, given the objection initially received was subsequently withdrawn.

In effect the majority of submissions have expressed support for the amendment, with two of these submissions also seeking extension of the area recently advertised.

The Council therefore needs to determine (should it wish to proceed with the Amendment) whether the area for recoding should be expanded in support of the submissions received from the Department of Housing and the owner of Lot 678 Leichhardt Street.

Notably, the current Scheme Amendment includes two Department of Housing properties on Leichhardt Street, Lot 693 & 694, which were both included in the scheme amendment area with a commitment from the Department to project manage and provide \$100 000 in funds for the relocation and re-establishment of Kununurra Neighbourhood House, currently located on Lot 694.

It is understood that some contribution will be provided, and that negotiations are continuing with the CEO.

Although the inclusion of Lots 693 & 694 is of strategic economic benefit to the Shire, from a planning perspective, there is no reason to include these two lots alone, without giving favourable consideration to the other lots in Leichhardt Street. Therefore, it is recommended that the area of recoding be extended to include in

Leichhardt Street and Pindan Avenue, as well as Lots on Riverfig Avenue and Mistletoe Street to round-off the block. Effectively, this will result in an additional 20 lots being recoded from R20 to R30 to provide for urban renewal over the long term.

ATTACHMENTS

Attachment 1 – Schedule of Submissions

Attachment 2 – Email regarding withdrawal of objection

Attachment 3 – Recommended Revised Scheme Amendment map

Attachment 4 – Initiated Scheme Amendment map

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Amend, pursuant to Section 75 of the Planning and Development Act 2005 [as amended], the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 - Kununurra and Environs, by:
 - (a) Rezoning Lots 678, 679, 680, 681,682, 690, 691, 693, 694 & 2439 Leichhardt Street, Lots 687, 688 & 689 Riverfig Avenue, Lots 683, 684,685, 686, 687, 705, 707, 709, 710 & 711 and 2440 Pindan Avenue, Lots 701, 702, 703 & 704 Calytrix Avenue, Lots 712, 713, 714, 715 & 716 Pandanus Avenue, and Lots 717, 718, 719, 720, 721, 722 & 723 Mistletoe Street Kununurra from 'Residential R20' to 'Residential R30'.
 - (b) Amending the Scheme Maps accordingly.
2. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation pursuant to Regulation 22(1) of the Town Planning Regulations 1967 (as amended).
3. Forward the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the signed and sealed Amendment Documents for endorsement pursuant to Regulation 22(2) of the Town Planning Regulations 1967 (as amended).
4. Request that the Honourable Minister for Planning and Infrastructure grants final approval to Amendment 29 of Town Planning Scheme No. 7 – Kununurra and Environs.

COUNCIL DECISION

Minute No. 8703

Moved:Cr D Ausburn

Seconded:Cr J Parker

That Council resolves to:

- 1. Amend, pursuant to Section 75 of the Planning and Development Act 2005 [as amended], the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 - Kununurra and Environs, by:***
 - (a) Rezoning Lots 678, 679, 680, 681,682, 690, 691, 693, 694 & 2439 Leichhardt Street, Lots 687, 688 & 689 Riverfig Avenue, Lots 683, 684,685, 686, 687, 705, 707, 709, 710 & 711 and 2440 Pindan Avenue, Lots 701, 702, 703 & 704 Calytrix Avenue, Lots 712, 713, 714, 715 & 716 Pandanus Avenue, and Lots 717, 718, 719, 720, 721, 722 & 723 Mistletoe Street Kununurra from 'Residential R20' to 'Residential R30'.***
 - (b) Amending the Scheme Maps accordingly.***
- 2. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation pursuant to Regulation 22(1) of the Town Planning Regulations 1967 (as amended).***
- 3. Forward the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the signed and sealed Amendment Documents for endorsement pursuant to Regulation 22(2) of the Town Planning Regulations 1967 (as amended).***
- 4. Request that the Honourable Minister for Planning and Infrastructure grants final approval to Amendment 29 of Town Planning Scheme No. 7 - Kununurra and Environs.***

CARRIED UNANIMOUSLY: (8/0)

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

Amendment No. 29: Rezoning Lots 693 & 694 Leichhardt Street, Lots 683,685,686, 705,707, 711 & 2440 Pindan Avenue, Lots 701 – 704 Claytrix Avenue and Lots 712 – 716 Pandanus Avenue Kununurra, from Residential R20 to Residential R30

Schedule of Submissions

2. SUBMISSION NO.	3. NAME & ADDRESS	OBJECTION OR SUPPORT	SUMMARY OF RESPONSES (all comments typed as received)	COMMENTS
RESPONSE 1				
	Department of Environment & Conservation PO Box 942 Kununurra WA 6743	3.1.1.1. 3.1.1.2.	1 The Department of Environment and Conservation has no comment to make.	1. Noted.
RESPONSE 2				
	Department of Housing 99 Plain Street East Perth WA 6004	Support	2. The Department supports proposed Scheme Amendment No. 29 to TPS No. 7. The Department would also support extending the R30 coding to other Department landholdings located just outside the proposed R30 area, as shown in your letter of 2 April 2009.	2. Noted 3. Noted.

2. SUBMISSION NO. 3. NAME & ADDRESS	OBJECTION OR SUPPORT	SUMMARY OF RESPONSES (all comments typed as received)	COMMENTS
RESPONSE 3 Department of Water PO Box 625 Kununurra WA 6743	Comment	1. The Department of Water has no objections to the proposal.	2. Noted.
RESPONSE 4 Sheri Moodie 12 Leichhardt Steet Kununurra WA 6743	Support	1. The R30 zone should be extended further to all the land on Leichhardt St and along Riverfig Ave and also Mistletoe Street. I would like property 678 Leichhardt Street to be rezoned R30 so it can be re-developed and maybe have a domino effect to neighbouring houses which are all old style asbestos dwellings. I feel the proposed R30 zone needs to be extended further to the joining properties of the proposed.	1. Noted. Submission is supported on planning merit to round-off a defined pocket at a R30 density to facilitate urban renewal.
RESPONSE 5 Brad & Regina Chapman 9 Pindan Street Kununurra WA 6743	Objection	1. We would not support the zoning change from R20 to R30. Our reasons for this are that the majority of the lots are Homeswest owned, and putting more families in this small area will lead to an increase in anti-social behaviour. We base this on when we lived at the property when there were single dwelling houses and a duplex on the	1. Following receipt of the Chapman's objection they were advised of the agreement from Department of Housing to sell off three (3) of the current vacant lots surrounding Pindan

2. SUBMISSION NO. 3. NAME & ADDRESS	OBJECTION OR SUPPORT	SUMMARY OF RESPONSES (all comments typed as received)	COMMENTS
		Homeswest lots, and the anti-social behaviour we witnessed at times was unbearable.	Park.
RESPONSE 6 Brad & Regina Chapman 9 Pindan Street Kununurra WA 6743	Withdrawal of submission	1. After further consideration we would like to withdraw our current submission, as we feel that with the Department of Housing selling off to the private sector will improve the area somewhat.	1. Original objection withdrawn, and support the amendment on the basis of DHW selling off some of their properties.

Attachment 2

From: Peter Stubbs

Sent: Monday, June 08, 2009 5:09 PM

To: Jennifer Ninnette

Subject: FW: Shire of Wyndham East Kimberley Town Planning Scheme No. 7 - Scheme Amendment No. 29

From: Reg and Brad [mailto:bradreg@bigpond.com]

Sent: Wednesday, 6 May 2009 7:08 AM

To: Peter Stubbs

Subject: RE: Shire of Wyndham East Kimberley Town Planning Scheme No. 7 - Scheme Amendment No. 29

Hi Peter

After further consideration, we would like to withdraw our current submission, as we feel that with Department of Housing selling off to the private sector will improve the area somewhat.

With the lots that go up for sale, can you please advise on how we can obtain more information on this. Our plan would be to buy a lot/s next to Lot 684 Pindan so that we can develop into units for investment purposes. Is it best for us to redo our submission, and state our plans? If so, can you please either email or mail us a new submission form.

Regards

Regina Chapman

From: Peter Stubbs [mailto:CEO@thelastfrontier.com.au]

Sent: Friday, 24 April 2009 11:50 AM

To: bradreg@bigpond.com

Subject: FW: Copy of: Shire of Wyndham East Kimberley Town Planning Scheme No. 7 - Scheme Amendment No. 29

Thankyou for your submission. I advise that in the Department of Housing and Works has agreed to sell off to the private sector 3 of the current vacant lots in Pindan Ave that they own should the re zoning proceed for the reasons that you have stated. This same commitment has been been brochure by the Shire in regards to Weaber Plains Road and Eyrthina St where again in the Department has agreed to sell of lands to the private sector to break up the density of Social housing. That process has commenced in Eyrthina St.

Regards

From: Reg and Brad [mailto:bradreg@bigpond.com]

Sent: Friday, 24 April 2009 9:07 AM

To: Mail

Subject: Copy of: Shire of Wyndham East Kiimberley Town PLanning Scheme No. 7 - Scheme Amendment No. 29

Att: Chief Executive Officer

Please see attached a copy of our Submission regarding Scheme Amendment No. 29 regarding the rezoning of properties from R20 to R30.

The original will be posted to you in the mail today.

Thankyou, Regina Chapman

Attachment 3

SHIRE OF WYNDHAM - EAST KIMBERLEY
TOWN PLANNING SCHEME No. 7 -Amendment No. 29



Cr Wright Declared an Impartiality Interest for item 12.5.1.

12.5. COMMUNITY SERVICES

12.5.1 ANNUAL GRANTS 09/10 ROUND 1 (8704)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham-East Kimberley
LOCATION:	Various
AUTHOR:	Megan Alchin, A/Executive Manager Community Services
REPORTING OFFICER:	Megan Alchin, A/Executive Manager Community Services
FILE NO:	36.19.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the recommendations made by the Annual Grants Assessment Panel.

BACKGROUND

Council has administered an annual grants scheme for a number of years.

At its meeting of 17 June 2008, Council resolved as per Minute No. 8269 to:

Adopt the draft Policy CMS 2 Annual Grants Scheme as per Attachment 4 which combines the conditions of the previous Policies F3 and F16 related to the administration of Community and Economic Development Annual Grants, so that this new policy provides for:

- 1. two grant submission and assessment dates annually,*
- 2. the establishment of an annual funding pool to resource an Annual Grants Scheme*
- 3. provisions related to the administration of the Annual Grants Scheme.*

Policy CMS 2 – Annual Grants Scheme states that, “This funding pool shall be an amount of \$120,000 in 2008/09 and shall be increased inline with the adopted rate increase each subsequent year”. The rate increase for 2009/2010 is five percent, resulting in a grant pool increase of \$6,000.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy CMS 2 – Annual Grants Scheme

FINANCIAL IMPLICATIONS

An amount of up to \$126,000 will be allocated in the 2009/10 Shire Budget for Annual Grants. This amount is available over two funding rounds where funds have not been allocated in full during the first round ending 31 May.

