



MINUTES OF ORDINARY MEETING OF COUNCIL

HELD ON 18 AUGUST 2009

I hereby certify that the Minutes of the Ordinary Meeting of Council held on Tuesday 18 August 2009 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, 18 AUGUST 2009 AT 6:00 PM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.00pm.

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

Cr F Mills	Shire President
Cr R Addis	Deputy President
Cr D Ausburn	Councillor
Cr R Boshammer	Councillor
Cr J Moulden	Councillor
Cr J Parker	Councillor
Cr K Torres	Councillor
Cr K Wright	Councillor
A Douglas	Acting Chief Executive Officer
J Ellis	Executive Manager Corporate Services
I. D'Arcy	Executive Manager Development Services
S Russell	Acting Executive Support Officer – Engineering/Minute Taker
F Kuiper	Acting Personal Assistant

GALLERY

Darren Spackman
Keith Williams

3. DECLARATIONS OF INTEREST

- **Financial Interest**

Cr R Boshammer declared a Financial Interest in Item 12.6.3- Request to Reconsider Lease Area for Diversion Cruises and within Lily Creek Lagoon.

Cr R Addis declared a Financial Interest in Item 15.3- Proposed Amendment 33 to TPS No 7 – Rezoning Lot 533 Packsaddle Road as his property is a neighbouring property and has shared interest in rezoning of equipment area on own property.

- **Impartiality Interest**

Nil

- **Proximity Interest**

Cr R Boshammer declared a Proximity Interest in Item 12.6.3- Request to Reconsider Lease Area for Diversion Cruises and within Lily Creek Lagoon.

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. PETITIONS

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

7.1 Application for Leave of Absence (8792)

COUNCIL DECISION

Minute No. 8792

Moved: Cr K Wright

Seconded: Cr D Ausburn

That a leave of absence is approved for Cr R Boshammer for the Special Meeting to be held on Tuesday 22 September.

CARRIED UNANIMOUSLY: (8/0)

Note: The application was requested following consideration of Item 15.2.

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 21 JULY 2009 (8763)

RECOMMENDATION

That Council confirm the Minutes of the Ordinary Council Meeting held on 21 July 2009.

COUNCIL DECISION

Minute No. 8763

***Moved:Cr D Ausburn
Seconded:Cr J Moulden***

That Council confirm the minutes of the Ordinary Council Meeting held on 21 July 2009.

CARRIED UNANIMOUSLY: (8/0)

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1. MINUTES OF AUDIT COMMITTEE MEETINGS

11.1.1 MINUTES OF THE AUDIT COMMITTEE HELD ON 20 JULY 2009. (8764)

RECOMMENDATION

That Council note the unconfirmed Minutes of the Audit Committee held on 20 July 2009

COUNCIL DECISION

Minute No. 8764

***Moved:Cr K Wright
Seconded:Cr R Addis***

That Council note the unconfirmed Minutes of the Audit Committee held on 20 July 2009

CARRIED UNANIMOUSLY: (8/0)

11.2. MINUTES OF AIRPORT COMMITTEE MEETINGS

11.2.1 MINUTES OF THE AIRPORT COMMITTEE MEETING HELD ON 11 AUGUST 2009 (8765)

RECOMMENDATION

That Council note the unconfirmed Minutes of the Airport Committee Meeting held on 11 August 2009.

COUNCIL DECISION

Minute No. 8765

Moved:Cr K Wright

Seconded:Cr J Moulden

That Council note the unconfirmed Minutes of the Airport Committee Meeting held on 11 August 2009.

CARRIED UNANIMOUSLY: (8/0)

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 PROPOSED NEW POLICY - F21 ASSET MANAGEMENT POLICY (8766)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Bonnie Cole, Finance Project Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.03.01
ASSESSMENT NO:	N/A

PURPOSE

To recommendation to Council for adoption of proposed Policy F21 – Asset Management.

BACKGROUND

Council was first introduced to the Western Australian Asset Management Improvement (WAAMI) Program at the briefing session of April 2007, where Council were given an overview of the program and the possible benefits for the Shire.

In August 2008, Shire staff took part in the first of four workshops on asset management. This workshop was facilitated by Western Australian Local Government (WALGA) and CT Management. Since that time little has occurred to progress asset management improvement.

In the budget for 2009/2010 financial year, it was agreed upon to allocate funds to asset management to advance the Shire's asset management program.

This program aims to raise awareness to the "whole of organisation" approach to asset management through using a standardised state-wide national framework. This framework provides tools to assist the asset management process, encourage continuous and ongoing improvement in asset management practices and processes, promote improved/informed planning and decision making and determine and develop long term strategies.

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 2.7

The role of the council

2.7 The role of the council

(1) The council —

(a) directs and controls the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources;
and
(b) determine the local government's policies.*

POLICY IMPLICATIONS

Proposed policy F21 – Asset Management

FINANCIAL IMPLICATIONS

The process of Asset Management is one means of ensuring that Council funds are correctly allocated over the life time of all Council assets.

STRATEGIC IMPLICATION

The Council's Plan for the Future 2008-2010 shows a strong commitment to develop an Asset Management Strategic Plan. It is recognised that asset planning is an organisational responsibility and requires the commitment of the Executive and Senior Management within the Shire.

COMMUNITY CONSULTATION

Community consultation is not required at this stage.

COMMENT

Due to the ongoing nature of this activity, it is considered prudent to create a standing item, to be presented to the Audit Committee to ensure regular updates on the Asset Management Program are being presented to Council. Under the direction of the Executive Manager of Corporate Services, the Finance Projects Officer is responsible for the majority of the progress towards and development of the Council's Asset Management Program. It is envisaged that each standing agenda item will report on the progress of Asset Management and comment when required on restrictions that may have been encountered.

Council's Finance Projects Officer, Bonnie Cole, made a presentation to the audit Committee giving a brief overview of the Asset Management Program and what it means for the Shire of Wyndham East Kimberley.

The proposed Asset Management Policy (F21) seeks to outline a framework for the management of assets to deliver the Shire's vision. It is the intention that the management of these assets will encompass sustainability of the built and natural environment whilst ensuring the most appropriate delivery of Council service for the benefit of the community.

This policy demonstrates a strong commitment to maintaining Council's assets for the present and future generations. This will be achieved by supporting sustainable innovation services, making socially responsible decisions and demonstrating good governance.

Council's Executive Manager of Engineering and Regulatory Services has recommended the creation of a separate infrastructure asset management class within the Asset Management Policy for Airports, based on the consideration that although Airports may contain similar infrastructure assets as the other classes, the level of service that is required from an airport can be significantly different.

ATTACHMENTS

Proposed Policy F21 – Asset Management

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

- 1) That the Audit Committee approve the creation of a standing item for Asset Management in order to be kept informed with regard to the progression of Council's Asset Management program; and
- 2) That the Audit Committee recommend to Council to adopt proposed policy F21 – Asset Management.

COMMITTEE DECISION

Minute AC163

Moved: Cr R Addis

Seconded: Cr D Ausburn

- 1) *That the Audit Committee approve the creation of a standing item for Asset Management in order to be kept informed with regard to the progression of Council's Asset Management program; and*
- 2) *That the Audit Committee recommend to Council to adopt proposed policy F21 – Asset Management.*

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council adopts the proposed Policy F21 – Asset Management as attached.

COUNCIL DECISION

Minute No. 8766

Moved:Cr K Wright

Seconded:Cr D Ausburn

That Council adopts the proposed Policy F21 - Asset Managment as attached.

CARRIED UNANIMOUSLY: (8/0)

**Attachment: Proposed New Policy F21 – Asset Management Policy
Item No. 12.1.1**

POLICY No:	F21
DIVISION	Finance
SUBJECT:	Asset Management Policy
REPORTING OFFICER	Executive Manager Corporate Services
ENABLING LEGISLATION	Local Government Act 1995 (Section 1.3(3))

OBJECTIVE:

The objectives of this policy are to:

- Provide a framework for implementing asset management to enable a consistent, coordinated and strategic approach at all levels of Government.
- Apply best asset management practices as appropriate to the Shire of Wyndham East Kimberley.
- Allocate corporate responsibility for asset management and the necessary resources to deliver Asset Management strategies.
- Facilitate continuous improvement and innovation in delivering service in achieving service standards to benefit the community.
- Provide a framework which quantifies risk and incorporates that into the decision making process.
- Provide guidance to staff responsible for asset management.

DEFINITIONS:

“Asset” means a physical item that is owned or controlled by the Shire of Wyndham East Kimberley, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

“Asset Management” means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet Council’s priorities for service delivery.

“Asset Management Plan” means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

“Council” means the elected Council (comprising Councillors) of the Shire of Wyndham East Kimberley.

“Infrastructure Assets” are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings and Parks.

“Level of Service” means the combination function, design and presentation of an asset. The higher the level of service, the greater the cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

“Operations” – means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Resources” means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

“Renewal” means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.

“Shire” means the collective Shire of Wyndham East Kimberley organisation. The Chief Executive Officer of the Shire of Wyndham East Kimberley is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhances existing asset to provide higher level of service.

POLICY:

To achieve the policy objective, the Shire of Wyndham East Kimberley is committed to ensuring that Asset Management is recognised as a major corporate function.

The Shire is committed to making informed decisions in relation to its infrastructure assets. To achieve this, the Shire will prepare an Asset Management Improvement Strategy that will guide the implementation of asset management across the organisation with the key outcome being the adoption by Council of an Asset Management Plan for the following classes of infrastructure assets;

- Roads
- Footpaths
- Drainage

- Buildings
- Parks & Ovals (Recreation Service Areas)
- Street Trees
- Airports

Asset Management Plans will form part of the Shire's day-to-day business practices and will be used to make informed decisions in relation to service delivery across;

- New asset acquisition
- Renewal of existing assets
- Upgrade of existing assets
- Disposal of existing assets

The Shire has limited resources and is custodian of a large number of assets, many of which have reached or gone beyond their economic life. In making decisions in relation to infrastructure assets, the Shire is committed to the philosophy of renewing assets before acquiring new assets and where possible, rationalising assets that are no longer used or do not provide the agreed level of service.

The Shire is committed to determining the level of service required for infrastructure assets in a collaborative manner with asset stakeholders.

As part of Shire's consideration of asset management, the Shire will follow the following key principles;

- Prior to consideration of any major works for renewal or improvement to an asset, undertake a critical review of the need of that asset;
- Will consider the 'whole of life' cost for all new assets and for any major renewal or improvements into the Shire's long term financial plans;
- Undertake to develop industry standard asset management plans that are financially sustainable;
- Involve and consult with key stakeholders on determining levels of service and asset service standards;
- Manage its assets utilising a corporate team approach using a multi-discipline working group;
- Ensure asset information is accurate and up to date allowing for appropriate asset planning, both in the short and long term, and for informed decision making to occur;
- Allocate appropriate resources to ensure asset management practices can be undertaken and the timely maintenance and renewal and/or upgrade of those assets so that 'life cycle' costs are optimised (existing and new assets);
- Ensure the roles and responsibilities of all asset users are well defined and understood;
- Develop reporting procedures based on key principles of the Asset Management Policy;
- Continually seek opportunities for multiple uses of assets.

Implementation of asset management as an organisational philosophy will occur through the Asset Management Practices Improvement Strategy.

This policy applies to Council, Councillors, Executive Managers, Staff, Committees of Management and the Community involved in the operations,

maintenance, refurbishment, renewal, upgrading and development of Council's existing and new infrastructure assets.

Adopted:
Reviewed:
Amended:
Repealed:

12.1.2 PROPOSED NEW POLICY - F22 COLLECTION OF FEES AND CHARGES (8767)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.21.01
ASSESSMENT NO:	N/A

PURPOSE

To recommend to Council a policy to provide consistent and effective collection of fees and charges imposed by the Shire of Wyndham East Kimberley.

BACKGROUND

Council fees and charges are set and adopted by Council as part of the budget setting process and can only be modified by an absolute majority decision of Council or under delegated authority by the Chief Executive Officer.

Historically the collection method for fees and charges has been left to the discretion of supervisory officers and Managers, and has at times varied from customer to customer.

This has caused some inequities and inefficiencies in the collection of fees and charges, in some circumstances causing difficulties in collecting some charges once the service has been received.

STATUTORY IMPLICATIONS

Local Government Act 1995

6.16. *Imposition of fees and charges*

- (1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

POLICY IMPLICATIONS

New policy is proposed F22 – Collection of Fees and Charges.

FINANCIAL IMPLICATIONS

It is intended the risk of debt exposure via debtor invoices would be lessened.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Community Consultation is not required in this instance.

COMMENT

The purpose of this new policy is to provide clear guidelines as to the types of fees that must be collected prior to customers receiving the service, as opposed to those fees that may be invoiced.

Invoicing provides customers with a suitable period for payment, which may be after the service has been received. Best management practice across all industries indicate the provision of invoicing services should only be granted to customers who have firstly been approved as account holders with the provider of the service/supply.

It is intended that the implementation of account applications and approvals for existing Sundry Debtors will occur over a period of 6 months from adoption of proposed Policy F22 – Collection of Fees and Charges so as not to inconvenience existing Debtors. Once that period has expired, only approved account holders with the Shire of Wyndham East Kimberley may be invoiced for the fees and charges that are listed as exceptions on the policy.

ATTACHMENTS

Proposed Policy F22 – Collection of Fees and Charges

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee having considered Policy F22 – Collection of Fees and Charges, recommends the Policy to Council for adoption.

COMMITTEE DECISION

Minute AC165

Moved: Cr R Addis

Seconded: Cr D Ausburn

That the Audit Committee having considered Policy F22 – Collection of Fees and Charges, recommends the Policy to Council for adoption with the addition of the following clause:

- *Discretion for invoicing of fees and charges not included in the exceptions list is delegated to the Executive Manager Corporate Services.*

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council adopts Policy F22 – Collection of Fees and Charges as attached.

COUNCIL DECISION

Minute No. 8767

Moved:Cr K Wright

Seconded:Cr R Boshammer

That Council adopts Policy F22 - Collection of Fees and Charges as attached. With the addition of a twelfth dot point for 'exceptions' being 'other fees and charges as collected under contract by external agencies.'

CARRIED UNANIMOUSLY: (8/0)

The Acting Chief Executive Officer advised elected members that a query has been raised prior to the Council Meeting advising of an anomaly in the proposed policy regarding landing fees at the East Kimberley Regional Airport.

The Officer Recommendation was declined and an amendment made to include a twelfth dot point for the 'exceptions' section..

**Attachment: Proposed Policy F22 – Collection of Fees and Charges
Item No. 12.1.2**

POLICY NO:	F22
DIVISION:	Finance
SUBJECT:	Collection of Fees and Charges
REPORTING OFFICER:	Executive Manager Corporate Services
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE

To establish best practice guidelines for the collection of fees and charges imposed by the Shire of Wyndham East Kimberley.

POLICY

With the exception of those charges listed below, all fees and charges for the Shire of Wyndham East Kimberley must be paid in full prior to the service, or approval being received by customers.

Bonds must be paid in cash or at least 5 working days prior to the event/hire to enable clearance of funds.

Exceptions:

- Annual subscription to Council Minutes and Agenda's
- Wyndham Childcare Centre Fees & Charges
- Annual Registrations for caravan & camping, food business and lodging houses (certification is provided once invoice is paid)
- Annual refuse charges, waste management levy, replacement or repairs to bins (will occur as part of Rates Notices)
- Waste disposal charges at landfill sites (non domestic)
- Water supply / reticulation charges (per kilolitre)
- Annual swimming pool fee (will occur as part of Rates Notice)
- Airport passenger taxes and screening fees
- Annual Airport Parking fees
- Annual Lease Fees
- Seasonal Hirers of Ovals/Courts (not casual hirers)

The fees and charges listed as 'exceptions' may be charged by invoice to any customer who has applied and been approved to hold an account with the Shire of Wyndham East Kimberley. Payment terms as per the Sundry Debt Collection Policy F15 are to apply.

Discretion for invoicing of fees and charges not included in the exceptions list is delegated to the Executive Manager Corporate Services.

Notes:

- Any requests for concessions on Fees and Charges must be in advance, in writing, and addressed to the Chief Executive Officer.

- Modification of fees and charges can only occur as a resolution of Council or under delegated authority by the Chief Executive Officer.
- Purchase orders are not an acceptable method of 'payment', but may be accepted for charges that are approved for invoicing to account holders.
- Bonds will be refunded on request once a Council officer has inspected the facility / equipment and confirmed approval of the bond release.
- Infringements and fines are to be paid in accordance with the notice issued.

Adopted:
Reviewed:
Amended:
Repealed:

12.1.3 WRITE OFF OF RATES DEBT - ASSESSMENT 6893 (8768)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Kathy Linthorne, Finance Rates Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	01.6893.04
ASSESSMENT NO:	A6893

PURPOSE

To review an outstanding rates debt and recommend to Council that the debt be written off.

BACKGROUND

Assessment 6893 is a mining tenement issued in February 2008.

This lease was forfeited on the 19 June 2008 and remaining debt was forwarded to Austral Debt Collections. Austral issued a General Procedures Claim on the 26 August 2008 then a property seizure and sale claim on the 3 October 2008. They then found that the Company had no assets, no bank accounts, and no access to any funds. Austral verified that the debtor is still registered as a company but are not trading.

The company holds no current mining tenements with the Department for Minerals and Petroleum.

The current debt on the Assessment is as follows:

Rates:	\$2,282.54
Penalty Interest	\$349.90
Legal Charges	\$615.20
Total	\$3,247.14

STATUTORY IMPLICATIONS

Local Government Act 1995, section 6.12 (1) – Power to defer, grant discounts, waive or write off debts.

6.12 (1) Subject to subsection (2) and any other written law, a local government may –

(c) write off any amount which is owed to the local government.

**absolute majority required*

POLICY IMPLICATIONS

Policy F12 – Rate Collection Policy

FINANCIAL IMPLICATIONS

Should Council approve, the value of the debt to be written off is \$3,247.14 (plus any accrued penalties since this report was drafted). Consideration should be given to the costs incurred in debt collection in relation to the debt itself.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

It is the option of Council Officers and Councils debt collection agency that this debt will be unrecoverable without incurring the cost of significant legal expenses, with no surety of payment. With consideration to the costs that have already been spent on debt recovery compared to the value of the debt, it is recommended to write off the debt.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That the Audit Committee recommend to Council to approve write off of the outstanding rates debt on property A6893 to the value of \$3,247.14 (plus accrued penalties since this report).

COMMITTEE DECISION

Minute AC167

Moved: Cr R Addis

Seconded: Cr D Ausburn

That the Audit Committee recommend to Council to approve write off of outstanding rates debt on property A6893 to the value of \$3,247.14 (plus accrued penalties since this report).

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council approve write off of outstanding rates debt on property A6893 to the value of \$3,247.14 (plus additional accrued penalties).

COUNCIL DECISION

Minute No. 8768

Moved:Cr R Addis

Seconded:Cr D Ausburn

That Council approve write off of outstanding rates debt on property A6893 to the value of \$3,247.14 (plus additional accrued penalties).

CARRIED UNANIMOUSLY: (8/0)

12.1.4 REQUEST FOR TENDER - EAST KIMBERLEY REGIONAL AIRPORT HYDROLOGY STUDY

DATE:	18 August 2009
PROPONENT:	Department For Planning And Infrastructure Dpi
LOCATION:	East Kimberley Regional Airport
AUTHOR:	Brian Sargeant, Airport Operations Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	20.08.01
ASSESSMENT NO:	N/A

PURPOSE

To recommend to Council to issue a request for tender for the services of Hydrology Study at East Kimberley Regional Airport.

BACKGROUND

At the 10 February Committee meeting a report was received regarding the occurrence of pavement failures on the runway and taxiways at EKRA. It recommended that a detailed engineering survey using a Heavy Weight Deflectometer be conducted to ascertain the strength relative to the Pavement Concession Number. Testing by Fugro PSM was completed at EKRA on the 27th June 2009.

At the same time the services of Andrew Forte of Forte Airport Management were engaged to provide professional advice on the best action to take. His recommendation was two fold;

1. Ground water monitoring was required to establish the water table movement under the runway and runway strip.
2. That the RPT Taxiways (Alpha, Bravo and Charlie) be strengthened by reconstruction and cement stabilisation of pavements with asphalt finish.

The committee made the following resolution at the 17 April Airport Committee meeting:

Minute No: AP 090

Moved: Cr K Wright

Seconded: Cr J Moulden

That the committee endorses the application priorities for RADS funding;

1. *Install bore casings on the runway strip and monitor ground water levels.*
2. *Strengthening the RPT Taxiways A B & C.*

Carried Unanimously: 3/0

Confirmation of RADS submission success was received 10 June 2009.

STATUTORY IMPLICATIONS

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

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

11. Tenders to be invited for certain contracts

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Submissions for funding through the 2009-10 Regional Airports Development Scheme was successful in securing \$69,750 towards the Ground Water Monitoring project with a further \$70,250 required to be allocated from the Airport Reserve. A budget amendment will be recommended to Council as part of the next budget review.

STRATEGIC IMPLICATIONS

The East Kimberley Regional Airport is strategic infrastructure and essential to the East Kimberley. The runway is a priority for asset management.

COMMENT

Proposed timeline for project;

18 August - Tender specifications to Council
27 August – Tender Advertised
11 September – Tender Closes
15 September – Council Meeting – Award tender
1 October – Works Commence
7 October – Monitoring Commences

ATTACHMENTS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the committee recommend to Council

1. That Council issue Request for Tender - East Kimberley Regional Airport Hydrology Study.
2. That Tenders are evaluated based on the capacity of the Tenderers to complete the requirements of the tender including:
 - 2.1. Compliance Criteria (must comply)
 - a) Completion of Tenderers Offer
 - b) Compliance with Conditions of Tendering
 - c) Compliance with Specification
 - d) Corporate Information
 - e) Financial Information
 - f) Conflict of Interest
 - g) Insurance
 - 2.2 Qualitative Criteria (used to Rank Tenders)
 - a) Organisational Capabilities - 40%
 - b) Key Personnel - 35%
 - c) Performance - 25%
 - 2.3. Price Submitted for Tender
The tendered price along with the qualitative ranking will be used to determine the most advantageous tender to Council

COMMITTEE RESOLUTION

Minute No AP 103

Moved: Cr K Wright

Seconded: Cr J Moulden

That the committee recommend to Council

1. That Council issue Request for Tender - East Kimberley Regional Airport Hydrology Study.
2. That Tenders are evaluated based on the capacity of the Tenderers to complete the requirements of the tender including:
 - 2.1. Compliance Criteria (must comply)
 - a) Completion of Tenderers Offer
 - b) Compliance with Conditions of Tendering
 - c) Compliance with Specification
 - d) Corporate Information
 - e) Financial Information
 - f) Conflict of Interest
 - g) Insurance
 - 2.2 Qualitative Criteria (used to Rank Tenders)
 - a) Organisational Capabilities - 40%
 - b) Key Personnel - 35%
 - c) Performance - 25%
 - 2.3. Price Submitted for Tender
The tendered price along with the qualitative ranking will be used to determine the most advantageous tender to Council

AIRPORT COMMITTEE RECOMMENDATION

1. That Council issue Request for Tender - East Kimberley Regional Airport Hydrology Study.
2. That Tenders are evaluated based on the capacity of the Tenderers to complete the requirements of the tender including:
 - 2.1. Compliance Criteria (must comply)
 - a) Completion of Tenderers Offer
 - b) Compliance with Conditions of Tendering
 - c) Compliance with Specification
 - d) Corporate Information
 - e) Financial Information
 - f) Conflict of Interest
 - g) Insurance
 - 2.2 Qualitative Criteria (used to Rank Tenders)
 - a) Organisational Capabilities - 40%
 - b) Key Personnel - 35%
 - c) Performance - 25%
 - 2.3. Price Submitted for Tender
The tendered price along with the qualitative ranking will be used to determine the most advantageous tender to Council

COUNCIL DECISION

Minute No. 8769

Moved:Cr K Wright

Seconded:Cr J Moulden

1. ***That Council issue Request for Tender - East Kimberley Regional Airport Hydrology Study.***
2. ***That Tenders are evaluated based on the capacity of the Tenderers to complete the requirements of the tender including:***
 - 2.1. ***Compliance Criteria (must comply)***
 - a) Completion of Tenderers Offer***
 - b) Compliance with Conditions of Tendering***
 - c) Compliance with Specification***
 - d) Corporate Information***
 - e) Financial Information***
 - f) Conflict of Interest***
 - g) Insurance***
 - 2.2 ***Qualitative Criteria (used to Rank Tenders)***
 - a) Organisational Capabilities - 40%***
 - b) Key Personnel - 35%***
 - c) Performance - 25%***
 - 2.3. ***Price Submitted for Tender***
The tendered price along with the qualitative ranking will be used to determine the most advantageous tender to Council

CARRIED UNANIMOUSLY: (8/0)

**12.1.5 EAST KIMBERLEY REGIONAL AIRPORT - CAR HIRE
FRANCHISE LEASES AND CAR PARK ALLOCATION
(8770)**

DATE:	18 August 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:	66.20.33, 66.20.28, 66.20.30
ASSESSMENT NO:	N/A

PURPOSE

To reconsider recommendation to Council in relation to Car Hire Companies and Council's offer for new leases at the East Kimberley Regional Airport.

BACKGROUND

The leases with the car hire companies have either expired or expire in the next few months. With the impending completion of the new car park and issues surrounding use of the existing car park by car hire companies Council on recommendation of the Airport Committee resolved

Minute No. 8618

Moved:Cr J Parker

Seconded:Cr P Caley

That Council offer new leases at the East Kimberley Regional Airport to:

- a) Avis Australia / W.T.H. Pty Ltd*
- b) Thrifty / Territory Rent a Car Pty Ltd*
- c) Budget / Busby Investments Pty Ltd*
- d) Hertz / Tuffys Pty Ltd T/A East Kimberley Hirings*
- e) Europcar*

On the following conditions

- 1. leases commence on 1 July 2009, or at the expiration of the current lease, for a term of five years.*
- 2. The use of the premises is for Hire Car Franchise purposes.*
- 3. Cubicle rent in the Airport Terminal is set at \$500 and is subject to review following the Terminal Upgrade.*
- 4. Car bays are offered in rows 2 and 3 of the car park at and annual rental fee of \$2,000 per bay with a maximum of six bays to be allocated to each lessee.*
- 5. Car bays are offered in rows 7 and 8 of the car park at an annual rental fee of \$1,000 per bay with a maximum of six bays to be allocated to each lessee.*

6. *The number of car park bays required by each lessee is to be confirmed in writing prior to the commencement of the lease and may only be altered once annually on the lease rent review date.*
7. *Lease fees will be subject to annual CPI increase on the lease rent review date.*
8. *An additional charge for lighting and security may be initiated by agreement between parties if the need to increase lighting and/or security at the East Kimberley Regional Airport car park arises.*
9. *That an additional charge for breach of essential terms of lease by the lessee of \$100 per car per day over the agreed and paid for car parking bays to be included in the new leases for car hire companies.*

CARRIED: (7/1)

Following the receipt of correspondence from the car hire companies the Airport Committee considered this issue again on 30 June 2009 with the following resolution passed:

Minute No AP 097

Moved: Cr P Caley

Seconded: Cr K. Wright

That the Airport Committee Recommends to Council that having considered the feedback from the Car Hire Companies that a 50% reduction in lease fee will be available in the period 1 July 2009 to 30 June 2010 in recognition of the operational consideration of the lessee.

Carried Unanimously: 3/0

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Lease fees will be transferred to the Airports Reserve.

STRATEGIC IMPLICATIONS

Use of valuable space at the Airport should be on a commercial basis.

COMMUNITY CONSULTATION

Community Consultation is not required in this instance.

COMMENT

The committee recommendation was included in the agenda of the 21 July 2009 Ordinary Meeting of Council. Council referred the item back to the Airport Committee.

In the absence of further information the officer recommendation remains the same as the previous recommendation.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Airport Committee Recommends to Council that having considered the feedback from the Car Hire Companies that a 50% reduction in lease fee will be available in the period 1 July 2009 to 30 June 2010 in recognition of the operational consideration of the lessee.

COMMITTEE RESOLUTION

Minute No AP 104

Moved: Cr K Wright

Seconded: Cr J Moulden

That the Airport Committee Recommends to Council that having considered the feedback from the Car Hire Companies that a 50% reduction in lease fee will be available in the period 1 July 2009 to 30 June 2010 in recognition of the operational consideration of the lessee.

Carried Unanimously: 3/0

AIRPORT COMMITTEE RECOMMENDATION

That Council having considered the recommendation from the Airport Committee and feedback from the Car Hire Companies that a 50% reduction in lease fee will be available in the period 1 July 2009 to 30 June 2010 in recognition of the operational consideration of the lessee.

COUNCIL DECISION

Minute No. 8770

Moved:Cr K Wright

Seconded:Cr J Moulden

That Council having considered the recommendation from the Airport Committee and feedback form the Car Hire Companies that a 50% reduction in lease fee will be available in the period 1 July 2009 to 30 June 2010 in recognition of the operational consideration of the lessee.

CARRIED UNANIMOUSLY: (8/0)

12.1.6 EXPRESSION OF INTEREST IN PURCHASING LAND - EAST KIMBERLEY REGIONAL AIRPORT (8771)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	East Kimberley Regional Airport
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	20.09.0620.09.06
ASSESSMENT NO:	N/A

PURPOSE

For council to consider an expression of interest in purchasing a portion of airside land at East Kimberley Regional Airport (EKRA).

BACKGROUND

Peter Stubbs, former CEO received correspondence from a proponent, who is interested in purchasing land adjacent to Lot 321 Laine Jones Drive at the East Kimberley Regional Airport

Over the past two years all immediately available land for sale has been sold.

STATUTORY IMPLICATIONS

The EKRA is covered by Town Planning Scheme No 7 – Kununurra and Environs [TPS7.]

TSP 7 requires that all land within the Special Site – Airport Zone is utilised for Airport related uses. The proposed use is consistent with the Planning Scheme provisions.

Section 3.58 Local Government Act – Disposing of Property

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funds raised from the sale of lands at Council's airports are returned to a Reserve Fund for future improvements to the airports.

Costs associated with its subdivision from the lot will come out of the profits from sale.

STRATEGIC IMPLICATIONS

Council has allocated funds to enable additional land development at EKRA to promote and provide opportunities for economic and social growth across the Shire.

COMMENT

The proposed portion of land has been identified in the Airport Land Master Plan – Stage 1 Plan as an area able to be disposed of in the short term due to it already having access to services.

The Airport Committee needs to consider whether they wish to deal with this current expression of interest in isolation. For example a sale by private treaty may be recommended to Council. Alternatively the expression of interest can be refused and the proponent be requested to wait until the land development options in Council budget are progressed.

The Committee requested staff to initiate the appropriate actions to progress and complete the development of subdivisional plans for the Airport that included both airside and landside lots.

ATTACHMENTS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the committee consider the options in relation to disposal of land at East Kimberley Regional Airport.

COMMITTEE RESOLUTION

Minute No AP 106

Moved: Cr K Wright

Seconded: Cr J Moulden

That the Airport Committee recommends to Council to create a new airside lot adjoining lot 321 Laine Jones Drive Kununurra to be released for sale by public Auction

Carried Unanimously: 3/0

AIRPORT COMMITTEE RECOMMENDATION

That Council creates a new airside lot adjoining lot 321 Laine Jones Drive Kununurra to be released for sale by public auction

COUNCIL DECISION

Minute No. 8771

Moved:Cr J Moulden

Seconded:Cr D Ausburn

That Council creates a new airside lot adjoining lot 321 Laine Jones Drive, Kununurra to be released for sale by Public Auction.

CARRIED UNANIMOUSLY: (8/0)

12.2. CORPORATE SERVICES

12.2.1 LIST OF ACCOUNTS PAID UNDER DELEGATION 18 (8772)

DATE:	18 August 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:	66.14.03
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 reviewed and adopted by Council on 16 June 2009.

This delegation gives authority to make payments from the Municipal Fund or Trust Fund to the Chief Executive Officer. There is a sub delegation to the Executive Manager Corporate Services, Manager Financial Services and Financial Officers.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Delegation 18 – Payment of Creditors

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governance
Council's financial position and forward planning is sound

COMMUNITY CONSULTATION

N/A

COMMENT

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

ATTACHMENTS

List of Accounts Paid Under Delegation 18

VOTING REQUIREMENT

Simple Majority

MANAGERS' RECOMMENDATION

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

Municipal cheques 39086 – 39145 (3 to 30 July 2009)	\$262,055.59
EFT 106491 – EFT 106837 (3 to 31 July 2009)	\$1,762,201.35
Payroll (1 to 29 July 2009)	\$276,837.96
Direct bank debits (1 – 31 July 2009)	\$33,652.28
Total	\$2,334,747.18

COUNCIL DECISION

Minute No. 8772

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

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

<i>Municipal cheques 39086 – 39145 (3 to 30 July 2009)</i>	<i>\$262,055.59</i>
<i>EFT 106491 – EFT 106837 (3 to 31 July 2009)</i>	<i>\$1,762,201.35</i>
<i>Payroll (1 to 29 July 2009)</i>	<i>\$276,837.96</i>
<i>Direct bank debits (1 – 31 July 2009)</i>	<i>\$33,652.28</i>
<i>Total</i>	<i>\$2,334,747.18</i>

CARRIED UNANIMOUSLY: (8/0)

List of Accounts Paid Under Delegation 18

List of Accounts Submitted to Council 18 August 2009

Chq/EFT	Date	Name	Description	Amount
EFT106491	03/07/2009	AIRPORT LIGHTING SPECIALISTS	RUNWAY LIGHTING ITEMS FOR KNX AIRPORT & FREIGHT AS QUOTED	742.50
EFT106492	03/07/2009	ALLGEAR MOTORCYCLES	ROLL WHIPPER SNIPPER CORD & BLADE KITS FOR DEPOT	239.00
EFT106493	03/07/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT106494	03/07/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	179.00
EFT106495	03/07/2009	AUSTRALIAN TAXATION OFFICE	BAS MAY 2009	53,512.00
EFT106496	03/07/2009	BEAUREPAIRES (KUNUNURRA)	TYRES FOR WY12320	956.31
EFT106497	03/07/2009	BERM BACKHOE HIRE	ROADSIDE VERGE SLASHING MAY 2009	9,834.00
EFT106498	03/07/2009	BIZQUIP SOLUTIONS	LINKSYS ADSL2+ WIRELESSG GATEWAY WAG54G2	688.38
EFT106499	03/07/2009	J BLACKWOOD & SON LIMITED	20LT CT18 TRUCKWASH	78.72
EFT106500	03/07/2009	BRANKO BP MOTORS	SERVICE 1CGF957, WY12285, WY11650, FUEL MAY 2009, MISC ITEMS	2,180.38
EFT106501	03/07/2009	BUSBY INVEST BUDGET RENT A CAR	HIRE VEHICLE FOR YOUTH COORDINATOR & REG DEV OFFICER	1,093.86
EFT106502	03/07/2009	BUSH CAMP SURPLUS STORES	WORK BOOTS	133.50
EFT106503	03/07/2009	CEMEX AUST PTY LTD (HUMES)	SUPPLY OF CONCRETE PIPES FOR O'DONNELL STREET	3,490.63
EFT106504	03/07/2009	COATES HIRE	HIRE OF SCISSOR LIFT WYN REC CTR PARK	1,421.89
EFT106505	03/07/2009	CROCODILE SIGNS	"EMERG CONTACT" SIGN SEWAGE TREATMENT CELEB TREE PK	41.80
EFT106506	03/07/2009	DARWIN AIRPORT INN	ACCOMMODATION FOR 1 NIGHT 16 JUNE 09 CR F MILLS	150.00
EFT106507	03/07/2009	DEPT OF ENVIRON & CONSERVATION	REFUND BOND FOR HALL HIRE	1,000.00
EFT106508	03/07/2009	DEPT OF TREASURY AND FINANCE	RECOVERY LOST AND DAMAGED BOOKS	13.20
EFT106509	03/07/2009	DORMA AUTOMATICS PTY LTD	SCHEDULED SERVICE ON AUTOMATIC DOOR	352.00
EFT106510	03/07/2009	EAST KIMBERLEY HARDWARE	ROLL OF RING LOCK, STAR PICKETS, MISC HARDWARE WYN A/PORT	1,814.00
EFT106511	03/07/2009	EAST KIMBERLEY PLUMBING	WYNDHAM CHILD CARE CENTRE FIT DISHWASHER	381.33
EFT106512	03/07/2009	ENVIRONMENTAL HEALTH AUSTRALIA	AFSA AUST FOOD SAFETY ASSESS FOOD PREMISES INSPECT PADS	216.41
EFT106513	03/07/2009	FURNEAUX PRE CAST CONCRETE	SUPERVISION CENTENARY PARK PROJECT & TRAVEL EXPENSES	6,293.62
EFT106514	03/07/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR KNX LANDFILL SITE	1,198.23
EFT106515	03/07/2009	GUERINONI & SON	SUPPLY OF CONCRETE	255.90
EFT106516	03/07/2009	GOV QUIP	BINDING MACHINE FOR KNX OFFICE	1,094.50

EFT106517	03/07/2009	GRANT THOMAS SECURITY CONTROL	SECURITY INSTALLATION OF ARTWORK LAKESIDE LINKPATH	2,400.00
EFT106518	03/07/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	2,844.35
EFT106519	03/07/2009	IT VISION ITV	RENEW SYNERGYSOFT & UNIVERSE ANNUAL LICENSE	35,321.00
EFT106520	03/07/2009	JAB INDUSTRIES	12T EXCAVATOR HIRE DRAIN MAINTENANCE HIBISCUS DR	9,394.00
EFT106521	03/07/2009	JASON SIGNMAKERS LTD	NO ENTRY SIGN	88.00
EFT106522	03/07/2009	JSW HOLDINGS PTY LTD	SIDE TIPPER HIRE HIBISCUS DRAIN MTCE	1,587.85
EFT106523	03/07/2009	KIMBERLEY COLLEGE OF TAFE	WORD PROCESSING DOCUMENT COURSE – CSOW	116.20
EFT106524	03/07/2009	KIMBERLEY ECHO-ALBANY ADVERT	ADVERTISING - KIMBERLEY WRITERS FESTIVAL	1,200.00
EFT106525	03/07/2009	KIMBERLEY HYDRAULICS	NEW HYDRAULIC HOSE GRADER WYO	147.02
EFT106526	03/07/2009	KIMBERLEY MARKETING	DRY ICE BLOCKS FOR MOSQUITO TRAPPING	165.00
EFT106527	03/07/2009	KIMBERLEY WASTE SERVICES	ROAD SWEEP C/PARK B/RAMP, NULLEYWAH SEWERAGE PROG	1,875.00
EFT106528	03/07/2009	KINGS CROWN INSTRUMENT & ELECT	REMOVE OLD GRINDER & FIT/SUPPLY NEW GRINDER WYN DEPOT	220.00
EFT106529	03/07/2009	KOSMOS FOODS PTY LTD	ICE CREAMS FOR SALE	251.60
Chq/EFT	Date	Name	Description	Amount
EFT106530	03/07/2009	KNX CRAZY CROC PLAYGROUP	QUICK GRANT FOR 08/09 FOR PLAYGROUP TO BE HELD AT KLC	201.30
EFT106531	03/07/2009	KUNUNURRA DIESEL SERVICES	REPLACE TRAILER PLUG WY11160	106.50
EFT106532	03/07/2009	KUNUNURRA MOTORCROSS CLUB	QUICK GRANT FOR COST OF SHADE STRUCTURE	500.00
EFT106533	03/07/2009	KUNUNURRA SECURITY SERVICE	SECURITY PATROL & ALARM MONITORING KUNUNURRA	1,949.20
EFT106534	03/07/2009	KUNUNURRA VISITORS CENTRE	FINAL PAYMENT OF VISITOR CENTRE GRANT	8,250.00
EFT106535	03/07/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT106536	03/07/2009	LANDGATE	RURAL UV GENERAL REVALUATION 2009	5,003.46
EFT106537	03/07/2009	MAGLION ENTERPRISES PTY LTD	REFUND OF FOOTPATH/KERB BOND BUILDING LICENCE	350.00
EFT106538	03/07/2009	NORTHERN AIRPORT SERVICES	REFUND OF BONDS ASIC CARDS	150.00
EFT106539	03/07/2009	OFFICE NATIONAL KUNUNURRA	STATIONERY FOR LIBRARY	163.15
EFT106540	03/07/2009	ORD RIVER CONTRACTING	PUSHING AND COVERING OF THE KNX LANDFILL SITE MAY & JUNE	5,720.00
EFT106541	03/07/2009	ORD RIVER TRENCHING	CABLE LOCATION ADJ CROSSOVER TO LOT 13 WEABER PLAIN RD	88.00
EFT106542	03/07/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	15.00
EFT106543	03/07/2009	PIVOTEL	PHONE CHARGES JUNE 09	109.99
EFT106544	03/07/2009	PLANT HIRE SERVICES PTY LTD	EARTHWORKS,PAVEMENT,COMPACTION KNX A/PORT CARPARK	18,502.51
EFT106545	03/07/2009	RACHEL WORNES	GLOVES, KITCHEN TIDY BAGS,PLASTIC BUCKETS AND TWINE	22.01
EFT106546	03/07/2009	RED ELEVEN - RED 11 PTY LTD	COMPUTER EQUIPMENT YOUTH CENTRE FITOUT	8,793.97

EFT106547	03/07/2009	RAPISCAN SYSTEMS AUSTRALIA P/L	MN100021 VERIFICATION CARTIDGES	386.10
EFT106548	03/07/2009	SAVE THE CHILDREN	FAIRGROUND KNX WORKSHOPS & STREET PARTY PERFORMANCE	5,500.00
EFT106549	03/07/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	335.00
EFT106550	03/07/2009	SPORTSPEOPLE	ADVERTISEMENT FOR WYN REC CO-ORDINATOR	96.80
EFT106551	03/07/2009	SALERNO LAW	PROFESSIONAL SERVICES	2,200.00
EFT106552	03/07/2009	TNT AUSTRALIA PTY LIMITED	FREIGHT CHARGES FOR ENVIRONMENTAL HEALTH	177.80
EFT106553	03/07/2009	TOLL EXPRESS	FREIGHT CHARGES KNX LIBRARY JUNE 09	121.28
EFT106554	03/07/2009	TONY'S PLUMBING & EXCAVATION P/L	REPAIR WYN PORT TOILET	684.75
EFT106555	03/07/2009	TOTAL EDEN - KP PUMPS	RETICULATION PARTS	186.65
EFT106556	03/07/2009	TUCKERBOX/RETRAVISION	TELEVISION, ANSWERING MACHINE, CONSUMABLES KLC	3,048.02
EFT106557	03/07/2009	WA LOCAL GOVT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	25,168.68
EFT106558	03/07/2009	WESFARMERS KLEENHEAT GAS P/L	ANNUAL BOTTLE RENTAL	363.00
EFT106559	03/07/2009	WESTCARE INDUSTRIES	LB29A LABEL LIB. OUTWARD ADDRESS (PK100)	13.64
EFT106560	03/07/2009	WHELANS	CARRY OUT CROWN SUBDIVISION WATER LILY PLACE	3,696.00
EFT106561	09/07/2009	AIRPORT LIGHTING SPECIALISTS	RUNWAY LIGHTING ITEMS & FREIGHT KNX AIRPORT	2,875.84
EFT106562	09/07/2009	ALLGEAR MOTORCYCLES	REPAIRS TO QUICK CUT SAW	168.95
EFT106563	09/07/2009	ARGYLE MOTORS	PARTS & LABOUR TO REPAIR AIRCON M6800 KUBOTA TRACTOR	1,216.60
EFT106564	09/07/2009	AUSTRAL MERCANTILE COLLECTIONS	PROFESSIONAL SERVICES	14,147.66
EFT106565	09/07/2009	BEAUREPAIRES (KUNUNURRA)	NEW TYRES 1BAX 455	556.38
EFT106566	09/07/2009	BIZQUIP SOLUTIONS	2GB PC25300 667MHZ RAM TO SUIT HP NX9420 NOTEBOOK	129.80
EFT106567	09/07/2009	BROOME MOTEL	ACCOMMODATION FOR I DARCY & J NINYETTE	479.00
EFT106568	09/07/2009	COATES HIRE	HIRE OF PORTABLE TOILET WYN A/PORT	171.88
EFT106569	09/07/2009	COUNCILLOR JANE PARKER	COUNCILLOR TRAVEL EXPENSE REIMBURSEMENT	232.20
EFT106570	09/07/2009	EAST KIMBERLEY HARDWARE	SUBSIDY FOR COMPOST BINS	702.40
EFT106571	09/07/2009	EAST KIMBERLEY PLUMBING	FIX TOILETS AT PRMH WYN	373.84
Chq/EFT	Date	Name	Description	Amount
EFT106572	09/07/2009	FUJI XEROX AUSTRALIA P/L	XEROX PRINTERS MAINTENANCE CONTRACT	3,236.60
EFT106573	09/07/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE LANDFILL SITE	1,597.64
EFT106574	09/07/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	9,492.99
EFT106575	09/07/2009	HOT CHILLI SOURCE PTY LTD	RIGGERS GLOVES KNX DEPOT	1,122.00
EFT106576	09/07/2009	IMAGE PRINTING	LETTERHEADS, WITH COMPLIMENTS STATIONERY	1,485.00

EFT106577	09/07/2009	IMAGETEC SOLUTIONS AUST PTY LTD	A3 PAPER ONE PRESENTATION 100G	220.00
EFT106578	09/07/2009	IT VISION ITV	END OF FINANCE / PAYROLL TIME WEBINAR	279.00
EFT106579	09/07/2009	JSW HOLDINGS PTY LTD	HIRE SEMI SIDE TIPPER, ROLLER MTCE WORKS CARLTON HILL RD	9,887.90
EFT106580	09/07/2009	KIMBERLEY MARKETING	DRY ICE FOR TRAPPING IN JUNE/JULY 09	165.00
EFT106581	09/07/2009	KIMBERLEY WASTE SERVICES	REFUSE COLLECTION WYNDHAM & KUNUNURRA	49,070.92
EFT106582	09/07/2009	KNX CHAMBER OF COMMERCE	KCCI MEMBERSHIP 1 JULY 2009 TO 30 JUNE 2010	330.00
EFT106583	09/07/2009	KUNUNURRA HOME & GARDEN	SOCKET PVC PRESSURE PIPE	14.25
EFT106584	09/07/2009	KNX REFRIGERATION & AIR COND P/L	REPAIRS TO TERMINAL AIRCON STAGE 1 & STAGE 2 KNX	2,159.88
EFT106585	09/07/2009	KUNUNURRA SECURITY SERVICE	KNX A/PORT CBS SCREENING 20/5/09 TO 2/6/09	30,596.00
EFT106586	09/07/2009	LANDGATE	MINING TENEMENTS	105.70
EFT106587	09/07/2009	MCLEAN ENTERPRISES	DRUM EMULSION TRUCK PARKING BAY	830.00
EFT106588	09/07/2009	MEGAN HUNT	SHAMPOO FOYER CHAIRS TO REMOVE EXCESS GLASS FRAGMENTS	99.00
EFT106589	09/07/2009	OFFICE NATIONAL KUNUNURRA	400 RHEEMS OF A4 PAPER & 30 RHEEMS OF A3 PAPER	3,939.69
EFT106590	09/07/2009	RAPISCAN SYSTEMS AUSTRALIA P/L	X-RAYMACHINE REPAIR ROLLER	1,006.61
EFT106591	09/07/2009	ST JOHN AMBULANCE AUSTRALIA (WA)	B CHRISTIANSON SENIOR FIRST AID	135.00
EFT106592	09/07/2009	STITCHED UP EMBROIDERY SERVICES	UNIFORMS KLC STAFF	535.50
EFT106593	09/07/2009	TNT AUSTRALIA PTY LIMITED	FREIGHT TO SEND WATER SAMPLES	210.91
EFT106594	09/07/2009	TOLL EXPRESS	FREIGHT ON CORPORATE EXPRESS PERIOD ENDED 14/6/09	165.19
EFT106595	09/07/2009	TONY'S PLUMBING & EXCAVATION P/L	REPAIR WATER LEAK ON WATER TANK AT THE BASTION	134.20
EFT106596	09/07/2009	TOTAL SAFETY & FIRE SOLUTIONS	CHECK FIRE EXTINGUISHERS AT KNX & WYN AIRPORTS	1,805.10
EFT106597	09/07/2009	TROPICAL PEST CONTROL	KUNUNURRA MOSQUITO FOGGING	1,320.00
EFT106598	09/07/2009	WESTERN AUST. TREASURY CORP	LOAN NO 117	40,758.28
EFT106599	16/07/2009	ALLGEAR MOTORCYCLES	NEW FRONT & REAR AXLES PUSH MOWER	340.00
EFT106600	16/07/2009	ALLIGATOR AIRWAYS PTY LTD	REFUND ASIC FEES	220.00
EFT106601	16/07/2009	ARGYLE ENGINEERING	SUPPLY MATERIALS & FABRICATE FRAMES ECO TOILET AS QUOTED	4,747.60
EFT106602	16/07/2009	ARGYLE MOTORS	60,000 KM SERVICE WY12646	452.88
EFT106603	16/07/2009	AUST LIBRARY & INFORMATION ASSOC	SUBSCRIPTION RENEWAL OF ANNUAL MEMBERSHIP	324.00
EFT106604	16/07/2009	BEAUREPAIRES (KUNUNURRA)	2 X TYRES & ALIGNMENT/BALANCE WY11630	323.80
EFT106605	16/07/2009	BOOKED OUT SPEAKERS AGENCY	SPEAKERS FEE JEFF RAGLUS - KIMBERLEY WRITERS FESTIVAL	1,650.00
EFT106606	16/07/2009	BOSS FLUID POWER	CARTONS OF TOILET ROLLS	2,806.75
EFT106607	16/07/2009	BROADCAST AUSTRALIA PTY LTD	ANALOGUE SERVICE RADIO TOWERS FEB APRIL 09	652.43

Chq/EFT	Date	Name	Description	Amount
EFT106608	16/07/2009	BUSH CAMP SURPLUS STORES	WORK SHORTS	185.00
EFT106609	16/07/2009	CENTURION TRANSPORT	FREIGHT	84.24
EFT106610	16/07/2009	CHEFMASTER AUSTRALIA	CTNS 348 FED BIN LINERS	924.25
EFT106611	16/07/2009	CITY OF ARMADALE	LOST ITEM COSTS (LIBRARY)	26.05
EFT106612	16/07/2009	CIVIC LEGAL	PROFESSIONAL SERVICES	6,652.80
EFT106613	16/07/2009	COATES HIRE	HIRE OF SKID STEER AND AUGER FOR POSTS	309.38
EFT106614	16/07/2009	CORPORATE EXPRESS	FURNITURE FOR YOUTH CENTRE	2,415.80
EFT106615	16/07/2009	DAVEY TYRE AND BATTERY SERVICE	M840 TYRE 10 TONNER, TYRE REPAIR WY12324, WY12352	917.50
EFT106616	16/07/2009	DEPT OF TREASURY AND FINANCE	LOST BOOK COST	15.40
EFT106617	16/07/2009	DY-MARK (WA) PTY LTD	(1 CTN) 40013511 SPRAY & MARK WHITE 350G	395.71
EFT106618	16/07/2009	E & MJ ROSHER PTY LTD	PARTS CATALOGUE FOR KUBOTA F3680 INC RCK72P DECK	62.80
EFT106619	16/07/2009	EAST KIMBERLEY CRICKET ASSOC	PAYMENT OF ANNUAL GRANT TO EAST KIMBERLEY CRICKET ASSOC	16,500.00
EFT106620	16/07/2009	EAST KIMBERLEY HARDWARE	2 X HASP LOCKS, TO LOCK ELECTRICAL BOXES	25.10
EFT106621	16/07/2009	FRONTIER POST & NEWS	POSTAGE FOR ADMIN WYNDHAM	74.15
EFT106622	16/07/2009	GEODETIC SUPPLY & REPAIR	TRIP METER 1MTR ARTRIP 1 STANDARD	1,111.00
EFT106623	16/07/2009	GOODYEAR DUNLOP DISTRIBUTORS	SUPPLY AND FIT 1 X NEW TYRE WY11650	251.65
EFT106624	16/07/2009	HIDDEN VALLEY TOURIST PARK	ACCOM P & P SHERRIFF	1,280.00
EFT106625	16/07/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	6,433.24
EFT106626	16/07/2009	ICEAGE REFRIGERATION & AIRCON	SUPPLY & INSTALL AIRCON - FINANCE OFFICE KNX AS QUOTED	1,650.00
EFT106627	16/07/2009	INTERCON MILLAR LOGISTICS	DELIVERY OF CHLORINE DRUM KLC 25/3/09	2,319.00
EFT106628	16/07/2009	IVANHOE COFFEE & LUNCH BAR	SWEET AND SAVOURY TREATS	47.00
EFT106629	16/07/2009	JAB INDUSTRIES	IRONWOOD DRAIN LAZER, HIRE SIDE TIPPER VARIOUS LOCATIONS	13,403.50
EFT106630	16/07/2009	JASON SIGNMAKERS LTD	LITTER BIN AHEAD SIGNS	484.00
EFT106631	16/07/2009	JH COMPUTER SERVICES	SYMANTEC BACKUP WINDOWS SYSTEMS 12.5 RENEWAL	1,258.01
EFT106632	16/07/2009	KIMBERLEY INDUSTRIES METALAND	4 X 3.5M LENGTHS C10015 PURLIN WYNDHAM POUND	379.05
EFT106633	16/07/2009	KIMBERLEY MOTORS	DIESEL VARIOUS PLANT	3,365.13
EFT106634	16/07/2009	KIMBERLEY STEEL	MATERIALS & FABRICATE RAILS, POSTS & LINK CHAIN AS QUOTED	4,186.00
EFT106635	16/07/2009	KIMBERLEY WASTE SERVICES	SWEEPING OF APRON AND TAXIWAY FOXTROT	1,045.00
EFT106636	16/07/2009	KUNUNURRA COURIERS	DELIVERY OF NEVERFAIL WATER APR - JUN 09	92.50
EFT106637	16/07/2009	KUNUNURRA HOME & GARDEN	RAKE FAN METAL	785.65

EFT106638	16/07/2009	KUNUNURRA LOCK & KEY	SUPPLY 3 X 2 KEYS 29 BOOBIALLA	37.00
EFT106639	16/07/2009	KNX PANEL BEATING WORKS WA P/L	NEW WINDSCREEN WY12478	630.00
EFT106640	16/07/2009	KUNUNURRA VISITORS CENTRE	1 (50%) OF 2 PAYMENTS FOR ANNUAL GRANT TO KNX VISITOR CTRE	13,750.00
EFT106641	16/07/2009	KATHERINE TREE MAINTENANCE	MULCHING STOCKPILE KNX LANDFILL SITE, MOB EXCAVATOR	34,159.40
EFT106642	16/07/2009	LW PROPERTY CARE	TWICE WEEKLY CLEANING OF GAS BBQS AT SWIM BEACH JUNE 2009	495.00
EFT106643	16/07/2009	MCLEAN ENTERPRISES	FREIGHT	3,300.00
EFT106644	16/07/2009	MEGAN HUNT	CLEANING OF WYN ADMIN 26/6/09 TO 3/7/09	1,002.37
EFT106645	16/07/2009	ORD MACHINING	MANUFACTURE NEW PIN FOR LEVEL WHEEL	243.38
EFT106646	16/07/2009	ORD RIVER CONTRACTING	WATER CART HIRE OF RODEO ROADS	302.50
EFT106647	16/07/2009	ORD RIVER ELECTRICS	RIVERFIG AVE FENCING/GATE, ELECTRICAL WORKS PINDAN PARK	9,187.02
EFT106648	16/07/2009	ORIA ORCHARDS	TREES FOR PINDAN PARK	111.00
EFT106649	16/07/2009	OUTBACK CLEANING	WEEKLY CLEANING JUNE 09 & REIMBURSEMENT FOR MATERIALS	1,159.63
EFT106650	16/07/2009	ORD VALLEY TURF	FERTILIZER FOR CHILD CARE CENTRE	308.00
EFT106651	16/07/2009	PLANT HIRE SERVICES PTY LTD	WATER CART HIRE MAINTENANCE CARLTON HILL RD	5,852.00
EFT106652	16/07/2009	PPCA LTD	LICENCES FOR PLAYING MEDIA AT LEISURE CENTRE	830.65
EFT106653	16/07/2009	R-NAS	XEN SERVER TRAINING AND NETWORK CONSULTATION.	3,183.54
EFT106654	16/07/2009	RED ELEVEN - RED 11 PTY LTD	397413B21 HP 4GB FBD PC25300 2 X 2GB KIT	731.59
EFT106655	16/07/2009	SHELF SUPPLY	3000 LT POLY TANK WYNDHAM POUND	1,335.00
Chq/EFT	Date	Name	Description	Amount
EFT106656	16/07/2009	SARAH ELIZABETH ALTHORPE	FOOD SAMPLING	76.00
EFT106657	16/07/2009	THINKWATER	STORM PRO PIPES DRAINAGE WORKS AT GNH WYN INCL FREIGHT	22,539.85
EFT106658	16/07/2009	TOLL EXPRESS	FREIGHT	2,113.47
EFT106659	16/07/2009	TONY'S PLUMBING & EXCAVATION P/L	PLUMBING REPAIRS AT 67 KOOJARRA ST, WYNDHAM	250.00
EFT106660	16/07/2009	TOP END MOTORS	LABOUR TO REPLACE SHOCK ABSORBERS & WHEEL ALIGNMENT	286.00
EFT106661	16/07/2009	TOTAL EDEN - KP PUMPS	150MM COUPLINGS, VALVE BOXES	1,134.99
EFT106662	16/07/2009	TROPICAL PEST CONTROL	TERMITE TREATMENT KNX HISTORICAL CENTRE AS QUOTED	2,227.50
EFT106663	16/07/2009	TUCKERBOX/RETRAVISION	CONSUMABLES KNX ADMIN & LIB, CONSUMABLES FOR SALE KLC	1,925.70
EFT106664	16/07/2009	VANDERFIELD MACHINERY PTY LTD	PTO COVER KUBOTA TRACTOR	136.51
EFT106665	16/07/2009	WA LOCAL GOVT ASSOCIATION WALGA	TENDER MANAGEMENT SERVICES - AIRPORT TERMINAL EXPANSION	3,406.70
EFT106666	16/07/2009	WANNA WORK LABOUR HIRE	SUPPLY AND LAY AGGREGATE FOOTPATH AS QUOTED	31,350.00
EFT106667	16/07/2009	WESTRAC EQUIPMENT PTY LTD	500 HR SERVICE 924H LOADER, SEALS FOR GRADER	1,261.33

EFT106668	16/07/2009	WUNAN FOUNDATION INC.	ANNUAL GRANT PAYMENT TO WUNAN FOUNDATION	2,750.00
EFT106669	16/07/2009	WYNDHAM SUPERMARKET	FOOD & SUPPLIES WYNDHAM ADMIN	127.79
EFT106670	16/07/2009	WYNDHAM TOURIST INFORMATION CTR	TOURIST INFORMATION SERVICES FOR WYNDHAM MAY 2009	476.66
EFT106671	24/07/2009	ARGYLE MOTORS	PURCHASE & REG TOYOTA HIACE BUS SLWB 3.0L TURBO	51,204.97
EFT106672	24/07/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT106673	24/07/2009	ATTORNEY-GEN DEPT AUSCHECK	AUSCHECK ASIC	352.00
EFT106674	24/07/2009	AUSFUEL AFD AUST FUEL DISTRIB	FUEL VARIOUS PLAN KNX	1,335.55
EFT106675	24/07/2009	AUSTRALIA POST,ACCOUNTS	POSTAGE JUNE 2009	810.15
EFT106676	24/07/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT106677	24/07/2009	AUSTSWIM LTD	AUSTSWIM CERTIFICATE - M WAYLEN	285.00
EFT106678	24/07/2009	AUTO ONE KUNUNURRA	SUPPLY 3 X UHF AERIALS	89.95
EFT106679	24/07/2009	B VISUAL MEDIA	CONVERT 4 MINI DV TAPES TO DVD	120.00
EFT106680	24/07/2009	BGC CONTRACTING PTY LTD	MAINTENANCE GRADE 10 HOURS AS PER QUOTE MT ELIZABETH RD	2,695.00
EFT106681	24/07/2009	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL BOTTLE RENTAL JUNE 09	245.79
EFT106682	24/07/2009	BODAN CONSTRUCTIONS PTY LTD	SUPPLY OF 50 ANCHOR STUD BOLTS	150.08
EFT106683	24/07/2009	BRANKO BP MOTORS	FUEL WYNDHAM PLANT JUNE 09, SERVICE BACKHOE	1,799.66
EFT106684	24/07/2009	BROADCAST AUSTRALIA PTY LTD	FACILITIES LEASING SELF HELP 1/7/09 TO 30/6/10 GWNTV KNX	4,534.13
EFT106685	24/07/2009	BROCK SOLID CABINETS	SUPPLY AND INSTALL 2 X LEAVES TO BOARDROOM TABLE	6,141.75
EFT106686	24/07/2009	BUSH CAMP SURPLUS STORES	WORKS BOOTS, GIFT C ANNO	720.00
EFT106687	24/07/2009	BRUCE HARDING	ELECTRICITY SUBSIDY PERIOD 8/04/09 TO 3/06/09	53.00
EFT106688	24/07/2009	CARPET VINYL & TILE CENTRE	264/A RIVERFIG AVE KNX REPAIR/REPLACE VERTICAL BLINDS	368.50
EFT106689	24/07/2009	CHEMISTRY CENTRE (WA)	WATER SAMPLING	231.00
EFT106690	24/07/2009	CROCODILE SIGNS	BANNER FOR THE WRITER'S FESTIVAL	1,031.80
EFT106691	24/07/2009	CUSTOM IRRIGATION	INSTALLATION OF RETICULATION FOR ROTARY CENTENARY PARK	68,248.44
EFT106692	24/07/2009	CAFÉ CORPORATE	CAFE BEANS & WATER FILTER	373.40
EFT106693	24/07/2009	COMFORT INN PERTH HOTEL	ACCOMMODATION J ROACH TO ATTEND MEETING	375.00
EFT106694	24/07/2009	DERRICK STEENSON	REPAIRS TO PONTOON JETTY STRUCTURE INCL FITTING NEW ITEMS	6,013.00
EFT106695	24/07/2009	EAST KIMBERLEY HARDWARE	PAINTING SUPPLIES WYNDHAM CROCS TO PAINT CHANGE ROOMS	1,403.35
EFT106696	24/07/2009	EAST KIMBERLEY PLUMBING	CHECK & FIX WYNDHAM OVAL TOILETS	2,315.22
EFT106697	24/07/2009	FARMERS FRUIT & VEG - MART	SALADS, SANDWICHES BRIEFING SESSION	180.00
Chq/EFT	Date	Name	Description	Amount

EFT106698	24/07/2009	FURNEAUX PRE CAST CONCRETE	LABOUR & SUPERVISION LINKPATH/KNX A/PORT/CENTENARY PK	6,657.32
EFT106699	24/07/2009	FYSH GRADER HIRE	MAINTNENANCE GRADE WEABER PLAIN RD	15,174.50
EFT106700	24/07/2009	FUJI XEROX AUSTRALIA P/L	XEROX PRINTERS MAINTENANCE CONTRACT YOUTH CENTRE	0.43
EFT106701	24/07/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE KNX LANDFILL SITE	1,198.23
EFT106702	24/07/2009	GUERINONI & SON	SUPPLY & SPREAD MOLLASSES WEABER PLAIN RD	10,497.85
EFT106703	24/07/2009	GULLIVERS TAVERN	CORRECTION OF GST INDICATOR	436.00
EFT106704	24/07/2009	HALLMARK EDITIONS	COUNCIL MANAGER SUBSCRIPTION RENEWAL MAY TO FEB 2010	330.00
EFT106705	24/07/2009	HEALTH MANAGEMENT GROUP PTY LTD	PURCHASE OF PEDOMETER, SAFETY STRAP & LOG BOOK SW200	2,689.50
EFT106706	24/07/2009	HOLLIE NICHOLS (NORTHERN HUM)	MEALS DPI TRAINING H NICHOLS	134.80
EFT106707	24/07/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	4,052.81
EFT106708	24/07/2009	IBAC PLUMBING PTY LTD	PLUMBING REPAIRS LADIES TOILETS KNX ADMIN	200.20
EFT106709	24/07/2009	IMAGE PRINTING	RATE LETTERS & WINDOW ENVELOPES	1,529.00
EFT106710	24/07/2009	IT VISION ITV	WEBINAR 3613 END OF YEAR RATES SESSIONS 18/6/09	297.00
EFT106711	24/07/2009	IVANHOE VILLAGE CARAVAN RESORT	ACCOMMODATION FOR M DARCH	800.00
EFT106712	24/07/2009	JANIE ANDREWS	2ND INSTALLMENT FOR KNX LINK PATH	7,560.00
EFT106713	24/07/2009	JASON SIGNMAKERS LTD	ALUMINIUM CEMETERY PLAQUES	3,551.90
EFT106714	24/07/2009	JO-ANNE ELLIS	ELECTRICITY SUBSIDY PERIOD 16/2/09 TO 22/4/09	1,225.88
EFT106715	24/07/2009	JSW HOLDINGS PTY LTD	SUPPLY GRAVEL (RAMP LANDFILL SITE)	1,749.00
EFT106716	24/07/2009	KIMBERLEY COMMUNICATIONS	REPAIRS UHF RADIO KUBOTA TRACTOR	182.70
EFT106717	24/07/2009	KIMBERLEY ECHO-ALBANY ADVERTISER	ADVERTISEMENT JOB VACANCIES	999.10
EFT106718	24/07/2009	KIMBERLEY INDUSTRIES METALAND	LIGHTS, PLUG & SHACKLES REPAIRS EX MRD TRAILER	49.50
EFT106719	24/07/2009	KIMBERLEY KOOL REFRIGERATION	SUPPLY & INSTALL AIRCON 3 EUCALYPTUS	3,498.00
EFT106720	24/07/2009	KIMBERLEY MARKETING	DRY ICE FOR MOSQUITO TRAPPING IN JULY 2009	297.00
EFT106721	24/07/2009	KIMBERLEY MOTORS	FUEL CARD PURCHASES JUNE 2009	2,790.75
EFT106722	24/07/2009	KIMBERLEY WASTE SERVICES	REFUSE COLLECTION	59,425.86
EFT106723	24/07/2009	KUNUNURRA BETTA ELECTRICAL & GAS	CERST STEREO TO RCA MODEL XPC1603	20.00
EFT106724	24/07/2009	KNX CHAMBER OF COMMERCE	ONE (1) TICKET CORPORATE CIRCLE, KIMBERLEY MOON, 9 MAY 2009	450.00
EFT106725	24/07/2009	KNX COUNTRY CLUB RES ASPEN PKS	CONFERENCE 10 & 11 JULY 2008 ACCOMMODATION & CATERING	1,935.70
EFT106726	24/07/2009	KUNUNURRA HOME & GARDEN	BAGS RAPID SET CONCRETE	660.00
EFT106727	24/07/2009	KUNUNURRA SECURITY SERVICE	KLC DISCO 2 SECURITY OFFICERS	344.00
EFT106728	24/07/2009	KUNUNURRA T WELD	FLAT STRAP FOR BUILDER IN WYNDHAM	492.80

EFT106729	24/07/2009	KUNUNURRA MEDICAL	DRUG SCREEN AT KNX AIRPORT	48.40
EFT106730	24/07/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT106731	24/07/2009	LANDGATE	VALUATION ROLLS REISSUE	62.00
EFT106732	24/07/2009	LOCK, STOCK & FARRELL LOCKSMITH	312KA 0709 PADLOCKS	1,355.40
EFT106733	24/07/2009	MAGLION ENTERPRISES PTY LTD	REFUND OF FOOTPATH/KERB BOND	700.00
EFT106734	24/07/2009	MCLEAN ENTERPRISES	FREIGHT	1,270.00
EFT106735	24/07/2009	MEGAN HUNT	CLEANING WYNDHAM ADMINISTRATION	1,456.12
EFT106736	24/07/2009	MCLEODS BARRISTERS & SOLICITORS	PROFESSIONAL SERVICES	450.00
EFT106737	24/07/2009	NJ GAFF & C YATES	TREES FOR PINDAN PARK IMPROVEMENTS	240.00
EFT106738	24/07/2009	NORSIGN PTY LTD	NO ENTRY SIGNS	348.83
EFT106739	24/07/2009	OLD, GILL	ELECTRICITY SUBSIDY 31/3/09 TO 3/6/09	149.35
Chq/EFT	Date	Name	Description	Amount
EFT106740	24/07/2009	ORD RIVER CONTRACTING	LOADER HIRE LANDFILL SITE JUNE 09, DELIVER GRAVEL EWIN CTRE	13,287.45
EFT106741	24/07/2009	ORD RIVER ELECTRICS	ELECT WORKS CELEB TREE PK, REPAIR & FIT STAGE LIGHTS PRMH	11,641.02
EFT106742	24/07/2009	PAINT INDUSTRIES PTY LTD	YELLOW RUNWAY MARKING PAINT	4,267.73
EFT106743	24/07/2009	PLANT HIRE SERVICES PTY LTD	HIRE CAT 140H GRADER FOR MAINTENANCE PARRY CREEK ROAD	17,952.00
EFT106744	24/07/2009	PUMPHOUSE RESTAURANT & BAR	DINNER FOR 15 PEOPLE 11 JULY 2009	881.20
EFT106745	24/07/2009	RACHEL WORNES	ELECTRICITY SUBSIDY 4/5/09 TO 3/6/09	17.31
EFT106746	24/07/2009	RED SUN SPORTS	SKATE BEARINGS	64.90
EFT106747	24/07/2009	RICK SPRY	RE ENTRY AIRFARE ALLOWANCE	63.25
EFT106748	24/07/2009	RPS KOLTASZ SMITH	PREP SCHEME AMENDMENT REZONE LOT 501 WATER LILLY PLACE	2,750.00
EFT106749	24/07/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	335.00
EFT106750	24/07/2009	STEWART & HEATON CLOTHING CO P/L	JACKETS IVANHOE VOLUNTEER BUSH FIRE BRIGADE	1,693.08
EFT106751	24/07/2009	STITCHED UP EMBROIDERY SERVICES	WRITERS FESTIVAL POLOS WITH EMBROIDERY APPLIED	1,750.00
EFT106752	24/07/2009	STUBBS, PETER	ELECTRICITY SUBSIDY 23/4/09 TO 19/6/09	308.47
EFT106753	24/07/2009	THORLEY'S STORE	TRANSPORT OF SHIRE BAG FOR JUNE 09	378.00
EFT106754	24/07/2009	TNT AUSTRALIA PTY LIMITED	FREIGHT	452.13
EFT106755	24/07/2009	TOLL EXPRESS	FREIGHT FROM RONDO	382.66
EFT106756	24/07/2009	TOP END MOTORS	CHANGE AIR FILTER, CHECK SPLASH GUARD WY1	163.06
EFT106757	24/07/2009	TOTAL SAFETY & FIRE SOLUTIONS	FLURO BUNTINGS	92.40
EFT106758	24/07/2009	TOWNSVILLE ENGRAVING WORX	BABY TREE PLAQUES 25 SINGLE & 3 FAMILY	561.55