STRATEGIC IMPLICATIONS

Key Result Area 2 – Community includes the objective ‘Partnerships addressing social issues in our community’. Depending on grant application, other key result areas in the Shire’s Strategic Plan may be addressed.

COMMUNITY CONSULTATION

Nil

COMMENT

A total of 12 applications were received for Round 1 of the Annual Grants Scheme. A table that gives a summary of each of these applications is shown as Attachment 1 to this item.

The Annual Grants Assessment Panel consisting of Cr. Ausburn, Cr. Parker, and Acting Executive Manager Community Services, Megan Alchin, met on 8 June 2009 to discuss the applications received and form recommendations for Council.

A total allocation of \$66,671 is recommended by the Panel which if adopted, will leave \$59,329 available for Round 2 of the Annual Grants scheme.

A copy of the Assessment Panel Information Pack which includes copies of the applications received is available for inspection by Councillors prior to the meeting at the front counter of the Kununurra Office.

ATTACHMENTS

Attachment 1 – table of Round 1 Annual Grant requests.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council adopt the funding recommendations of the Annual Grants Assessment Panel and fund the projects as follows:

Applicant	Purpose	Amount
Wunan Foundation	East Kimberley Aboriginal Achievement Awards	\$2,500
Kununurra Water Ski Club Inc	BBQ and shade structure	\$4,888
Ord River Sports Club Inc	Indoor cricket net replacement	\$3,550
Wyndham Art & Crafts/Joongari House	Fees and charges associated with venue and equipment hire for the Wyndham Art and Craft Show	\$3,093
East Kimberley	Kimberley Kids Fishing Clinic	\$4,000

Recreational Fishing Advisory Committee		
East Kimberley Cricket Association Inc	Resurfacing of the Town Oval Cricket Pitch	\$15,000
Wyndham Gardens Inc	Wyndham Picture Gardens upgrade project	\$6,000
Kununurra Visitors Centre	Marketing the East Kimberley	\$25,000
Waringarri Media Aboriginal Corporation Radio 6WA	News broadcast	\$2,640
	TOTAL	66,671

COUNCIL DECISION

Minute No. 8704

*Moved:Cr J Moulden
Seconded:Cr J Parker*

Applicant	Purpose	Amount
Wunan Foundation	East Kimberley Aboriginal Achievement Awards	\$2,500
Kununurra Water Ski Club Inc	BBQ and shade structure	\$4,888
Ord River Sports Club Inc	Indoor cricket net replacement	\$3,550
Wyndham Art & Crafts/Joongari House	Fees and charges associated with venue and equipment hire for the Wyndham Art and Craft Show	\$3,093
East Kimberley Recreational Fishing Advisory Committee	Kimberley Kids Fishing Clinic	\$4,000
East Kimberley Cricket Association Inc	Resurfacing of the Town Oval Cricket Pitch	\$15,000
Wyndham Gardens Inc	Wyndham Picture Gardens upgrade project	\$6,000
Kununurra Visitors Centre	Marketing the East Kimberley	\$25,000
Waringarri Media Aboriginal Corporation Radio 6WA	News broadcast	\$2,640
	TOTAL	66,671

CARRIED UNANIMOUSLY: (8/0)

Attachment 1

SUMMARY OF ANNUAL GRANTS REQUESTS
09/10 – 1st Round May 2009

Applicant	Purpose (brief summary)	Request	Other Contributions Received
Wunan Foundation Inc	Contribution to the East Kimberley Achievement Awards	\$5,000	In Kind-\$2,000 Grants-\$39,000 Sponsorship-\$30,000
Kununurra Water Ski Club Inc	Contribution to BBQ and shade structure upgrade	\$9,776	Organisation-\$18,000 Sponsorship-\$6,202
Ord River Sports Club Inc.	Contribution to upgrade security and access indoor cricket net replacement	\$9,414	Organisation-\$6,338 Sponsorship-\$6,240
Kimberley Wildlife Rescue Inc	Contribution to fund fencing for the development of Stage 1 of the Kununurra wildlife Gardens	\$35,000	Grants- \$119,246.18 Organisation-\$6,000 Sponsorship-\$5,500
Wyndham Art & Crafts/Joongari House	For a contribution towards running the Wyndham Art and Craft Show	\$3,093	Organisation-\$1,600
East Kimberley Recreational Fishing Advisory Committee	Contribution to hold a Kimberley Kids Fishing Clinic	\$4,000	Organisation-\$1000 (in kind) Grants-\$8,164 Sponsorship-\$3,830
East Kimberley Cricket Association Inc	Contribution to assist in the resurfacing of the Town Oval Cricket Pitch	\$15,000	Grant-\$3,950
Kununurra Tennis Club Inc	Contribution for Logo/Identity for the Multipurpose Recreative Facility	\$7,081	Organisatation-\$928
Tourism North West Incorporated Trading as Australia's North West Tourism	Contribution for East Kimberley Marketing Campaign	\$25,000	Oganisation-\$25,000 Grant-\$50,000
Wyndham Gardens Inc	Contribution towards upgrade of the Wyndham Picture Gardens	\$20,000	Organisation-\$8,000 Grants-\$71,000 Sponsorship-\$11550
Kununurra Visitors Centre	Contribution towards marketing the East Kimberley	\$68,600	Organisation-\$14,300 Member contributions-\$14,300
Waringarri Radio	Funding to run a news services.	\$2,640	Office of Aboriginal Health-\$24,000
TOTAL REQUESTS		\$204,604	

12.6. CHIEF EXECUTIVE OFFICER

12.6.1 REVIEW OF DELEGATION REGISTER (8705)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham-East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Peter Stubbs, Chief Executive Officer
FILE NO:	60.01.07
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider and adopt the revised Delegations Register.

BACKGROUND

The Local Government Act 1995 allows Council delegation of certain powers to expedite a range of functions and services to the community, by allowing decisions to be made by Senior Officers within defined boundaries.

The Local Government Act requires a review of delegations at least once each financial year. Council reviewed and adopted its delegations in July 2007 so a review is required prior to 30 June 2009.

Without delegated authority a large volume of matters would need the full and formal consideration of Council. This would have effect of delaying services to the community and detracting from the ability of Council to focus on more strategic issues.

STATUTORY IMPLICATIONS

Local Government Act 1995

5.42 Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate,

are subject to any conditions imposed by the local government on its delegation to the CEO.

- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
“conditions” includes qualifications, limitations or exceptions.

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and

- (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
 - (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.
- 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

Nil

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

Delegation 97 Authority to Order has been amended by a decision of Council twice with the latest revision being 18 March 2008. This amendment updates the July 2007 register.

The delegations register has been presented to briefing sessions late in 2008. Managers have recommended the register be updated as per the attached delegations register. Tracking of changes made are shown on the document to enable Elected Members to clearly identify any changes.

The delegations register was presented to the May 2009 Council meeting where Council resolved:

Minute No. 8705

Moved:Cr D Ausburn

Seconded:Cr R Boshammer

That Council adopt the revised draft Delegations Register to replace the Delegations Register adopted in July 2007.

CARRIED UNANIMOUSLY: (8/0)

ATTACHMENTS

Revised Draft Delegations Register, (July 2007 Updated)

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council adopt the revised draft Delegations Register to replace the Delegations Register adopted in July 2007.

COUNCIL DECISION

Minute No. 8705

Moved:Cr D Ausburn

Seconded:Cr R Boshammer

That Council adopt the revised draft Delegations Register to replace the Delegations Register adopted in July 2007.

CARRIED UNANIMOUSLY: (8/0)

SHIRE OF Wyndham East Kimberley

DELEGATIONS REGISTER

Adopted 17 July 2007

INTRODUCTION

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation.

The Council of the Shire of Wyndham East Kimberley has resolved to adopt and delegate the functions referred to within this Delegations Manual to the Chief Executive Officer.

The Local Government Act, 1995 Section 5.46 (3) requires that 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. Further, Regulation 19 of the Local Government (Administration) Regulations requires that where a power or duty has been delegated under the Act to the CHIEF EXECUTIVE OFFICER or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of -

- a) How the person exercised the power or discharged the duty;
- b) When the person exercised the power or discharged the duty; and
- c) The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

For recording purposes the discharge of delegations is recorded in a Monthly Report to Council.

The Council has delegated various functions to the Chief Executive Officer. In turn some of those delegations have been sub delegated to senior officers and these are shown in each delegation.

In addition certain functions empowered to the Chief Executive Officer by the Act have been also been sub delegated to senior officers.

In any instance where a delegation is to be conveyed by the delegator in writing then this manual of delegations shall be the relevant instrument and as such is signed by the Shire President and Chief Executive Officer on the front cover.

5.43 . Limits on delegations to CHIEF EXECUTIVE OFFICERS

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;

- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

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#1 (COUNCIL)	ENFORCEMENT & LEGAL PROCEEDINGS
<p>The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions or other legal actions on behalf of Council under the Local Government Act 1995 and Council's Local Laws. Further, the Chief Executive Officer is delegated authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions as specified by the Chief Executive Officer. The appointments being those referred to in Section 9.10 of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#2 (COUNCIL)	TENDERS
<p>Unless otherwise specified, the Chief Executive Officer is delegated authority to accept a tender when the consideration involved does not exceed \$100,000 provided that appropriate provision is made in Council's Budget.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Sections 5.42/5.43(b))
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#3 (COUNCIL)	PROPERTY – ACQUISITIONS & DISPOSALS
<p>The Chief Executive Officer is delegated authority to acquire or dispose of any property (other than land) valued at an amount not exceeding \$100,000 provided that appropriate provision is made on Council's Budget.</p>	
<p>The Chief Executive Officer is delegated authority to call tenders and/or quotations.</p>	
<p>The Chief Executive Officer is further delegated authority to accept a tender</p>	

Deleted: for the changeover of light vehicles.