EFT106759	24/07/2009	TRIPP, KATYA MARIE	ELECTRICITY SUBSIDY 23/4/09 TO 18/6/09	115.53
EFT106760	24/07/2009	TST ELECTRICAL	TEST & TAG APPLIANCES AND TEST EMERGENCY & EXIT LIGHTS KLC	1,203.00
EFT106761	24/07/2009	TEMPERATURE TECHNOLOGY	LIQUID CRYSTAL THERMOMETER	1,211.65
EFT106762	24/07/2009	VISION WONDER	CARICATURE KEN BOND	95.00
EFT106763	24/07/2009	WA LOCAL GOVT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	22,273.93
EFT106764	24/07/2009	WA TELECENTRE KUNUNURRA	HIRE OF PROJECTOR	70.00
EFT106765	24/07/2009	WARINGARRI MEDIA ABORIGINAL CORP	ANNUAL GRANT PAYMENT TO WARINGARRI MEDIA	2,917.20
EFT106766	24/07/2009	W RICHARDS & R MORRALL	ELECTRICITY SUBSIDY1/4/09 TO 3/6/09	184.19
EFT106767	24/07/2009	WYNDHAM EXCAVATIONS	EQUIPMENT AND LABOUR FLOOD DAMAGE REPAIRS	126,980.00
EFT106768	24/07/2009	WYN TOURIST INFORMATION CTRE	SUPPLY TOURIST INFORMATION SERVICES FOR WYNDHAM	476.66
EFT106769	28/07/2009	AUSTRALIAN TAXATION OFFICE	BAS JUNE 2009	92,974.00
EFT106770	28/07/2009	BERM BACKHOE HIRE	SLASHING CONTRACT	12,474.00
EFT106771	28/07/2009	EAST KIMBERLEY HARDWARE	BUNDLE OF STAR PICKETS	68.00
EFT106772	28/07/2009	EAST KIMBERLEY TROPICAL GARDENS	7 LTR GUM TREES	626.00
EFT106773	28/07/2009	JSW HOLDINGS PTY LTD	RECONSTRUCT OF COOLIBAH DR PAYMENT NO 1 AS PER CONTRACT	390,111.88
EFT106774	28/07/2009	MCLEODS BARRISTERS & SOLICITORS	PROFFESIONAL SERVICES	45.00
EFT106775	28/07/2009	MEGAN JANE ALCHIN	PAYMENT OF ACCOMM M DARCH 21 NIGHTS	1,470.00
EFT106776	28/07/2009	RACHEL WORNES	DIESEL FOR WY12320	87.00
EFT106777	28/07/2009	SNOWBALL, MIKE	POWER SUBSIDY 17/4/09 TO 11/6/09	408.48
EFT106778	28/07/2009	TOTAL EDEN - KP PUMPS	POLY END CAP	9.55
EFT106779	30/07/2009	2 K TOURS	CHARTER BUS FOR ZONE MEETING FUNCTION 11 JULY 2009	230.00
EFT106780	30/07/2009	ANNA JARRETT	3 X DAYS WORKSHOPS	1,500.00
EFT106781	30/07/2009	ARGYLE MOTORS	1200 HOURS FULL SERVICE TO KUBOTA TRACTOR WY12283	1,794.80
Chq/EFT	Date	Name	Description	Amount
EFT106782	30/07/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66
EFT106783	30/07/2009	CANCELLED PAYMENT		0.00
EFT106784	30/07/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT106785	30/07/2009	AUSTSWIM LTD	AUSTSWIM PARTICIPANTS, PAYMENTS RECEIVED KLC	2,215.00
EFT106786	30/07/2009	J BLACKWOOD & SON LIMITED	BAR GUARDS	35.04
EFT106787	30/07/2009	BRANKO BP MOTORS	REPAIR GEN SET WYNDHAM AIRPORT	47.50
EFT106788	30/07/2009	CENTURION TRANSPORT	FREIGHT	67.13

EFT106789	30/07/2009	CHADSON ENGINEERING	DPD1(PALINTEST PHOTOMOTER REAGENT) BOX OF 250	139.70
EFT106790	30/07/2009	CLEANERS SUPERMARKET	2 X BROOMS FOR THE SWEEPING OF THE MULTIPURPOSE COURTS	387.57
EFT106791	30/07/2009	CORPORATE EXPRESS	STATIONERY ORDER JULY 09 INCLUDING PRINTER CARTRIDGES	1,809.85
EFT106792	30/07/2009	DEPT OF TREASURY AND FINANCE	LOST BOOKS	35.20
EFT106793	30/07/2009	E & MJ ROSHER PTY LTD	SUPPLY PARTS FOR F3680 KUBOTA ROM AS QUOTED	1,585.30
EFT106794	30/07/2009	EAST KIMBERLEY TROPICAL GARDENS	TWO (2) INDOOR PLANTS FOR CEO SUPPORT OFFICER'S OFFICE.	154.00
EFT106795	30/07/2009	FYSH GRADER HIRE	DRAINAGE MAINTENANCE COOLIBAH DR	748.00
EFT106796	30/07/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR KNX LANDFILL SITE	1,198.23
EFT106797	30/07/2009	JAB INDUSTRIES	WATER CART HIRE DUST SUPPRESSION CARLTON HILL RD	1,188.00
EFT106798	30/07/2009	JUST FRAMED	GIFT VOUCHER, FAREWELL PRESENT WYNDHAM REC MGR	200.00
EFT106799	30/07/2009	K & M ALLCLEAN	CLEANING AIRPORT KNX	14,545.71
EFT106800	30/07/2009	KIMBERLEY ECHO-ALBANY ADVERTISER	ADVERTISEMENT RATES, TENDER, JOB VACANCY	2,459.22
EFT106801	30/07/2009	KIMBERLEY HYDRAULICS	SUPPLY 4 X SEAL KITS FOR MAIN HYDRAULIC RAMS.	392.70
EFT106802	30/07/2009	KIMBERLEY INDUSTRIES METALAND	5/8' SHORT WHEEL STUDS AND BOLTS	46.97
EFT106803	30/07/2009	KIMBERLEY PARTY HIRE	DELIVER, ERECT & DISMANTLE MARQUEE AGRICULTURAL SHOW	936.00
EFT106804	30/07/2009	KINGS CROWN INSTRUM & ELECT	AUDIT WYN DEPOT, CHECK ALL ELECTRICAL EQUIP & MAKE SAFE	6,143.50
EFT106805	30/07/2009	KUNUNURRA AGRICULTURAL SOCIETY	HIRE OF SITE DURING AG SHOW GOVERNMENT DPT 2009	120.00
EFT106806	30/07/2009	KUNUNURRA LOCK & KEY	KEYS CUT	152.00
EFT106807	30/07/2009	KUNUNURRA SECURITY SERVICE	SECURITY PATROL KLC	1,900.20
EFT106808	30/07/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT106809	30/07/2009	LANGFORD MACHINERY PTY LTD	FAULT FIND, REMOVE, SUPPLY, REFIT SOLENOID AND MOTOR PUMP	5,686.00
EFT106810	30/07/2009	LATERAL LEARNING PTY LTD	AUTHOR FEE: BRUCE WHATLEY 24 & 26/7/09	321.86
EFT106811	30/07/2009	LIGHT BASE PTY LTD	POLES AND LIGHTS FOR OOMBULGURRI YOUTH SERVICE	3,142.70
EFT106812	30/07/2009	CANCELLED PAYMENT		0.00
EFT106813	30/07/2009	MARTIN PRINT	FULL COLOUR BUSINESS CARDS - KEN LIDDICOAT	207.00
EFT106814	30/07/2009	MCLEAN ENTERPRISES	FREIGHT	60.50
EFT106815	30/07/2009	MEGAN HUNT	CLEANING WYN ADMIN BLDG	2,015.75
EFT106816	30/07/2009	ORD MACHINING	SUPERIOR SLASHER PTO SHAFT BEARING	105.38
EFT106817	30/07/2009	ORD RIVER ELECTRICS	SUPPLY & INSTALL AUTO GATE RIVERFIG UNITS AS QUOTED	12,760.34
EFT106818	30/07/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	30.00
EFT106819	30/07/2009	PROCOPY	1000 COPIES OF OPEN FOR INVESTMENT EAST KIMBERLEY AUST	778.94

EFT106820	30/07/2009	RONDO BUILDING SERVICES PTY LTD	STEEL FLEX GUIDE POSTS, BASES, DEPTH INDICATORS AS QUOTED	2,268.20
EFT106821	30/07/2009	RAPISCAN SYSTEMS AUSTRALIA P/L	ALCOHOL SWAB PACK KNX SECURITY MACHINE.	45.10
EFT106822	30/07/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	335.00
EFT106823	30/07/2009	SHOAL AIR PTY LTD	HLTH INSPECT FLIGHT TO ELLENBRAE, MT ELIZABETH DRYSDALE	2,160.00
Chq/EFT	Date	Name	Description	Amount
EFT106824	30/07/2009	SPORTSPEOPLE	ADVERTISEMENT FOR RECREATION OFFICER POSITION KLC JUNE 09	96.80
EFT106825	30/07/2009	THE CANVAS SHED	PART PAYMENT FOR SHADE CLOTH FOR AIRPORT SHADE SAILS	2,211.00
EFT106826	30/07/2009	THINKWATER	RETIC FOR 25 BABY TREES PLANTED 2009	2,046.00
EFT106827	30/07/2009	TOLL EXPRESS	FREIGHT FOR STATE LIBRARY	654.75
EFT106828	30/07/2009	TOP END MOTORS	SERVICES WY12320 & WY12352	917.86
EFT106829	30/07/2009	TOURISM WESTERN AUSTRALIA	KNX CARAVAN PARK PROJECT	20,000.00
EFT106830	30/07/2009	UHY HAINES NORTON (WA) PTY LTD	AUDIT CERTIFICATION - LETS GET MORE OUT OF LIFE PROGRAM	440.00
EFT106831	30/07/2009	WA LOCAL GOVT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	22,169.82
EFT106832	30/07/2009	W RICHARDS & R MORRALL	REIMBURSEMENT ITEMS PURCHASED - HELEN REED'S FAREWELL	78.90
EFT106833	30/07/2009	WESTERN LOCKSERVICE	LOCK CYLINDERS & KEYS FOR NORTHERN AIR SERVICES OFFICE	754.65
EFT106834	30/07/2009	WESTRALIA AIRPORTS CORP PTY LTD	ASIC CARDS	250.00
EFT106835	30/07/2009	WHELANS	REPEG 2 LEASE LOTS AND PREPARE ADDITIONAL LEASE PLANS	621.50
EFT106836	30/07/2009	YAWOORROONG MIRIUWUNG GAJERRONG ABORIGINAL CORP	QUICK GRANT FOR YAWOORROONG MIRIUWUNT GAJERRONG YIRRGEB NOONG DAWANT ABORIGINAL CORPORATION FOR NAIDOC	550.00
EFT106837	31/07/2009	K & M ALLCLEAN	EXTRA CLEANING TO LEISURE CENTRE	1,900.00
				<u>1,762,201.35</u>

Chq/EFT	Date	Name	Description	Amount
39086	03/07/2009	2 K TOURS	HIRE OF HIACE BUS FOR TIDY SHIRE AWARDS	520.00
39087	03/07/2009	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	170.98
39088	03/07/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	214.35
39089	03/07/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	128.99
39090	03/07/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	163.20
39091	03/07/2009	CASH - PETTY CASH KNX AIRPORT	PETTY CASH PURCHASES	96.00
39092	03/07/2009	CASH - PETTY CASH KNX DEPOT	PETTY CASH PURCHASES	94.20

39093	03/07/2009	CASH - PETTY CASH KNX OFFICE	PETTY CASH PURCHASES	194.05
39094	03/07/2009	CASH - PETTY CASH WYNDHAM OFFICE	PETTY CASH PURCHASES	20.70
39095	03/07/2009	COLIN WILKINSON DEVELOPMENTS P/L	REFUND OF FOOTPATH/KERB BOND BUILDING LICENCE	750.00
39096	03/07/2009	DEPT FOR PLANNING & INFRA	REG RENEWAL WY12885 TOYOTA HILUX	253.20
39097	03/07/2009	EAST KIMBERLEY CRICKET ASSOCI	QUICK GRANT	550.00
39098	03/07/2009	ERIC LADHAMS	REFUND ON GYM MEMBERSHIP	230.00
39099	03/07/2009	FAHCSIA KUNUNURRA	REFUND BOND PETER REID HALL	100.00
39100	03/07/2009	HORIZON POWER - NON ENERGY	SUPPLY & INSTAL RETIC POWER SUPPLY NEW BOATING LEASES	147,230.00
39101	03/07/2009	JEFF SMITH	REFUND OF FOOTPATH/KERB BOND BUILDING LICENCE	250.00
39102	03/07/2009	CANCELLED PAYMENT		0.00
39103	03/07/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	335.32
39104	03/07/2009	PAUL HUTTON	REFUND OF FOOTPATH/KERB BOND BUILDING LICENCE	250.00
39105	03/07/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	267.79
39106	03/07/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	166.50
39107	03/07/2009	TELSTRA	PHONE LINES FOR YOUTH CENTRE	209.68
39108	03/07/2009	VAGG'S WYNDHAM LIQUOR	4 BOTTLES OF WINE	52.16
Chq/EFT	Date	Name	Description	Amount
39109	03/07/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	83.32
39110	09/07/2009	BCITF	LEVY AND COMMISSION PAYMENT	20,411.51
39111	09/07/2009	BUILDER'S REG BOARD OF WA	BRB LEVY FOR PERIOD TO 30/6/09	6,113.50
39112	09/07/2009	EWIN CENTRE CHILDREN SERVICES	REPAIRS TO BABIES ROOM AIRCON	187.00
39113	09/07/2009	WATER CORPORATION	WATER USAGE 3A DRYANDRA RD KNX	61.35
39114	09/07/2009	CANCELLED PAYMENT		0.00
39115	16/07/2009	CR PAUL CALEY	COUNCILLOR TRAVEL EXPENSES	314.80
39116	16/07/2009	RUSSELL PARKS PIANO SERVICE	TUNING OF THE PIANO	200.00
39117	16/07/2009	WATER CORPORATION	ANNUAL SERVICE CHARGE 01/07/09 TO 30/06/10	17,481.10
39118	24/07/2009	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	174.51
39119	24/07/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	220.12
39120	24/07/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	152.76
39121	24/07/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	118.10
39122	24/07/2009	HORIZON POWER - NON ENERGY	UPGRADE WYNDHAM STREET LIGHTS	32,658.00

39123	24/07/2009	KIMBERLEY ENVIRON SOLUTIONS P/L	50% OF MOBILISATION COSTS	8,745.00
39124	24/07/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	346.96
39125	24/07/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	267.79
39126	24/07/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	457.54
39127	24/07/2009	SHIRE OF DALWALLINU	WAGES FOR P FLUDE 3 TO 20 JUNE 2009	2,189.51
39128	24/07/2009	TELSTRA	TELEPHONE BILLS FOR JUNE/JULY 2009	3,545.62
39129	24/07/2009	TELSTRA CORPORATION	DAMAGE CHARGE REPAIR TO TELSTR PLANT CHESTNUT AVE KNX	3,588.85
39130	24/07/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	86.16
39131	24/07/2009	WATER CORPORATION	WATER USAGE VARIOUS LOCATIONS	6,897.15
39132	30/07/2009	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	174.51
39133	30/07/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	220.12
39134	30/07/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	133.67
39135	30/07/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	50.79
39136	30/07/2009	CASH - PETTY CASH KNX DEPOT	ELECTRICAL JUG	87.50
39137	30/07/2009	CASH - PLEASE PAY CASH	TEMPORARY CASH FLOAT FOR KLC DISCO 31/07/09	200.00
39138	30/07/2009	CR FRED MILLS	REIMBURSEMENT OF MEALS WHILST ON TRAINING	695.80
39139	30/07/2009	KEN LIDDICOAT	REIMBURSEMENT OF TRANSPORT OF ANIMALS	183.50
39140	30/07/2009	KIMBERLEY FINE DIAMONDS	1 PICNIC HAMPER AS QUOTED FAREWELL GIFT TO CEO, P STUBBS	150.00
39141	30/07/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	350.32
39142	30/07/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	267.79
39143	30/07/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	370.17
39144	30/07/2009	RYDGES LAKESIDE CANBERRA	ACCOM & CHARGES CR F MILLS NAT GEN ASSEM OF LOCAL GOVT	2,484.45
39145	30/07/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	139.20
				262,055.59

Date	Name	Description	Amount
1/07/2009	PAYROLL	PAYROLL	136,774.07

13/07/2009	PAYROLL	ONE OFF PAY	648.03
15/07/2009	PAYROLL	PAYROLL	145,062.58
17/07/2009	PAYROLL	ONE OFF PAY	1,359.78
24/07/2009	PAYROLL	ONE OFF PAY	2,062.01
29/07/2009	PAYROLL	PAYROLL	133,339.83
			276,837.96

Date	Name	Description	Amount
27/07/2009	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	2,036.66
15/07/2009	DIRECT DEBIT	RENT 4 BOOBIALLA WAY	2,493.67
20/07/2009	DIRECT DEBIT	RENT 20 BARRINGTONIA WAY	2,426.66
Jul-09	DIRECT DEBIT	BANK FEES	208.85
Jul-09	DIRECT DEBIT	BPOINT	75.32
2/07/2009	DIRECT DEBIT	VISA PAYMENT	3,629.09
Jul-09	DIRECT DEBIT	EXTRA PAYMENT MASTERCARD	4,724.13
Jul-09	DIRECT DEBIT	WESTNET P/L	1435.13
TOTAL DIRECT DEBIT PAYMENTS			33,652.28

12.3. ENGINEERING & REGULATORY SERVICES

12.3.1 PURCHASE AND REMOVAL OF ABANDONED VEHICLES (8773)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	John Gault, Kununurra Works Manager
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	66.58.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the submissions for the purchase and removal of abandoned vehicles at the Kununurra Works Depot.

BACKGROUND

From time to time vehicles are impounded by notification from members of the public, Police Service by observation of our Rangers.

The provisions of the Local Government Act 1995 (refer Statutory Implications section) require certain processes to be followed to notify the owner and have the vehicle collected or where this is not achieved to dispose of the abandoned vehicle.

Letters addressed to the owners were sent and given 30 days to respond. No responses have been received.

On this basis tenders were invited on 1st July 2009 with a closing date of 4:00 pm Thursday 23rd July 2009. Seven vehicles were advertised for sale and a total of eleven submissions were received from seven tenderers.

STATUTORY IMPLICATIONS

The tenders were prepared and advertised in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

The Local Government Act 1995, Part 3 – Functions of local government; Subdivision 4 applies, with an extract provided as follows: -

Subdivision 4 — Impounding abandoned vehicle wrecks and goods involved in certain contraventions

[Heading amended by No. 8 of 2009 s. 87.]

3.37. *Contraventions that can lead to impounding*

(1) Regulations may prescribe any contravention of a regulation or local law made under this Act to be a contravention that can lead to impounding.

(2) Regulations may exclude the application of particular provisions of this Subdivision.

3.38. *Terms used in this Subdivision*

In this Subdivision —

alleged offender means the person who is alleged to have committed a contravention that can lead to impounding;

contravention that can lead to impounding means anything prescribed to be a contravention that can lead to impounding;

goods means any goods involved in a contravention that can lead to impounding, and includes —

(a) *a vehicle;*

(ab) *an animal; or*

(b) *a stall or other structure temporarily placed on land, involved in such a contravention;*

non-perishable goods includes animals;

specified, in relation to a notice, means specified in the notice;

vehicle means a vehicle for which a vehicle licence is required under the Road Traffic Act 1974 if the vehicle is to be used on a road.

[Section 3.38 amended by No. 64 of 1998 s. 8; No. 28 of 2001 s. 33.]

3.39. *Power to remove and impound*

(1) *An employee authorised by a local government for the purpose may remove and impound any goods that are involved in a contravention that can lead to impounding.*

(2) *A person may use reasonable force to exercise the power given by subsection (1).*

3.40. *Vehicle may be removed if goods to be impounded are in or on the vehicle*

(1) *Where under section 3.39 an employee may remove and impound any goods that are in or on a vehicle that is not itself to be impounded and, because of their size, nature or quantity or for any other reason, it is not convenient to unload and deal with them where they are, the employee may enter the vehicle for the purpose of removing it to a place where the goods may be conveniently unloaded and impounded.*

(2) *Where a vehicle is removed under subsection (1) the local government is to allow the alleged offender, as soon as practicable after the goods are unloaded from the vehicle, to resume control of the vehicle.*

(3) *If the person entitled to resume control of the vehicle is not present when the goods are unloaded or fails to resume control of the vehicle, the local government is to give notice to the person who is the holder of the requisite vehicle licence or permit under the Road Traffic Act 1974 in respect of the vehicle, advising that the vehicle may be collected from a place specified during such hours as are specified.*

3.40A. Abandoned vehicle wreck may be taken

(1) An employee authorised by a local government for the purpose may remove and impound a vehicle that, in the opinion of the local government, is an abandoned vehicle wreck.

(2) If, within 7 days after a vehicle is removed under subsection (1), the owner of the vehicle is identified, the local government is to give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice.

(3) A notice is to include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47.

(4) If —

(a) after 7 days from the removal of a vehicle under subsection (1), the owner of the vehicle has not been identified; or

(b) after 7 days from being given notice under subsection (2), the owner of the vehicle has not collected the vehicle,

the local government may declare that the vehicle is an abandoned vehicle wreck.

**(5) In this section —
abandoned vehicle wreck means a vehicle —**

(a) that is not operational;

(b) the owner of which has not been identified by the local government after using all reasonable avenues to do so; and

(c) that has a value that is less than the prescribed value calculated in the prescribed manner.

[Section 3.40A inserted by No. 49 of 2004 s. 25(1).]

3.41. Notice to collect impounded perishable goods

(1) When any perishable goods are being removed under section 3.39 the employee removing them is required to personally give the person from whose charge they are removed notice that the goods may be collected from a place specified during such hours as are specified.

(2) The giving of the notice does not prevent a prosecution from being instituted against the alleged offender.

3.42. Impounded non-perishable goods

(1) When any non-perishable goods have been removed and impounded under section 3.39 the local government is required to either —

(a) institute a prosecution against the alleged offender; or

(b) give the alleged offender notice that the goods may be collected from a place specified during such hours as are specified.

(2) If after 7 days after the goods were removed, a local government has been unable to give the alleged offender a notice under subsection (1)(b) because it has been unable, after making reasonable efforts to do so, to find the alleged offender, the local government is to be taken to have given that notice.

[Section 3.42 amended by No. 64 of 1998 s. 9.]

- 3.43. *Court may confiscate impounded non-perishable goods*
 When a court convicts an alleged offender the court may, in addition to imposing any other penalty, order that any non-perishable goods removed and impounded under section 3.39 be confiscated.
- 3.44. *Notice to collect goods if not confiscated*
 Where non-perishable goods have been removed and impounded under section 3.39 and a prosecution is instituted, if the alleged offender —
 (a) is not convicted; or
 (b) is convicted but the court does not order that the goods be confiscated,
 the local government is required to give the alleged offender notice that the goods may be collected from a place specified during such hours as are specified.
- 3.45. *Notice to include warning*
 A notice is to include a short statement of the effect of the relevant provisions of sections 3.46, 3.47 and 3.48.
- 3.46. *Goods may be withheld until costs paid*
 (1) A local government may refuse to allow goods impounded under section 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government.
 (2) A local government may refuse to allow goods removed under section 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid to the local government.
- [Section 3.46 inserted by No. 64 of 1998 s. 10; amended by No. 49 of 2004 s. 25(2) and (3).]
- 3.47. *Disposing of confiscated or uncollected goods*
 (1) The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43.
 (2) The local government may sell or otherwise dispose of any vehicle that has not been collected within —
 (a) 2 months of a notice having been given under section 3.40(3); or
 (b) 7 days of a declaration being made under section 3.40A(4) that the vehicle is an abandoned vehicle wreck.
 (2a) The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection (2b) of —
 (a) a notice having been given under section 3.42(1)(b) or 3.44; or
 (b) being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.
 (2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is —
 (a) for perishable goods — 3 days;
 (b) for animals — 7 days; and
 (c) for other non-perishable goods — 2 months.
 (3) Section 3.58 applies to the sale of goods under this section as if they were property referred to in that section.

(4) Money received by a local government from the sale of goods under subsection (2a) is to be credited to its trust fund except to the extent required to meet the costs and expenses incurred by the local government in removing, impounding and selling the goods.

(5) Money received by a local government from the sale of a vehicle under subsection (2) is to be credited to its trust fund except to the extent required to meet the costs referred to in section 3.46 and the expenses incurred by the local government in selling the vehicle.

(6) Unless this section requires it to be credited to its trust fund, money received by a local government from the sale under this section of any goods is to be credited to its municipal fund.

[Section 3.47 amended by No. 64 of 1998 s. 11; No. 49 of 2004 s. 25(4).]

3.47A. Disposal of sick or injured animals

(1) If an impounded animal is ill or injured to such an extent that treating it is not practicable the local government may humanely destroy the animal and dispose of the carcass.

(2) A local government must not destroy an animal under subsection (1) unless —

(a) because of the state of the animal, destroying it is urgent; or

(b) the local government has —

(i) taken reasonable steps to notify the owner; and

(ii) whether or not notice has been given under subparagraph (i), allowed the owner a reasonable opportunity to collect the animal.

(3) Subsection (2)(b) does not justify the destruction of an animal before it has been impounded for at least 7 days.

[Section 3.47A inserted by No. 64 of 1998 s. 12.]

3.48. Recovery of impounding expenses

If goods are removed and impounded under section 3.39 and the alleged offender is convicted, the local government may, by action in a court of competent jurisdiction, recover from the alleged offender —

(a) if the goods are not sold under section 3.47, the expenses incurred by the local government in removing and impounding them and in disposing of them if they are disposed of under section 3.47;

(b) if the goods are confiscated and sold under section 3.47, the amount, if any, by which the money received from the sale and credited to the municipal fund under section 3.47(6) is insufficient to meet expenses incurred by the local government in removing, impounding, and selling them; and

(c) if the goods are not confiscated but are sold under section 3.47, the amount, if any, by which the money received from the sale is insufficient to meet the costs and expenses referred to in section 3.47(4) or (5), as the case requires.

[Section 3.48 amended by No. 64 of 1998 s. 13.]

Delegated Authority #4 Impounding Goods applies to this report: -

#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	16 June 2009 (Minute 8705)

POLICY IMPLICATIONS

No specific policy implications apply

FINANCIAL IMPLICATIONS

Funds received (less the cost of impounding and sale) are required to be placed in a trust account.

STRATEGIC IMPLICATIONS

No specific strategic implication applies.

COMMUNITY CONSULTATION

No community consultation has been sought in the preparation of this report.

COMMENT

The disposal of vehicles is based on the highest bid, and the Officer's Recommendation has been prepared on this basis.

Where no tender has been received, the vehicle/s is taken to the Kununurra Landfill Site for recycling.

In reviewing the need to refer this item to Council it was considered that the Delegated Authority #4 did not fully cover the delegation to the CEO and sub-delegation to other nominated officers for the disposal of abandoned vehicles.

To resolve this minor anomaly it is proposed to have Council consider the amendment of Delegated Authority #4 by adding reference to Section 3.40A. Section 3.40 is linked to the impounding of goods etc if they are placed on or in a vehicle (refer S3.39) however Section 3.40A deals with vehicles that have been abandoned but not involved in the impounding of goods.

All other references within Delegated Authority #4 are correct.

ATTACHMENTS

Tender summary.

VOTING REQUIREMENT

Simple Majority for Recommendation 1 and Absolute Majority for Recommendation 2.

OFFICER'S RECOMMENDATION

1. That Council accepts the following tenders as the most advantageous: -

- (a) Ford Falcon Station Wagon 8LO 646 to Mr K Keegan for the amount of \$50.00 (inc GST)
- (b) Ford Utility 359 053 to Mr R Cavlovic for the amount of \$168 (inc GST)
- (c) Ford Festiva Hatchback BY 68002 to Mr G Vick for the amount of \$1500.00 (inc GST)
- (d) Holden Commodore Sedan Eng No L452631 to Mr T Westwood for the amount of \$68.20 (inc GST)
- (e) Falcon Futura Sedan to Mr K Keegan for the amount of \$50.00 (inc GST)
- (f) Nissan Patrol Station Wagon WRG160-742400 to Mr J Chunnary for the amount of \$1000.00 (inc GST)

2. That Council amend Delegated Authority #4 by adding reference to the Local Government Act 1995, Section 3.40A as follows:

#4 (COUNCIL)	IMPOUNDING GOODS
<p>The Chief Executive Officer is delegated authority to:</p> <p>(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.</p> <p>(2) Take appropriate action in respect to abandoned vehicles in accordance with Section 3.40A</p> <p>(3) Take appropriate action in respect to impounded non-perishable goods in accordance with Section 3.42.</p> <p>(4) Give notice in accordance with Section 3.44 to collect goods.</p> <p>(5) Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46.</p> <p>(6) Sell confiscated or uncollected goods in accordance with Section 3.47.</p> <p>(7) Take action to recover expenses in accordance with Section 3.48.</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 (excluding S3.40A), Rangers (excluding S3.40A)
COUNCIL POLICY	N/A
ADOPTED	
REVIEWED	

COUNCIL DECISION

Minute No. 8773

Moved:Cr D Ausburn
Seconded:Cr R Addis

1. That Council accepts the following tenders as the most advantageous: -

(a) Ford Falcon Station Wagon 8LO 646 to Mr K Keegan for the amount of \$50.00 (inc GST)

- (b) *Ford Utility 359 053 to Mr R Cavlovic for the amount of \$168 (inc GST)*
- (c) *Ford Festiva Hatchback BY 68002 to Mr G Vick for the amount of \$1500.00 (inc GST)*
- (d) *Holden Commodore Sedan Eng No L452631 to Mr T Westwood for the amount of \$68.20 (inc GST)*
- (e) *Falcon Futura Sedan to Mr K Keegan for the amount of \$50.00 (inc GST)*
- (f) *Nissan Patrol Station Wagon WRG160-742400 to Mr J Chunnary for the amount of \$1000.00 (inc GST)*

2. That Council amend Delegated Authority #4 by adding reference to the Local Government Act 1995, Section 3.40A as follows:

#4 (COUNCIL)	IMPOUNDING GOODS
<p><i>The Chief Executive Officer is delegated authority to:</i></p> <ul style="list-style-type: none"> <i>(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.</i> <i>(2) Take appropriate action in respect to abandoned vehicles in accordance with Section 3.40A</i> <i>(3) Take appropriate action in respect to impounded non-perishable goods in accordance with Section 3.42.</i> <i>(4) Give notice in accordance with Section 3.44 to collect goods.</i> <i>(5) Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46.</i> <i>(6) Sell confiscated or uncollected goods in accordance with Section 3.47.</i> <i>(7) Take action to recover expenses in accordance with Section 3.48.</i> 	
LEGISLATIVE POWER	Local Government Act 1995 (Section 5.42)
DELEGATE	Chief Executive Officer
SUB DELEGATION	Executive Manager Engineering and Regulatory Services, Kununurra Works Manager (excluding S3.40A), Rangers (excluding S3.40A)
COUNCIL POLICY	N/A

ADOPTED	
REVIEWED	

CARRIED UNANIMOUSLY: (8/0)

Attachment Item 1

Tendered Vehicle		James Dillon	Joseph Chunnary	Rick Cavlovic	Kevin Keegan	G Vick	Mark Lyness	Tim Westwood
1	Ford Falcon Station Wagon 8LO 646				\$50.00			
2	Ford Utility 359 053			\$168.00	\$100.00		\$100.00	
3	Ford Festiva Hatchback BY 68002					\$1,500.00		
4	Holden Commodore Sedan Eng No L452631				\$50.00			\$68.20
5	Falcon Futura Sedan				\$50.00			
6	Nissan Patrol Station Wagon WRG160-742400	\$50.00	\$1,000.00		\$50.00			
7	Mitsubishi Colt GL Hatchback							

12.4. DEVELOPMENT

12.4.1 PROPOSED LOCAL PLANNING POLICIES 1 - 5 FINAL ADOPTION (8774)

DATE:	18 August 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Townsites of Wyndham and Kununurra and Surrounds
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

To consider the final adoption of Local Planning Policies LPP 1 to LPP 5 in accordance with the Shire of Wyndham - East Kimberley's Town Planning Scheme No.6 and No.7.

BACKGROUND

The Council at its Ordinary Meetings in April and May 2009 commenced a review of its Development Control Policies where it resolved to advertise the draft Policies seeking public comment in accordance with the requirements of the Shires Town Planning Schemes No.6 and No.7. The following policies have been amended to represent

- LPP 1 - Lakeside Residential Development Guidelines Policy (amended)
- LPP 2 - Compliance and Enforcement Policy (draft)
- LPP 3 - Weaber Plain LIA Design Guidelines (draft)
- LPP 4 - Events Application Package (draft)
- LPP 5 - Sea Shipping Containers (draft)

All five advertised policies are provided as Attachments 1 – 5 respectively.

At the conclusion of the advertising process there were no submissions received, although a couple of building applications were submitted during the same period seeking a reduction in roof pitch from the prescribed standards detailed in LPP 1 – Lakeside Design Guidelines. Specifically, this related to a number of homes with skillion roofs with the builder seeking a reduction from a 15⁰ to a 10⁰ pitch. Similarly, an application for a new transportable home in Lakeside has sought to reduction in pitch for a gable roof from 22⁰ to 17.5⁰ given the height restriction in transportation.

The Council briefly considered the policies at the July meeting and deterred final adoption for further assessment and consideration to be undertaken, particularly in relation to LPP 3. In turn this Policy has been re-drafted to simplify and reformat the content.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Refer to Comment Section.

FINANCIAL IMPLICATIONS

An advertisement is required to be published in the local newspaper notifying the public of adoption of the respective policies at a cost in the order of \$300.

STRATEGIC IMPLICATIONS

Generally and for the most part development control policies are formulated within the legal framework prescribed by legislation and aligned with the strategic direction as set by the Council. These policies are aimed at prescribing minimum standards and the type of development and use that is acceptable to the Council in consideration of community sentiment. Additionally, these policies also aid in providing a foundation for delegation to be set to assist in streamlining approval processes and establishing relative levels of compliance.

COMMUNITY CONSULTATION

An advertisement is required to be published in the local newspaper notifying the public of adoption of the respective policies.

COMMENT

Other than LPP 1 and LPP 3 there are no recommended modifications to the other draft policies.

In regard to LPP 1 – Lakeside Design Guidelines the Council at the Ordinary Council Meeting on 21 April 2009 resolved to amend the provision relating to minimum roof pitches to read:

All Gable and hip style roof structures for houses shall be pitched at no less than a minimum of 22 degrees and all skillion and curved style roofs at no less than a minimum of 15 degrees where visible from the street. A shallower pitch to a minimum of 7 degrees is acceptable for verandahs, patios, canopies, outbuildings, attached and free standing garages and carports, and small sections of skillion roofs behind parapet walls.

With a couple of building applications being received seeking concession to roof pitch/s it is prudent for the Council to give further consideration to this matter before moving to finally adopt LPP 1. In this regard and given the subjective views on roof pitches the Council may seek to:

1. Adopt the Policy as advertised without modification (that is inclusion of the provision detailed above); or

2. Further relax the Development Guidelines for Lakeside by reducing the minimum roof pitch without diminishing the thermal performance of the house. Simply, this could be through allowing a reduced pitch by up to 5° subject to the installation of maximum roof and ceiling insulation. This would involve rewording statement 2.4 to read:

2.4 All Gable and hip style roof structures for houses shall be pitched at no less than a minimum of 22 degrees and all skillion and curved style roofs at no less than a minimum of 15 degrees where visible from the street. This may be reduced by up to 5° where the building plans show the installation of maximum rated insulation to under the roof cladding and above the ceiling. A shallower pitch to a minimum of 7 degrees is acceptable for verandahs, patios, canopies, outbuildings, attached and free standing garages and carports, and small sections of skillion roofs behind parapet walls.

Or;

3. Delete Statement 2.4 altogether. This in turn will provide for increased flexibility and allow for greater variation in design and form of construction, including transportable housing. However, it must be noted that should staff be concerned with the overall presentation of a building, including minimal roof pitch, the proposal will be referred to Council for consideration and determination.

Furthermore, it is also recommended the Council give consideration to front boundary by amending Statement 4.4 this Policy which currently reads:

“4.4 The installation of a front boundary fence is the subject of an application to the Council for planning consent.”

It is suggested this provision default to what is basically allowed under the Residential Design Codes, and therefore would read:

4.4 The installation of a front boundary fence is to accord with the Residential Design Codes which supports a solid front fence to 1.2 metres with fences between 1.2 to 1.8 metres in height being visually permeable.

An exception to this is where a solid fence, or wall, up to 1.8 metres in height is required to shield constant headlight glare from oncoming traffic or is required for privacy of an outdoor living area. Should a solid front boundary fence be erected it shall not exceed 50% of the frontage of the lot unless otherwise approved by the local government.

Amendment to LPP 3 - Weaber Plain LIA Design Guidelines (draft) has involved a re-draft of the policy to extract the relevant content from that provided in the initial Landcorp draft and reformatting to provide a consistent presentation to the other Local Planning Policies adopted by Council.

ATTACHMENTS

Attachment 1 - LPP 1 - Lakeside Residential Development Guidelines Policy (amended)

Attachment 2 - LPP 2 - Compliance and Enforcement Policy (draft)

Attachment 3 - LPP 3 - Weaber Plain LIA Design Guidelines (draft)
Attachment 4 - LPP 4 - Events Application Package (draft)
Attachment 5 - LPP 5 - Sea Shipping Containers (draft)

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council resolve to:

1. Pursuant to Clause 12.6.1(b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.7 finally adopt Local Planning Policy (LPP) 1 as presented in Attachment 1 to this report (duly modified), rescind DC Policy 23 5 and proceed publish a notice to this effect in the local newspaper; and
2. Pursuant to Clause 3.3.2 (b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.6 and Clause 12.6.1(b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.7 finally adopt the following Local Planning Policies as shown in Attachment 2 - 5 (with LPP 3 duly modified), and proceed publish a notice to this effect in the local newspaper:

LPP 2 - Compliance and Enforcement Policy (draft)
LPP 3 - Weaber Plain LIA Design Guidelines (draft)
LPP 4 - Events Application Package (draft)
LPP 5 - Sea Shipping Containers (draft)

COUNCIL DECISION

Minute No. 8774

Moved:Cr D Ausburn

Seconded:Cr J Moulden

That Council resolve to:

1. ***Pursuant to Clause 12.6.1(b) of the Shire of Wyndham East Kimberley Town Planning Scheme No.7 adopt Local Planning Policy (LPP) 1 as presented in Attachment 1 to this report (duly modified), rescind DC Policy 23 and publish a notice to this effect in the local newspaper; and***
2. ***Pursuant to Clause 3.3.2 (b) of the Shire of Wyndham East Kimberley Town Planning Scheme No.6 and Clause 12.6.1(b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.7 adopt the following Local Planning Policies as shown in Attachment 2 - 5 (with LPP 3 duly modified), and publish a notice to this effect in the local newspaper:***

LPP 2 - Compliance and Enforcement Policy (draft)

LPP 3 - Weaber Plain LIA Design Guidelines (draft)
LPP 4 - Events Application Package (draft)
LPP 5 - Sea Shipping Containers (draft)

CARRIED UNANIMOUSLY: (8/0)

Attachment 1

POLICY NO:	LPP 1
DIVISION:	Development Services
SUBJECT:	Lakeside Residential Development Guidelines Policy
ENABLING LEGISLATION:	Town Planning Scheme No 7 - Kununurra & Environs

OBJECTIVE:

These guidelines apply to the Lakeside Park Estate and effectively form the basis of additional development control to achieve a sustainable, high amenity residential area for the benefit of local residents.

The policy addresses design aspects and issues such as:

- Building Form, Character & Materials
- Climate Sensitive Design
- Fencing
- Density and Setbacks
- Garages & External Storage Areas
- Solar Collectors and Clothes Lines.

These Guidelines have been prepared to provide:

- Visually attractive and appropriate development
- Integrated design
- Promotion of safety, variety and a sense of place
- Provide exemplary streetscapes and high quality design and aesthetics
- Promote sustainability through efficient construction, energy and water conservation

POLICY:

1.0 Introduction

These guidelines are “in addition” to all other statutory requirements pertaining to building development, design and construction. For any instances where these design guidelines are found to conflict with the statutory requirements of other authorities i.e. requirements of the Local Authority in accordance with Town Planning Scheme No 7, Building Code of Australia, Residential Design Codes etc, the statutory requirements are to take precedence. These design guidelines apply to the current and future stages of residential development within the Lakeside Park Estate.

2.0 Building Form, Character, Materials and Colours for all Housing

2.1 Minimum size of dwelling (excluding carport, garaging and verandahs) shall be:

- ❖ 140 square metres for lots with an area equal to or greater than 700 square metres.
- ❖ 100 square metres for lots with an area less than 700 square metres.
- ❖ 80 square metres for each group dwelling.

- 2.2 All dwellings shall have clearly defined entrances to the street.
- 2.3 Houses situated on corner lots shall address both street frontages through architectural design features.
- 2.4 Zincolume is not permitted to be used for external cladding due to its reflective nature and potential glare issues with neighbouring properties.
- 2.5 The use of light colours for external roof and wall claddings and finishes is encouraged.

3.0 Garaging & External Storage Areas

- 3.1 Garages (including doors) and carports shall be consistent in design (theme), materials and colours to the dwelling to reduce visual impact and add interest to the streetscape.
- 3.2 Outbuildings shall be constructed of the same materials as the main dwelling where they exceed 25 square metres in area.
- 3.3 No commercial vehicles are to be parked on the property or the street verge for any more than forty eight (48) hours, unless approval has been obtained by the Council.
- 3.4 Driveways and crossovers are encouraged to be completed in the same construction period as for the dwelling.

4.0 Fencing

- 4.1 All side and rear boundary fencing shall be no greater than 1.8 metres in height.
- 4.2 Side fences forward of the front building line of the house shall be no higher than 1.2 metre and be constructed of the same materials/matching in colour with the predominant side and rear boundary fences.
- 4.3 Fences on secondary streets (corner lots) boundaries shall be largely open in design and visually permeable above a height of 1.2 metre.
- 4.4 The installation of a front boundary fence is to accord with the Residential Design Codes which supports a solid front fence to 1.2 metres with fences between 1.2 to 1.8 metres in height being visually permeable. An exception to this is where a solid fence, or wall, up to 1.8 metres in height is required to shield constant headlight glare from oncoming traffic or is required for privacy of an outdoor living area. Should a solid front boundary fence be erected it shall not exceed 50% of the frontage of the lot unless otherwise approved by the local government.

5.0 Clothes Lines and Drying Areas

- 5.1 Clothes lines shall be screened from public areas.
- 5.2 Wherever possible, solar collectors should be:

- ❖ Concealed from the street or other public areas
- ❖ Colour coded to the colour of the roof
- ❖ Installed on the plane of the roof at the rear and ideally the storage tanks located within the roof space. Stands on rooftops are discouraged.

6.0 Climate Sensible Design

6.1 Where possible new houses should include:

- ❖ Installation of a solar hot water system.
- ❖ Water sensitive fixtures such as AAA rated dual flush toilet systems.
- ❖ Passive solar design, including appropriate room location and zoning for day lighting and ventilation.
- ❖ Extensive eaves overhang to support thermal comfort and efficiency.
- ❖ Verandahs to the front of houses to provide articulation and energy efficiency.
- ❖ The highest rated insulation under roof cladding, and within wall and ceiling cavities.
- ❖ Additional roof ventilation.
- ❖ Effective use of pergolas and vegetation for shade, particularly to east, west and south facing windows.

ADOPTED:

REVIEWED:

AMENDED:

Attachment 2

POLICY NO:	<i>LPP 2</i>
DIVISION:	Development Services
SUBJECT:	<i>Draft Compliance and Enforcement Policy</i>
ENABLING LEGISLATION:	Local Government Act 1995;

1. OBJECTIVE

To provide a framework and consistent approach for Council Officers to implement compliance standards and instigate enforcement action, as described in various Acts and Regulations (Legislation) the Shire administers, proportionate to the seriousness of an alleged offence or issue of non-compliance.

2. POLICY

1.0 Introduction

As with many Local Governments in Western Australia the Shire of Wyndham East Kimberley is largely responsible for the administration and enforcement of an array of State Government Legislation. Whilst the list is extensive this Policy specifically applies to the legislative framework and provisions prescribed under, but not necessarily limited to:

- *Building Regulations, 1989*
- *Building Code of Australia,*
- *Caravan Parks and Camping Ground Act, 1995*
- *Caravan Parks and Camping Ground Regulations, 1997*
- *Environmental Protection Act, 1986*
- *Food Act, 2008*
- *Health (Food Hygiene) Regulations, 1993*
- *Health Act, 1911*
- *Land Administration Act, 1997*
- *Litter Act, 1979*
- *Local Government (Miscellaneous Provisions) Act, 1960*
- *Planning and Development Act, 2005*
- *Strata Titles Act, 1985*
- *Shire of Wyndham – East Kimberley Town Planning Scheme No.6*
- *Shire of Wyndham – East Kimberley Town Planning Scheme No.7*
- *Shire of Wyndham – East Kimberley adopted Local Planning Policies*
- *Shire of Wyndham – East Kimberley adopted Local laws*

In consideration of this legislation and in order for the Council to achieve an appropriate standard of amenity in step with the social fabric and community expectations for both Kununurra and Wyndham it is necessary for the Shire to apply a consistent approach to addressing issues of non-compliance associated with development. In this regard the following general principals and enforcement

procedures provides a clear guide for Shire Officers to administer an equitable communication process and approach to addressing issues of non-compliance.

2.0 General Principles

- 2.1 For a concern from a member of the public to be acted upon notice must be in written form incorporating relevant details, including name, address, contact details and nature of concern. Anonymous or verbal notification will not be accepted and acted on unless otherwise determined by the Chief Executive Officer.
- 2.2 All concerns will be treated confidentially, where possible and appropriate.
- 2.3 All concerns will be considered on merit and in context of a non personal interest. A matter will not be progressed should, in the opinion of the Chief Executive Officer, the concern be perceived as vexatious or not in good faith.
- 2.4 Councillors and Shire Officers who become aware of potential issues of non-compliance may submit details to the CEO or the relevant Executive Manager in the form of a written and signed file note.
- 2.5 All matters of alleged non-compliance must be recorded by the responsible officer/s in written format and filed in the Shires record management system.
- 2.6 Notwithstanding the requirements of the Legislation all notifications regarding an alleged issue of non-compliance must give the recipient a minimum of thirty (30) calendar days in which to comply, unless in the opinion of the Officer there is a known or perceived risk to the public where it is incumbent on the Officer to do everything in their power to alleviate the risk.
- 2.7 In the event of an application being progressed at the time of an alleged offence the processing/assessment of the application shall be 'suspended' until the issue of non-compliance has been resolved to the satisfaction of the Chief Executive Officer or Council.
- 2.8 Notwithstanding any legislative requirement, Officers that hold delegated authority are authorised under this policy to issue letters of warning under procedures 3.1 and 3.2 in consultation with the Executive Manager for Town Planning and Economic Development. Further delegation is afforded to the Executive Manager for Town Planning and Economic Development to administer procedures 3.1 to 3.3, and the Chief Executive Officer to administer procedures 3.1 – 3.4.
- 2.9 Whilst there is a general duty imposed on the Shire to enforce legislation for which it is responsible, that general duty is not absolute. In each case it will be necessary to determine whether legal costs and other liabilities are justified for the good governance of the Shire and whether or not engagement, enforced and self

regulation would be a suitable alternative means of achieving the required level of compliance within the relevant legislation.

3.0 Enforcement Procedure

- 3.1 Upon receipt of a complaint or when attention is drawn to an alleged issue of non-compliance the relevant officer shall investigate the matter through written notice to the occupier/owner of the property seeking confirmation of the status of the activity or serving a notice to comply with a response to be received within thirty (30) days.
- 3.2 At the expiration of the first notice, if necessary, a second letter of non-compliance shall be sent by registered mail with receipt of notification being obtained from Australia Post. This notice shall be for a period of thirty (30) days where by a response is to be received and/or necessary compliance has been achieved. At this point the matter shall be listed for the Council's information.
- 3.3 Should a response to the second notice prove unsatisfactory a memo is to be submitted to the relevant Executive Manager outlining all the details of the complaint, the section of the legislation that has been breached, the compliance actions already taken (copies of letters sent) and the recommended action within the legislation. The Executive Manager for Town Planning and Economic Development is to review all the evidence and if deemed necessary authorise the issue of a third notice to comply within a further thirty (30) days. This notice shall flag that failure to comply may result in legal proceedings to be instigated in accordance with the relevant legislation. An update of the progress of the matter will again be listed for the Council's information.
- 3.4 At the conclusion of the third notice the matter of alleged non-compliance will be presented to the Chief Executive Officer where, based on the nature and circumstances and extent of co-operation from occupier/owner, and in consultation with the Shire President and Deputy Shire President, a determination to commence legal proceedings may be instigated pursuant to the relevant legislation. Conversely, the matter is to be referred to the Council for consideration and an appropriate course of action to be taken.

ADOPTED:

REVIEWED:

AMENDED:

Attachment 3

POLICY NO:	LPP 3
DIVISION:	Development Services
SUBJECT:	Weaber Plain LIA Design Guidelines
ENABLING LEGISLATION:	Town Planning Scheme No 7 - Kununurra & Environs

OBJECTIVE:

These guidelines apply to the Weaber Plain Light Industrial Area Design Guidelines and effectively form the basis for the design of buildings and quality landscaping to ensure an appropriate standard of development is achieved.

These Guidelines have been prepared to provide:

- Best practice standards for industrial development is applied given the close proximity of the Mirima National Park;
- Industrial Development is neither unsightly or poorly planned;
- Development is of a high standard in the interests of protecting the investment of developers and owners;
- All development is based of climate responsive siting. Energy and water efficient design and fit out.



POLICY:

1.0 Introduction

These guidelines are “in addition” to all other statutory requirements pertaining to building development, design and construction. For any instances where these design guidelines are found to conflict with the statutory requirements of other authorities i.e. requirements of the Local Authority in accordance with Town Planning Scheme No 7 or Building Code of Australia, the statutory requirements are to take precedence. These design guidelines apply to the current and future stages of development within the Weaber Plain Light Industrial Area.

2.0 Development Standards

2.1 The front elevation of all new buildings shall be designed and/or complimented with landscaping to present an attractive façade to the street to the satisfaction of the local authority.

- 2.2 The entrance points to buildings must provide protection for pedestrians by way of a fixed awning, verandah, canopy or colonnade.
- 2.3 The development of a caretakers dwelling (subject to Shire approval) shall be consistent in materials choice to all industrial buildings on a lot and take the form of a residential building located to the rear portion of the property.
- 2.4 All building shall accord with the following minimum boundary setback distances, unless otherwise specified in the Building Code of Australia (BCA):
- Minimum front (street) boundary distance - 9 metres
 - Minimum side boundary distance - 3 metres
 - Minimum rear boundary distance - 3 metres
- 2.5 Lighting for all new development shall be based on high efficiency systems (ie T5 Triphospor Fluorescent lighting).
- 2.6 Where offices are incorporated into the development windows shall be installed on at least two sides to allow breeze paths and remove heat build up. Furthermore, all windows must be provided with an adequate form of shade protection (ie fixed awning or canopy, verandah, mature vegetation) to avoid direct sunlight entering the office building.
- 2.7 All office buildings shall be insulated to the standards of the BCA climate zone 1.
- 2.8 The use of roof colours with a solar absorbency rating greater than 0.55 (most dark colours) is not supported.
- 2.9 All impervious areas including vehicle crossovers and internal car parking, service, manoeuvring and lay down areas must be constructed paved and suitably drained standard to the local government specifications.
- 2.10 All service, storage and bin areas are not to be located within the front boundary setback distance.
- 2.11 A minimum 3 metre (wide) landscaping strip shall be provided across the frontage of the property.

3.0 Suggested Design Solutions

- 3.1 The use of light coloured materials with a solar absorbency of less than 0.35 is encouraged. This includes colourbond colours including Classic Cream, Surf-mist, Paperbark, Evening Haze, Shale Grey, Sandbank and Dune.
- 3.2 If installing air-conditioning an inverter split system is recommended to an energy rating of 5 stars.

- 3.3 Where practical mechanical ventilation should be incorporated into the building design.
- 3.4 For advice on appropriate selection of native plants advice should be sought from the Shire's Environmental Officer.

ADOPTED:

REVIEWED:

AMENDED:

Shire of Wyndham – East Kimberley



Local Planning Policy 4 Events Application Package

May 2009

FEES AND CHARGES

A planning application fee in accordance with the Shire's current Schedule of Fees for a 'Change of Use' applies to an application for an event. Health fees also apply for consideration of an application in compliance with the Health (Public Building) Regulations 1992 and other related legislation.
Additional fees may apply should a building licence or other particular health licences be required.

DISCLAIMER

This package details the requirements of the Shire of Wyndham – East Kimberley only. Additional information and/or approvals may be required from other agencies and Government organisations. It is the sole responsibility of the Applicant, not the Shire, to ensure all relevant information and approvals are obtained in relation to each particular event.

OFFICE USE ONLY – NOTE APPLICATION CAN NOT BE PROCESSED UNTIL FEES ARE PAID IN FULL

Date Received	
Fees Paid -Planning	
Fees Paid - Health	
Receipt No	

Document No	
File	
Officer	
Licence Issued	

- 3. SHIRE OF WYNDHAM –EAST KIMBERLEY
- 4. TOWN PLANNING SCHEME No.6
- 5. AND TOWN PLANNING SCHEME No.7

Form 1

APPLICATION FOR PLANNING CONSENT

6. AND

- 7. HEALTH (PUBLIC BUILDING) REGULATIONS 1992

APPLICATION FOR HEALTH APPROVAL



Events Application Form

This form is to be completed and submitted together with the other information outlined in this package. Please signify with N/A if a particular question or field does not apply to your event. You will be notified in writing when your event application has been processed. Applications must be submitted at least 8 weeks prior to your event.

Landowner's Details

Name:

Address:

..... Postcode:.....

Phone: (wk) (fax) (mobile)

Contact Person:

Signature/s: Date:

..... Date:

Organiser's Details

Name of event:

.....
.....

Applicant/organisation:

Contact person (if different from above):

Postal address:

Telephone (hm): *(wk):* *(mb):*
.....

Email *address:*
.....

Event Details

Date:
.....
.....

Actual set up date:

Actual event start date:

Actual event finish date:

Actual completion of clean up date:

Proposed venue details: (eg. name of reserve, building or public open space)

Shire venues or facilities can be reserved through the Kununurra leisure centre

.....
.....

.....

.....
.....

Event description: (eg. Sporting, commercial, entertainment and in addition please state whether the event is a one-off or proposed as an annual event)

.....

.....

.....

Entertainment: Brief details (number of stalls/products/entertainment-bands, amplified music/animals/activities/farm machinery/rides)

.....

.....

Primary purpose of event: (eg. fundraiser for community group)

.....

*Will alcohol be available/consumed on site? (tick) For Sale BYO
No Alcohol*

Refer to Information Note No.7 of this package for guidance.

Will food be available? (tick) Yes No

All food stalls require approval from Shire's Health Department.

Application form attached (appendix 1)

Details of any tents, marquees, stages etc. to be used for the event:

.....
.....

Details of any road closures or use of roads for the event: (Note: separate approvals required through police services)

.....

Will the event have implications for local residents, (eg. Noise, traffic management, parking) and if so how is it proposed to manage these implications?

Noise

.....
.....

Traffic Management ...

.....
.....

.

.....
.....

Parking.....

.....

.....
.....

.....
.....

How will crowds be managed during entry to and exit from the event? Consider procedures to control excessive queuing or crushing (gate control, pathways, exits)? Include considerations for persons with disabilities.

.....
.....

Will security be needed/provided? If so provide details

.....
.....

Have you notified the following key stakeholders/emergency services personnel of the event?

- Police
- Ambulance
- First Aid
- FESA
- Hospital
- SES

Expected Attendance

Maximum number of people expected at any given time:

Anticipated total number for entire event:

Target audience: (eg. youth, adult, family etc.)

Have you ever conducted this event before and if so, when/where was it held?

.....
.....

.....
.....

.....

Have you determined whether a risk assessment needs to be done? (tick) Yes

No

Do you require guidance with the preparation of a risk assessment? (tick) Yes

No

Event Facilities

Power supply details:

All electrical equipment, switches and meters are to be protected from the public and a certificate of electrical compliance (Form 5, appendix 2) must be completed and lodged with the Shire prior to commencement of the event.

Water supply details:

Number of toilets available:	Male:	Closets:
		Urinals (number or length):.....
		Hand Wash Basins:
	Female:	Closets:
		Hand Wash Basins:

Is there disabled access to toilet facilities?

Detail waste removal plans? (Number of bins, size of bins, site clean-up and surrounds)

.....
.....
.....

YOU MAY WISH TO ATTACH ANY OTHER RELEVANT INFORMATION TO ASSIST WITH THE APPROVAL PROCESS

9. ACKNOWLEDGEMENT

I, _____ as the event organiser applying for approval to host an event in the Shire of Wyndham – East Kimberley acknowledge that the information and completed actions in my application are true and correct. I accept full responsibility of the facility and/or reserve during the specified event period and will ensure compliance with the Shire of Wyndham - East Kimberley's conditions of approval.

I will indemnify the Shire of Wyndham - East Kimberley and all relevant landowners against any action, suit or proceeding caused by my failure to observe all statutory and other requirements or as a result of my negligence or wilful actions. I will ensure that appropriate liability and other insurances are in place for the activities to be conducted, with evidence in this regard to be presented to the Shire of Wyndham East - Kimberley prior to commencement of the event.

I understand and acknowledge the Event Application Package has been compiled according to a number of statutory requirements, and any forthcoming Planning Consent (including conditions of approval) are lawfully binding and can be enforced pursuant to the Shire of Wyndham - East Kimberley Town Planning Schemes No.6 and No.7, the *Planning and Development Act, 2005* and the Health (Public Building) Regulations 1992. Furthermore I understand there could be other requirements outside of this package and that, as the event organiser, I am responsible to meet.

Signature: _____ **Date:** _____

Print Name: _____

Important Notes:

- You may not proceed with your event without written planning consent being issued by the Shire and all other statutory requirements have been satisfied. This may take between 3 to 4 weeks depending on the scale and size of your event.
- All conditions will be outlined in a formal notice of Planning Consent. It is your responsibility as the applicant/event organiser to adhere to the conditions of approval.
- Applications and approvals for an event are not transferable. Therefore the organiser cannot transfer Shire approval for an event to an alternative venue, date or time, without further consent being granted by the Shire.
- You must ensure the event adequately caters for the needs of people with disabilities.
- You may be required at the request of the Shire to attend a 'de-brief' of the event to discuss any associated issues and/or possible improvements to the next future events.

10. INFORMATION AND GUIDE FOR APPLICANTS

1. LOCATION OF EVENT

If you intend on holding your event on property owned or managed by the Shire of Wyndham - East Kimberley or any other government agency you are required to obtain that organisations consent prior to lodging an application. This includes the signing of the application for under 'Landowners Details' by the appropriate authorised person.

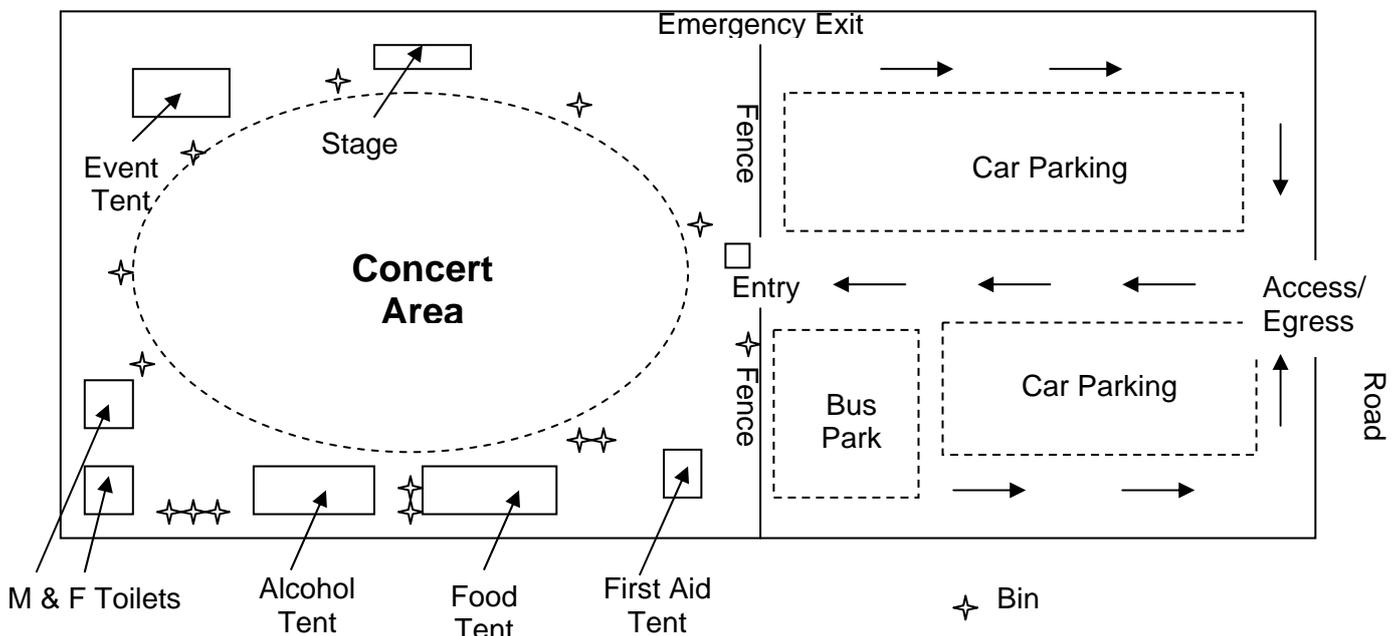
If event is to be held on privately owned land, you will be required to have land owner/s sign the application form.

2. SITE PLAN AND EVENT LAYOUT

A site plan with the layout of the event is to be provided with your application, which shall include location of:

- vehicular access
- onsite car parking and bus drop off areas
- barrier fencing
- stage and sound equipment (if applicable)
- stalls of any kind (food, craft, etc)
- competitor and spectator areas/seating
- liquor licensed area/s (if applicable)
- electrical supply
- first aid facilities/ambulance (if applicable)
- fire fighting vehicle (if applicable)
- structures and buildings (pavilions, sheds, tents, marquees, etc)
- toilet facilities (existing and additional)
- location of bins/waste facilities
- walkways
- external lighting (if applicable)
- emergency access and routes
- over night camping areas (if applicable)
- independent power supply/generators (if applicable)

The following diagram provides a typical example of the site plan required.



3. EVENT TIME FRAME AND EXPECTED ATTENDANCE

The event organiser is to provide the Shire of Wyndham - East Kimberley with dates and time/s the ground/reserve is to be used, including set up and clean up.

The Shire of Wyndham - East Kimberley is to be provided with the estimated number of patrons attending the event, which will be used to calculate toilet, waste and First Aid requirements.

Additionally, a Risk Management Plan may also be required should the event attract a large number of people. Further information on this matter can be obtained from http://www.riskcover.wa.gov.au/riskmanagement/riskcover_riskmanagement_faq.shtml.

4. ACCESS TO VENUE FOR SHIRE STAFF

Shire staff members are to be afforded access to the whole venue prior to and for the duration of the event. Authority cards can be made up for staff members that require access for compliance purposes only.

5. PUBLIC LIABILITY INSURANCE

The Shire of Wyndham - East Kimberley requires public liability insurance be provided for all events to a minimum value of \$5,000,000. This insurance is the responsibility of the event organiser with evidence of such cover to be submitted as part of the application.

6. LEGISLATIVE REQUIREMENTS

Application for the event must be lodged on the Form 1 – Application for Planning Consent and Health Approval contained in this package.

Under the Health (Public Building) Regulations 1992, outdoor events are considered public buildings. The following are requirements under the above regulations:

- toilet facilities relevant to the expected attendance
- disabled access (for both the event grounds in general and toilet facilities)
- evacuation plan and emergency lighting
- general lighting for evening and night events
- all electrical equipment, switches, meters are to be protected from the public and a certificate of electrical compliance (Form 5, appendix 2), must be completed and lodged with the Shire prior to commencement of the event.
- exit signs are to be provided
- fire equipment and adequate communications are to be supplied

Event organisers are to provide sufficient waste disposal facilities relevant to the expected attendance.

Any stalls or premises preparing and/or selling food is to comply with the Health (Food Hygiene) Regulations 1993. Applications to sell food at the event should be lodged with the Shire's Health Department at least 2 weeks prior to the event.

Under the Environmental Protection (Noise) Regulations 1997, noise levels are to comply with the levels set out in those regulations. If the Shire of Wyndham - East Kimberley deems it necessary to have an Environmental Health Officer present to monitor the noise levels of the event, the event organiser may be required to pay for these services. Any officer present to ensure compliance with the above noise regulations is not under the control of the organiser.

7. ALCOHOL AND LIQUOR LICENSING

Event organisers are required to apply for a liquor licence through the Department of Racing, Gaming and Liquor, if alcohol is to be sold at the event. If the liquor licence is approved, details of the licence are to be provided to the Shire of Wyndham East Kimberley at least 2 weeks prior to the event. A copy of the Liquor Licence is to be submitted to the Shire prior to the event and also displayed in the licenced area in full view of patrons.

8. PROVISION OF FIRST AID

The event organiser should provide First Aid facilities relevant to the size of the event.

9. EMERGENCY SERVICES

Event organisers must notify the Police and Fire & Emergency Services of the event and the event time frame. A contact number for the event organiser should be given to these organisations in case of emergency.

Access must also be available to emergency vehicles as required.

10. NOTIFICATION OF ROAD CLOSURES

The event organiser is to notify and seek approval from the Shires Engineering Department (and Main Roads if necessary) for any road closures for the event, prior to lodging an application with the Police. Please note partial road closures or suspension of the Traffic Act requires approval and these forms/approvals need to be sourced from Police, at least 6 weeks prior to the event to allow for separate processing.

Additionally, adequate time must be allocated to consultation with affected parties that may include local residents and business owners.

11. WATER & POWER

It is the responsibility of the event organiser to ensure a potable water supply (to public health drinking standards) is made available for patrons at the event. Event organisers may need to organise independent power supplies for Shire grounds.

12. FIREWORKS

Approval is required from the Department of Mines, the Police and the Shire of Wyndham - East Kimberley for the discharge fireworks at an event. Applications in this regard can be obtained from the Department of Mines.

If approved, the State Fire & Emergency Services are to be notified and appropriate fire fighting equipment is to be provided at the event.

13. PARKING

The event organiser is to ensure sufficient parking and manoeuvring area is available for the expected number of competitors and patrons at the event. This shall include provision for bus drop off and parking, if applicable. All parking areas shall be clearly defined and may require onsite parking attendants depending on the nature and patronage of the event.

14. FENCING

If the event is to be fenced off, or have areas within the event to be fenced (eg. licensed or competitor areas), the fencing is to be inspected by the Shires Building Department prior to the event.

15. CONSULTATION WITH OTHER GROUND USERS

Event organisers should ensure that all other ground users are contacted and informed of the event to ensure there is no conflict of use and/or parking. For applications to conduct events in public areas the Shire in issuing approval may not grant exclusive use of the ground or reserve.

16. CONSULTATION WITH COMMUNITY

All neighbouring landowners should be consulted to avoid any form of conflict. In this regard the Shire may seek comment from all or part of the community through the application process, which may incur an additional cost and reflect in the decision of the local government.

17. APPLICATION FEES

A planning application fee in accordance with the Shire's current Schedule of Fees for a 'Change of Use' applies to an application for an event. Health fees also apply for consideration of an application in compliance with the Health (Public Building) Regulations 1992 and other related legislation.

Additional fees may apply should a building licence or other particular health licences be required

18. RIGHT OF APPEAL

The applicant/owner has a right of appeal against the Council's decision, be it a refusal or any condition of approval, in accordance with the provisions of the *Planning and Development Act, 2005*. In this regard contact should be made with the State Administrative Tribunal on 9219 3111 or via website www.sat.justice.wa.gov.au to obtain the relevant time limitations, appeal process, appeal forms and respective fees.

APPENDIX 1 - FOOD STALLS



SHIRE OF WYNDHAM EAST KIMBERLEY

10.1.1. APPLICATION FOR A STALL HOLDER'S LICENCE

HEALTH ACT 1911

This form and payment of application fees is NOT approval to conduct a stall. To ensure you receive approval, submit this form with the appropriate payment at least 7 days before you wish to conduct a stall.

Particulars of Applicant

Name _____

Postal Address _____ Post Code _____

Lot No. _____ Street No. _____ Street Name _____

Suburb _____

Phone _____ Fax _____

Email _____ Mobile _____

10.1.1.1. Particulars of Stall

Types of Goods or Services to be sold:

NB: if food is being sold you must specify exactly what is contained in each food product _____

Address at which food will be prepared

NB: if different from Residential address _____

Size of stall: _____

Method of Construction: _____

Place in which Stall to be set up _____

Date of operation: _____

Time of operation: _____

Main purpose of business (fundraising, charity, business)

Declaration

(Making a false statement may be an offence)

The applicant named above hereby applies for the issue of him/her of a Stall Holder's Licence in respect of the stall mentioned above. I declare that all details in this form are true and correct.

Signature _____ of _____ Date: _____

applicant/s _____

OFFICE USE ONLY – NOTE APPLICATION CAN NOT BE PROCESSED UNTIL FEES ARE PAID IN FULL

Date Received	
Fees Paid	
Receipt No	
General Ledger Account	
EHO Approved	

Document No	
Officer	
Response	
File	
Licence Issued	

PLEASE COMPLETE AND SUBMIT WITH FOOD STALL APPLICATION

Is a menu attached indicating the full range of foods to be provided?

- Yes
- No

Will any of the following foods be sold directly or used as ingredients at the stall?