Deleted: purchase the appropriate light vehicle or to

<p>provided the tender amount does not exceed the amount determined by Council in accordance with Section 5.43(b).</p> <p>This delegation shall only be exercised when provision of sufficient funds for the purpose has been made in Council's budget.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Sections 5.42/5.43(d))
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services, Executive Manager Corporate Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: for the light vehicle

Deleted: Executive Manager Engineering and Development Services

#4 (COUNCIL)	IMPOUNDING GOODS
<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> (1) Authorise an employee in accordance with Section 3.39 to remove and impound any 'goods that are involved in a contravention that can lead to impounding. (2) Take appropriate action in respect to impounded non-perishable goods in accordance with Section 3.42. (3) Give notice in accordance with Section 3.44 to collect goods. (4) Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46. (5) Sell confiscated or uncollected goods in accordance with Section 3.47. (6) Take action to recover expenses in accordance with Section 3.48. 	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services, Kununurra Works Manager, Rangers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: Manager Technical Services

#5 (COUNCIL)	SALE OF IMPOUNDED/SEIZED/CONFISCATED VEHICLES, ANIMALS OR GOODS
<p>The Chief Executive Officer is delegated authority to dispose of any vehicles, animals or goods that have been impounded/seized/confiscated under the provisions of Section 3.47 and 3.58 of the Local Government Act 1995.</p> <p>The Chief Executive Officer may dispose of the above only after calling public tenders in accordance with Part 4 of the Local Government (Functions and General) Regulations. The Chief Executive Officer is authorised pursuant to Section 5.43 (b) of the Local Government Act 1995 to accept any tender up to the value of \$10,000. Tenders for amounts exceeding \$10,000 shall be referred to the Council for consideration.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services, Kununurra Works Manager
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: Manager Technical Services

#6 (COUNCIL)	LOCAL LAWS
<p>The Chief Executive Officer is delegated authority to perform the following powers/duties in relation to local laws made under the Local Government Act 1995 and any other Act:</p> <ol style="list-style-type: none"> (1) Give statewide public notice and provide the appropriate Minister with a copy of the proposed local law and the statewide public notice as required under Section 3.12(3). (2) After making a local law, publish it in the Gazette and give a copy to the appropriate Minister as required under Section 3.12(5). (3) After the local law has been published in the Gazette give statewide public notice in accordance with Section 3.12(6). (4) Take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws as required under Section 3.15. (5) Give State wide public notice stating intention to review a local law as required under Section 3.16(2). (6) After the last day for submissions on the proposed review of a local law, consider the submissions and prepare a report for submission to Council as required under Section 3.16(3). 	

(7) After the Council has made a determination in respect of the local law review, give statewide public notice as required under Section 3.16(5).	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Executive Manager Engineering and Regulatory Services, Executive Manager Town Planning and Economic Development.
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: Executive Manager Town Planning

#7 (COUNCIL)	EXECUTIVE FUNCTIONS - DUTIES
<p>The Chief Executive Officer is delegated authority to perform the following duties, so far as is reasonable and practicable, on behalf of Council in regard to the performance of executive functions (refer Section 3.21):</p> <p>(1) Ensure that the lawful use of any land, thoroughfare or premises is not obstructed, and any reasonable request that a person makes to avoid such obstruction is met.</p> <p>(2) Ensure that as little harm or inconvenience is caused and as little damage is done as is possible.</p> <p>(3) Ensure that danger to any person or property does not arise from anything done on land.</p> <p>Ensure that anything belonging to the Local Government, or to a person who has exercised a power of entry on its behalf, that has been left on any land, premises or thing entered is removed as soon as practicable unless this Act expressly allows it to be left there.</p> <p>(5) Ensure that buildings, fences, and other structures are not disturbed nor damaged.</p> <p>(6) Ensure that when the Local Government enters land that is fenced, it enters through the existing and usual openings in the fence unless it is expressly authorised to open the fence.</p> <p>(7) Ensure that any physical damage done to any land, premises or thing, is immediately made good unless compensation has been or is to be paid.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)

DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#8 (COUNCIL)	CERTAIN THINGS TO BE DONE IN RESPECT OF LAND
<p>The Chief Executive Officer is delegated authority to authorise any person to exercise on behalf of the local government the powers given to a local government by Subdivision 2 (Certain Provisions about Land) of the Act.</p> <p><i>(Refer Section 3. 24.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#9 (COUNCIL)	POWER OF ENTRY
<p>The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers of entry upon land as contained in Section 3.28 to 3.36 inclusive of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers, Executive Manager of Town Planning
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager of Town Planning

#10 (COUNCIL)	REGISTER OF DELEGATION TO COMMITTEES
The Chief Executive Officer is delegated authority to keep a Register of the delegations made by Council to any Committees, the Register being required in accordance with the provisions of Section 5.18 of the Act.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Corporate , Support Officer
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive

#11 (COUNCIL)	ANNUAL REPORT
The Chief Executive Officer is delegated authority to prepare, each financial year, the Annual Report as required by Section 5.53(1) of the Act.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Corporate , Support Officer
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive

#12 (COUNCIL)	PLAN FOR THE FUTURE
The Chief Executive Officer is delegated authority to prepare, each financial year, the Plan for the Future as required by Section 5.56 of the Act.	
In addition, the Chief Executive Officer is delegated authority to give the local public notice required under Section 5o57(1), after the Plan has been prepared and adopted in draft by Council.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Corporate , Support Officer

Deleted: Executive

COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#13 (COUNCIL)	COPIES OF INFORMATION
<p>The Chief Executive Officer is delegated authority to ensure copies are available to persons inspecting information made available for inspection under Division 7, Part 5 of the Act and ensure that the price at which the copies are sold does not exceed the cost of providing the copies (refer Section 5.96).</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Executive Manager Town Planning <u>and Economic Services</u> , Builder Surveyors, Executive Support Officers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#14 (COUNCIL)	COUNCIL & COMMITTEE MEETINGS
<p>The Chief Executive Officer is delegated authority to perform the following duties:</p> <p>(1) At least once each year, give Local Public Notice of the dates on which and the time and place at which ordinary Council meetings, and, the Committee meetings that are required under the Act to be open to members of the public, are to be held.</p> <p>(2) Give Local Public Notice of any change to the date, time or place of a meeting that is open to the public.</p> <p>(3) Give Local Public Notice of the date, time, place and purpose of any special meeting of the Council that is to be open to members of the public.</p> <p><i>(Reference: Local Government (Administration) Regulation No 12.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	<u>Executive Manager Corporate Services</u> , Executive Support Officers

COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#15 (COUNCIL)	PUBLIC INSPECTION OF DOCUMENTS RELATING TO COUNCIL & COMMITTEE MEETINGS
<p>The Chief Executive Officer is delegated authority to ensure that unconfirmed minutes of each Council meeting and each Committee meeting are available for inspection by members of the public within 10 and 5 business days respectively.</p> <p>The Chief Executive Officer is delegated authority to ensure notice papers and agenda relating to any Council or Committee meeting and which have been made available to members of the Council or Committee are available for inspection by members of the public from the time the documents are made available to the members.</p> <p><i>(Reference: Local Government (Administration) Regulation Numbers 13 and 14.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Executive Support Officers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#16 (COUNCIL)	TENDERS FOR PROVIDING GOODS & SERVICES
<p>In respect to part 4 of the Local Government (Functions and General) Regulations 1996, the Chief Executive Officer is delegated authority to perform the following:</p> <p>(1) Publicly invite tenders for the supply of goods and services expected to be worth more than \$100,000.</p> <p><i>(Reference: Regulations 11(1), 12 and 13.)</i></p> <p>(2) Give statewide public notice in accordance with Regulation 14.</p> <p>(3) Give each Tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted.</p> <p><i>(Reference: Regulation 19.)</i></p>	

LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#17 (COUNCIL)	COMMERCIAL ENTERPRISES
<p>The Chief Executive Officer is delegated authority to prepare any business plan as required under Section 3.59(2) of the Local Government Act 1995 and to give Statewide public notice as required by Section 3.59(4) of the Act prior to consideration by Council.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#18 (COUNCIL)	PAYMENT OF CREDITORS
<p>The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:</p> <p>a) The payee's name b) The amount of the payment c) The date of the payment d) Sufficient information to identify the transaction.</p> <p>The list referred to above is to be presented to the 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.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services,

	<u>Senior</u> Financial Officers.
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#19 (COUNCIL)	RATE BOOK
<p>The Chief Executive Officer is hereby delegated the performance of the following functions of the Council:</p> <p>(1) Compile the necessary rate records as specified in Sections 6.39(1) and 6.39(2) of the Local Government Act 1995 and reassess rates payable in accordance with Section 6.40.</p> <p>(2) The service of rate notices referred to in Section 6.41 of the Local Government Act 1995 (as amended).</p> <p>(3) Entering into an agreement in accordance with Section 6.49 of the Local Government Act 1995 for the payment of rates and service charges.</p> <p>(4) Determine the date that a rate or service charge becomes due and payable in accordance with Section 6.50 of the Local Government Act 1995.</p> <p>(5) The recovery of rates and service charges pursuant to the provisions of Sections 6.54 to 6.62 of the Local Government Act 1995.</p> <p>Lodge caveats on land where the rates are in arrears and it is considered that the interests of the Council should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled. (Section 6.64(3).)</p> <p>(7) Exercise discretion in regard to granting of any extension of time for service of objections to the Rate Book in accordance with Section 6.76(4) of the Local Government Act 1995.</p> <p>(8) Allow or disallow in accordance with Section 6.76(5) any objection to the rate record lodged under Section 6.76(1) and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6).</p> <p>(9) Extend the period of time for receipt of a notice under Section 6.77 and to refer notices received under Sections 6.77 and 6.78 to a Land Valuation Tribunal (Section 6.79).</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services,

	Senior Financial Officers, Rates Officer.
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#20 (COUNCIL)	FINANCIAL REPORTS
<p>The Chief Executive Officer is delegated authority to prepare the annual financial reports and such other financial reports as prescribed in Local Government (Financial Management) Regulation No 34. Refer Section 6.4(1) of the Act.</p> <p>Further, the Chief Executive Officer is delegated authority to submit the accounts and financial reports to the Council's auditors in accordance with Section 6.4(2) of the Act.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#21 (COUNCIL)	TRUST FUND
<p>The Chief Executive Officer is delegated authority to manage the Trust Fund as required by Section 6.9 of the Local Government Act.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#22 (COUNCIL)	INVESTMENTS
<p>The Chief Executive Officer is delegated authority to invest any monies held in the Municipal Fund or the Trust Fund that is not, for the time being, required by the local government for any other purpose. In exercising this delegated authority the Chief Executive Officer shall observe Section 6.14 of the Act.</p> <p>Further, the Chief Executive Officer is delegated authority to establish and document internal control procedures to be followed by employees to ensure control over investments. The control procedures are to enable the identification of: -</p> <p>(a) The nature and location of all investments, and</p> <p>(b) The transactions related to each investment.</p> <p><i>(Reference: Local Government (Financial Management) Regulation No 19.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services
COUNCIL POLICY	F11; <i>Management of Investments</i>
ADOPTED	17 July 2007
REVIEWED	

#24 (COUNCIL)	EXPENDITURE BEFORE ADOPTION OF BUDGET
<p>The Chief Executive Officer is delegated authority to authorise operating expenditure and appropriate capital expenditure that is included in Council's Plan for the Future from the Municipal Fund prior to the adoption of the annual budget. (Reference Section 6.8(1))</p> <p>The Chief Executive Officer in exercising this delegated authority shall ensure the proposed expenditure is included in the draft budget to be presented to Council.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#25 (COUNCIL)	TEMPORARY CLOSURE OF THOROUGHFARE TO VEHICLES
<p>The Chief Executive Officer is delegated authority to give the necessary notices and take all appropriate actions to temporarily close any thoroughfare for any period not exceeding 3 months. The Chief Executive Officer, in exercising this delegated authority, shall observe the requirements of Section 3.49 and 3.50 of the Local Government Act.</p> <p>Any proposal to close a thoroughfare for any period exceeding 3 months shall be referred to Council for determination.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services.
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: Manager Technical Services.