- Milk/milk products
- Poultry
- Salads
- Rice Dishes
- Egg products (includes egg mayonnaise)
- Ice cream
- Shellfish
- Raw meat
- Fish/fish products
- Cooked meat

Type of operation

- Stall
- Mobile Unit/van
- Marquee/tent
- Existing structure

What facilities will be provided at the food stall

- Refrigeration
- Freezer
- Oven
- Microwave Oven
- Sink
- Hand wash basin
- Deep fryer
- Other

Power supply

- LPG
- Existing power source
- Generator
- No power needed

Will the food be prepared on site or at another location i.e. home, commercial kitchen?
Provide detail.

.....
.....

If food is prepared at another location, how will it be transported safely to the stall site?

.....
.....

How will waste generated by the stall be managed (bins on-site, taken away)?

.....
.....

APPENDIX 2 - CERTIFICATE OF ELECTRICAL COMPLIANCE

Form 5

To the Shire of Wyndham East Kimberley Date:

I hereby certify that the electric light and / or power installation, alteration, addition at the undermentioned premise/event has been carried out in accordance with the Health (Public Building) Regulations 1992.

Name of Event:

.....

Address where electrical work was undertaken:

.....

Details of installation

.....

.....

.....

.....

Is there any work for which you are not responsible?

.....

.....

Signature of licensed electrical contractor or electrical worker authorised to sign on behalf of the electrical contractor/in-house installer.

Signature:

Contractors / In-house Electrical Installers Details

Name:..... Registration No.:

Business Name:Phone No.:

Address:.....

Attachment 5

POLICY NO:	LPP5
DIVISION:	Development Services
SUBJECT:	Sea (Shipping) Containers
ENABLING LEGISLATION:	Town Planning Scheme No 7 - Kununurra & Environs

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 place sea (shipping) containers or other similar re-locatable storage units on land within the Shire.

POLICY:

1.0 Introduction

Sea containers are a class of development that can have an adverse effect on the visual amenity of an area. Therefore, as a general rule, the Shire of Wyndham – East Kimberley carries a presumption against the use of sea containers being highly visible in urban areas other than for storage of materials and equipment associated with a construction site, limited to a period of six (6) months.

To meet acceptable amenity standards in a particular locality it is necessary that conditions be imposed on any approval granted for the use of a sea container.

2.0 Policy Statements

- 2.1 For the purpose of this policy a sea container shall also include a re-locatable 'box type' storage container or unit. A sea container modified for the purpose of human habitation is not addressed in this Policy and further may be subject to detailed consideration by the local government based on merit.
- 2.2 The placement of a sea container on land in all zones, other than an industrial, agricultural or rural zone, shall:
 - a) be the subject of an application for planning consent, as a sea container is considered incidental 'development' under the Shire of Wyndham – East Kimberley Town Planning Scheme/s;
 - b) be placed in the rear yard of a property and painted in a colour that compliments the existing residential development on the lot or is adequately screened through the application of landscape screening or other measures acceptable to the local government;
 - c) be limited to a maximum of six (6) months only where the structure is being in full or partial view of the street and used for the temporary storage of materials, plant, machinery and equipment associated with a

- construction site, and building licence has been issued and remains current;
- d) not exceed the maximum dimensions of 6.0m in length, 2.4m in width, and 2.6m in height.
- 2.3 The local government will only support the use of sea containers in the Wyndham and Kununurra Airport precincts where they are located within an existing shed or hanger building, other than as described in Statement 2.2 b) of this Policy.
- 2.4 In order for a planning approval to be issued, an application must detail (at a minimum) the sea container will:
- a) not result in a detrimental impact on the amenity of the land or any adjoining land or development;
 - b) not impinge on any boundary setbacks, as required by the Town Planning Scheme or be located in front of the building line or be visually prominent from any public road other than during a period of construction;
 - c) not compromise any associated approved development or use by:
 - impinging on any car parking bays required to satisfy the minimum car parking requirement for the associated approved development or use;
 - being located within an existing service yard or bin storage area;
 - obstructing any existing access or visual truncation provided to an access-way (pedestrian or traffic);
 - d) be in good repair with no highly visible rust marks;
 - e) be uniform in colour to complement the building site to which it is ancillary or surrounding natural landscape features;
 - f) be appropriately screened where considered necessary by the local government in order to meet 2.3 a) above, and the objectives of this policy.
- 2.5 The placement of a sea container on land in an industrial, agricultural or rural zone is exempt from planning consent. However, sea containers in these zones are to be located behind the prescribed front boundary setback for the property, and where practicable, be placed to the side or rear of an existing building.
- 2.6 A sea container intended to be used for permanent storage greater than six (6) months will require an application for a building licence to be lodged and approved by the local government. In particular the application is to provide engineered footing and tie down details.
- 2.7 The placement of a sea container in non-conformity with this policy will result in enforcement action be taken by the local government, that could involve removal and impoundment of the sea container at the cost to the land owner.

ADOPTED:

REVIEWED:

AMENDED:

12.4.2 PROPOSED SPORTS PRECINCT MASTER PLAN - DRAFT 2009 (8775)

DATE:	18 August 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Kununurra Sporting and Recreation Precincts
AUTHOR:	Ian D'Arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	43.04.39
ASSESSMENT NO:	N/A

PURPOSE

The purpose of this report is to brief the Council and receive endorsement of:

- 1 A draft Project Brief prepared by staff for the preparation of a Master Plan for the sports and recreational precincts in Kununurra through a detailed planning process;
- 2 A 'CSRFF' small grant application to secure part of the required funding for the implementation of this project.

BACKGROUND

At the Ordinary Council Meeting on 16th December 2008 a report was presented to the Council in regard to the current lease with the Ord River Sports Club where it was resolved in part:

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

- a) *entering into a written agreement with Council to undertake a Master Planning exercise for the future of site as a community asset;"*

In accordance with this resolution a draft Project Brief for a Kununurra Sports Precinct Master Plan was prepared and accordingly presented to the Council at the 7 July 2009 and more recently 11 August 2009 Briefing Sessions for the Council's consideration.

Figure 1 below, is extracted from the draft Project Brief and offers a broad understanding of the location of the respective precinct areas in context of the main town centre. An explanation of each precinct is detailed in the attached document.

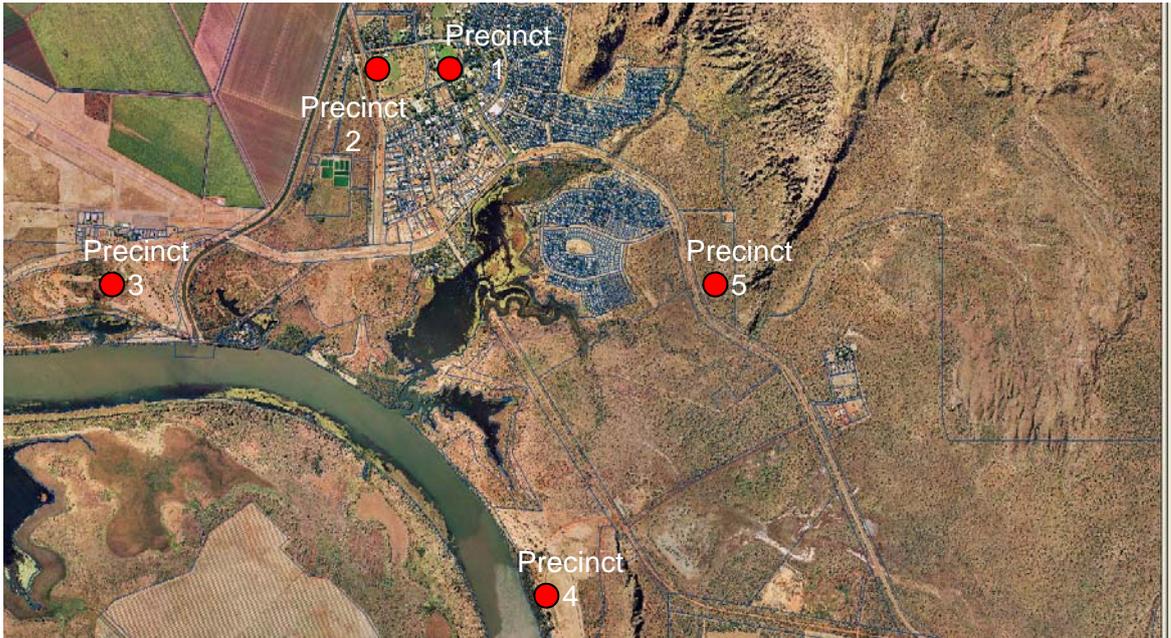


Figure 1

As a result, the draft Project Brief (refer to Attachment 1) together with a Department of Sport and Recreation CSRFF funding application (refer to Attachment 2) is presented in this report for the Council's endorsement.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

There are no policy implications associated with this item, however, the completion of the Master Planning process should provide sound recommendations on the establishment of policy relating to the best management structure/s to be applied to many of the sporting and recreation organisations over the next 10 – 15 years.

FINANCIAL IMPLICATIONS

There are no policy implications associated with this item, however, the completion of the Master Planning process should provide sound recommendations on the establishment of policy relating to the best management structure/s to be applied to many of the sporting and recreation organisations over the next 10 – 15 years.

FINANCIAL IMPLICATIONS

The Council has set aside \$40,000 in the 09/10 budget for this project on the basis of securing the matching funding through grant applications. In order to achieve the required funding it is intended, upon endorsement of the Project Brief, to seek additional funds from:

- Department of Sport and Recreation (DSR) - \$25,000
(CSRFF application)

- Landcorp (contribution) - \$25,000
- Kimberley Development Commission (KDC) (R4R application) - \$15,000

In regards to the CSRFF grant application for this project it is recommended this be ranked in front of an application for the same funding from the Kununurra Cricket Club for new practice nets. This is not to diminish the importance of the Cricket Club's application, but ensure the master planning process that applies to the future of most clubs can be given priority, should DSR not fund both projects in this round of funding.

STRATEGIC IMPLICATIONS

This process is integral to achieving a well planned future over the next 10 – 15 years for the provision of recreational and sporting facilities in Kununurra, with the intent being;

- to gain a clear understanding of the community's priorities based need and usage,
- to establish and implement best practice management ensuring equitable access and usage of facilities for all users where applicable;
- to determine level of management responsibility within an appropriate structure that effectively delivers ongoing maintenance and up keep of facilities;

to determine appropriate tenure and fee structure.

COMMUNITY CONSULTATION

Refer to Comment Section.

COMMENT

In the past few months the Council and Shire staff has received a number enquiries from sporting and recreational organisations seeking to improve their facilities and extend or renew lease arrangements. This in turn has prompted the need for a master plan to be prepared to address these requests on a consistent and collective basis given the expected growth for Kununurra and increasing demand on the Council to provide improved facilities.

As outlined below, it is intended through the master planning process to review the respective needs of most, if not all, of the sporting and recreational uses/organisations to avoid an 'ad hoc' approach to meeting their requirements in the longer term. Embarking on the preparation of a Master Plan is viewed as the most appropriate and effective way to gain a clear understanding and establish:

- The immediate and future need for improved and/or additional sporting/recreation facilities and associated conveniences (i.e. club/change rooms, car parking, spectator viewing) over the next 10 – 15 years in consultation with the Kununurra community.
- The opportunity for optimum usage of facilities on a shared/reciprocal basis in consideration of projected population growth and expected increase in sporting/recreational participation.
- The spatial capacity of the subject precincts, and location and function of facilities to achieve optimum usage taking account of existing and future facilities based on the findings of a needs analysis.

- Desired access, movement patterns and strategic parking nodes, both within and external, but adjacent to the respective study (precinct) areas.
- Prioritised actions, specified timelines, and list of possible funding sources for the realistic implementation of the recommendations.
- Through consultation with community and stakeholder groups, possible changes to the Ord River Sports Club to accommodate increased community benefit for future needs associated with the main sporting/recreation precinct 1.
- The benefits of a shared recreation/events precinct with capacity for overflow camping.
- The appropriateness and potential conflict of water based recreational activities on Lake Kununurra.
- Appropriate management structure that ensures equitable access, usage and proportional funding is provided to all associations and clubs on a sustainable basis.
- The constitution structure of each club or organisation to comfortably fit within the recommended management structure, and accordingly recommend amendments where required for consideration by individual organisations.
- Appropriate revenue streams, including fees and charges, and the level of responsibility for the maintenance and upkeep of facilities on an ongoing basis.

To effectively deliver on this project it is recommended, as detailed in the Project Brief, that one consultant be engaged to work under the guidance of two steering groups.

It is advocated that the first steering group consist of sporting organisation representatives associated with Precinct 1 (refer to Figure 1 in background section above) with the following 'make up':

- Cr Shire of Wyndham-East Kimberley (Chair)
- Cr Shire of Wyndham-East Kimberley
- Shire of Wyndham - East Kimberley (XMDS)
- Shire of Wyndham-East Kimberley (PO)
- Ord River Sports Club Representative
- Netball Association Representative
- Tennis Club Representative
- Basketball Association/Garnduwa Representative
- Football League Representative
- Junior Football Representative
- Softball Association Representative
- Tee Ball Representative
- Youth Centre Representative
- MG Corporation Representative
- Department Sport and Recreation Representative
- Leisure Centre Representative

The second steering group consists of representatives from sport and recreational organisations as well as events and tourism organisations that have an interest in the other recreational nodes – Precincts 2 - 5. Hence, it is suggested the 'make up' of this group consist of:

- Cr Shire of Wyndham-East Kimberley (Chair)

- Cr Shire of Wyndham-East Kimberley
- Shire of Wyndham - East Kimberley (XMDS)
- Shire of Wyndham-East Kimberley (PO)
- Agricultural Society Representative
- Golf Club Representative
- Polo-cross Club Representative
- Horse Racing Association Representative
- Football League Representative
- Rodeo Club Representative
- Kimberley Moon Events Co-ordinator
- Water Ski Club Representative
- Dragon Boat/Sailing Club Representative
- Visitor Centre Representative
- Landcorp Representative

Common in both groups is the Shire representatives consisting of two Councillors (one as chairperson) and two staff members. Each group will meet with the consultant a minimum of four (4) times at particular stages in the process, however may also choose to meet on an 'as needs' basis.

Once the Project Brief has been endorsed by Council, with or without modification, staff will proceed to secure the additional funding required and extend invitations to the respective steering group members to nominate representatives. A combined group forum will also be conducted to inform representatives of the approach being taken to achieve the core objectives and aims as outlined above.

ATTACHMENTS

- 1 Sport Precincts Master Plan Project Brief (draft)
- 2 CSRFF Grant Application

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council resolve to:

- 1 Endorse the Sport Precincts Master Plan Project Brief as presented as Attachment 1 to this report;
- 2 Implement the project in two phases based on the activities relevant to Steering Group One and Steering Group Two and that quotations be invited on that basis with Steering Group One activities to commence on engagement of the consultant and Steering Group Two activities to proceed only when adequate grant funds are secured;
- 3 Nominate Councillor (Chairperson) and Councillor for both steering groups and to participate in the selection process to engage a consultant;
- 4 Forward invitations to the respective sport and recreation organisations seeking representation on each of the steering groups;

- 5 Endorse the CSRFF small grant application as presented as Attachment 2 to this report, and forwarded to the Department of Sport and Recreation seeking approval of funding to \$25,000;
- 6 Source additional funding for this project from LandCorp (\$25,000) and the Kimberley Development Commission (\$15,000).

COUNCIL DECISION

Minute No. 8775

Moved:Cr J Parker

Seconded:Cr D Ausburn

That Council resolve to:

- 1 ***Endorse the Sport Precincts Master Plan Project Brief as presented as Attachment 1 to this report;***
- 2 ***Implement the project in two phases based on the activities relevant to Steering Group One and Steering Group Two and that quotations be invited on that basis with Steering Group One activities to commence on engagement of the consultant and Steering Group Two activities to proceed only when adequate grant funds are secured;***
- 3 ***Nominate Councillor J Moulden. (Chairperson) and Councillor K Wright for both steering groups and to participate in the selection process to engage a consultant;***
- 4 ***Forward invitations to the respective sport and recreation organisations seeking representation on each of the steering groups;***
- 5 ***Endorse the CSRFF small grant application as presented as Attachment 2 to this report, and forward to the Department of Sport and Recreation seeking approval of funding to \$25,000;***
- 6 ***Source additional funding for this project from LandCorp (\$25,000) and the Kimberley Development Commission (\$15,000).***

CARRIED UNANIMOUSLY: (8/0)

SHIRE OF WYNDHAM EAST KIMBERLEY



Kununurra Sports Precincts Master Plan

Draft Project Brief

August 2009

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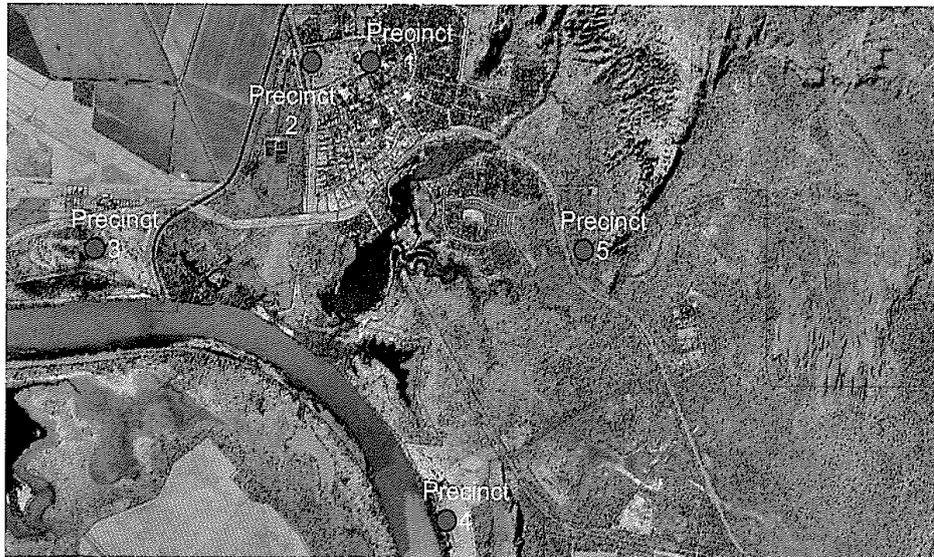
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1.0 INTRODUCTION

The Shire of Wyndham East Kimberley is currently experiencing a period of significant growth on the back of the Ord Expansion (\$220M) and East Kimberley Investment package (\$195M), increased local tourism and the East Kimberley becoming a desirable place to live and work.

In response the Wyndham East Kimberley Shire Council, in recognising the need to cater for a growing and diverse community, proposes to formulate a Master Plan to guide the future management, development and use of the existing Kununurra Sports and Recreation Precincts.

Figure 1 below provides a broad understanding of the location of the respective precinct areas in the context of the main town centre.



1.1 BACKGROUND

The following provides an overview of the respective Sports and Recreational Precincts and an understanding of their surrounding land-use:

PRECINCT 1 – MAIN SPORTS PRECINCT (PHASE 1)

Brief Description

By way of background the main Sports Precinct consists of Lots 503, 2313, and 1186 – refer to figure 2.

Lot 503

Lot 503, being the largest land parcel, is a Crown reserve vested to the Shire Council through a Management Order dating back to the early development of the Kununurra town site. This reserve accommodates the main Kununurra sport oval used for a range of sports including, but not limited to, football, cricket and softball.

Also located on this reserve are purpose built change rooms, a newly constructed youth centre and offices, and a range of multi-purpose hard courts used for tennis, netball and basketball.

Vehicle access is currently provided through this reserve via an internal road, being 'Rod Hodnett Drive'. Parking is relatively informal located around the periphery of the main sporting facilities.

Lot 2313

Lot 2313 is also a Crown reserve vested to the Shire Council through a Management Order dating back to the early development of the Kununurra town site. The Management Order gives Council the power to lease the Reserve for any term not exceeding 21 years. A lease between the Council and the Ord River Sports Club (Inc) was established 5 September 1973. In 1989 a new lease was signed between the Shire and Ord River Sports Club for a further period of 21 years. This lease effectively expired on 28 April 2009 and a new 2 year lease was granted by the Shire up until 26 April 2011 on the express conditions that:

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

Lot 2313 presently consists of the Ord River Sports Club building encompassing a meeting room, function room, licenced bar and TAB, commercial kitchen and dining room, and an outdoor licenced area. This Lot also contains a sealed car parking area, bowling greens, an open "indoor" cricket facility, and cricket nets for training.

Lot 1186

Lot 1186 is a narrow reserve formed in two parts with the first aligned along the eastern boundary and the second along the southern boundary of Lot 503. These sections presently house a number of under ground services.

Surrounding Land Use

In a clockwise direction the land to the north of the Sports Precinct is the Kununurra District High School. To the north-east is residential development and to the east is the Shire Leisure Centre. In the south east corner is the Kununurra Country Club Resort, and south is the Kununurra Picture Gardens (outdoor cinema). To the west and opposite the existing Ord River Sports Club building is a proposed development for residential housing and mixed use/ commercial development by end of 2010. A Childcare Centre is located to the north-west of the study area and has been in operation for 18 months.



Figure 2 - Main Sporting Precincts

PRECINCT 2 – AGRICULTURAL AND POLO-CROSS GROUNDS (PHASE 2)

Brief Description

Reserve 29790

The Kununurra Agricultural and polo-cross grounds are located on Reserve 29790, which falls under a management order vested in the Shire and leased to the Kununurra Agricultural Society. The Reserve is used as the second football oval, being the home to the Magpies Football Club with associated club rooms, and an overflow caravan park licenced for 40 bays that caters for travellers with 'big rigs' and pets – refer to Figure 3.

Surrounding Land Use

In a clockwise direction the land to the north of the Sports Precinct is the Ivanhoe Caravan Park, the land to the east has been identified and is currently being rezoned and developed for residential purposes, the land to the south forms part of the hospital site and the land to the west is vacant Crown land (Reserve 27244) that accommodates the Department of Conservation Offices and Depot.



Figure 3 - Agricultural and Polocross Grounds

PRECINCT 3 – GOLF COURSE AND WATER SKI CLUB SITE (PHASE 2)

Brief Description

Reserve 29167

The golf course and associated club facilities is located on Reserve 29167 that is 5.96 hectares in area. The golf course consists of nine holes with sand greens. The club building is located in the far south east corner of the Reserve with access taken from a sealed service road that crosses the M1 irrigation channel. This Reserve

vested to the Shire under a management order and then leased to the Golf Club to be used in accordance with the designated purpose.

Reserve 41812

The stage for the annual Kimberley Moon concert is located adjacent to the southern edge of the first fairway and northern bank of Lake Kununurra on Reserve 41812.

Reserve 29297

To the west on a different parcel of land, Reserve 29297, is the Kununurra Water Ski Club site consisting of ablutions and fixed shade structure. The Water Ski Club also utilises part of Foreshore Reserve 41812 with lawn area to the waters edge.

Surrounding Land Use

The land that surrounds this recreational precinct includes crown reserve land vested with the Water Corporation to the north and east, and respectively falls within protection areas for the waste water treatment plant and drinking water bore fields. The M1 irrigation channel is also aligned along the eastern boundary subject area. To the south is Lake Kununurra and west is Reserve land with the foreshore established for public use and in part being leased and developed for commercial marine purposes.

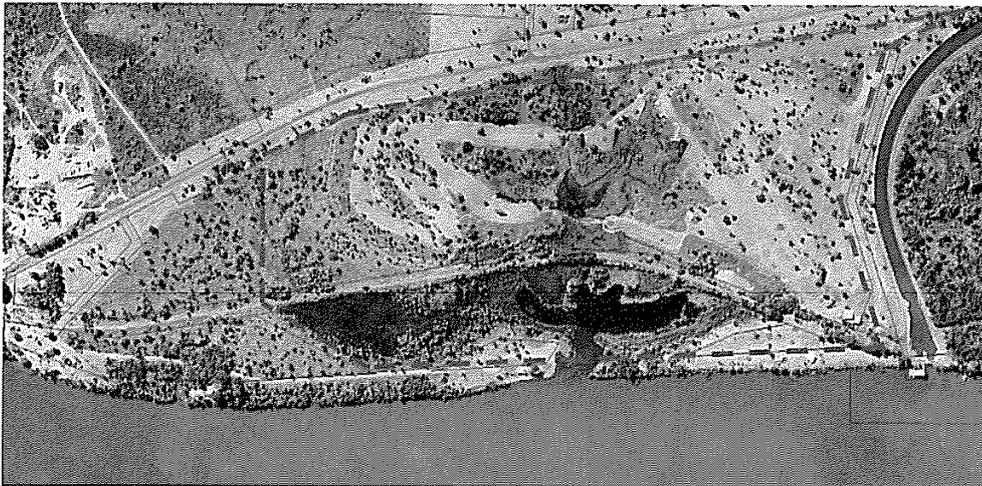


Figure 4 - Kununurra Golf Course and Water Ski Club

PRECINCT 4 – HORSE RACING AND RODEO CLUBS (PHASE 2)

Brief Description

Reserve 30290

The Kununurra Horse Racing and Rodeo Clubs are located on Reserve 30290 where the facilities include a racing track, rodeo arena and associated yards, pens and stables. An ablution facility, bar, food servery and betting facility, and shaded viewing structure are also located on site in a clustered form.

Surrounding Land Use

This Reserve is bordered by Lake Kununurra to the South, and vacant Crown land to the north, east and west.



Figure 5 - Kununurra Race Course and Rodeo Grounds

PRECINCT 5 – NEW YOUTH HOSTEL AND FOOTBALL OVAL (PHASE 2)

Brief Description

Lot 302

This site, owned by Aboriginal Hostels Australia, is currently being developed to include a new 40 bed youth hostel and a full size floodlit football oval as a co-use facility with the Shire. This facility is also to include change rooms and is expected to be completed by the end of 2010.

Surrounding Land Use

The surrounding land to this site is vacant Crown land.

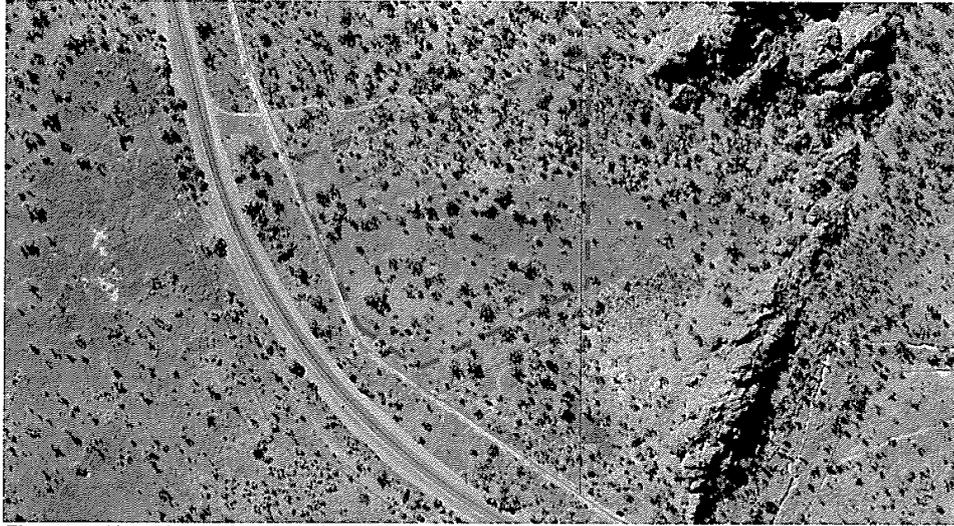


Figure 6 - New Youth Hostel and Full Size Football Oval

In preparing the Master Plan the Council is seeking to engage with relevant sporting/recreation bodies and key stakeholders to ensure a collaborative approach is achieved in the broad interests of the Kununurra sports and recreation community moving forward.

1.2 PURPOSE

The purpose of this brief is to invite submissions from suitably qualified and experienced consultants to undertake the preparation of a Sport Precincts Master Plan based on two separate approaches under the direction of separate Project Steering Groups.

To achieve the required level of detail funding for this study is set at \$98,000 (excluding GST).

2.0 PROJECT DESCRIPTION

2.1 PROJECT AIM

The aim of the Kununurra Sports Precincts Master Plan is to establish clear direction for the future planning, development and management of the Kununurra Sporting facilities contained within the defined precinct areas in two phases.

2.2 KEY CONSIDERATIONS

Kununurra is now at a point in its development where there is a need to consider its future as a regional centre on the back of projected population growth and adequacy of facilities to cater for the needs of the broader community.

Hence the Kununurra Sports Precincts Master Plan is to explore and seek clarification and resolution on a number of key issues, being:

2.2.1 FACILITIES AND USAGE

- Review and analyse the immediate and future need for improved and/or additional sporting/recreation facilities and associated conveniences (ie club/change rooms, car parking, spectator viewing) over the next 10 years in consultation of Kununurra community.
- Evaluate the opportunity for optimum usage of facilities on a shared/reciprocal basis in consideration of projected population growth and expected increase in sporting/recreational participation.
- Assess spatial capacity of the subject precincts, and location and function of facilities to achieve optimum usage taking account of existing and future facilities based on the findings of the needs analysis.
- Determine desired access, movement patterns and strategic parking nodes, both within and external, but adjacent to the respective study areas.
- Detail prioritised actions, specified timelines, and list of possible funding sources for realistic implementation of the recommendations.
- Design in consultation with community and stakeholder groups with possible changes to the Ord River Sports Club to accommodate increased community benefit for future needs associated with the main sporting/recreation precinct 1.
- Evaluate the benefits of a shared recreation/events precinct with capacity for overflow camping.
- Analyse the appropriateness and potential conflict of water based recreational activities on Lake Kununurra.

2.2.2 MANAGEMENT STRUCTURE

- Investigate and recommend an appropriate management structure that ensures equitable access, usage and proportional funding is provided to all associations and clubs on a sustainable basis. Financial Statements from Clubs is only to be used for this purpose.
- Assess and evaluate the constitution structure of each club or organisation to comfortably fit within the recommended management structure, and accordingly recommend amendments where required.
- Review and recommend appropriate revenue streams, including fees and charges, and level of responsibility for the maintenance and upkeep of facilities on an ongoing basis.

2.2.3 IMPLEMENTATION OF OUTCOMES

- Identify procedures, processes and mechanisms etc required to deliver/implement recommended outcomes.

3.0 METHODOLOGY & OUTPUTS

The following outlines a suggested methodology for the undertaking of the project. Please note that quotes will need to include a more detailed methodology, including details and justification of any deviations from the suggested methodology. The methodology needs to be mindful of a two phase process inline with the two Steering Groups detailed in Section 4.2 of this Brief.

3.1 LITERATURE REVIEW

Undertake a comprehensive review of relevant literature, with the range of literature under review to be determined in consultation with the respective Project Steering Groups. The following is a preliminary list of relevant literature:

- Shire of Wyndham East Kimberley TPS No 7
- Kununurra Town Centre Enquiry By Design Outcomes
- All Association/Club Leases and Financial Statements (where applicable)
- All Association/Club Constitutions
- Schedule of relevant (SWEK) Sporting Fees and Charges
- Other Local Government Management Models for Sporting Facilities
- Department of Sport and Recreation Facilities Resources
- *Caravan Park and Camping Ground Act 1995*
- *Caravan Park and Camping Ground Regulations 1997*
- *Land Administration Act, 1997*

3.2 SITE INVESTIGATION

A Site investigation will be required to gain an understanding of sports precincts and in particular the specific sports facilities and buildings situated within each area.

3.3 'ONE ON ONE' CONSULTATION

The aim of the 'one on one' consultation is to brief key stakeholders on the tasks to be performed and gather information as part of the needs analysis and review of management structure pursuant for Section 2 of this brief.

3.4 OUTCOMES REPORT

Prepare an outcomes report for each phase describing the results of the literature review, site investigation and 'one on one' consultation together with identification of opportunities and constraints. Information shall be presented as clearly and succinctly as possible. The outcomes reports shall be provided in preliminary form for review and comment of each of the respective Project Steering Groups as follows:

- 15 bound copies at A4 size (mapping may be at A3 size)
- 1 additional unbound copy
- Text in XP 2003 Office compatible format and graphics in Adobe compatible format.

3.5 DRAFT MASTER PLAN

Preparation of a draft Kununurra Sporting Precincts Master Plan that incorporates the results of the outcomes reports (as endorsed by the respective Project Steering Groups), including an executive summary.

The draft Master Plan is also to include recommendations of the key considerations outlined in Section 2 to this report.

Again, information shall be presented clearly and succinctly, and where possible, information should be presented in graphical form.

15 copies (bound) at A4 size of the draft Master Plan shall be provided in preliminary form for review by the respective Project Steering Groups. The consultant shall undertake any modifications requested by each Steering Groups prior to a further 25 bound copies (plus 1 unbound and 1 digital copy) of the draft Master Plan being presented to the Shire Council for approval to advertise.

Upon endorsement by the Shire Council the consultant shall then proceed to:

- (a) publicise the draft Master Plan for a period no less than 30 days seeking public comment, which shall include notification of the comment period in two (2) consecutive editions of a local newspaper, Shire website and one (1) public forum.
- (b) be on hand at the public forum to provide an overview of the Master Plan and address questions offered by the public.

3.6 FINAL MASTER PLAN

Following advertising of the draft Master Plan and in light of comments received and subsequently scheduled for and accepted by the Steering Groups, the consultant shall prepare a 'final' Kununurra Sports Precincts Master Plan.

12 copies of the final Kununurra Sports Precincts Master Plan shall be provided in preliminary form for review and comment by the respective Steering Groups. The consultant shall undertake any modifications requested by each of the Steering Groups and provide a further 15 (bound) copies of the modified document for Council approval. The consultant shall undertake any modifications requested by the Council.

Once formally adopted by the Shire Council, copies of the final document shall be provided as follows:

- 25 bound copies at A4 size (mapping may be at A3 size and should generally be coloured);
- 1 additional unbound copy; and
- Text in XP Office 2003 format compatible and graphics in Adobe compatible format.

4.0 ADMINISTRATION

4.1 PROJECT/CONTRACT MANAGEMENT

The Shire of Wyndham - East Kimberley Executive Manager Development Services and Club Development Officer will undertake day-to-day project/contract management.

Furthermore:

- (i) It is anticipated that there will be an initial inception meeting, which will occur within 21 days of the quote being accepted by the Council – refer to 4.1 (iii) a) below;

- (ii) The consultant/s will provide the Executive Manager Development Services with a report framework within 21 days of the inception meeting.
- (iii) The successful consultants will make themselves available to meet with each of the Steering Groups as follows;
 - a) Via telephone link for the inception meeting to verify the aim of the project and clarify any matters of uncertainty;
 - b) In person prior to the site inspection and 'one on one' consultations;
 - c) In person for presentation of the outcomes report;
 - d) Via telephone link for presentation of the draft Master Plan document;
 - e) In person for public forum during advertising period;
 - f) In person to present and discuss the submissions received from advertising and modification to the Master Plan.
 - g) Via telephone link for review of the final document prior to presentation to the Shire Council.

4.2 PROJECT STEERING GROUPS

Two Project Steering Groups, under the auspice of the Shire of Wyndham East Kimberley, will be established to support and assist the consultant, especially in addressing the issues listed in Section 2.0 of this brief and achieve the stated objectives for the project.

The first Steering Group will be responsible for guiding Phase 1 (Precinct 1) of the project and the second Steering Group (Precinct 2-5) will guide Phase 2.

The first Steering Group is made up of the following representatives with a sole focus on the area shown in Figure 1 of this report:

- Cr Shire of Wyndham-East Kimberley (Chair)
- Cr Shire of Wyndham-East Kimberley
- Shire of Wyndham - East Kimberley (XMDS)
- Shire of Wyndham-East Kimberley (PO)
- Ord River Sports Club Representative
- Netball Association Representative
- Tennis Club Representative
- Basketball Association/Garnduwa Representative
- Football League Representative
- Junior Football Representative
- Softball Association Representative
- Tee Ball Representative
- Youth Centre
- MG Corporation Representative
- Department of Sport and Recreation Representative
- Leisure Centre Representative

The second Steering Group is made up of the following representatives with a focus on the areas in Figures 2, 3 and 4 of this brief:

- Cr Shire of Wyndham-East Kimberley (Chair)
- Cr Shire of Wyndham-East Kimberley
- Shire of Wyndham - East Kimberley (XMDS)
- Shire of Wyndham-East Kimberley (PO)
- Agricultural Society Representative
- Golf Club Representative
- Polo-cross Club Representative
- Horse Racing Association Representative
- Football League Representative
- Rodeo Club Representative
- Kimberley Moon Events Co-ordinator
- Water Ski Club Representative
- Dragon Boat/Sailing Club Representative
- Visitor Centre Representative
- Landcorp Representative

The consultant will be required to conform with direction set by each Steering Group, although the day to day project management and liaison will be directed through the Executive Manager Development Services and/or Club Development Officer.

4.3 TIMEFRAME

It is envisaged that the Master Plan will be finalised by 30th June 2010, however, submissions that provide for the completion of the project in a shorter time period are encouraged.

The project is to be undertaken in accordance with a phased approach as detailed in Section 3.0 and 4.2 of this document and the Council resolution from the 18th August 2009 Council Meeting.

The contract shall be in force for the period of the project or as negotiated between the CEO and consultant prior to the contract being awarded. However, in the event of the consultant failing in any manner to carry out the contract to the CEO's satisfaction, the CEO may forthwith terminate the contract by written notice to the consultant.

4.4 INTELLECTUAL PROPERTY RIGHTS

Intellectual property rights to all original material, plans or documents produced as a result of this project shall rest with the Shire of Wyndham East Kimberley.

4.5 PROFESSIONAL INDEMNITY INSURANCE

The appointed consultants will be required to demonstrate Professional Indemnity Insurance to a minimum value of \$5,000,000.

4.6 OCCUPATIONAL HEALTH AND SAFETY

For the purposes of the Occupational Health and Safety Act the appointed consultants and their employees are servants of the Shire of Wyndham East

Kimberley. Whilst engaged in this project they are required to comply with all relevant policies and directions of the Council in terms of health and safety.

4.7 CONFLICT OF INTEREST

In accordance with the principles of accountability in Local Government perceived or actual conflicts of interest are to be avoided. It is the responsibility of the consultant(s) to advise Council of any such potential conflicts of interest. In addition, the appointed consultant(s) may undertake no other work within the Shire of Wyndham East Kimberley during the term of the project, without the prior written approval of Council.

4.8 PRICE VARIATION

Prices are to be fixed and inclusive of GST for the period of the Contract.

4.9 PAYMENT SCHEDULE

The following payment schedule shall apply in respect to and consistent with the two separate phases unless otherwise negotiated between the consultant and the CEO:

1. The sum of 20% of the contracted price shall be paid upon receipt of invoice at commencement following acceptance of the report framework;
2. The sum of 30% of the contracted price shall be paid on receipt of invoice following submission and acceptance of the draft Master Plan report and any modifications required thereto;
3. A sum of 35% of the contracted price shall be paid on receipt of invoice after the final Master Plan report has been submitted and accepted by the Working Group and any modifications required thereto.
4. The final 15% shall be payable upon receipt of an invoice and only after the Master Plan has been submitted for final consideration and endorsement by the Shire Council.

5.0 SUBMISSION DETAILS

Quotes must provide the following details as supporting information

Skills and Expertise

Consultant(s) must provide information relevant to the skills and expertise of key personnel who will be involved with this project.

The following information should be provided for each key personnel:

- (a) Qualifications;
- (b) Professional or business associations;

- (c) Length of service at the organisation;
- (d) Industry experience – with a particular emphasis on projects of a similar nature. A detailed description should be provided of the scope of the project and the person's role and involvement and any additional relevant information of proposed personnel to be allocated to this project.

Understanding of the Task

Consultant(s) must demonstrate an appreciation of the requirements of this project and provide an outline of the proposed methodology and approach commensurate with Section 3.0 of this brief. The methodology will then be assessed in terms of its appropriateness and its ability to achieve the project objectives.

Consultants shall provide a project timeline, which demonstrates their ability to meet the dates stipulated within the project brief.

Demonstrated Experience in Completing Similar Projects

Consultant(s) must provide a detailed description of similar work undertaken by the organisation for other clients. As a minimum the following information should be provided:

- (a) A detailed description of the scope of work undertaken;
- (b) Similarities between those projects and the project requirements of this quotation;
- (c) When the work was undertaken; and
- (d) The project outcomes.

Budget

The maximum budget for the engagement of a consultant is \$40,000 Phase 1 and \$40,000 Phase 2, excluding GST. The consultant/s shall provide a submission that includes a fixed quote to cover all costs associated with completing the requirements as outlined in this brief, including travel expenses, accommodation and disbursements.

Attachment 2



Government of Western Australia
Department of Sport and Recreation

Office Use Only
TRIM: _____
Grant No: _____
Project Coordinator: _____

CSRFF Small Grants Application Form

Year of claim – all projects to be acquitted by 15 June 2010

You **MUST** discuss your project with an officer from your nearest Department of Sport and Recreation office before completing and submitting your application. Failure to do so may render your project ineligible.

DSR Contact: **Dean Holder** Date: **29/6/09** Office: **Kununurra**

Applicant's Details:

Organisation Name: **Shire of Wyndham East Kimberley**

Postal Address: **P.O. Box 614**

Suburb: **Kununurra** State: **WA** Postcode: **6743**

Street Address: **115 Coolibah Dve**

Suburb: **Kununurra** State: **WA** Postcode: **6743**

Preferred Contact Person:

All application correspondence will be directed to this person

Name: **Ben Flynn** Title: Dr Mr Mrs Ms

Position Held: **Club Development Officer**

Business Phone: **9168 4100** Facsimile:

Mobile Phone: **0439 692 877** Email: cdo@thelastfrontier.com.au

Organisation Business Details:

Does your organisation have an ABN? Yes No ABN: 35 647 145 756

Is your organisation registered for GST? Yes No

Is your organisation not-for-profit? Yes No

Is your organisation incorporated? Yes No Incorporation #: * * Please attach a copy of the Incorporation Certificate.

Bank details Bank: BSB: A/c:

Local government authority details:

Name: **Ian D’Arcy** Title: Dr Mr Mrs Ms

Position Held: **Executive Manager Development Services**

Business Phone: **91684100** Facsimile: **91681798**

Mobile Phone: **0407 177 527** Email: **xmtped@thelastfrontier.com.au**

PROJECT DETAILS

Project Description:

The Kununurra Sports Precincts Master Plan aims to establish clear direction for the future planning, development and management of the Kununurra Sporting and Recreation facilities contained within the defined precinct area.

Refer to the project brief attached

How did you establish a need for your project?

Kununurra is now at a point in its development where there is a need consider its future as a regional centre on the back of projected population growth and adequacy of facilities to cater for the needs of the broader community.

Hence the Kununurra Sports Precinct Master Plan is to explore and seek clarification and resolution on three key issues, being:

Facilities and Usage

Review and analyse the immediate and future need for improved and/or additional sporting facilities and associated conveniences (i.e. club/change rooms, car parking, spectator viewing) over the next 10 years in consultation of Kununurra community.

Evaluate the opportunity for optimum usage of facilities on a shared/reciprocal basis in consideration of projected population growth and expected increase in sporting/recreational participation.

Assess spatial capacity of the precinct, and location and function of facilities to achieve optimum usage taking account of existing and future facilities based on the findings of the needs analysis.

Determine desired access and movement patterns and strategic parking nodes, both within and external, but adjacent to the study area.

Detail prioritised actions, specified timelines, and list of possible funding sources.

Management Structure

Investigate and recommend an appropriate management structure that ensures equitable access, usage and proportional funding is provided to all associations and clubs on a sustainable basis.

Assess and evaluate the constitution structure of each club or organisation to comfortably fit within the recommended management structure, and accordingly recommend amendments where required.

Review and recommend appropriate revenue streams, including fees and charges, and level of responsibility for the maintenance and upkeep of facilities on an ongoing basis.

Implementation of Outcomes

Identify procedures, processes and mechanisms etc required to deliver/implement recommended outcomes.

Project location: **Kununurra Sporting/Recreation Precincts - Refer to the project brief attached**

Land ownership: Who owns the land on which your facility will be located? **All of the subject land parcels fall under the management of the Shire although some are leased to specific clubs.**

Lease Expiry: n/a

Planning approvals Where applicable, has planning permission been granted? Yes No
 Have other approvals been granted, ie building Heritage, Indigenous and Environmental? Yes No

How will your project increase physical activity?

One aim of the Master Planning exercise is to bring together the relevant sporting and community groups to form a management board whereby they can pool resources and knowledge and work together for the betterment of all groups. Now clubs which require assistance shall receive further support from the management board so they may progress their activity. Also community organised programs and partnerships with Youth Services agencies and the District High School can be run to increase activity for the young people and increase usage of the recreation precinct.

Do you share your facility with other groups? Yes No

If so, who: **Ord River Sports Club, Tennis Club, Netball Association, Demons and Crows FC's, Softball and Tee ball Association, Cricket and Indoor Cricket Clubs, Agricultural Society, Polo-cross Club, Horse Racing Association, Rodeo Club, Water Ski Club Golf Club. Dragon Boat Club.**

List the main sport and recreation activities (maximum of 3) which will benefit from your proposal. Please indicate the approximate % usage of the facility.

Sport/community organisation	% use of the facility	Hours per week
------------------------------	-----------------------	----------------

Activity/sport membership numbers over the past three years relevant to your project. For example, if a bowls project, golf members not relevant; social membership numbers not applicable.

2008/09

2007/08

2006/07

What is the name of the State Sporting Association for your activity/sport?

Have you discussed your project with your State Sporting Association? Yes No

Contact Name:

Date of contact:

FUNDING

Please indicate in the table below how your project will be funded. In the total project cost, you must make an allowance for cost increases over the period of the project as additional funding is not available to meet that cost once the project has been approved. Local government authorities are not required to contribute to a project for it to be considered eligible.

\$	Cost Ex-GST	GST (if applicable)	Cost GST	Inc	Funding Confirmed*?	Notes
Local government contribution	1,000				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	*LGA cash and in-kind contribution (if applicable)
Applicant cash	40,000				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Organisation's cash
Voluntary labour	2,000	N/A			Yes <input type="checkbox"/> No <input type="checkbox"/>	Cannot exceed the sum of applicant cash and LGA contribution. Max \$50,000. No GST is applicable.
Donated materials		N/A			Yes <input type="checkbox"/> No <input type="checkbox"/>	No limit but cannot exceed the sum of applicant cash and LGA contribution. No GST is applicable.
Other state or federal funding	15,000				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	e.g. Lotterywest, Development Commissions, Area Consultative Committee (Comm.) etc. (*see below)
Other	25,000				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Eg. Loans, Sponsorship (* see below)
Standard CSRFF Grant requested	25,000					Cannot exceed 1/3 of the Total Project Cost <u>exclusive</u> of GST. Refer to Guidelines.
Development Bonus requested						Can take DSR's contribution up to 50% of the total project cost. See Section 3.
TOTAL PROJECT COST	108,000					THIS SHOULD BE THE CURRENT ESTIMATED COST OF THE PROJECT PLUS EXPECTED COST ESCALATION

* Written evidence of other confirmed funding sources must be provided, i.e. donations, government grants. If funding is from a local government authority, copy of relevant council minutes required.

Other sources of funding: **Shire of Wyndham East Kimberley, Landcorp, Kimberley Development Commission**

If a development bonus is applied for and not approved, will the project still proceed and how will the resultant shortfall be funded?

Written quotations

At least two (2) written quotes are required. Quotes will not be sought until majority of funding has been secured.

Category	Details
Geographical location	<input type="checkbox"/> Regional/Remote location <input type="checkbox"/> Growth Local Government
Co-location	<input type="checkbox"/> New <input type="checkbox"/> Existing
Sustainability initiative	<input type="checkbox"/> Water saving <input type="checkbox"/> Energy reduction <input type="checkbox"/> Other
Increased participation	<input type="checkbox"/> New participants <input type="checkbox"/> Existing participants – higher level <input type="checkbox"/> Special interest <input type="checkbox"/> Other

PRIVACY STATEMENT AND STATEMENT OF DISCLOSURE

The Organisation acknowledges and agrees that this Application and information regarding it is subject to the *Freedom of Information Act 1992* and that the Grantor may publicly disclose information in relation to this Application, including its terms and the details of the Organisation.

Any information provided by you to DSR can be accessed by you during standard office hours and updated by writing to DSR or calling (08) 9492 9700. All information provided on this form and gathered throughout the assessment process will be stored on a database that will only be accessed by authorised departmental personnel and is subject to privacy restrictions.

DSR may wish to provide certain information to the media for promotional purposes. The information will only include the applicant's club name, sport, location, grant purpose and grant amount.

APPLICANT'S CERTIFICATION

I certify that the information supplied is to the best of my knowledge, true and correct.

Name Alex Douglas

Position Held Acting Chief Executive Officer

Signature _____

Date _____

CHECKLIST

The following documentation **must** be included with your application. Applicants may wish to supply additional relevant information.

- Application form
- Incorporation Certificate.
- Two written quotes.
- If your project involves the upgrade of an existing facility, include photograph/s of this facility.

- Locality map, site map and building plans (in relevant constructions projects), including where the proposed facility is located in relation to other sport and recreation infrastructure.
- Income and expenditure statements for the current and next financial years. (LGAs exempted).
- Written confirmation of financial commitments from other sources including copies of council minutes.
- For resurfacing projects, a written guarantee from the supplier of the product that clearly identifies the product's life expectancy.

Your application will be considered not eligible, if:

- You have not discussed your project with the Department of Sport and Recreation and your State Sporting Association.
- You do not meet the eligibility criteria for the grant category to which you are applying.
- You have not included with your application all the relevant required supporting documentation. There is no onus on Department staff to pursue missing documentation.
- Applicants/projects that have received a CSRFF grant in the past and have not satisfactorily acquitted that grant. In some cases this may apply to localities where other significant projects have not been progressed or have not completed a previous project in accordance with the conditions of the grant provided. An assessment will be made in November and if no physical progress has occurred, new applications may not be recommended.
- It is not on the correct application form.

12.4.3 AMENDMENT 30 TPS NO 7 KUNUNURRA AND ENVIRONS (8776)

DATE:	18 August 2009
PROPONENT:	Shire of Wyndham East Kimberley, RPS Koltasz Smith
LOCATION:	Part Lot 2466 Water Lily Place, Kununurra
AUTHOR:	RPS Koltasz Smith Planning Consultants / Ian D'Arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	43.31.30
ASSESSMENT NO:	N/A

PURPOSE

The expressed purpose for this report is for Council to initiate an amendment to rezone the identified land, within the TPS No. 7 Scheme Area, from "Special Foreshore" to the "Residential R30" zone under the Shire of Wyndham-East Kimberley TPS No. 7.

BACKGROUND

RPS Koltasz Smith Town Planning and Urban Design Consultants, acting on behalf of the Shire of Wyndham East Kimberley, have submitted a Scheme Amendment request for Part Lot 2466 Water Lily Place, Kununurra.

The Scheme Amendment was prepared following Council's successful efforts to seek acquisition of a portion of the existing Lily Creek foreshore reserve and a subsequent resolution at the 21 April 2009 Council Meeting to accept an offer to purchase the site from the State Government.

A Deposited Plan (DP 63347) has been prepared creating the Lot 501 and is currently In Order for Dealings with the State Titles Office.

Location

The subject site is located within the Lakeside suburb of Kununurra in the Shire of Wyndham East Kimberley. The site is bound by Water Lily Place to the east, Casuarina Way to the south and abuts the Lily Creek foreshore area to the immediate north and west.

Land Tenure

Part Lot 2466 currently forms part of the Lily Creek foreshore area and currently remains in the ownership of the State Government, however Council at its 21 April 2009 Meeting resolved to accept an offer to purchase the site (proposed Lot 501) for \$50,000. The land purchase transaction is currently being processed and should be finalised at the end of August.

Envisaged Development

The Scheme Amendment is intended to allow for the creation of a grouped housing site, with development to consist primarily of between 12 -15 3 x 2

dwelling units under the proposed R30 residential density. Whilst the ultimate form of development has not yet been finalised, a request for tender for the construction of the dwellings has been prepared in anticipation on the finalisation of this Amendment with the results of the tender process expected to be submitted to the Council at the 15 September 2009 Meeting.

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 *Planning Regulations, 1967*.

Should Council initiate the proposed Scheme Amendment, the amendment and supporting documentation will be submitted to the EPA for assessment. When the EPA releases the amendment for advertising, the amendment is then advertised in accordance with the *Town Planning Regulations 1967* and the *Planning and Development Act 2005*. At the completion of advertising, Council has an opportunity to review submissions prior to forwarding the amendment to the WAPC. Ultimately the WAPC will recommend to the Minister whether the amendment should be approved or not.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No lodgement fee is applicable given that the amendment is being lodged on behalf of Council. However, the Council will incur a cost associated with:

1. Advertising of the amendment of around \$600 that includes publication in the local newspaper and erection of a sign on site;
2. Preparation of the scheme amendment documentation and processes in the order of \$8,000 which will be covered by the Royalties for regions funding.

STRATEGIC IMPLICATIONS

The amendment facilitates the ultimate provision of additional housing given the ongoing demand for diversity in housing options as considered in great detail by the Local Planning Strategy. A higher density of development within the established residential areas is encouraged as there is an opportunity for the extension of existing service infrastructure. This reflects the objectives of the WAPC's Liveable Neighbourhoods document.

COMMUNITY CONSULTATION

In the lead up to reticulation works for the adjoining foreshore reserve, billboard signage was used to forewarn of the proposed use of the land for residential housing purposes. The signage has been in place since September 2008 and no comments have been received to date.

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 occurs for 42 days, and will require signage, newspaper advertisements and/or correspondence to all affected parties and adjoining owners.

COMMENT

The SWEK Local Planning Strategy (LSP) acknowledges the ongoing shortage of housing within Kununurra, as well as the lack of diversity in housing options. It is on this basis that the proposed zoning is seen as appropriate in facilitating the development of a number of dwelling units.

The proposed amendment is intended to facilitate the development of the site as previously supported by Council at the Council Meeting on 21 April 2009 and will allow for the development of housing.

ATTACHMENTS

1. Location Plan
2. Aerial Photograph
3. Existing Zoning Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to Section 75 of the Planning and Development Act 2005 (as amended), amend the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 (Kununurra and Environs) by:
 - a. Rezoning the identified land, within the TPS No. 7 Scheme Area, to the "Residential R30" zone under the Shire of Wyndham-East Kimberley TPS No. 7;
 - b. Amending the Scheme Maps accordingly.
2. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation;
3. Request the consultant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority for the level of assessment for the amendment be set pursuant to Section 48A of the Environment Protection Act 1986 [as amended]; and
4. Upon receipt of the level of assessment from the Environmental Protection Authority, proceed to advertise the amendment for a period of 42 days through the placement of an advertisement in the Kimberley Echo, erection of a notice in the Shire Offices, modification of the sign on-site and the posting of notices to affected parties.

COUNCIL DECISION

Minute No. 8776

Moved:Cr R Addis

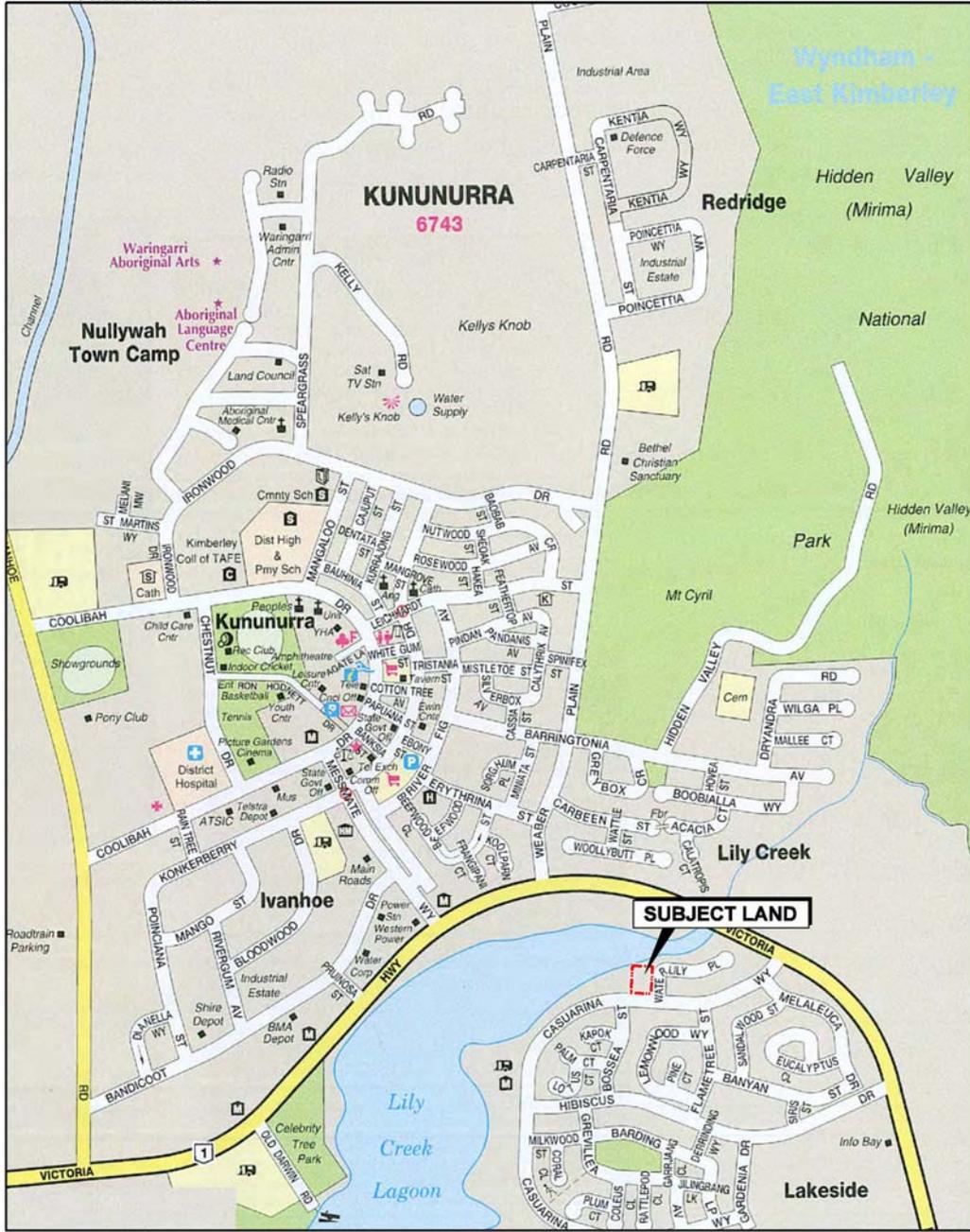
Seconded:Cr K Wright

That Council:

- 1. Pursuant to Section 75 of the Planning and Development Act 2005 (as amended), amend the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 (Kununurra and Environs) by:
 - a. Rezoning the identified land, within the TPS No. 7 Scheme Area, to the 'Residential R30' zone under the Shire of Wyndham-East Kimberley TPS No. 7;**
 - b. Amending the Scheme Maps accordingly.****
- 2. Authorise the Shire President and the Acting Chief Executive Officer to execute the relevant documentation;**
- 3. Request the consultant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority for the level of assessment for the amendment be set pursuant to Section 48A of the Environment Protection Act 1986 [as amended]; and**
- 4. Upon receipt of the level of assessment from the Environmental Protection Authority, proceed to advertise the amendment for a period of 42 days through the placement of an advertisement in the Kimberley Echo, erection of a notice in the Shire Offices, modification of the sign on-site and the posting of notices to affected parties.**

CARRIED UNANIMOUSLY: (8/0)

Attachment 1

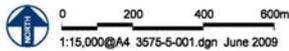


Source: URD Country Road Atlas 12th edition

FIGURE 1

LOCATION PLAN

Part Lot 2466 Casuarina Way,
KUNUNURRA



1:15,000@A4 3575-5-001.dgn June 2009

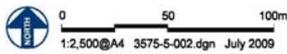
RPS koltasz smith
TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN DEVELOPMENT CONSULTING
141 Burwood Road BURSWOOD WA 6100 Tel. (08) 9486 2222 Fax. (08) 9486 2233
PO Box 127 BURSWOOD WA 6100 Email:perth@kasp.com.au



Source: Landgate

FIGURE 2

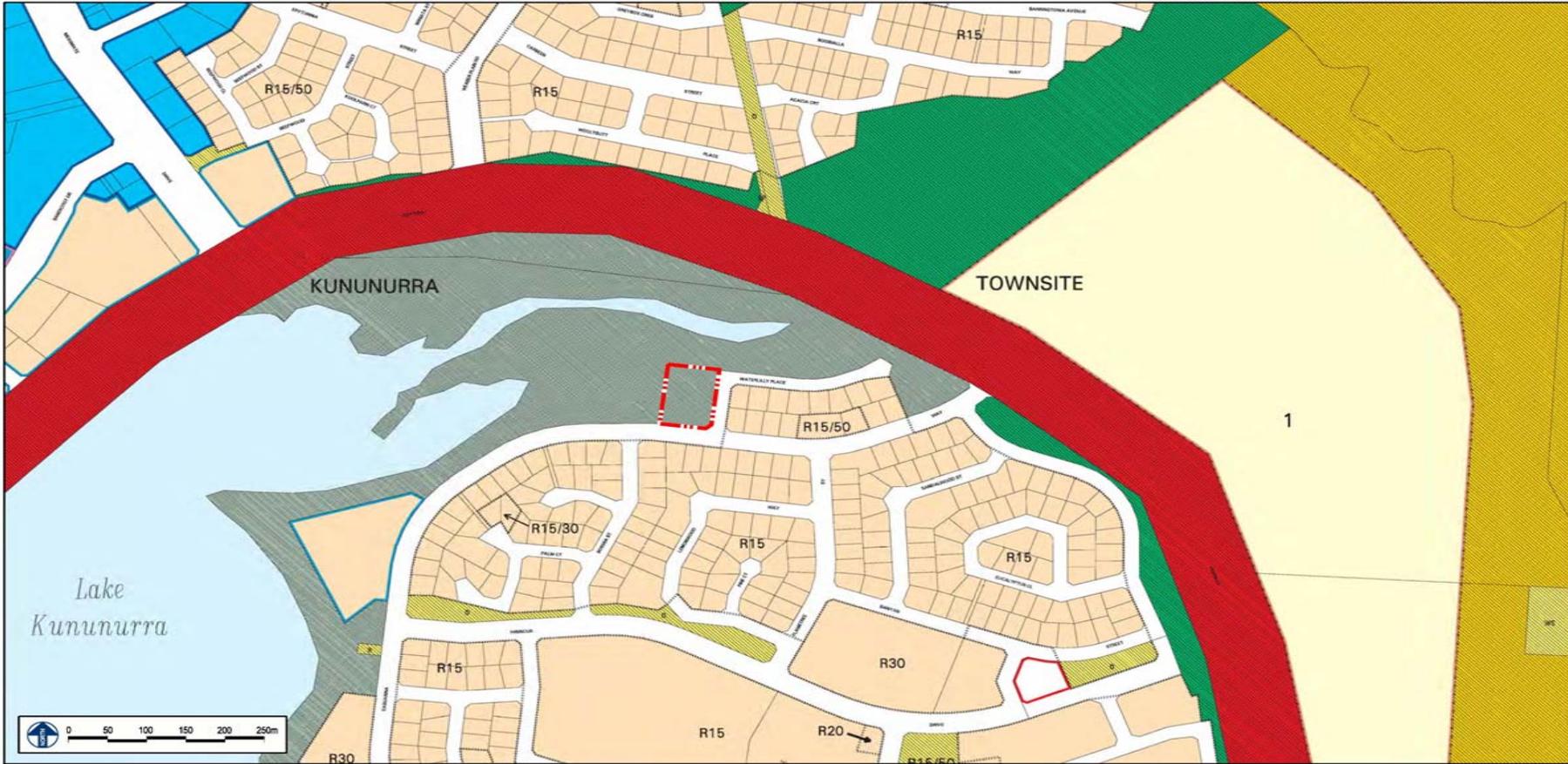
--- SUBJECT LAND



AERIAL PHOTOGRAPH
Part Lot 2466 Casuarina Way,
KUNUNURRA

RPS koltasz smith
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:parth@kaap.com.au

Attachment 3



EXISTING ZONING PLAN
Part Lot 2466 Casuarina Way, KUNUNURRA

<p>Base data supplied by WAPC Projection MGA Zone 50</p> <p>Areas and dimensions shown are subject to final survey calculations. All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.</p> <p>The concepts presented in this plan remain the © copyright of RPS Koltasz Smith. No copies in whole or in part may be made without RPS Koltasz Smith's permission.</p>	<p>LEGEND</p> <p>--- SUBJECT LAND</p> <p>--- LOCAL SCHEME RESERVES</p> <p>--- CONSERVATION/ENVIRONMENTAL PROTECTION</p> <p>--- MAJOR ROAD</p> <p>--- PARKS AND RECREATION</p> <p>--- ZONES</p> <p>--- SPECIAL FORESHORE</p> <p>--- PUBLIC PURPOSES DENOTED AS FOLLOWS:</p> <p>○ DRAIN</p> <p>○ REMOTE RADIO RECEIVER</p> <p>○ SP - SENIOR PUMP STATION</p> <p>○ WS - WATER SUPPLY</p> <p>--- WATERWAY</p>	<p>--- RESIDENTIAL</p> <p>--- RESIDENTIAL DEVELOPMENT</p> <p>--- MIXED BUSINESS</p> <p>--- TOURIST</p> <p>--- TOWN CENTRE</p> <p>--- SPECIAL SITE</p> <p>--- OTHER</p> <p>--- R20</p> <p>--- OVERALL PLANNING AREA (SEE SCHEME TEXT)</p> <p>--- NO ZONE</p>	<p>SWEK : CLIENT</p> <p>1:5,000@A3 : SCALE</p> <p>9 July 2009 : DATE</p> <p>3575-4-003.dgn : PLAN No</p> <p>- : REVISION</p> <p>T.C : PLANNER</p> <p>RF : DRAWN</p>	<p>RPS koltasz smith</p> <p>TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN DEVELOPMENT CONSULTING</p> <p>141 Burwood Road - BURWOOD WA 6100 Tel: (08) 9486 2222 Fax: (08) 9486 2233</p> <p>PO Box 127 BURWOOD WA 6100 Email:perk@rps.com.au</p>	<p>FIGURE 3</p>
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12.4.4 PROPOSED GROUP DWELLINGS LOT 1095 MESSMATE WAY, KUNUNURRA. (8777)

DATE:	18 August 2009
PROPONENT:	Bothkamp Australia Pty Ltd
LOCATION:	Lot 1095 Messmate Way, Kununurra
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	01.1559.02
ASSESSMENT NO:	1559

PURPOSE

For Council to consider an application for planning consent for the use and development of 12 Grouped Dwellings on Lot 1095 Messmate Way, Kununurra.

SITE LOCATION

The subject site is located on the western side of the Messmate Way service road, and has an area of 2276m².

The lot was previously developed for single storey grouped dwellings units, which have recently been demolished to allow for redevelopment of the site. The surrounding land is used for residential purposes.



PROPOSED LAND USE / DEVELOPMENT

A development application for twelve (12) grouped dwellings to be constructed on Lot 1095 Messmate Way was submitted by on 17 June 2009 by Bothkamp Australia Pty Ltd.

The proposal is to develop twelve (12) two-storey townhouses, to be constructed predominantly of colorbond custom orb wall cladding and roof sheeting. No colours have been indicated on the plans.

Each townhouse will contain three bedrooms, along with two bathrooms and kitchen, dining, living, study and laundry facilities. A storage area courtyard and balcony is also provided for each townhouse together with car parking space for two vehicles, all of which would be undercover. Four visitor parking bays are provided, in accordance with Residential Design Codes requirements, however are proposed to be within Council's road reserve, and therefore the application has been submitted to Council for determination for a concession to be granted in this regard.

The applicant is also seeking a setback reduction to allow for the courtyard and balcony to be within 1.5m of the front boundary for Units 1 – 6 inclusive, for which Council's consideration is also requested.

BACKGROUND

By way of background the Council considered the application at the Ordinary Council Meeting on 21 July 2009, at which it was recommended by Shire Officers that approval be granted for the visitor car parking bays to be established within the road verge at the developer's costs, subject to the developer also constructing a footpath along the front boundary alignment of the property.

It was also recommended that the reduction in the setback to 1.5 metres to the courtyard and balconies of proposed Units 1 – 6 be supported, given that the balconies will overlook an area of public open space, and that the primary street is a service road with low volumes of traffic. The proposed development is also considered to be of a high quality that will improve the amenity of the streetscape.

At the July meeting Councillors resolved to refer this item to the August Briefing Session as Elected Members considered closer assessment of traffic manoeuvring and circulation space was required. It was also considered the proposed width of the access driveway and communal road to the townhouses were insufficient resulting in limited manoeuvrability.

Subsequently, the proponent was advised of Council's decision and following discussions with Shire officers has provided amended plans. The amended plans have resulted in the access driveway being increased from 4.4 metres in width to 4.7 metres wide, and the communal access road being increased from 6 metres in width to 6.5 metres wide. Although the plan shows a 4 metre wide access drive, this relates only to the proposed strata boundaries.

At the briefing session Council officers advised that existing group dwelling developments had been inspected within the Town Centre zone and determined that a precedent already exists for a driveway width of 4.7 metres, and that the proposed communal aisle width of 6.5 metres will provide for adequate manoeuvring and circulation space.

Revised plans of the proposed development are attached for the Councils consideration (Please refer to Attachments 1 – 4).

STATUTORY IMPLICATIONS

POLICY IMPLICATIONS

Please refer to Planning Assessment

PLANNING ASSESSMENT

Town Planning Scheme No. 7 – Kununurra and Environs

The land is zoned 'Town Centre' under the Shire of Wyndham - East Kimberley Town Planning Scheme No.7. Clause 5.10 of the Town Planning Scheme (TPS) states that the objectives of this zone are:

5.10.1 Objective

- 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.*

In relation to residential development, Clause 5.10.4 specifically states that Group Residential development within the Town Centre Zone may be permitted in accordance with the provisions of the R50 Code, however will first be determined to be compatible with the Council's overall Town Centre policy or strategy and any adjoining development.

It is considered that, given the existing residential use of the property and surrounding land, the proposed grouped dwellings do not conflict with the objectives of the Town Centre zone.

Council Policies

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

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

While the development does not conform to this objective, given the location of the subject site away from the principal activity centre of the town centre zone, and the adjoining residential development, the grouped dwellings do not conflict with the objectives of the policy.

Residential Design Codes

The Residential Design Codes are a 5AA policy prepared and adopted under the Town Planning and Development Act. Clause 5.7 of the Town Planning Scheme adopts the codes. As they are adopted under the Scheme, the Codes take on the effect of Scheme provisions.