#26 (COUNCIL)	GATES ACROSS PUBLIC THOROUGHFARE
<p>The Chief Executive Officer is delegated authority to determine applications for permission to erect gates or other devices across public thoroughfares under Council control or management to enable traffic to pass across the public thoroughfare and prevent livestock from straying. This authority relates to all of the provisions of Regulation 9, Local Government (Uniform Local Provisions) Regulations 1996.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services.
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: Manager Technical Services.

#27 (COUNCIL)	DANGEROUS EXCAVATION IN OR NEAR PUBLIC THOROUGHFARE
The Chief Executive Officer is delegated authority to take all appropriate to remove, or have removed, any dangerous excavation in a public thoroughfare or land adjoining a public thoroughfare.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: , Manager Technical Services

#28 (COUNCIL)	CROSSOVERS
The Chief Executive Officer is delegated authority to determine applications for the construction of a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land and may agree to construct the crossing for the applicant.	
The Chief Executive Officer is delegated authority to give notice to an owner or occupier of private land requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land. If the person fails to comply with the notice the Chief Executive Officer is delegated authority to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: , Manager Technical Services

#29 (COUNCIL)	PUBLIC THOROUGHFARES – FIXING OR ALTERING LEVELS OR ALIGNMENTS OR DRAINAGE ONTO ADJOINING LAND
<p>The Chief Executive Officer is delegated authority to give the required notices as specified in Section 3.51(3) and (4) before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land.</p> <p>Further, the Chief Executive Officer is delegated authority to consider any submissions received and proceed with the proposal if no objection is received.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: , Manager Technical Services

#30 (COUNCIL)	PUBLIC THOROUGHFARES – PUBLIC USE & PLANS
<p>The Chief Executive Officer is delegated authority to:</p> <p>(1) Ensure that public thoroughfares are kept open for public use as required under Section 3.53(2) of the Act.</p> <p>(2) In fixing or altering the level of, or the alignment of a public thoroughfare, ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided. <i>(Reference Section 3. 52(3))</i></p> <p>(3) Keep plans of the levels and alignments of public thoroughfares that are under Council's control or management and make those plans available for public inspection. <i>(Reference Section 3. 52(4))</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: , Manager Technical Services

#31 (COUNCIL)	DEMOLITION LICENSES
<p>The Chief Executive Officer is delegated authority to approve the issue of a demolition licence (Section 374A) to take down a building or a part of a building and such licence may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.</p>	
LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Town Planning and Economic Services, Building Surveyors
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#33 (COUNCIL)	BUILDINGS – ISSUE OF SECTION 401 NOTICES
<p>The Chief Executive Officer is delegated authority to issue notices pursuant to Section 401 of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.</p>	
LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Town Planning and Economic Services, Building Surveyors
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#34 (COUNCIL)	BUILDING LICENSES
<p>That pursuant to Section 374(lb) of the Local Government (Miscellaneous Provisions) Act 1960, the Building Surveyor is delegated authority to approve or refuse to approve plans and specifications, but where a plan and specification so submitted conforms to:</p> <p>a) All Local Laws and Regulations in force in the district or part of the district in respect of building matters, and the Council's pre-determined policy in respect of building matters; and</p>	

b) All Local Laws and schemes in force in the district or part of the district in respect of town and regional planning matters, and the Council's predetermined policy in respect of town and regional planning matters,

The Environmental Development Manager shall not refuse to approve that plan or those specifications without first obtaining the consent of the Council.

Furthermore, the issuing of a building licence under Section 374(1) of the Local Government (Miscellaneous Provisions) Act 1960 may be subject to such conditions, as the Environmental Development Manager considers necessary.

All licenses issued under this delegated authority shall, in addition to any conditions imposed by the Environmental Development Manager, contain and be subject to the following conditions:

- ♦ The building licence is valid for a maximum period of twenty-four (24) months.

LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Town Planning and Economic Services, Building Surveyors
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#35 (COUNCIL)	BUILDINGS – REMOVAL OF NEGLECTED & DILAPIDATED
The Chief Executive Officer is delegated authority to serve upon the owners and occupiers of neglected and dilapidated buildings the written notices required by Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960.	
LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Town Planning and Economic Services, Building Surveyors
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#36 (COUNCIL)	UNLAWFUL WORKS
<p>(a) The Chief Executive Officer is delegated authority to issue stop work notices pursuant to Section 401A of the Local Government Act (Miscellaneous Provisions) 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.</p> <p>(b) The Chief Executive Officer is delegated authority to withdraw stop work notices pursuant to Section 401A of the Local Government Act (Miscellaneous Provisions) 1960 where the breach for which the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.</p>	
LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Town Planning and Economic Services, Building Surveyors
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#37 (COUNCIL)	BUILDINGS - DANGEROUS
<p>The Chief Executive Officer is delegated the authority to carry out the following functions as provided in Section 403 of the Local Government (Miscellaneous Provisions) Act 1960:</p> <p>(1) Issue a certificate which states that the subject building is in a dangerous state.</p> <p>(2) Shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger.</p> <p>(3) Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.</p>	
LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Building Surveyors
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#38 (COUNCIL)	CERTIFICATES OF CLASSIFICATION
The Chief Executive Officer is delegated authority to issue Certificates of Classification of Buildings in accordance with Section 374C of the Local Government (Miscellaneous Provisions) Act 1960.	
LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Town Planning and Economic Services, Building Surveyors
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#39 (COUNCIL)	LICENCE TO DEPOSIT MATERIALS ON, OR EXCAVATE ADJACENT TO A STREET
The Chief Executive Officer is delegated the authority to issue licenses to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place pursuant to Section 377 of the Local Government (Miscellaneous Provisions) Act 1960. The Chief Executive Officer shall first obtain confirmation from appropriate staff that the proposed activity will not create undue interference with the operation of the street, way or public place. Licenses are to be issued subject to the conditions detailed in Section 377 of the Local Government (Miscellaneous Provisions) Act 1960 and such other conditions as considered relevant by the Chief Executive Officer.	
LEGISLATIVE POWER	Local Government (Miscellaneous Provisions) Act 1960
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: ¶ Executive Manager Engineering and Development Services

Deleted: , Manager Technical Services

#40 (COUNCIL)	AWARD/INDUSTRIAL MATTERS
The Chief Executive Officer is delegated authority to act on the Council's behalf in any general Industrial/Award matter and any Industrial dispute involving any employee/s of the Shire.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#41 (COUNCIL)	LEGAL ADVICE
Subject to provision being made in the budget for legal expenses, the Chief Executive Officer is delegated authority to obtain from an appropriate solicitor such legal advice and opinions as is deemed necessary in the exercise of the management of the local government.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#42 (COUNCIL)	CONTRACT VARIATIONS
The Chief Executive Officer is delegated authority to approve minor variations to contracts entered into by Council, subject to the funds required to meet the cost of the variations being contained within the amount set aside in the budget adopted by the Council.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A

Deleted: Nil

ADOPTED	17 July 2007
REVIEWED	

#43 (COUNCIL)	NATIVE TITLE
The Chief Executive Officer is delegated authority to register an interest in any Native Title Claim affecting Council in order for Council to have sufficient interest to become a party to the Native Title Application.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#44 (COUNCIL)	TELEPHONES (PRIVATE) & PERSONAL COMPUTERS – USE BY EMPLOYEES FOR COUNCIL BUSINESS
<p>The Chief Executive Officer is delegated authority to make appropriate financial and other arrangements with employees to have a telephone/fax, a personal computer <u>and internet connection</u> installed in his/her principal place of residence within the Shire for some use on Council business. The Chief Executive Officer is further delegated authority to make appropriate arrangements to reimburse any employee with any telephone/fax expense incurred on Council business.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

Deleted: all

Deleted: and/or

#45 (COUNCIL)	APPOINTMENT OF CONSULTANTS
<p>The Chief Executive Officer is delegated authority to appoint consultants including architects, valuers, planning consultants and the like. In exercising this delegated authority the following conditions shall apply:</p> <ul style="list-style-type: none"> • Any Council policy is to be observed. • Adequate funds shall be available in Council budget. • The appointment is to be for an approved project. • The value of the appointment shall not exceed \$100,000. 	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

#46 (COUNCIL)	INSURANCE – PUBLIC LIABILITY CLAIMS
<p>The Chief Executive Officer is delegated authority to consider claims against Council for property damage that do not exceed the insurance policy excess levels, and to accept or deny liability on behalf of Council.</p> <p>In cases where liability is accepted, payment may only be made up to the value of Council's relevant insurance excess amount and then only upon receipt of an appropriate release form prepared by Council's Solicitors.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#47 (COUNCIL)	CONFERENCES/SEMINARS/TRAINING COURSES – EXPENSES OF COUNCILLORS & STAFF
<p>The Chief Executive Officer is delegated authority to reimburse all reasonable expenses to <u>elected</u> members and staff incurred whilst attending authorised conferences, seminars and training courses and during other absences from the district on any business deemed necessary by the Chief Executive Officer. Such expenses may include registration fees, accommodation, meals, refreshments, travel and other appropriate out-of-pocket expenses. Before exercising this delegated authority the Chief Executive Officer shall obtain from the <u>Elected Member</u> or staff member receipts or other appropriate proof that the expense was incurred, along with a declaration that the expense was incurred wholly whilst on Council business.</p>	
<p>This delegation also applies to the payment of expenses of partners when the Council has specifically resolved that it is appropriate for an <u>Elected Member</u> or staff member to be accompanied by another person.</p>	
<p>The Chief Executive Officer shall observe any Council policy in place from time to time.</p>	
LEGISLATIVE POWER	
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

Deleted: Councillor

Deleted: Councillor

#51 (COUNCIL)	USE OF VEHICLES
<p>The Chief Executive Officer is delegated the authority to make all appropriate private use arrangements with all staff having use of a Council vehicle.</p>	
LEGISLATIVE POWER	Local Government Act 1995
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

#52 (COUNCIL)	STAFF HOUSING
<p>The Chief Executive Officer is delegated authority to make all arrangements in regard to occupancy and maintenance of all staff accommodation provided by Council. In exercising this delegation the Chief Executive Officer shall have regard to any Council policy in place from time to time.</p> <p>In the event that any Council provided accommodation is, at any time, not required for Council employees, the Chief Executive Officer is delegated authority to rent the accommodation to persons other than Council employees, provided the tenancy arrangement is appropriate to the needs of Council.</p> <p>The Chief Executive Officer is further delegated authority to determine the level of bond to be applied to each occupancy arrangement and Tenancy Agreement.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

#53 (COUNCIL)	SALARIES
<p>The Chief Executive Officer is delegated authority to alter salaries payable to all staff who are not Senior Officers under the Local Government Act. 1995. The alteration may be within the employee's assigned band/classification, may involve a change of salary band/classification or may involve an appropriate over award payment.</p> <p>In exercising this delegated authority the Chief Executive Officer shall ensure that the variation is the result of a satisfactory performance appraisal and appropriate funding is available on Council's budget. If any salary change is likely to involve over budget expenditure, the change will require endorsement of Council.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