SETBACKS

Under the Codes the setback to the front boundary is to be a minimum of 4 metres. While the proposed setback of Units 1 – 6 from the front boundary is proposed to be 4.86 metres, the courtyard and balconies for each of these units are shown to be only setback 1.5 metres. Council may either require the setback to comply, or allow a reduction in appropriate circumstances.

The Codes state that a grouped dwelling (where that grouped dwelling is not adjacent to the primary street) has its main frontage to a communal street, the setback may be reduced to 1.5m to a porch, verandah, balcony or the equivalent. The aim of this provision is to create desired streetscapes, provide security and ensure adequate privacy for open space. Although this clause would normally not apply to proposed Units 1 – 6 (as they are adjacent to the primary street), given that the balconies will overlook an area of public open space, and that the primary street is a service road with low volumes of traffic, it is considered that a reduction in the setback to 1.5 metres can be supported.

FENCING

The plans do not indicate the style of fencing, but do indicate the front boundary fencing to be a height of 1.8m.

Under the Residential Design Codes, a front boundary fence is supported to be a solid fence to 1.2 metres with fences between 1.2 to 1.8 metres in height being visually permeable.

An exception to this is where a solid fence, or wall, up to 1.8 metres in height is required to shield constant headlight glare from oncoming traffic or is required for privacy of an outdoor living area. Should a solid front boundary fence be erected it shall not exceed 50% of the frontage of the lot unless otherwise approved by the local government.

As the front boundary fence for the proposed development will be required for privacy screening, a maximum fence height of 1.8m is recommended, with some degree of visual permeability required.

The dwellings otherwise comply with the provisions of the Residential Design Codes.

PHYSICAL ASSESSMENT

Land Capability

The land is flat and there are no issues in relation to land capability.

Servicing

The subject site is currently serviced. Any additional servicing requirements would be the responsibility of the applicant.

Environmental Impact

The land is vacant following the recent demolition of the original residential buildings. Landscaping will be required to be and/or concurrently as part of the development. No detrimental environmental impact is expected to result from the development.

Design

The overall design of the development is considered to be good, and will be improve the amenity of the area. The design features architectural detail and design that are considered appropriate, given the residential context and is in keeping with the scale of the development.

Social/Economic Implications

The application will provide for the establishment of new dwellings, as well as construction of new buildings, and consequently it is considered that the proposal will also potentially contribute to the employment and economy of the Shire.

FINANCIAL IMPLICATIONS

The Application Fee of \$4000.00 has been paid. The cost of construction of the proposed visitor parking bays within Council's road reserve will be borne by the developer.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Under Town Planning Scheme No. 7 – Kununurra and Environs, Grouped Dwellings is a discretionary ('AA') use class within the Town Centre zone. The Council has delegated the power to determine such applications to the Shire Chief Executive Officer and does not need to be advertised.

COMMENT

In conclusion it is acknowledged the proposed development is located in the Town Centre zone, and mainly accords with the required standards in the Shire Town Planning Scheme No.7 and Residential Design Codes for the residential R50 density coding provisions.

The exception to this is the provision of four visitor parking bays to be located within the Messmate Road Reserve at the developers expense and a relaxation of the front boundary setback. In both instances it is viewed the concessions are warranted on the basis that:

1. There is sufficient room within the Road Reserve adjoining the subject site for on street parking, this portion of Messmate Way is effectively a service road

with relatively low traffic volume, the proposed visitor bays will not present any traffic issues. Although, in supporting this concession the Council may wish to consider a cash-in-lieu payment for the car-parking bays, which is usually applied to commercial development pursuant to Shire Policy DC4 where there is a shortfall in onsite parking. Notably, this policy does not make reference to any form of residential development.

2. The requested setback variation to the front boundary for the balconies on units 1 - 6 will not present any amenity issues as the property overlooks an area of public open space, and the primary street (Messmate Way) is a service road with low volumes of traffic

On the matter of internal manoeuvrability the agreed widening of the access driveway and communal access road from 4.4 metres to 4.7 metres in width, and from 6 metres to 6.5 metres in width, respectively comply with the Australian Standards and are considered adequate for local conditions.

ATTACHMENTS

Attachment 1 - Site Layout Ground Floor

Attachment 2 – Site layout Upper Floor

Attachment 3 – Elevations 1

Attachment 4 – Elevations 2

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for the development of Twelve (12) x Grouped Dwelling Residential Units on Lot 1095 Messmate Way, Kununurra, subject to the following conditions:

1. All development shall be in accordance with the attached approved plan(s) dated 18th August 2009 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. All land indicated as landscaped area on the approved plan(s) being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.
3. All plumbing pipes shall be ducted within the walls of the building/s.
4. Front fencing shall be visually permeable in accordance with the Residential Design Codes and to the satisfaction of the local government.

5. All side and rear fencing shall consist of solid panel type construction to be consistent in colour and style.
6. All parking, driveway and access areas shall be constructed, sealed, drained and signed to the satisfaction of the local government.
7. Construction of a 2m wide footpath of 100mm thick unreinforced concrete shall be provided aligned along the property frontage at the cost of the developer. The Applicant is to liaise with the Shire's Engineering Department in this regard.
8. The visitor parking area shown on the approved plan(s) is to be constructed 150mm thick reinforced cast in situ concrete at the cost of the developer. A minimum of three (3) car parking bays are to be provided. The Applicant is to liaise with the Shire's Engineering Department in this regard.
9. A hardstand area for twelve (12) bins shall be provided adjacent to the visitor parking area for weekly bin collection. The Applicant is to liaise with the Shire's Engineering Department in this regard.
10. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties.
11. All stormwater drainage shall be designed and constructed at the applicant's cost and in accordance with the requirements of local government and the current Australian Rainfall and Run-off Manual. Details on the proposed method of controlling the discharge are to comply with conditions (i) or (ii) as applicable. The preferred method for the subject site is to be determined in consultation with the Shire Engineering Department prior to the submission of a building application.
 - (i) Stormwater run-off from roof and or other paved/impervious areas from the site shall be collected and discharged into Council's drainage system. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Executive Manager of Engineering and Regulatory Services and submitted with the building application.

A drainage contribution fee may be charged if the discharge into Council's drainage system necessitates upgrade of the system servicing the catchment area. The payment if required and the amount, is to be confirmed by the Applicant with the Executive Manager of Engineering and Regulatory Services prior to the submission of a building application.

- (ii) Stormwater retention of run-off from roof and or other paved/impervious areas shall be provided on site. The design is to ensure the discharge of stormwater from the developed site is so as to restrict discharge to that which existed prior to development. Design overflow from soak wells and site drainage shall ensure no discharge onto or through adjoining properties. Details on the site specific design of control and disposal of stormwater from the site are to be submitted with the preparation of a building application.

COUNCIL DECISION

Minute No. 8777

Moved:Cr D Ausburn

Seconded:Cr J Moulden

That Council grants planning consent for the development of Twelve (12) x Grouped Dwelling Residential Units on Lot 1095 Messmate Way, Kununurra, subject to the following conditions:

- 1. All development shall be in accordance with the attached approved plan(s) dated 18 the August 2009 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.**
- 2. All land indicated as landscaped area on the approved plan(s) being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.**
- 3. All plumbing pipes shall be ducted within the walls of the building/s.**
- 4. Front fencing shall be visually permeable in accordance with the Residential Design Codes and to the satisfaction of the local government.**
- 5. All side and rear fencing shall consist of solid panel type construction to be consistent in colour and style.**
- 6. All parking, driveway and access areas shall be constructed, sealed, drained and signed to the satisfaction of the local government.**
- 7. Construction of a 2m wide footpath of 100mm thick unreinforced concrete shall be provided aligned along the property frontage at the cost of the developer. The Applicant is to liaise with the Shire's Engineering Department in this regard.**
- 8. The visitor parking area shown on the approved plan(s) is to be constructed 150mm thick reinforced cast in situ concrete at the cost of the developer. A minimum of three (3) car parking bays are to be provided. The Applicant is to liaise with the Shire's Engineering Department in this regard.**
- 9. A hardstand area for twelve (12) bins shall be provided adjacent to the visitor parking area for weekly bin collection. The Applicant is to liaise with the Shire's Engineering Department in this regard.**
- 10. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties.**

11. All stormwater drainage shall be designed and constructed at the applicant's cost and in accordance with the requirements of local government and the current Australian Rainfall and Run-off Manual. Details on the proposed method of controlling the discharge are to comply with conditions (i) or (ii) as applicable. The preferred method for the subject site is to be determined in consultation with the Shire Engineering Department prior to the submission of a building application.

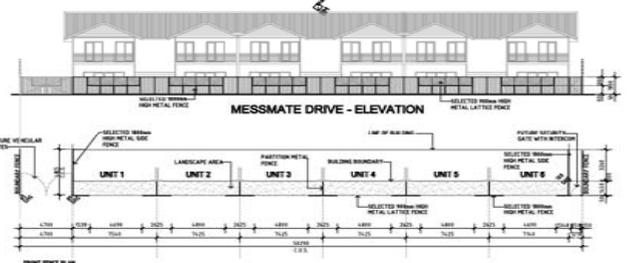
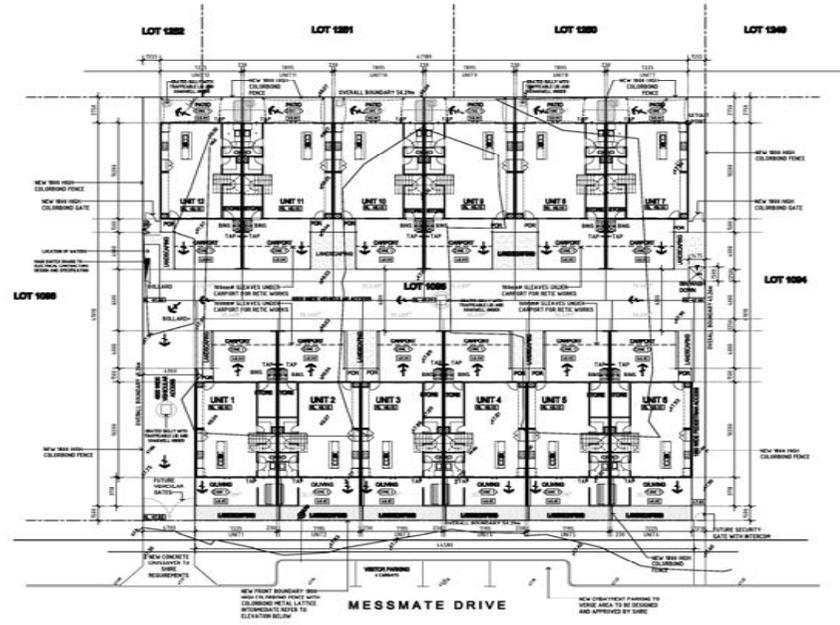
(i) Stormwater run-off from roof and or other paved/impervious areas from the site shall be collected and discharged into Council's drainage system. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Executive Manager of Engineering and Regulatory Services and submitted with the building application.

A drainage contribution fee may be charged if the discharge into Council's drainage system necessitates upgrade of the system servicing the catchment area. The payment if required and the amount, is to be confirmed by the Applicant with the Executive Manager of Engineering and Regulatory Services prior to the submission of a building application.

(ii) Stormwater retention of run-off from roof and or other paved/impervious areas shall be provided on site. The design is to ensure the discharge of stormwater from the developed site is so as to restrict discharge to that which existed prior to development. Design overflow from soak wells and site drainage shall ensure no discharge onto or through adjoining properties. Details on the site specific design of control and disposal of stormwater from the site are to be submitted with the preparation of a building application.

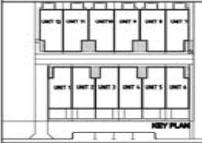
CARRIED: (7/1)

*For: Cr F Mills, Cr R Addis, Cr D Ausburn, Cr R Boshammer, Cr J Moulden,
Cr J Parker & Cr Torres
Against: Cr K Wright*



- NOTES**
1. SEE DET SCALE FROM THIS DRAWING.
 2. REFER TO UNDERGROUND PLAN DRAWING TO DETERMINE CONNECTION LAYOUT.
- LEGEND**
- 11.2 EXISTING SURFACE CONTOUR
 - EXISTING SURFACE LEVEL, SPOT HEIGHT
 - 10000 EXISTING SURFACE FINISHED LEVEL
 - SEASON SURFACE GRADE DIRECTION
 - POWER POLE
 - SEWERAGE MANHOLE
 - NEW WATER SUPPLY POINT
 - SELECTED COLOURED CONCRETE TO FALLS
 - STAIRWELLS ARE INDICATIVE. BUILDERS TO VERIFY POSITION AND SIZE BEFORE CONSTRUCTION.

DENSITY CODING R50 GROUPED DWELLING
 MIN. 125M² AVE. 105M² ALLOWABLE - 10.34 UNITS



PROPOSED GF SITE PLAN

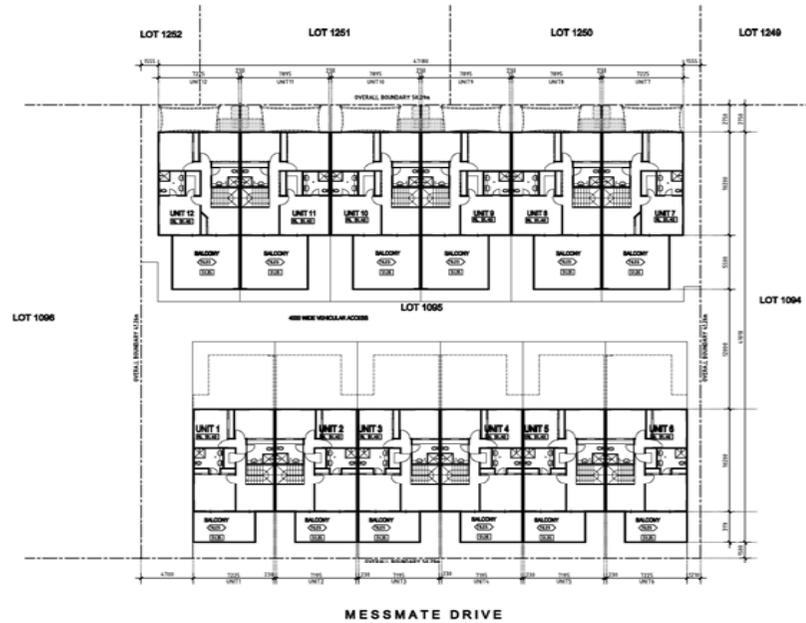
<p>1. 2023.08.01</p> <p>2. 2023.08.01</p> <p>3. 2023.08.01</p> <p>4. 2023.08.01</p>	<p>5. 2023.08.01</p> <p>6. 2023.08.01</p> <p>7. 2023.08.01</p> <p>8. 2023.08.01</p>
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PRELIMINARY
 NOT FOR CONSTRUCTION
 BUILT FOR INFORMATION

DESIGN GROUP
 1/111/111
 1/111/111
 1/111/111

DATE: JULY 2024 PROJECT: BOTHKAMP AUSTRALIA PTY LTD
 SCALE: 1:200 AT A3 DRAWING NO.: 10000 MESSMATE DRIVE
 DRAWN BY: KPM PROJECT NO.: KUNUNURRA

DATE: 2024.07.01	PROJECT: BOTHKAMP AUSTRALIA PTY LTD
SCALE: 1:200 AT A3	DRAWING NO.: 10000 MESSMATE DRIVE
DRAWN BY: KPM	PROJECT NO.: KUNUNURRA
DATE: 2024.07.01	PROJECT: BOTHKAMP AUSTRALIA PTY LTD
SCALE: 1:200 AT A3	DRAWING NO.: 10000 MESSMATE DRIVE
DRAWN BY: KPM	PROJECT NO.: KUNUNURRA



NOTES
 1. REFER WALL FROM THE DRAWING
 2. REFER TO SUBSCRIPTION PLAN FOR
 TO UNDERSTAND THE LAYOUT

- LEGEND**
- EXISTING SURFACE LEVEL
 - EXISTING SURFACE LEVEL SPOT HEIGHT
 - DESIGN SURFACE FINISHED LEVEL
 - DESIGN SURFACE GRADE DIRECTION
 - POWER PIPE
 - SEWERAGE MAINLINE
 - NEW WATER SUB-PIPE
 - WATER TO BE ADDED TO THE MAINLINE

**DENSITY CODING R50
 GROUPED DWELLING**
 MIN. 50.0m²
 MAX. 100.0m²
 ALLOWABLE - 12.34 UNITS



PROPOSED UF SITE PLAN



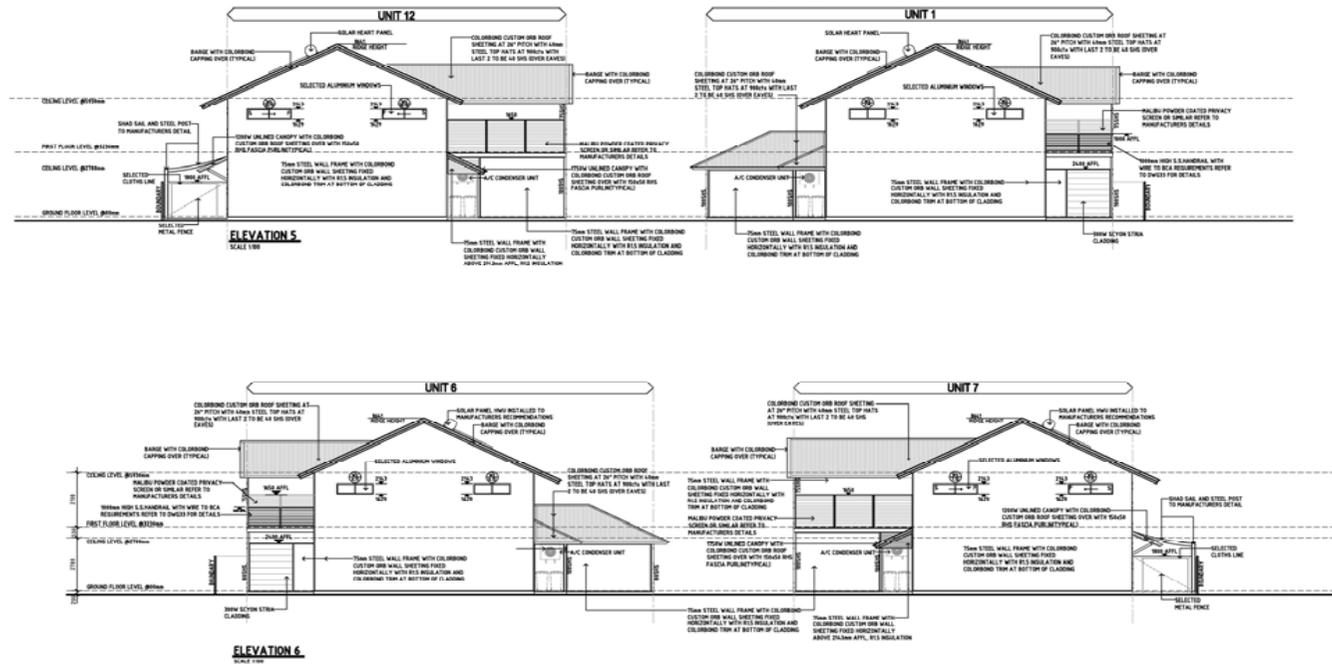
NO.	REVISION	DATE
1	ISSUED FOR PERMIT	20/07/2024
2	ISSUED FOR PERMIT	20/07/2024
3	ISSUED FOR PERMIT	20/07/2024

PRELIMINARY
 NOT FOR CONSTRUCTION
 BASED FOR INFORMATION

DESIGN GROUP
 10/100 MESSMATE DRIVE
 KUNUNURRA

DATE: JULY 2024
 SCALE: 1:200 AT A1
 PROJECT: BOTHKAMP AUSTRALIA PTY LTD
 LOT 1006 MESSMATE DRIVE
 KUNUNURRA

ISSUE: BUILDING LICENCE
 DATE: 20/07/2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 00010497 ADM C



- NOTES**
- DO NOT SCALE FROM THIS DRAWING
- LEGEND**
- DOOR NUMBER
 - OPENING NUMBER
 - UNIT NUMBER
 - WINDOW NUMBER
 - SCREENING NUMBER
 - UNIT NUMBER



1	REVISIONS	DATE
2	REVISIONS	DATE
3	REVISIONS	DATE
4	REVISIONS	DATE
5	REVISIONS	DATE



PRELIMINARY
NOT FOR CONSTRUCTION
DESIGNED FOR INFORMATION

DESIGN GROUP
ARCHITECTS
10/100 MESSMATE DRIVE
KUNUNURRA
SA 5086
AUSTRALIA
PH: 08 8552 1111
WWW.DESIGNGROUP.COM.AU

DATE: JULY 2009
SCALE: 1/8" = 1'-0"
PROJECT: BOTHKAMP AUSTRALIA PTY LTD
SECTION: 13
DRAWING NO: 09010497
REV: A21
C

FILE: 09010497
BUILDING LICENCE: 09010497
ELEVATIONS
PROJECT NO: 09010497
DRAWING NO: A21
REV: C

12.4.5 PROPOSED AGATE LANE PURCHASE (8778)

DATE:	18 August 2009
PROPONENT:	Department for Regional Development and Lands / Shire of Wyndham East Kimberley / The Rewards Group
LOCATION:	Reserve Lots 987, 988 and 989 Agate Lane
AUTHOR:	Ian D'Arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	43.04.10
ASSESSMENT NO:	N/A

PURPOSE

This report is presented to the Council in light of a State Government offer to sell Reserve Lots 987, 988 and 989 Agate Lane to the Shire for the unimproved land value as determined by the Valuer General's Office, and a third party interest from a private company to acquire the subject land together with the Agate Lane Road Reserve and portion of Reserve 27603 being the Leisure Centre land.

BACKGROUND

In consideration of this proposal Figure 1 affords an understanding of location of the subject lots for reference purposes:



Figure 1 – Location Plan

The three lots the subject of this report collectively total 1410 m² in area and are zoned 'Town Centre' under the Shire Town Planning Scheme No.7 – Kununurra and Environs, which allows for a mix of commercial, retail and residential development to

an R50 density. Similarly, the adjoining land to the north, south and west is also zoned 'Town Centre', notwithstanding the land to the south is reserve land vested with the Shire that forms part of the Leisure Centre.

By way of historical background the Council initially entertained a proposal for a land swap agreement between the Shire and Government Agencies involving Reserve Lots 987, 988 and 989 Agate Lane. This was based on the establishment a new FESA facility west of the Hospital site in Coolibah Drive, which is now nearing completion.

In April 2007 (refer to Attachment 2) the Council was approached by the Rewards Group seeking to acquire the Lots from the Shire which in turn lead to the Council in May 2007 resolving as follows:

Minute No. 7719

Moved: Cr R. Devenish-Meares

Seconded: Cr M. Middap

That Council advise the Rewards Group the following:

1. *That Council agrees in principle to the idea of an amalgamated development area for Lots 987 988 989 991, Agate Lane and portion of Reserve 27603*
2. *That the following issues will need clarification and resolution prior to Council agreeing to the proposal:*
 1. *The price is not considered to be reflective of current market value, and will need to be re-assessed.*
 2. *Titles to lots 987, 988, and 989 need to be issued prior to Council agreement.*
 3. *Drainage function of Agate Lane must be assessed and alternative drainage must be considered.*
 4. *Review of the proposed boundary of some infrastructure if the Leisure Centre is located within the area the subject of the offer.*
 5. *Road closure of Agate Lane must be initiated once point 3 & 4 above are addressed.*
3. *That Council has a standing resolution regarding reserve 28285, and that this site will be sold separately via a competitive tender process.*

Carried: 7/1

On 25 September 2008 the CEO wrote to the Minister for Planning and Infrastructure requesting the transfer of land be progressed so the Lots in Agate Lane could be secured as freehold to the Shire. The request for freehold title was then made with the new coalition Government with the aim of giving Council the opportunity and greater flexibility in determining the future development of this land.

In response to the Shire's letter the Minister for Regional Development on 31 December 2008 (refer to Attachment 1) advised that the Council could purchase the three lots as freehold for the full unimproved market value. The CEO in turn sought a valuation from the Valuer General's Office and Kimberley Property Valuers (these

valuations were provided to elected members with Briefing papers, March 2009). Notwithstanding a letter from State Land Services dated

As the new FESA building nears completion the Rewards Group has again approached the Council seeking confirmation on the way forward in the acquisition of Reserve Lots 987, 988 and 989, closure and purchase of Agate Lane, and acquisition of part of Reserve 28285 (Leisure Centre land).

STATUTORY IMPLICATIONS

Depending of the preferred course of action the Council may be required to:

- Prepare a business plan, serve notice to borrow funds to acquire lots 987, 988, and 989 Agate Lane, and serve notice to sell the subject lots in accordance with provisions of the *Local Government Act 1995* ;
- Initiate a road closure process for Agate Lane in accordance with the provisions of the *Land Administration Act, 1997*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Should the Council accept the State Government offer to acquire the land at an unimproved value a loan of \$425,000 would need to be raised for this purpose with the Western Australian Treasury Department. Further, should the land then be on-sold at market value a profit could potentially be realised, however it is premature to estimate the amount without expert advice being obtained at the time of sale.

Additionally, minor costs may be incurred in the public advertising of purchase and disposal of land as well and road closure proceedings.

STRATEGIC IMPLICATIONS

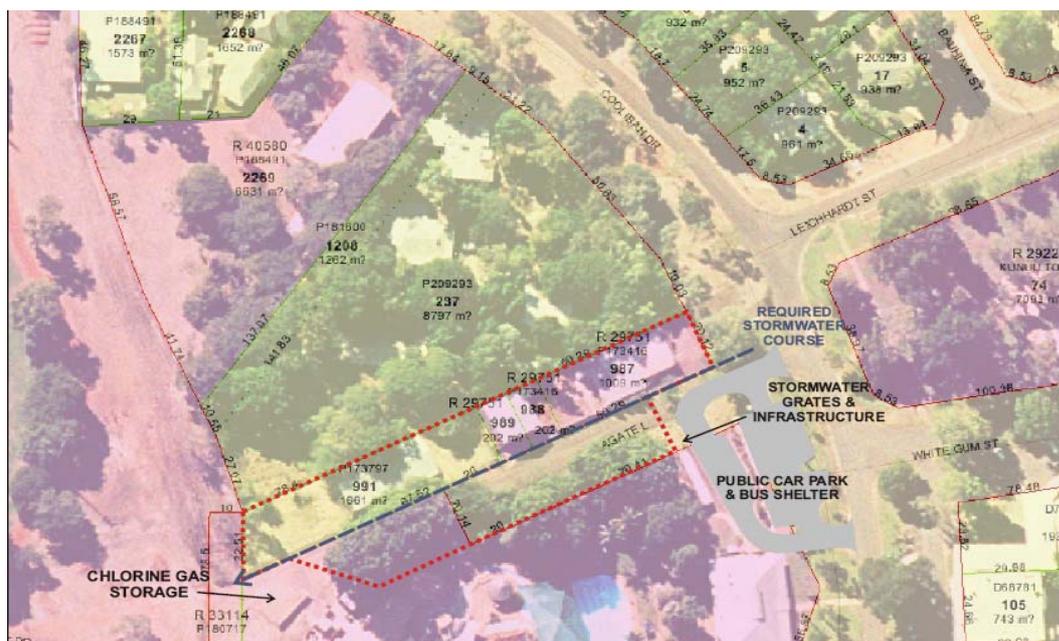
From a strategic perspective the initial proposal to enter into a land exchange would have provided significant opportunity in assisting in the delivery of the Shire's economic objectives in the short term. However, with the land now having to be acquired this benefit is diminished. To off set this the Rewards Group has indicated it is prepared to offer a developer contribution should the Council decline the State Government offer and additionally support the Rewards Group in purchasing the land through direct dealings with the State, as well as support the proposed road closure and acquisition of land from Reserve 28285.

In regards to the proposed road closure and excision of land from the adjoining recreation reserve there are a number of concerns of staff detailed in the Comment Section below.

COMMUNITY CONSULTATION

This matter has not been tabled with the Community, but will need to be should the Council proceed to acquire Lots 987, 988 and 989, and close Agate Lane.

COMMENT



ATTACHMENTS

1. Letter from Minister for Regional Development dated 31 December 2008
2. Letter from the Rewards Group on offer to purchase dated 11 April 2007

VOTING REQUIREMENT

- Simple majority should Council decline the State Government offer
- Absolute majority if the Council seeks to acquire lots 987, 988 and 989 at the quoted unimproved market value.

OFFICER'S RECOMMENDATION

That Council:

1. Note that the anticipated land exchange between the Shire of Wyndham East Kimberley the Department of Health and the Fire and Emergency Services Authority, which formed the basis of the Council decision at its Ordinary Meeting of Tuesday 19 May 2009 (Minute No. 7719), will not proceed;
2. Decline the offer from the Minister for Regional Development and Lands to purchase Lots 987, 988, 989 and 991 Agate Lane at the full unimproved market value (\$425,000), and inform the Minister accordingly;
3. Advise the Rewards Group that it is prepared to offer a letter of support for the Rewards Group to purchase Lots 987, 988, 989 and 991 Agate Lane from the State Government, but is not prepared to close Agate Lane nor excise a portion of Reserve 28285 for the purpose of accommodating private development.

COUNCIL DECISION

Minute No. 8778

Moved:Cr J Moulden

Seconded:Cr J Parker

That Council:

- 1. Note that the anticipated land exchange between the Shire of Wyndham East Kimberley the Department of Health and the Fire and Emergency Services Authority, which formed the basis of the Council decision at its Ordinary Meeting of Tuesday 19 May 2009 (Minute No. 7719), will not proceed;**
- 2. Decline the offer from the Minister for Regional Development and Lands to purchase Lots 987, 988, 989 and 991 Agate Lane at the full unimproved market value (\$425,000), and inform the Minister accordingly;**
- 3. Advise the Rewards Group that it is prepared to offer a letter of support for the Rewards Group to purchase Lots 987, 988, 989 and 991 Agate Lane from the State Government, but is not prepared to close Agate Lane nor excise a portion of Reserve 28285 for the purpose of accommodating private development.**

CARRIED: (5/3)

For: Cr F Mills, Cr R Boshammer, Cr J Moulden, Cr J Parker and Cr K Torres

Against: Cr K Wright, Cr D Ausburn and Cr R Addis

Attachment 1



**Minister for Regional Development; Lands;
Minister Assisting the Minister for Transport;
Minister Assisting the Minister for State Development**

Our ref: 27-00687
Your ref: 43.04.09

Doc No.	064486
Date	31 DEC 2007
Officer	TP, CEO
Response	
File	43.04.09 . 3.
Cross Ref.	

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

Dear Mr Stubbs

AGATE LANE, KUNUNURRA

Thank you for your letter of 25 September 2008 advising of a number of land assembly proposals to reinvigorate portion of the Kununurra town centre near Agate Lane.

The proposal for the Shire of Wyndham-East Kimberley (Shire) to purchase in freehold title - Lots 987, 988 and 989 being Reserve 29751 is approved, subject to the following:

- The Shire providing evidence of having undertaken public consultation on the proposal, together with a formal council resolution to purchase the reserve;
- The Department for Planning and Infrastructure (DPI) receiving statutory approvals; and
- The Shire agreeing to pay the full current unimproved market valuation for the land.

DPI will commence urgent referrals and advise you of the valuation.

With respect to Agate Lane, the Shire will need to undertake closure of road procedures in accordance with Section 58 of the *Land Administration Act 1997*. Ray Dixon from the DPI Kununurra office can assist the Shire on this matter. Mr Dixon can be contacted on 9168 0601. As it is not clear in your submission as to whether the Shire wishes to purchase Agate Lane direct from DPI, the Shire will need to confirm this in its submission to close Agate Lane.

Level 9, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 9213 7000 Facsimile: +61 8 9213 7001 Email: Minister.Grylls@dpc.wa.gov.au

Attachment 2



Wednesday 11 April 2007

Mr Peter Stubbs
Chief Executive Officer
Shire of Wyndham East Kimberley
115 Coolibah Drive
Kununurra WA 6743

By Email: CEO@thelastfrontier.com.au

Dear Peter

OFFER TO PURCHASE

We refer to the recent meeting at the offices of the Shire of Wyndham East Kimberley (SWEK) attended by yourself and Keith Williams on behalf of SWEK and John Kenny on behalf of Rewards Group Limited (Rewards) regarding the potential purchase by Rewards of land in Kununurra for the purpose of developing residential, retail and commercial product in the Kununurra Town Centre area.

Proposal

Agate Lane

We confirm that Rewards has entered into contractual relations with the Scout Association such that Rewards has been granted the right to purchase the Kununurra Scout Hall (Lot 991 in the attached plan). The Scout Hall is Lot 991 on Deposited Plan 173797 Certificate of Title Volume 325 Folio 77A and is 1666 square meters in area (Lot 991). Rewards is buying Lot 991 for \$135,000 (inc. GST). Please find attached the valuation from the Valuer General's Office upon which the transaction between Scouts and Rewards is based.

We confirm that SWEK will become the owner of Lots 987, 988 and 989 on Agate Lane (a total area of 1414 sqm) within the next 6 months by way of acquiring these 3 properties from FESA (Fire & Emergency Services Authority of WA).

We confirm that Lots 987,988,989 and 991 are all zoned "Town Centre" and that this zoning permits residential development up to the R50 code as well as retail and commercial office development.

Freecall 1800 111 781
P +61 8 9324 1155
F +61 8 9324 2155
mail@rewardsgroup.com.au
www.rewardsgroup.com.au
30 Colin Street West Perth 6005
PO Box 803 West Perth 6872
Western Australia

In the event that Agate Lane is closed (as per the attached plan) an additional area of some 2,500sqm can be combined with Lots 987, 988, 989 and 991 to create a combined site of 5580sqm which is zoned "Town Centre". We have commissioned Bill Linkson of IVS to undertake a sworn valuation of this combined site (**Enlarged Agate Lane Property**). His sworn valuation is attached. He values this total consolidated freehold site of 5580sqm with a "Town Centre" zoning to be \$420,000 plus GST.

Reserve 28285 Konkerberry Drive

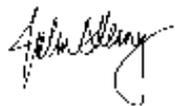
We note that SWEK is the registered proprietor of Reserve 28285 Konkerberry Drive which has an area of 2147sqm and which is also zoned "Town Centre" (**Konkerberry Drive Property**). We have also commissioned Bill Linkson of IVS to undertake a sworn valuation of Reserve 28285 Konkerberry Drive. His sworn valuation is attached. He values Reserve 28285 Konkerberry Drive as a freehold site of 2147sqm with a "Town Centre" zoning to be \$200,000 plus GST.

Offer to Purchase

Rewards hereby offers to buy the Enlarged Agate Lane Property and the Konkerberry Drive Property for a total purchase price of \$620,000 plus GST as per the sworn valuation undertaken by Bill Linkson of IVS. This offer is subject to and conditional upon the parties entering into formal long form sale and purchase documentation acceptable to both parties.

We look forward to your response to this offer.

Yours sincerely
REWARDS GROUP LIMITED



John Kenny



Andrew Rado

12.5. COMMUNITY SERVICES

12.5.1 PRIORITISING OF CSRFF SMALL GRANT APPLICATIONS 2009 (8779)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Kununurra Recreation Precinct
AUTHOR:	Ben Flynn, Club Development Officer
REPORTING OFFICER:	Megan Alchin, Acting Executive Manager Community Services
FILE NO:	36.08.03
ASSESSMENT NO:	NA

PURPOSE

For Council to endorse and rank applications to the Department of Sport and Recreation's Community Sports and Recreation Facilities Fund (CSRFF).