#54 (COUNCIL)	EVENTS ON ROADS
<p>The Chief Executive Officer is delegated authority to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulations 1991. The Chief Executive Officer shall have regard to Section 3.50 of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

Deleted: , Manager Technical Services, Community Development Officer

#55 (COUNCIL)	STRATA TITLES
<p>Pursuant to the provisions of Section 23 of the Strata Titles Act 1985, the Chief Executive Officer is authorised to issue the appropriate certificates in respect to buildings as may be shown on a strata plan to be lodged for registration under the Act, provided that the buildings shown on the strata plan are first inspected to ensure compliance with Town Planning, Health and other Council requirements and that the Chief Executive Officer is of the opinion that the buildings are of sufficient standard and suitable to be divided into lots pursuant to the Strata Titles Act.</p> <p><i>(Note: This delegation is to be supported by an instrument in writing under the Common Seal of the Shire.)</i></p>	
LEGISLATIVE POWER	Strata Titles Act 1985
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Town Planning <u>and Economic Development</u>
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#57 (COUNCIL)	PROHIBITED & RESTRICTED BURNING TIMES (VARIATIONS)
<p>That pursuant to Sections 17(10) and 18(5)(c) of the Bush Fires Act, the Shire President and the Chief Bush Fire Control Officer be delegated jointly the Council's powers and duties under Section 17(7) and (8) and Section 18(5) of the Bush Fires Act in respect to varying the prohibited burning times and restricted burning times, provided that the Officer in Charge of FESA is consulted before the authority under this delegation is exercised.</p>	
LEGISLATIVE POWER	Bush Fires Act 1954
DELEGATE	Shire President, Chief Executive Officer, Chief Bush Fire Control Officer
SUB DELEGATION	Executive Manager of Engineering and Development Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#58 (COUNCIL)	BUSH FIRES ACT 1954 - OFFENCES
<p>The Chief Executive Officer is delegated general authority to consider allegations of offences alleged to have been committed against the Bush Fires Act within the district, and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences. This delegation extends to the issue of infringement notices in accordance with the provisions of Section 59A of the Act.</p>	
LEGISLATIVE POWER	Bush Fires Act 1954 (Section 59(3))
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#59 (COUNCIL)	PROCEEDINGS UNDER DOG ACT
<p>In accordance with Section 44 of the Dog Act, the Chief Executive Officer is authorised to institute and carry on proceedings in the name of the Shire in respect to offences alleged to have been committed within the district against the Dog Act.</p> <p>This delegation also enables the Chief Executive Officer to issue infringement notices pursuant to the provisions of Section 29 of the Act.</p>	
LEGISLATIVE POWER	Dog Act
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

#60 (CHIEF EXECUTIVE OFFICER)	CONVENING OF MEETINGS
<p>The Chief Executive Officer is delegated authority to convene ordinary and special meetings of the Council by giving notice of meeting and agenda.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#62 (CHIEF EXECUTIVE OFFICER)	CONVENING OF ELECTOR'S MEETINGS
<p>The Chief Executive Officer is delegated authority to convene Elector's meetings of the Council by giving required notice of meeting and agenda. The Executive Manager of Corporate Services shall have regard to Section 5.29 (1) of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer

SUB DELEGATION	Executive Manager of Corporate Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#63 (CHIEF EXECUTIVE OFFICER)	ELECTOR'S MEETING MINUTES
<p>The Chief Executive Officer is delegated authority to cause minutes of Elector's meetings to be kept and preserved and ensure minutes are available for inspection before the Council meeting at which decisions made at the Electors' meeting are first considered. The Chief Executive Officer shall have regard to Section 5.32 of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Executive Support Officers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#69 (CHIEF EXECUTIVE OFFICER)	RETENTION & MANAGEMENT OF RECORDS
<p>The Chief Executive Officer is delegated authority to ensure that the records and documents of the local government are properly kept for the purposes of this Act and any other written law.</p> <p>The Chief Executive Officer shall have regard to Section 5.41 (h) of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42), State Record Act 2000
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Deleted: , Executive Support Officers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#70 (CHIEF EXECUTIVE OFFICER)	REGISTER OF DELEGATIONS TO CHIEF EXECUTIVE OFFICER
<p>The Chief Executive Officer is delegated authority to keep a register of the delegations made to the Chief Executive Officer and to employees under Part 5, Division 4 of the Act.</p> <p>The Chief Executive Officer shall have regard to Section 5.46 (1) of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services,
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: , Executive Support Officers

#71 (CHIEF EXECUTIVE OFFICER)	ANNUAL REPORT ADVERTISING
<p>The Chief Executive Officer is delegated authority to give local public notice of availability of the Annual Report as soon as practicable after the report has been accepted by Council.</p> <p>The Chief Executive Officer shall have regard to Section 5.55 of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, <u>Manager Financial Services,</u> <u>Corporate</u> Support Officer
ADOPTED	17 July 2007
COUNCIL POLICY	N/A
REVIEWED	

Deleted: Executive

#73 (CHIEF EXECUTIVE OFFICER)	MINISTERIAL APPROVAL FOR DISCLOSING MEMBER TO PARTICIPATE IN MEETING
<p>The Chief Executive Officer is delegated authority to apply to the Minister to allow a disclosing member to participate in part of meeting relating to the matter</p> <p>The Chief Executive Officer shall have regard to Section 5.69 (1) of the Local Government Act 1995.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#74 (CHIEF EXECUTIVE OFFICER)	RECORDING OF DISCLOSURES OF FINANCIAL INTERESTS IN MINUTES
<p>The Chief Executive Officer, is delegated authority to record in the minutes of meetings, details of disclosures made under Section 5.65 or 5.70 of the Act.</p> <p><i>(Refer to Section 5.66 of the Local Government Act 1995.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Executive Support Officers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#75 (CHIEF EXECUTIVE OFFICER)	COUNCIL OR COMMITTEE MEMBER ACCESS TO INFORMATION
<p>The Chief Executive Officer, is delegated authority to ensure that a Council member or a committee member has access to information that is relevant to the performance by the person of any of his or her functions under the Local Government Act or under any other written law.</p> <p><i>(Refer to Section 5.92 of the Local Government Act 1995.)</i></p>	

LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#76 (CHIEF EXECUTIVE OFFICER)	INSPECTION OF RECORDS BY ANY MEMBER OF THE PUBLIC
<p>The Chief Executive Officer, is delegated authority to ensure that any person attending the office during office hours, and free of charge inspect, subject to Section 5.95, the records specified in Section 5.94 whether or not current at the time of inspection.</p> <p><i>(Refer to Section 5.94 of the Local Government Act 1995.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#77 (CHIEF EXECUTIVE OFFICER)	RIGHT TO INSPECT RECORDS
<p>The CHIEF EXECUTIVE OFFICER is delegated authority to determine a person's right to inspect information referred to in Section 5.94 where discretion is provided to the Chief Executive Officer.</p> <p><i>(Refer to Section 6.5 of the Local Government Act 1995.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#78 (CHIEF EXECUTIVE OFFICER)	FINANCIAL RECORDS
<p>The CHIEF EXECUTIVE OFFICER is delegated authority to ensure that there are kept, in accordance with Regulations, proper accounts and records of the transactions and affairs of the local government and keep the accounts and records up to date and ready for inspection at any time by persons authorised to do so under the Local Government Act or another written law.</p> <p><i>(Refer to Section 6.5 of the Local Government Act 1995.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services,
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: e Manager

#79 (CHIEF EXECUTIVE OFFICER)	APPOINTMENT OF EMPLOYEES – LEGAL PROCEEDINGS
<p>The CHIEF EXECUTIVE OFFICER has delegated authority to appoint an employee to represent the local government in legal proceedings either generally or in a particular case.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#80 (CHIEF EXECUTIVE OFFICER)	CERTIFYING OF DOCUMENTS
<p>The CHIEF EXECUTIVE OFFICER is delegated the authority to authorise an employee for the purpose of certifying a document to be a true copy.</p> <p><i>(Refer to Section 9.31 of the Local Government Act 1995.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)

DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#81 (CHIEF EXECUTIVE OFFICER)	SAFE CUSTODY & CONFIDENTIALITY OF TENDERS
<p>The CHIEF EXECUTIVE OFFICER is delegated the authority to ensure that all tenders received are deposited in safe keeping in the duly allotted tender box and to ensure that all tenders remain confidential</p> <p><i>(Refer to Regulation 16 of the Local Government (Functions and General) Regulations.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Officers, Executive Support Officers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#82 (CHIEF EXECUTIVE OFFICER)	TENDERS REGISTER
<p>The CHIEF EXECUTIVE OFFICER is delegated the authority to keep a tender register and make it available for public inspection.</p> <p><i>(Refer to Regulation 17 of the Local Government (Functions and General) Regulations.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Officers, Executive Support Officers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#83 (CHIEF EXECUTIVE OFFICER)	ESTABLISHMENT & MAINTENANCE OF ACCOUNTING SYSTEMS
<p>The CHIEF EXECUTIVE OFFICER is delegated the authority to establish efficient systems and procedures for -</p> <p>a) For the proper collection of all money owing to the local government;</p> <p>b) For the safe custody and security of all money collected or held by the local government;</p> <p>c) For the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process);</p> <p>d) To ensure proper accounting for municipal or trust - income received or receivable; expenses paid or payable; and assets and liabilities;</p> <p>e) To ensure proper authorisation for the incurring of liabilities and the making of payments;</p> <p>f) For the maintenance of payroll, stock control and costing records; and</p> <p>g) To assist in the preparation of budgets, accounts and reports required by the Act or these regulations.</p> <p><i>(Refer to Regulation 5(1) of the Local Government (Finance Management) Regulations.)</i></p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services, Manager Financial Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#88 (COUNCIL)	DONATIONS OF WORK TO LOCAL COMMUNITY GROUPS
<p>The Chief Executive Officer is delegated authority to exercise discretion on the use of Council resources on small community works for local facilities and not for profit volunteer groups.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

#89 (COUNCIL)	LIQUOR CONSUMPTION APPLICATIONS
The Chief Executive Officer is delegated authority to approve applications for the consumption of alcohol on Shire facilities in accordance with whatever conditions are imposed by the Licensing Court.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#90 (CHIEF EXECUTIVE OFFICER)	SIGNING OF COUNCIL CORRESPONDENCE
<p>Correspondence to be personally signed by the Chief Executive Officer:</p> <p>(1) Letters which either:</p> <ul style="list-style-type: none"> (a) Offer an opinion on Council Policy; (b) Give political comment; (c) Seek a meeting or deputation, or (d) Make a major commitment, financial or otherwise in terms of Council's resources; <p>and which are addressed to the following:</p> <ul style="list-style-type: none"> (i) State or Federal Member of Parliament (ii) Permanent Secretaries or Directors of the like of State and Federal Departments (iii) Mayors/Presidents of other Councils (iv) Chief Executive Officers of other Councils (v) The Ombudsman (vi) Western Australian Municipal Association (vii) The Department of Local Government <p>(2) Letters: -</p> <ul style="list-style-type: none"> (a) of appointment for Council staff (b) letters of dismissal in relation to Council staff or contractors working for Council <p>Correspondence that can be signed by <u>Executive</u> Managers:</p>	

(1) Letters other than those referred to above (2) Letters that are of normal operations (3) Letters that are the result of a Council decision (4) Letters that are permitted by another delegation or Council policy	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	All Executive Managers
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

Deleted: Nil

#91 (COUNCIL)	COMMUNITY QUICK GRANTS
The Chief Executive Officer is delegated authority to award quick grants to not for profit community groups up to the value of \$500.00 providing funding is available within Council's Budget.	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

#92 (COUNCIL)	ACQUISITION & DISPOSAL OF PROPERTY
The Chief Executive Officer is delegated authority to negotiate the purchase and disposal of any Council land valued at an amount not exceeding \$100,000 provided that the appropriate provision is made in Council's Budget. The extent of the delegation is limited to negotiating a purchase/selling price to be within an independent valuation following which the purchase/sale is to be reported to Council. If following the report to Council there are no objections following the Statutory advertising period the CHIEF EXECUTIVE OFFICER may purchase/sell the land without further reference to the Council and provide information as to the outcome via the Information Bulletin.	

LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42/5.43(d))
DELEGATE	Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	
ADOPTED	17 July 2007
ADOPTED	

#93 (COUNCIL)	APPOINTMENT OF BUSH FIRE CONTROL OFFICERS
<p>The Chief Executive Officer and Shire President is delegated authority to appoint persons to the position of fire control officer, including dual fire control officers with adjoining local governments as provided for under Section 38 of the Bush Fires Act, 1954. The Chief Executive Officer shall have regard to the provisions of the Bush Fires Act, 1954 and in particular Section 40.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Shire President, Chief Executive Officer
SUB DELEGATION	Nil
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	

#95 (COUNCIL)	PRIVATE WORKS
<p>The Chief Executive Officer is delegated authority to undertake private works in accordance with the Council policies.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Sections 5.42/5.43(b))
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services Executive Manager Corporate Services
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

Deleted: Executive Manager Engineering and Development Services

#96 (COUNCIL)	COMMITMENT TO EXPENDITURE/PAYMENT OF ACCOUNTS
<p>The Chief Executive Officer is delegated authority to approve expenditure and to meet payment for goods or services on behalf of the Shire of Wyndham East Kimberley for which funds have been provided on the budget, provided that he/she has before hand:</p> <p>(1) Developed procedures for the authorisation of accounts to ensure that there is effective security and properly authorised use of:</p> <p>(a) Cheques, credit cards, computer encryption and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and</p> <p>(b) Petty cash systems.</p> <p>(2) Developed procedures for the approval of accounts to ensure that before payment of an account a determination is made that:</p> <p>(c) The relevant debt was incurred by a person who is properly authorised to do so; and</p> <p>(d) The goods or services to which each account relates were provided in a satisfactory condition.</p> <p>(3) Developed any other procedures he/she feels appropriate.</p> <p>Provided also that funds may only be released with the approval of at least two employees of the Shire, unless via the use of a Credit card facility.</p>	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services <u>Manager Financial Services</u>
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
ADOPTED	

#97 (COUNCIL)	AUTHORITY TO ORDER														
<p>The following limitations are placed on the authority to order goods and services:</p> <table border="0"> <thead> <tr> <th>Position</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Chief Executive Officer</td> <td>\$no limit</td> </tr> <tr> <td>Executive Manager Engineering <u>and Regulatory</u> Services</td> <td>\$100,000</td> </tr> <tr> <td>Executive Manager Corporate Services</td> <td>\$100,000</td> </tr> <tr> <td><u>Executive Manager Town Planning and Economic Development</u></td> <td>\$100,000</td> </tr> <tr> <td>Executive Manager Community Services</td> <td>\$100,000</td> </tr> <tr> <td>Manager Financial Services</td> <td>\$10,000</td> </tr> </tbody> </table>		Position	Amount	Chief Executive Officer	\$no limit	Executive Manager Engineering <u>and Regulatory</u> Services	\$100,000	Executive Manager Corporate Services	\$100,000	<u>Executive Manager Town Planning and Economic Development</u>	\$100,000	Executive Manager Community Services	\$100,000	Manager Financial Services	\$10,000
Position	Amount														
Chief Executive Officer	\$no limit														
Executive Manager Engineering <u>and Regulatory</u> Services	\$100,000														
Executive Manager Corporate Services	\$100,000														
<u>Executive Manager Town Planning and Economic Development</u>	\$100,000														
Executive Manager Community Services	\$100,000														
Manager Financial Services	\$10,000														

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- Deleted: Executive Manager Town Planning
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<u>Manager Human Resources</u>	<u>\$5,000</u>
<u>Information Technology Coordinator</u>	<u>\$2,000</u>
Senior Finance Officer	\$2,000
<u>Payroll Officer</u>	<u>\$1,000</u>
<u>Manager Engineering Projects</u>	<u>\$10,000</u>
Environmental Health Officers	\$1,000
Building Surveyors	\$5,000
Building Maintenance Officer	\$500
Manager Recreation and Leisure	\$5,000
Leisure Centre Coordinator	\$1,000
Recreation Officers / Duty Supervisors	\$500
Wyndham Pool Manager	\$1,000
Wyndham Child Care Centre Director	\$5,000
<u>Youth Coordinator</u>	<u>\$5,000</u>
<u>Youth Officer</u>	<u>\$500</u>
Wyndham Operations Manager	<u>\$10,000</u>
<u>Kununurra Works Manager</u>	<u>\$10,000</u>
Airport Manager	\$10,000
Airport Operations Officer	\$5,000
Executive Support Officers	<u>\$1,500</u>
Environmental Project Officer	\$5,000
Kununurra Works Supervisor	\$2,000
Depot Stores/Admin Officer	\$2,000
Project Officer	\$500
Librarian	
(only while employed by Shire of Wyndham East Kimberley)	\$500

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LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Corporate Services
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	18 March 2008 (Minute 8107)

#98 (COUNCIL)	WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985 PLANNING AND DEVELOPMENT ACT 2005 SHIRE OF WYNDHAM-EAST KIMBERLEY TOWN PLANNING SCHEMES
CEO has delegated authority to make decisions on the following matters	
1. LAND USES Authority to deal with the following: <ul style="list-style-type: none"> Approve all developments applications where the proposed use is a 'P' use in the Town Planning Scheme No.6 or No. 7 <u>including minor variation to</u> 	

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Residential Design Codes where no objection is raised by adjoining landowners/occupiers;

- Approve all development applications where the proposed use is an 'IP' use in the Town Planning Scheme No. 6 or No. 7;
- Approve the following development applications where the proposed use is an 'AA' use in Town Planning Scheme No. 6 or No. 7;
 - i. Group Dwellings in Residential and Town Centre Zones
 - ii. Offices and Warehouses in Mixed Business Zones
 - iii. Agricultural uses in Rural Agriculture 1, Rural Agriculture 2 and Rural Living, Rural Residential, and Rural Small Holdings Zones.
 - iv. Building extensions to existing buildings.
 - v. Industrial Uses in Composite Light and General Industry zones.
 - vi. Home Occupation and Home Business in all zones.
 - vii. Variations to setbacks to property boundaries for residential dwellings in accordance with the provisions of the Residential Design codes (multiple and grouped dwellings).
- Impose conditions on development approval, which relates to the orderly and proper planning, preservation of amenity of the locality and other such conditions as may be deemed appropriate.

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2. ADVERTISING OF 'SA' USES – TOWN PLANNING SCHEME No. 6 or No. 7

- Initiate advertising for an application made pursuant to the Scheme and refer the application and submissions to council;

3 SUBDIVISIONS

- Undertake all matters relating to the performance of Council's functions with regard to subdivisions under S24 of the Planning and Development Act 2005. (Note: S24 relates to objections and recommendations received regarding subdivisions)

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4. MISCELLANEOUS

- All matters which arise out of the imposition of conditions on development approvals
- Determine Council's position with respect to any mediation process resulting from an appeal to the Town Planning Appeal Tribunal or Minister for Planning following consultation with the President (or in the absence of the President the Deputy President)
- Exercise and discharge all of Council's powers and functions under S10 of the Town Planning and Development Act 1928 following consultation with the President (or in the absence of the President the Deputy President). (Note: S10 relates to the power to direct cessation or removal of unlawful development, or restoration or execution of work.)
- Serve notices, and take any other action, on properties owners who are deemed to be in breach of the Shire Town Planning Schemes.
- Approve Signage in accordance with Council Policy.
- Obtain Legal Advice pertaining to Planning matters within budget constraints.

Notes:

For the purpose of S 24 of the Planning and Development Act 2005. Council's functions with regard to subdivisions were specified as functions to be performed by the Chief Executive Officer under s5.41(i) of the *Local Government Act 1995*

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The endorsement and variation of building envelopes in accordance with the requirements of Town Planning Scheme No 6 or No 7, were specified as a function that can be performed by the Chief Executive Officer under S5.41 (i) of the *Local Government Act 1995*.

Conditions and Exceptions

- A list of all development applications determined under delegated authority shall be incorporated in the Council's agenda and minutes;
- Every applicant who received notification of a conditional approval of a development application that was determined by delegation to the Chief Executive Officer and is aggrieved by the decision may within 28 days of the date of that decision request that the matter be reconsidered by Council;
- All applications where the CEO recommendation is for refusal must be presented to Council for consideration;
- Any objection to, or recommendation on, any application for subdivision which is not consistent with adopted Council policy, is referred to Council for a decision;
- Legal action in relation to breaches to planning conditions and/or breaches of Council's Town Planning Scheme can only be undertaken by the Chief Executive Officer in accordance with Council Policy.

Deleted: <#> Applications requiring variations to setbacks to property boundaries for residential dwellings in accordance with the provisions of the Residential Planning codes (single and grouped dwellings) must be presented to Council for consideration;

Deleted: not be undertaken without prior consideration of the Council.

LEGISLATIVE POWER	WESTERN AUSTRALIAN PLANNING COMMISSION ACT 1985 PLANNING AND DEVELOPMENT ACT 2005 SHIRE OF WYNDHAM-EAST KIMBERLEY TOWN PLANNING SCHEMES
DELEGATE	Chief Executive Officer
SUB DELEGATION	<u>Executive Manager Town Planning and Economic Services</u>
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

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#99 (COUNCIL)	STRATA TITLES ACT 1985
The Chief Executive Officer is delegated authority under S23 of the Strata Titles Act 1985. (Note: S23 relates to Certification of Strata Titles/Schemes)	
Conditions and Exceptions:	
A list of all Strata Title applications determined under delegated authority shall be incorporated in the Council's agenda and minutes	
LEGISLATIVE POWER	S23 of the Strata Titles Act 1985
DELEGATE	Chief Executive Officer
SUB DELEGATION	<u>Executive Manager Town Planning and Economic Services</u> ; EXCEPT the power to issue a certificate under S23 (3). (Note: S23 (3) relates to issuing a certificate in

Deleted: Executive Manager Engineering and Development Services

	circumstances where the Local Government Authority does not have all relevant information.)
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

#100 (COUNCIL)	ENVIRONMENTAL HEALTH
<p>Delegation to:</p> <ul style="list-style-type: none"> To act under S26 of the <i>Health Act 1911</i> associated regulations and local laws; To administer the Litter Act 1979 and regulations; To act as an authorized person in accordance with S17 of the <i>Caravan Parks and Camping Grounds Act 1995</i> <u>and to administer the Caravan and Camping Grounds Regulations 1997</u>; To administer the provisions of the Fly Eradication Regulations; <u>To administer the Environmental Protection Act 1986.</u> <p>Authorised to administer the following local laws of the Shire of Wyndham-East Kimberley:</p> <ul style="list-style-type: none"> 2003 Shire of Wyndham East Kimberley Local Laws 2004 Shire of Wyndham East Kimberley Health Local Law <p>Conditions and Exceptions:</p> <p>Health Act 1911 Environmental Health Officer to exercise and discharge all of Council's powers and functions under that Act, regulations and local laws made under this Act provided that the power to prosecute any person is only exercised with the approval of the Chief Executive Officer;</p> <p>Litter Act 1979 Except the power to withdraw infringement notices issued under Acts, regulations or local laws.</p> <p><u>Caravan Parks and Camping Grounds Act 1995:</u> The power to prosecute any person may only be exercised with the approval of the Chief Executive Officer;</p> <p>Fly Eradication regulations The power to prosecute may only be exercised with the approval of the Chief Executive Officer.</p>	
LEGISLATIVE POWER	Health Act 1911, <u>Litter Act 1979</u> <u>Caravan and Camping Grounds Act 1995</u> <u>Fly Eradication Regulations</u> <u>Environmental Protection Act 1986</u>
DELEGATE	Chief Executive Officer

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SUB DELEGATION	<u>Executive Manager Town Planning and Economic Services;</u> Environmental Health Officers
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	

#101 (COUNCIL)	NON STATUTORY DELEGATIONS
<p>Delegated authority is provided to respond to <u>requests, applications or</u> referrals received by the Shire on the following matters:</p> <ul style="list-style-type: none"> • Sale or lease of land by State or Federal Government Departments. • Land clearing applications from the State and or Commonwealth Agencies • Mining tenement referrals from the Department of Industry and Resources. • Liquor license applications • Fireworks applications • Approval of names by Geographic Names Committee • <u>Activities on Crown Land</u> 	
LEGISLATIVE POWER	NIL
DELEGATE	Chief Executive Officer
SUB DELEGATION	<u>Executive Manager Engineering and Regulatory Services;</u> <u>Executive Manager Town Planning and Economic Development</u>
ADOPTED	17 July 2007
COUNCIL POLICY	
REVIEWED	

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12.6.2 USE OF THE COMMON SEAL (8706)

DATE:	16 June 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:	60.14.04
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 13 May 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:

Date of Use	Document	Officer
18 May 2009	Exemption Application for Wyndham Childcare Centre	Peter Stubbs
25 May 2009	Debenture Loan 119 \$371,000 multi purpose courts	Peter Stubbs
28 May 2009	Contract T08 08/09 Street Sweeping	Peter Stubbs
28 May 2009	Contract T07 08/09 Kununurra Litter Collection Licence Agreement- Dept of Child Protection - Kununurra Youth Centre	Peter Stubbs
10 June 2009	Deed of Easement – Drainage – H277433	Peter Stubbs
16 June 2009	Sub Lease Unit 4 Tourism House, Kununurra	Peter Stubbs

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 13 May 2009

COUNCIL DECISION

Minute No. 8706

Moved:Cr J Moulden

Seconded:Cr K Torres

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 13 May 2009.

CARRIED UNANIMOUSLY: (8/0)

12.6.3 DELEGATED AUTHORITY (8707)

DATE:	16 June 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:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

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

COUNCIL DECISION

Minute No. 8707

Moved:Cr K Torres

Seconded:Cr J Moulden

That Council receive the Delegated Authority Report for the period 1 May 2009 to 9 June 2009.

CARRIED UNANIMOUSLY: (8/0)

Attachment: Delegated Authority Report

TOWN PLANNING DELEGATED AUTHORITY APPROVALS - 13 May 2009 - 9 June 2009								
Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Asset Number	Approval Date
21/09	P	31-Mar-09	Rick Paul Marsarmatt Holdings Pty Ltd	Marsarmatt Holdings Pty Ltd	Lot 193, Laine Jones Drive, Kununurra	Car Rental Depot	5833	19-May-09
22/09	P	6-Apr-09	Richard Hewitt	Richard Hewitt	Lot 2222 Weaber Plain Kununurra	Caravan Park	1030	19-May-09
24/09	P	6-Apr-09	Ngnowar Aerwah Aboriginal Corp	Ngnowar Aerwah Aboriginal Corp	Lot 1780 Koolama Street, Wyndham	Fence - Sober up Shelter	5213	19-May-09
37/09	p	30-Apr-09	Paul Stewart	Paul Stewart	Lot 81 Weaber Plains Road, KNX	Carport / Workshop	1629	19-May-09
86/08	p	25-Nov-08	Dan Reid	Dan Reid	Lot 529 Riverfarm Road	Addition of Viewing Platform to existing shed	119	19-May-09
33/09	p	24-Apr-09	DOH	Franco Carozzi Architects	Lot 242 Emu Apple Street	Construction of 4 x 1 bedroom single units	7034	20-May-09
35/09	P	29-Apr-09	M & P Baxter & V & H Wilde	Michael Baxter Homes	Lot 192 Quondong St, Kununurra	Duplex 2 x 4 bedroom	6891	20-May-09
38/09	IP	6-May-09	David & Louise Schubert	David & Louise Schubert	Lot 533 Riverfarm Road, KNX	Extension to Residence	68	20-May-09
40/09	P	18-May-09	Burrows Nominees	Franmor Construction	Lot 2252 Konkerberry Drive	Caged Storage	1952	20-May-09
72/08	P	29-Aug-08	Warraminga Pty Ltd	Warraminga Pty Ltd	Lot 557 Coolibah Drive	New Shop Façade	1084	20-May-09
19/09	AA	26-Mar-09	G and A Wardrop	G and A Wardrop	Lot 23 Curlew Court, Kununurra	Single Dwelling	6883	25-May-09

Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Asset Number	Approval Date
23/09	P	2-Apr-09	W and L Cunningham	L Cunningham	Lot 1765 Hibiscus Drive, Kununurra	Small Cottage Industry	1971	28-May-09
25/09	P	6-Apr-09	Ngnowar Aerwah Aboriginal Corp	Ngnowar Aerwah Aboriginal Corp	Lot 1370 Great Northern Hiway	Residential Rehabilitation Centre	205	28-May-09
41/09	P	21-May-09	John Nicholson	JC and DC Nicholson	Loc 541 Packsaddle Road, KNX	Machinery Carport	617	28-May-09
26/09	P	6-Apr-09	Ngnowar Aerwah Aboriginal Corp	Ngnowar Aerwah Aboriginal Corp	Lot 471 Great Northern Hiway	Rehabilitation Community Centre / Offices	290	04-Jun-09
42/09	IP	28-May-09	Darryl Smith	Darryl Smith	Lot 568 Ivanhoe Road	Shade Structure	6806	04-Jun-09
43/09	P	28-May-09	Helen & Scott Munro	Helen & Scott Munro	Lot 409 Packsaddle Road	Extensions to Residence - Garage & Deck	610	04-Jun-09

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

1 of 3

Licence Number	Date Received	Date Licence	Owner	Builder	Location	Description	New/ Add	Est. Value	Comment/Processing Time – Working Days
062/ 2009		1/05/2009	Chris Daniel	Chris Daniel	Lot 224 ghost Gum	New Dwelling	New	\$240,000.00	
063/ 2009		4/05/2009	Chris Milne	Chris Milne	Lot 166 Gardenia Drive	Garden Shed	New	\$1,200.00	
064/ 2009	28.04.09	19/05/2009	Hamish Munro	Darren Fulcher	Lot 189 Quondong	Class 1A dwelling with attached Class 10A Carport	New	\$350,000.00	16 / 15 days

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 May 2009 continue... 2 Of 3

Licence Number	Date Received	Date Licence	Owner	Builder	Location	Description	New/ Add	Est. Value	Comment/Processing Time – Working Days
065/ 2009		7/05/2009	Mathew Dear	Mathew Dear	Lot 54 Ironwood drive	Replacement fence	New	\$1,500.00	
066/ 2009	4.11.08	8/05/2009	Peter Green	Peter Green	Loc 207 Riverfarm Rd	New Dwelling with Pool	New	\$800,000.00	Planning issues
067/ 2009	19.03.09	13/05/2009	Chantal Sharpe	Chantal Sharpe	Lot 204 (4) Flametree Street Kununurra	Class 1A Single Dwelling	New	\$350,000.00	37 / 15 days Incomplete application submitted – awaiting details from applicant
068/ 2009	11.09.08	19/05/2009	Dan Read	Dan Read	Lot 529 River farm Rd	Class 7/8 extension to shed	New	\$15,000.00	Incomplete application – fire safety issues
069/ 2009	10.05.09	19/05/2009	Reg Bucktin	Reg Bucktin	Lot 21 Webber Plain rd	10b below ground pool	New	\$16,000.00	8 / 15 days
070/ 2009	12.05.09	21/05/2009	Dept Housing	Simon Gray	Lot 1119 Dulverton St Wyndham	Duplex	New	\$831,900.00	8 / 15 days
071/ 2009	12.05.09	27/05/2009	Dept Housing	Simon Gray	Lot 1216 Delamere St Wyndham	Triplex	New	\$938,100.00	12 / 15 days
072/ 2009	18.05.09	25/05/2009	Burrows Nominees	Franmor Constructio ns	Lot 2252 (64) Konkerberry Drive Kununurra	Extension to cage enclosure	Add	\$25,000.00	6 / 15 days
073/ 2009	30.04.09	27/05/2009	Paul Stewart	Paul Stewart	Lot 81 Weaber Plains	Car port and storage shed	Add	\$30,000.00	20 / 15 days – planning approval required

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 May 2009 continue... 3 Of 3

Licence Number	Date Received	Date Licence	Owner	Builder	Location	Description	New/ Add	Est. Value	Comment/Processing Time – Working Days
074/2009	17.12.08	27/05/2009	Mike Filder	Mike Filder	lot 7 O'Donnell St Wyndham	Shed class 10a	New	\$10,000.00	Illegal building
075/2009	18.05.09	29/05/2009	McArdle Holding	Franmor Constructions	lot 101 (38) Hibiscus Drive	Addition to existing	Add	\$12,000.00	10 / 15 days
076/2009	12.03.09	29/05/2009	Cambridge Gulf Limited lease from Department of Planning & Infrastructure	Tony Chafer Cambridge Gulf Limited	Lot 2 Barytes Road Wyndham	Addition to 3 existing sheds, Class 7b & 8, & Class 10A ablution	Add	\$359,712.00	54 / 15 days CEO issued licence
077/2009	21.05.09	29/05/2009	J & D Nicholson	J & D Nicholson	King Loc 541 Packsaddle Road Kununurra	Class 10A Non-habitable machinery carport	New	\$11,000.00	7 / 15 days
								\$3,991,412.00	

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

Licence Number	Date	Asses s No.	Lot No.	Street Address	Applicant Name	Type	Fee	Receipt No	Planning Approval / Delegation
004/2009	08/05/09	#1195	665	Victoria Highway, Kununurra	Albert Smith Signs c/- public ink Pty Ltd	Sign 1 Illuminated pylon sign, Sign 2 Illuminated light box, Sign 3 Entrance sign, Sign 4 Flagpole banners x 3	\$65.50	362951	N/A alteration to sign writing only.
005/2009	15/05/09	#42	RES	Ivanhoe / Research Station Road intersection Kununurra	Hoochery Distillery	Non-standard Pylon sign	\$29.00	362960	PA 30/09
006/2009	20/05/09	#2860	RES	Junction of Messmate Way & Victoria Highway AND junction of Drovers Road & Victoria Highway	Kununurra Race Club	Temporary Portable signs x 2	Nil	N/A	N/A exempt sign

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

Licence Number	Date	Assess No	Property Address	Premises	Owner	Builder/ Contractor	Contact Details	Comments (Asbestos)
008/2009	19/05/2009	1235	Lot 54 (6) Ironwood Drive Kununurra	Class 10A patio	Matthew Dear	Matthew Dear	PO Box 1018 Kununurra	Class 10A steel patio

12.7. ELECTED MEMBER REPORTS

Cr Di Ausburn:

27 May Simutaneous Storytime 'Pete the Sheep'
28 May Tender Openings
8 June Annual Grants
16 June Liquor Accord

Cr F Mills

20 May ABARE's Kununurra Regional Outlook conference
21 May CEO, Crs Addis, Ausburn Staff package briefing.
26 May Address at Sorry Day event at White Gum Park.
27 May Argyle Diamond briefing by OM Kevin McLeish.
10 June KVC Board Meeting
11 June WA Trial Conference (Dept Sport and Recreation).

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

COUNCIL DECISION

Minute No. 8708

Moved:Cr D Ausburn

Seconded:Cr R Boshammer

That Council moved to Behind Closed Doors to consider item 16.1 & 16.2.

CARRIED UNANIMOUSLY: (8/0)

16. MATTERS BEHIND CLOSED DOORS

16.1 PROPOSED SALE OF PROPERTY 16 KIMBERLEY STREET, WYNDHAM (8708) (8709)

DATE:	16 June 2009
PROPONENT:	Shire Of Wyndham-East Kimberley
LOCATION:	16 Kimberley Street, Wyndham
AUTHOR:	Peter Stubbs, Chief Executive Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	01.0303.09
ASSESSMENT NO:	A303

This item was discussed Behind Closed Doors under Section 5.23 (2) (a), (b), (c) as this is a matter that affects)

- (a) a matter affecting an employee or employees;*
- (b) the personal affairs of any person;*
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*

All staff and gallery left the room except Councillors and Chief Executive Officer at 7.03pm.

COUNCIL DECISION

Minute No: 8709

Moved:Cr J Parker

Seconded:Cr P Caley

- 1. That Council advertise its intent to sell the house and property it owns at 16 Kimberley Street Wyndham to Mr Shayne McKinlay for the sum of \$175,000 plus GST.**
- 2. That Council delegate authority to the Chief Executive Officer to finalise the sale subject to there being no adverse public comment on the proposed sale.**
- 3. That funds raised from the sale of the property be placed in Reserve for future use in new housing staff housing stock in Wyndham.**

CARRIED UNANIMOUSLY: (8/0)

**16.2 EXECUTIVE MANAGER'S SALARY PACKAGE REVIEW (8710)
(8711) (8712) (8713) (8714)**

DATE:	16 June 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:	63.07.01
ASSESSMENT NO:	N/A

This Item was discussed behind closed doors under Section 5.23 (2) (a) of the Local Government Act 1995 as it is a matter that affects employees of the Shire.

COUNCIL DECISION

Minute No. 8710

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

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

CARRIED UNANIMOUSLY: (8/0)

Standing Orders were suspended at 6.47pm.

Minute No: 8711

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

That Council resume Standing Order 7.5.

CARRIED UNANIMOUSLY: (8/0)

Standing Order was resumed at 6.47pm

Minute No:8712

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

That after consideration of feedback from the Council's CEO Review Committee the Council adopt the following salary package changes for its Executive Managers from the date of the 2009/10 budget adoption;

1. ***That the salary package for the Executive Manager of Engineering and Regulatory Services, Mr Alex Douglas be adjusted by 5.2% to:***
 - ***Increase the base salary by \$3,740 from the date of adoption of the 2009/10 budget.***
 - ***Increase the water subsidy by \$360, and the power subsidy by \$1,300***
 - ***Include an allowance of \$1,560 for communications***

2. ***That the salary package for the Executive Manager Corporate Services, Ms Jo Anne Ellis be adjusted by 7.4%:***
 - ***Increase the base salary by \$4,900 from the date of adoption of the 2009/10 budget.***
 - ***Increase the water subsidy by \$360, and the power subsidy by \$1,300***
 - ***Increase the travel allowance by \$700***
 - ***Include an allowance of \$1,560 for communications***
 - ***Increase vehicle allocation by \$1,000***

3. ***That the salary package for the Executive Manager of Community Services, Ms Karyn Apperley be adjusted by 6.36%:***
 - ***Increase the base salary by \$5,100 from the date of adoption of the 2009/10 budget.***
 - ***Include an allowance of \$1,560 for communications***

4. ***That the salary package for the Executive Manager Town Planning and Economic Development Services, Mr Ian D'Arcy be adjusted by 3.7%:***
 - ***Increase the base salary by \$3,700 from the date of adoption of the 2009/10 budget.***
 - ***Increase the allowance for communications by \$960.***

LOST: (4/5)

A foreshadowed motion was put by Cr K Wright. The foreshadowed motion was:

That Council adopt the following salary package changes for its Executive Managers from the date of the 2009/10 budget adoption;

1. ***That the salary package for the Executive Manager of Engineering and Regulatory Services, Mr Alex Douglas be adjusted by 5.2% to:***
 - ***' Increase the base salary by \$3,740 from the date of adoption of the 2009/10 budget.***
 - ***Increase the water subsidy by \$360, and the power subsidy by \$1,300***
 - ***Include an allowance of \$1,560 for communications***

2. *That the base salary for the Executive Manager Corporate Services, Ms Jo Anne Ellis be adjusted the cpi of 4.0%:*
3. *That the base salary for the Executive Manager of Community Services, Ms Karyn Apperley be adjusted by the cpi of 4.0%:*
4. *That the base salary for the Executive Manager Town Planning and Economic Development Services, Mr Ian D'Arcy be adjusted by 3.7%:*

Cr K Wright withdrew the foreshadowed motion.

The substantive motion was therefore put;

The motion was lost 4/5 with the Presiding Member using a casting vote.

For the motion ; Cr J Moulden, Cr R Boshammer, Cr D Ausburn, Cr R Addis

Against the motion: Cr K Wright, Cr J Parker, Cr K Torres, Cr P Caley, Cr R Addis

Minute No: 8713

Moved: Cr K Wright

Seconded: Mr J Parker

That Council adopt the following salary package changes for its Executive Managers from the date of the 2009/10 budget adoption;

1. ***That the salary package for the Executive Manager of Engineering and Regulatory Services, Mr Alex Douglas be adjusted by 5.2% to:***
 - ***Increase the base salary by \$3,740 from the date of adoption of the 2009/10 budget.***
 - ***Increase the water subsidy by \$360, and the power subsidy by \$1,300***
 - ***Includes an allowance of \$1,560 for communications.***
2. ***That the base salary for the Executive Manager Corporate Services, Ms Jo-Anne Ellis be adjusted by the cpi of 4.0%***
3. ***That the base salary for the Executive Manager of Community Services, Ms Karyn Apperley be adjusted by \$5,100:***
4. ***That the base salary for the Executive Manager Town Planning and Economic Development Services, Mr Ian D'Arcy be adjusted by 3.7% .***

LOST:(4/5)

The motion was lost 4/5 with the Presiding Member using a casting vote.

For the motion ; Cr K Wright, Cr J Parker, Cr K Torres, Cr P Caley

*Against the motion: Cr J Moulden, Cr R Boshammer, Cr D Ausburn, Cr R Addis
Cr R Addis*

A new motion was put, that motion being:

Minute No: 8714

Moved:Cr JMoulden

Seconded:Cr R Boshammer

That after consideration of feedback from the Council's CEO Review Committee the Council adopt the following salary package changes for its Executive Managers from the date of the 2009/10 budget adoption;

1. That the salary package for the Executive Manager of Engineering and Regulatory Services, Mr Alex Douglas be adjusted by 5.2% to:

- Increase the base salary by \$3,740 from the date of adoption of the 2009/10 budget.***
- Increase the water subsidy by \$360, and the power subsidy by \$1,300***
- Include an allowance of \$1,560 for communications***

2. That the salary package for the Executive Manager Corporate Services, Ms Jo Anne Ellis be adjusted by 7.4%:

- Increase the base salary by \$4,900 from the date of adoption of the 2009/10 budget.***
- Increase the water subsidy by \$360, and the power subsidy by \$1,300***
- Increase the travel allowance by \$700***
- Include an allowance of \$1,560 for communications***
- Increase vehicle allocation by \$1,000***

3. That the salary package for the Executive Manager of Community Services, Ms Karyn Apperley be adjusted by 6.36%:

- Increase the base salary by \$5,100 from the date of adoption of the 2009/10 budget.***
- Include an allowance of \$1,560 for communications***

4. That the salary package for the Executive Manager Town Planning and Economic Development Services, Mr Ian D'Arcy be adjusted by 3.7%:

- Increase the base salary by \$3,700 from the date of adoption of the 2009/10 budget.***

CARRIED: (5/4)

The motion was carried 5/4 with the Presiding Member using a casting vote.

For the motion: Cr J Moulden, Cr R Boshammer, Cr D Ausburn, Cr R Addis, Cr R Addis

Against the motion: Cr K Wright, Cr J Parker, Cr K Torres, Cr P Caley.

17. CLOSURE

With all matters of Business complete the Deputy Shire President declared the meeting closed at 7.50pm.