BACKGROUND

The purpose of the CSRFF program is to provide financial assistance to community groups and local government authorities to develop infrastructure for sport and recreation to meet current and future community needs. The program also aims to increase participation in sport and recreation with an emphasis on physical activity through rational development of good quality, well designed and well utilised facilities. The program is administered by the Department of Sport and Recreation.

Under the program, local government authorities are required to consider community CSRFF applications and/or submit applications themselves, advise the Department of Sport and Recreation if the Council supports the applications, and if supported, rank the applications in priority order.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council has allocated \$40,000 in the Adopted Budget for 2009/10 for the Recreation Precinct Master Planning exercise, and a Shire Annual Grant contribution of \$15,000 has been provided to the East Kimberley Cricket Association (EKCA) towards the development of cricket facilities within the Recreation Precinct.

STRATEGIC IMPLICATIONS

Key Result Area 1 – Infrastructure includes the objective 'Sustainable asset management for infrastructure under the Shire's control.'

Key Result Area 2 – Community includes the objective ‘Equitable access to quality recreational facilities and services.’

COMMUNITY CONSULTATION

Nil

COMMENT

Two applications for the current CSRFF Small Grants round have been received. One application has been prepared by Shire officers and is for the Kununurra Recreation Precinct Master Planning Exercise. The other was prepared in partnership with the East Kimberley Cricket Association for development of cricket facilities within the Kununurra Recreation Precinct.

The two projects, while both addressing Key Result Areas within the Shire’s Strategic Plan and shall be of great benefit to the community, vary greatly in their magnitude and overall relevance to the community as a whole. The Master Planning Exercise is a major project for the majority of sporting and recreation groups within Kununurra and will guide the future management, development and use of the existing Kununurra Recreation Precinct and wider recreational area.

The development of cricket facilities within the town will be beneficial to the East Kimberley Cricket Association and complimentary to the proposed Twenty 20 competition which is designed to generate interest in the sport and attract new players and spectators to the game.

It is therefore recommended that the Kununurra Recreation Precinct Master Planning exercise be ranked higher than the application by the East Kimberley Cricket Association.

ATTACHMENTS

Attachment 1 – Completed grant application from the EKCA

Attachment 2 – A map of the Recreation Precinct.

NB: the completed grant application for the Master Planning Exercise is provided in the report on the proposed Master Plan of the Recreation Precinct.

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council rank the Community Sports and Recreation Facilities Fund Small Grant applications for 2009 in order of priority, as follows:

1. Recreation Precinct Master Planning Exercise
2. Upgrade of cricket facilities within the Recreation Precinct.

COUNCIL DECISION

Minute No. 8779

Moved:Cr K Wright

Seconded:Cr R Boshammer

That Council support the Community Sports and Recreation Facilities Fund Small Grant applications for 2009 in order of priority, as follows:

- 1. Recreation Precinct Master Planning Exercise**
- 2. Upgrade of cricket facilities within the Recreation Precinct**

CARRIED UNANIMOUSLY: (8/0)

Note: The Council Decision differs from the Officer's Recommendation because Council believe that the word 'support' more appropriate than 'rank' as it did not wish to unfairly disadvantage the East Kimberley Cricket Association submission..

**Attachment: 1
Item No. 12.5.1**



Government of **Western Australia**
Department of Sport and Recreation

Office Use Only

TRIM: _____

Grant No: _____

Project Coordinator: _____

CSRFF Small Grants Application Form

Year of claim – all projects to be acquitted by 15 June 2010

You **MUST** discuss your project with an officer from your nearest Department of Sport and Recreation office before completing and submitting your application. Failure to do so may render your project ineligible.

DSR Contact: Dean Holder / Janine Seaton

Date: July 2009

Office: Kununurra

Applicant's Details:

Organisation Name:	East Kimberley Cricket Association				
Postal Address:	P.O. Box 1656				
Suburb:	Kununurra	State:	WA	Postcode:	6743
Street Address:					
Suburb:	Kununurra	State:	WA	Postcode:	6743

Preferred Contact Person:

All application correspondence will be directed to this person

Name:	Matt Fletcher	Title:	Dr <input type="checkbox"/> Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/>
Position Held:	President		
Business Phone:	08 91691849	Facsimile:	
Mobile Phone:		Email:	matthew.fletcher@agric.wa.gov.au

Organisation Business Details:

Does your organisation have an ABN?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	ABN: 38035833558
Is your organisation registered for GST?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Is your organisation not-for-profit?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is your organisation incorporated?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Incorporation #: *	* Please attach a copy of the Incorporation Certificate.
Bank details	Bank: CBA	BSB: 0665530	A/c: 06653010012695

Local government authority details:

Name:	Wayne Richards		Title:	Dr <input type="checkbox"/> Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/>
Position Held:	Manager Recreation and Leisure			
Business Phone:	(08) 9168 4139	Facsimile:	(08) 91681421	
Mobile Phone:	0407600081	Email:	mrl@thelastfrontier.com.au	

PROJECT DETAILS

Project Description:

The project is to develop the cricket facilities within the Kununurra Recreation Precinct. This includes unearthing a concrete slab, laying artificial turf wickets and provide suitable matting so that the Town Oval pitch can be covered and used safely for other sports, predominantly AFL. This will allow cricket to be played after the football season is complete, under lights making use of the cooler evenings as opposed to playing in the heat of the day.

The project also includes an upgrade of the cricket practice nets located at the Kununurra Town Oval. Including this particular pair of practice wickets, there are currently two sets of cricket nets in town (2 pitches each), with the second set located at the school whereby access is restricted. One of the current pitches is not suitable for use while the second is deteriorating significantly.

How did you establish a need for your project?

The current cricket pitch on the Kununurra Town Oval is simply a concrete slab. This pitch is currently not available for use as it is covered with soil and grass meaning the oval is not able to be used for cricket at all. As this is the only oval in Kununurra with lighting for night sport, there is no scope for evening or night cricket in one of the hottest climates in Australia.

Kununurra currently has a three team cricket competition which has been steady for the past few years. One factor holding cricket back is the climate and the fact that outside the dry season (winter), temperatures rise to 40-45 degrees. To avoid playing during this heat, the cricket season must be played either during the cooler weather (winter) or in the evenings. Currently the latter is not an option as there is no pitch on the only lit oval.

The current arrangement also relies on the Kununurra District High School's permission for the use of their oval and nets. While the school is graciously accommodating, this situation has the potential to change.

Regarding training, as it stands, one club has obtained permission to use the school nets and the remaining two at the main oval. This arrangement is working however the deterioration of the one useable pitch has lead to the East Kimberley Cricket Association requesting its replacement. The cause of damage at the cricket nets has been a combination of wear and tear as well as vandalism. The proposal includes solutions to these problems to ensure the longevity of the facility. Finally, as with the ovals, if the school decides that the association may not use the practice nets in the future, the current facilities will not be sufficient to cater for all three teams.

The needs above highlight the current barriers the association face, as well as these, this project aims to deal with problems that are likely to be encountered in the future. The population of Kununurra is expanding, which, combined with the plans of the cricket association to improve their competition, will likely see a fourth or possibly fifth cricket team in Kununurra in the future. The current facilities are inadequate to support this expansion.

Further to this, plans are underway to hold a 20/20 cricket competition following the football season that may attract as many as 8 teams. The intention is to play these games under lights (assuming this project goes ahead), this will obviously require the use of the main oval pitch and lights.

Project location:	Kununurra Town Oval, Rod Hodnett Dr, Kununurra
Land ownership:	Who owns the land on which your facility will be located? Shire of Wyndham East Kimberley Lease Expiry: Oval is hired seasonally. Cricket nets are Leased to the Ord River Sports Club, this lease is currently being renegotiated.
Planning approvals	Where applicable, has planning permission been granted? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Have other approvals been granted, ie building Heritage, Indigenous and Environmental? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<p>How will your project increase physical activity?</p> <p>Initially by increasing the safety of the current cricket net users.</p> <p>Secondly by allowing for the expansion of the cricket association and development of their secondary 20/20 competition. These expansions will allow more people to play cricket and participate in regular physical activity.</p> <p>Thirdly suitable practice facilities will attract more casual users for use outside of structured practice sessions.</p>	
<p>Do you share your facility with other groups? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If so, who: East Kimberley Football Association Kununurra Softball Association</p>	

List the main sport and recreation activities (maximum of 3) which will benefit from your proposal. Please indicate the approximate % usage of the facility.

Kununurra Oval

Sport/community organisation	% use of the facility	Hours per week
Cricket Association	0	0
EKFL	50	10
Kununurra Softball Association	40	8
General Public	10	2

Cricket Nets

Sport/community organisation	% use of the facility	Hours per week
Cricket Association	80	4
General Public	20	1

Activity/sport membership numbers over the past three years relevant to your project. For example, if a bowls project, golf members not relevant; social membership numbers not applicable.

2008/09	40	2007/08	40	2006/07	40
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What is the name of the State Sporting Association for your activity/sport?

Western Australian Cricket Association (WACA)

Have you discussed your project with your State Sporting Association? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Contact Name:	Date of contact:

FUNDING

Please indicate in the table below how your project will be funded. In the total project cost, you must make an allowance for cost increases over the period of the project as additional funding is not available to meet that cost once the project has been approved. Local government authorities are not required to contribute to a project for it to be considered eligible.

\$	Cost Ex-GST	GST (if applicable)	Cost Inc GST	Funding Confirmed*?	Notes
Local government contribution	15000	1500	16500	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	*LGA cash and in-kind contribution (if applicable)
Applicant cash				Yes <input type="checkbox"/> No <input type="checkbox"/>	Organisation's cash
Voluntary labour		N/A		Yes <input type="checkbox"/> No <input type="checkbox"/>	Cannot exceed the sum of applicant cash and LGA contribution. Max \$50,000. No GST is applicable.
Donated materials		N/A		Yes <input type="checkbox"/> No <input type="checkbox"/>	No limit but cannot exceed the sum of applicant cash and LGA contribution. No GST is applicable.
Other state or federal funding				Yes <input type="checkbox"/> No <input type="checkbox"/>	e.g. Lotterywest, Development Commissions, Area Consultative Committee (Comm.) etc. (*see below)
Other: WACA	2400		2400	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Eg. Loans, Sponsorship (* see below)
Standard CSRFF Grant requested	10100	1010	11110		Cannot exceed 1/3 of the Total Project Cost <u>exclusive</u> of GST. Refer to Guidelines.
Development Bonus requested	2500	250	2750		Can take DSR's contribution up to 50% of the total project cost. See Section 3.
TOTAL PROJECT COST	30000	2760	32760		THIS SHOULD BE THE CURRENT ESTIMATED COST OF THE PROJECT PLUS EXPECTED COST ESCALATION

* Written evidence of other confirmed funding sources must be provided, ie donations, government grants. If funding is from a local government authority, copy of relevant council minutes required.

Other sources of funding:

If a development bonus is applied for and not approved, will the project still proceed and how will the resultant shortfall be funded?

Written quotations

At least two (2) written quotes are required.

If your project is a floodlighting installation or upgrades, please ensure that the power supply is sufficient and no upgrade will be required. If upgrade is required and not budgeted for, grant will immediately be withdrawn.

Projects that do not meet Australian Design Standards are ineligible for funding.

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

PROJECT DELIVERY

Please itemise the components of your project in the table below, indicating their cost and which quote or part of quote was used to estimate this.

Project Component	Cost	Quote Used
Earthworks to uncover oval pitch	1,500.00	Shire of Wyndham East Kimberley
Supply & Installation of oval pitch	9,790.00	Carpet Vinyl & Tile
Rubber matting for pitch protection	5,600.00	Retech Rubber
Fence & Gate construction for cricket nets	8,601.35	Frontier fencing
Cricket nets pitch matting & installation	1,958.00	Evergreen synthetic grass
Sub Total	27,449.35	
Cost Escalation (include justification and % used)	2,550.65	Justification: freight
TOTAL PROJECT COST	30,000.00	

Applicants are expected to secure commitments and provide evidence for the balance of funds to meet the total cost of their project at the time of application. If these cannot be demonstrated it is unlikely that a grant will be approved.

Please indicate key milestones of your project. The key milestones need to be realistic and demonstrate that the project can be delivered in the timeframe.

Task	Date
Council approvals	July 2009
Preparation of tender/quotes	July 2009
Issuing of tender	
Site works commence	December 2009
Construction starts	December 2009
Project 50% complete	February 2010
Project completed	February 2010
Handover – final inspections	March 2010
Total funds available	Nov 2009

DEVELOPMENT BONUS APPLICANTS ONLY

If you applied for a CSRFF grant for more than one third of the cost of the project, please provide evidence of meeting at least one of the following criteria.

You MUST contact your local DSR office to determine eligibility before applying.

Category		Details
Geographical location	<input checked="" type="checkbox"/> Regional/Remote location <input checked="" type="checkbox"/> Growth Local Government	
Co-location	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing	
Sustainability initiative	<input type="checkbox"/> Water saving <input type="checkbox"/> Energy reduction <input type="checkbox"/> Other	
Increased participation	<input checked="" type="checkbox"/> New participants <input checked="" type="checkbox"/> Existing participants – higher level <input type="checkbox"/> Special interest <input type="checkbox"/> Other	

PRIVACY STATEMENT AND STATEMENT OF DISCLOSURE

The Organisation acknowledges and agrees that this Application and information regarding it is subject to the *Freedom of Information Act 1992* and that the Grantor may publicly disclose information in relation to this Application, including its terms and the details of the Organisation.

Any information provided by you to DSR can be accessed by you during standard office hours and updated by writing to DSR or calling (08) 9492 9700. All information provided on this form and gathered throughout the assessment process will be stored on a database that will only be accessed by authorised departmental personnel and is subject to privacy restrictions.

DSR may wish to provide certain information to the media for promotional purposes. The information will only include the applicant's club name, sport, location, grant purpose and grant amount.

APPLICANT'S CERTIFICATION

I certify that the information supplied is to the best of my knowledge, true and correct.

Name Matthew Fletcher

Position Held President

Signature MJ Fletcher

Date 06/08/09

CHECKLIST

The following documentation **must** be included with your application. Applicants may wish to supply additional relevant information.

- X Application form
- X Incorporation Certificate.
- X Two written quotes.
- X If your project involves the upgrade of an existing facility, include photograph/s of this facility.
- X Locality map, site map and building plans (in relevant constructions projects), including where the proposed facility is located in relation to other sport and recreation infrastructure.
- X Income and expenditure statements for the current and next financial years. (LGAs exempted).
- Written confirmation of financial commitments from other sources including copies of council minutes.
- For resurfacing projects, a written guarantee from the supplier of the product that clearly identifies the product's life expectancy.

Your application will be considered not eligible, if:

- You have not discussed your project with the Department of Sport and Recreation and your State Sporting Association.
- You do not meet the eligibility criteria for the grant category to which you are applying.
- You have not included with your application all the relevant required supporting documentation. There is no onus on Department staff to pursue missing documentation.
- Applicants/projects that have received a CSRFF grant in the past and have not satisfactorily acquitted that grant. In some cases this may apply to localities where other significant projects have not been progressed or have not completed a previous project in accordance with the conditions of the grant provided. An assessment will be made in November and if no physical progress has occurred, new applications may not be recommended.
- It is not on the correct application form.

Application Form – small grants

CSRFF

**Attachment: 2
Item No. 12.5.1**



12.6. CHIEF EXECUTIVE OFFICER

12.6.1 DELEGATED AUTHORITY (8780)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting 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 July 2009 to 31 July 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 July 2009 to 31 July 2009.

COUNCIL DECISION

Minute No. 8780

Moved:Cr D Ausburn

Seconded:Cr J Moulden

That Council receive the Delegated Authority Report for the period 1 July 2009 to 31 July 2009.

CARRIED UNANIMOUSLY: (8/0)

Attachment: Delegated Authority Report

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

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	EST. VALUE	COMMENT / PROCESSING TIME - WORKING DAYS
095/2009	3/06/2009	1/07/2009	Martin Senzio	Gary Holben	Lot 214 Ghost Gum Street Kununurra	Class 1A single dwelling with attached Class 10A open carport	New	\$420,000.00	21/15 days - Council decision re roof pitch
096/2009	25/06/2009	3/07/2009	W & M Brown	Franmor Constructions	Lot 212 (20) Mango Street Kununurra	Class 10A Carport & shade sail	New	\$12,000.00	7/15 days
097/2009	30/06/2009	5/07/2009	John Kavanagh	Quentin Parker	King Loc 549 Packsaddle Road Kununurra	Class 10A Non-habitable shed	New	\$10,000.00	4/15 days
098/2009	23/06/2009	5/07/2009	Pinctada Resort Property	Pinctada Resort Property Trust	Lot 2387 (20) Bandicoot Drive Kununurra	Class 10B - sign structures	New	\$20,000.00	9/15 days
099/2009	19/06/2009	15/07/2009	Free standing carport	Ryan Chinnery	Lot 1547 (14) Kurrajong St	Class 10A Carport	New	\$15,000.00	20/15 days planning application req.
100/2009	10/06/2009	16/07/2009	J Barnes	Gary Holben	Lot 211 Ghost Gum Street Kununurra	Class 1A single dwelling with attached Class 10A open carport	New	\$420,000.00	21/15 days - Council decision re roof pitch
101/2009	30/06/2009	17/07/2009	R Johnston	Colin Wilkinson Developments	Unit 15/66 Lot 2420 Casuarina Way Kununurra	Class 1A single dwelling with attached Class 10A open carport	New	\$428,775.00	14/15staff leave
102/2009	30/06/2009	17/07/2009	R Johnston	Colin Wilkinson Developments	Unit 14/66 Lot 2420 Casuarina Way Kununurra	Class 1A single dwelling with attached Class 10A open carport	New	\$412,900.00	14/15staff leave

103/ 2009	30/06/2009	17/07/2009	R Johnston	Colin Wilkinson Developments	Unit 13/66 Lot 2420 Casuarina Way Kununurra	Class 1A single dwelling with attached Class 10A open carport	New	\$406,500.00	14/15staff leave
104/ 2009	3/12/2008	20/07/2009	Alison Grylls	Maglion Enterprises	Lot 218 River Farm Rd	Class 1A single dwelling with attached Class 10A open carport	New	\$357,000.00	7 months builder didnot supply info.
105/ 2009	2/07/2009	21/07/2009	Catholic church	Bodan Construction	Lot 840 st Peters Way Wyndham	Carport and decking additons	New	\$64,669.00	14/15staff leave
106/ 2009	3/05/2009	22/07/2009	Micheal O'Shea	Micheal O'Shea	Lot 222 Ghost Gum Street Kununurra	Class 1a Group dwellings (2 units)	New	\$500,000.00	55/15days details lost in E system!
107/ 2009	16/07/2009	22/07/2009	L & J Clark	L & J Clark	Lot 727 (6) Silverbox Avenue Kununurra	Class 10B - B/G Swimming pool	New	\$40,000.00	4/15 days
108/ 2009	20/07/2009	27/07/2009	KGC enterprises	Kimberely Green Construction	lot 246 Emu Apple St Kununurra	class10a shed	New	\$2,500.00	7/15days
109/ 2009	20/07/2009	27/07/2009	KGC enterprises	Kimberely Green Construction	lot 237 Livistonia St Kununurra	class10a shed	New	\$2,500.00	7/15days
110/ 2009	15/07/2009	29/07/2009	Kimberley Group Training	Top End Building Company Pty Ltd	Lot 260 Casuarina Way Kununurra	Class 1a Group dwellings (3 units)	New	\$962,830.00	10/15days
								\$4,074,674.00	

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

Licence No.	Date	Assess No.	Lot No.	Street Address	Applicant Name	Type	Fee	Receipt No	Planning Approval / Delegation
007/2009	06/07/09	#3234	2387	Victoria Highway, Kununurra	The Kununurra Property Trust	1x Wall sign 1x Entry sign 1x Exit sign	\$55.00		DA39/09
008/2009	06/07/09	#2860	RES	junction of Messmate Way & Victoria Highway, junction of Ivanhoe Road & Victoria Highway and junction of Konkerberry Drive & Ebony Street	Kununurra Agricultural Society Inc	Temporary Community Signage 3 x portable signs	Nil	N/A	N/A exempt sign
009/2009	23/07/09	#2860	RES	Junction of Messmate Way & Victoria Highway, junction Ivanhoe Road & Victoria Highway AND junction of Drovers Road & Victoria Highway	Kununurra Bushmen's Rodeo Association	Temporary Portable signs x 3	Nil	N/A	N/A exempt sign
010/2009	23/07/09	#2148	2446	Coolibah Drive, Kununurra	SWEK "Writers Festival"	Temporary Banner Sign	Nil	N/A	N/A exempt sign
011/2009	29/07/09	#2148	2446	Coolibah Drive, Kununurra	Racing the Planet	Temporary Banner Sign	Nil	N/A	N/A exempt sign

THERE WERE NO DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 July 2009

TOWN PLANNING DELEGATED AUTHORITY APPROVALS - 16 July 2009 - 11 August 2009

Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Assess't Number	Approval Date	Comment
55/09	P	16-Jun-09	Epicure Homes Pty Ltd	PWT Corporation	Lot 190 Baker St, Wyndham	6 x 3 bedroom 2 bathroom single storey dwellings	276	15-Jul-09	Approved by Ian D'Arcy 15 July 2009. Spoke to Justin from Epicure homes, and suggested that some changes be made to plan to address visitors parking and proposed lot size, if GROH wish to strata at any stage in future. Justin to speak to client and get back to me. Justin forwarded amended site plan.
69/09	AA	20-Jul-09	Jason Clark	Jason Clark	Lot 727 Silverbox Ave, Knx	Raise existing fence from 1.5 to 2.1 metres	1319	24-Jul-09	Approved by Ian D'Arcy
60/09	P	22-Jun-09	Knx Betta Electrical Home Living	I & A Petherick	Lot 8 Coolibah Drive, Kununurra	Advertising / Signage	2401	30-Jul-09	Approved by Ian D'Arcy
64/09	P	7-Jul-09	Phil and Kim Flick	Phil and Kim Flick	Loc 452 Crossing Falls Rd, Knx	Lean to Addition and New Shed	2399	31-Jul-09	Approval by Ian D'Arcy

66/09	P	8-Jul-09	Phillip Mumenthales	Phillip Mumenthales	Lot 1194 Rivergum Ave, Knx	Additional Storage Shed	1181	31-Jul-09	Approved by Ian D'Arcy
68/09	P	15-Jul-09	Luke Donovan	Luke Donovan	Lot 100 Teal Road, Knx	Shed	6879	31-Jul-09	Approval by Ian D'Arcy
76/09	P	7-Jul-09	Kitmyth Pty Ltd	Kitmyth Pty Ltd	Lot 910 Koolama Street	Change of Use - Café (Al Fresco)	468	03-Aug-09	Approved by Ian D'Arcy
73/09	IP	27-Jul-09	Moscow Circus	Kununurra Agricultural Society	Ag Show Grounds	Change of Use - Circus	2153	05-Aug-09	Approved by Ian D'Arcy.

COMMUNITY QUICK GRANTS DELEGATED AUTHORITY APPROVALS - 1 July 2009 to 18 August 2009

Approval Date	Organisation	Purpose of Quick Grant	Total Project Cost	Amount Requested	Amount Approved
1/7/2009	Constable Care Child Safety Foundation	Purchase of coloured Frisbees	\$10,465	\$500	\$500
1/7/2009	East Kimberley Cricket Association	Purchase of new cricket balls	\$1,000	\$500	\$500
31/7/2009	Mad Itch Music Festival	Music Event	\$75,000	\$500	\$500

12.6.2 USE OF COMMON SEAL (8781)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Acting Personal Assistant
REPORTING OFFICER:	Alex Douglas, Acting 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 16 July to 11 August 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
20/07/09	Kununurra RADS Funding Agreement	Peter Stubbs
21/07/09	Contract of Employment - Lubor Hon	Peter Stubbs
21/07/09	Contract of Employment -Ken Liddicoat	Peter Stubbs
21/07/09	Contract of Employment - Ian Dempsey	Peter Stubbs
10/08/09	Restrictive Covenants Lot 2420 Casuarina Way Kununurra	Ian D'Arcy
10/08/09	Town Planning Scheme No. 7 Amendment No. 18	Ian D'Arcy
10/08/09	Town Planning Scheme No. 7 Amendment No. 22	Ian D'Arcy

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 16 July to 11 August 2009.

COUNCIL DECISION

Minute No. 8781

Moved:Cr K Wright

Seconded:Cr K Torres

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 16 July to 11 August 2009.

CARRIED UNANIMOUSLY: (8/0)

**12.6.3 REQUEST TO RECONSIDER LEASE AREA FOR DIVERSION
CRUISES AND HIRE WITHIN LILY CREEK LAGOON (8782)
(8783) (8784) (8785)**

DATE:	18 August 2009
PROPONENT:	Celliston Nominees Pty Ltd
LOCATION:	Lily Creek Lagoon, Kununurra
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	01.2860.04
ASSESSMENT NO:	N/A

Due to a declaration of a financial interest in Item 12.6.3 Cr R Boshammer left the room at 6.47pm

PURPOSE

For Council to consider a request to reconsider the provision of a lease area for Diversion Cruises and Hire within Lily Creek Lagoon.

BACKGROUND

Diversion Cruises and Hire has written to advise of advice received from the Department of Transport regarding that hire and drive craft would not be approved for operations at the commercial boating lease area being developed near Swim Beach on Lake Kununurra.

STATUTORY IMPLICATIONS

The Department of Transport licenses the operations of hire and drive vessels in accordance with the Western Australian Marine Act 1982, W.A. Marine (Hire and Drive Vessels) Regulations 1983.

POLICY IMPLICATIONS

There are specific policy implications applicable to this report.

FINANCIAL IMPLICATIONS

There are possible financial implications within this report and vary with respect to the preferred option. The details of those options are contained within the Comment section of this report.

STRATEGIC IMPLICATIONS

The management of the Lily Creek Lagoon and Lake Kununurra do not directly come under the jurisdiction of the Shire, however the management of the waterways and adjoining foreshore are a significant factor in the quality of life for the residents of and visitors to the Shire.

COMMUNITY CONSULTATION

Community consultation was undertaken in November 2008 with respect to the Celliston Nominees (Diversion Cruises and Hire) proposed private lease of portion of the 'Messmate Way' foreshore. The responses generally indicated a lack of support for exclusive use of the foreshore within the Lagoon.

COMMENT

Request for re-consideration of lease

The correspondence from Diversion Cruises and Hire requests Council to consider their lease of the portion of foreshore reserve adjacent the intersection of Messmate Way and Victoria Highway. A lease with Diversion Cruises and Hire was signed and in place up until May 2008. A lease was not subsequently signed and therefore lapsed. A new lease for a period up to 30 September 2009 was offered in early 2009 but was not accepted. No lease operates at present and the Council resolution is for the demolition of the existing building and improvements and that the salvaged material be delivered to Celliston Nominees.

Diversion Cruises and Hire advise that their request for Council to consider a lease for the previous lease area should be on basis of the following: -

- (a) *DPI have written to us informing we cannot relocate our hire operations to the second proposed commercial precinct*
- (b) *The Department of Water will not make any decision until the Shire has made a resolution*
- (c) *DPI has supported us in the area we have already leased*
- (d) Ord Waterways Management Group supported the use of the previous lease site for Darren Spackman

NOTE: the words in italics are a direct quote from the correspondence (refer Attachment 1). The fourth point is a paraphrased comment from the contents of the letter.

Departmental advice

The Shire has received copies of the correspondence between Diversion Cruises and Hire/Celliston Nominees and the Ministers for Transport and Water. In addition the Shire has exchanged correspondence with the Minister for Transport's office as well as direct discussions with officers within the Department of Transport licensing section.

In general terms the advice from the Department of Transport is that: -

- (a) The approval of and conditions applied to hire and drive operations vary dependent on the location, existing operations near the location and type of vessels,
- (b) A single license for hire and drive operations does not necessarily apply,
- (c) House boats are not deemed to require a land backed area where as paddle boats, water bikes, canoes etc are expected to have a land backed area e.g. use of foreshore area.

The use of houseboats at the commercial lease area is likely to be accepted; however non-motorised vessels such as paddle boats and water bikes etc would not be approved.

The Department of Water remains committed to the re-siting of house boats from within the Lagoon due to concerns of re-fuelling or de-sullage spills.

Use of the foreshore

Lily Creek Lagoon is a focal point for the town and the use and/or development of the foreshore quite logically attracts a great deal of attention. Land abutting the two caravan parks has been leased for some time and there would appear to be level of acceptance of the use of the foreshore land.

The exclusive use of the foreshore areas extending from adjacent the Messmate Way/Victoria Highway intersection around to the Lily Creek Lagoon public boat ramp would appear to be areas that the general community see as not appropriate. The same could possibly be said for the area being developed for the commercial boat operators however the reality of setting aside an area to accommodate these operators is a pragmatic and necessary reality. It is considered appropriate by staff that the extent to which the commercial boat area is developed and its mix of operators will need to be addressed well within the next twelve months due to a growing level of interest in the Kununurra and Ord Valley area.

Matters for consideration

It is reasonable to assume that the use of paddle boat or water bikes etc is far more attractive within the Lagoon than out on Lake Kununurra. Including Diversion Cruises and Hire there are two licensed operators with the Lagoon and it not unreasonable to consider that further applications will be made as the resident and visitor numbers increase. To what extent the area can support multiple operators is not a decision that the Council can realistically predict or make, particularly from a town planning perspective, however the allocation of foreshore land is a decision that the Council must consider as land backed operations such as paddle boats etc the operator will require the approval of the land manager/s before licenses will be issued.

Whilst not previously given much consideration the practical issues of operators having access to a section of foreshore that is visible and accessible for their needs as well as the users does tend to limit 'suitable' sites within the Lagoon.

Traffic congestion already exists in and around the boat ramp area with park visitors and boat owners. The additional conflict created by the present use of the area by tour operators will be resolved for next year with their relocation to the commercial boat area.

Shared or common user facilities are often provided by state or local governments where facilities are best overseen by public ownership. This is also the case where establishment costs can not be realistically met by individuals, and/or to avoid duplication of facilities. The hire car kiosk facilities at the airport are an example of the type of facility that can be provided.

Council has given limited consideration to the development of common user facilities for the commercial boat area. The benefit of these facilities is that multiple operators can be accommodated on one site and share infrastructure such a jetty, re-fuelling and de-sullage facilities and boat ramp. Site security can be managed by one caretaker facility versus individual caretaker accommodation on single leases.

A common user facility for paddle boat, water bikes and similar non-motorised vessels in Lily Creek Lagoon could be developed to limit the impact of multiple developments resulting from multiple applications.

Options

The options available to Council have not changed significantly in the past 6 to 12 months. What has changed is that there is a better knowledge of the issues around the foreshore use and the growing interest in the Kununurra region.

- 1) Council reaffirms the most recent resolution, dated 22 December which reads:

Diversions Cruises and Hire have inferred that the lease at the commercial boat area would not be taken up. The Department of Transport has indicated that it will not approve (non-motorised) hire and drive vessels at the commercial boat area. It is reasonable to expect that the Council will need to allocate a site for the (non motorised) hire and drive operation but it does not need to issue a land backed area for the Diversions Cruises and Hire houseboat/s. The re-fuelling and de-sullage aspects can not be undertaken within the Lagoon based on the direction given by the Department of Water.

- 2) Develop linear style foreshore lease frontages

The proposal to develop the previous concept of a commercial boat marina expected the co-location of tour operators and motorised hire/drive vessels. For a variety of reasons the project did not proceed and the current commercial boat lease area has replaced it. The progress of the area is not considered reversible simply because the survey, clearing inlet clearing and expansion as well as power supply has progressed too far. The current project sought to resolve the prevailing operator's issues.

There is limited space between the edge of the current lease and the edge of the gazetted ski area. The option of creating a new lagoon and having lease fronting its perimeter will require significant cost in road access to the sites and the ski club lease.

- 3) Develop a common user facility at the commercial boat area

The development of a site to address the provision of a land backed jetty, re-fuelling and de-sullage equipment, boat ramp, hard stand area and office/servicing areas.

The proximity of the gazetted ski area is a significant consideration but is not a factor that could or should prohibit commercial or (motorised) hire and drive boating use of the area. The common use of sections of inland waterways is nothing new and examples are evident in the Swan and Canning Rivers as well as elsewhere across the country.

- 4) Develop a common use area for Lily Creek Lagoon

The development of a site with a land backed jetty, informal launching area, a building for kiosk style facilities and carpark.

Siting of the facility is the most problematic aspect of this proposal, but is less of an issue than the combined issue of locating individual operators on separate sections of the lagoon foreshore.

A common user area would involve co-locating the existing and future non-motorised hire and drive vessel operators. The exclusion to this is the operators holding licenses to operate from the caravan park foreshore lease areas.

The characteristics of the Lagoon foreshore such as sections of gentle sloping and steep banks together with deep and shallow water limits suitable locations for a common user facility without extensive earthworks.

The most suitable location meeting all criteria is in fact the area adjacent Messmate Way. There are access issues that are consistently raised by Main Roads WA however for a common user facility the access to the highway would be moved to the east away from the Messmate Way intersection. The Shire has small but critical infrastructure in this location (Messmate Way pump station) and it is also used by contractors to draw construction water from the Lagoon.

Formalising the exclusive use of this location in a short or long term lease is not considered to be in the broader public interest.

Celliston Nominees/Diversion Cruises and Hire does not have a current lease and are occupying the land without the written consent of the co-vestees of the crown land. Options include an offer to purchase the existing building (the previous lease required the removal of all improvements at the termination of the lease) and modifying it, or developing a new facility with capacity for up to say five kiosks to accommodate existing and prospective operators. Use of the site would be conditional on the type of vessels to be used, thereby giving Council a means of managing use of the Lagoon.

ATTACHMENTS

- | | |
|--------------|---|
| Attachment 1 | Correspondence from Diversion Cruises and Hire (plus attachments) |
| Attachment 2 | Correspondence from Minister for Water |
| Attachment 3 | Correspondence from Department of Transport |

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council

1. Not reconsider the previous Minute No. 8508 of the Ordinary Council Meeting held on Monday, 22 December 2008.
2. Give in principle support to the development of a common user facility for motorised hire and drive vessels at the commercial boat lease precinct consistent with previous discussions with the co-vestee the Department of Water
3. Give in principle support to the development of a common user facility for non-motorised hire and drive vessels at Lily Creek Lagoon consistent with previous discussions with the co-vestee the Department of Water

4. Delegate authority to the Shire President and Acting Chief Executive Officer to make an offer to purchase the existing building on the expired lease lot previously held by Celliston Nominees with a view to the infrastructure being included in the development of the common user facility
5. Advise Diversion Cruises and Hire that:
 - a. Council acknowledges that they have been advised by the Department of Transport of the unlikelihood of their issuing of a licence to operate non-motorised hire and drive vessels at the commercial boat precinct; and
 - b. Council has received advice from the Department of Water that it will not permit the operations of houseboats to be based from Lily Creek Lagoon; and
 - c. Council will support an application to operate a Department of Transport licence at the appropriate common user facility and offer a concession to operate from each of the appropriate common user facilities, and
 - d. The open offer for the lease of Lot 2 at the commercial boat precinct will lapse within seven (7) days of receipt of a formal notice if written acceptance of the lease is not received

COUNCIL DECISION

Minute No. 8782

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

That Council suspend Standing Orders 7.5 at 6.48pm.

CARRIED: (7/0)

Minute No: 8783

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

That Council resume Standing Orders 7.5 at 6.50pm.

LOST: (2/5)

Minute No: 8784

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

That Council resume Standing Orders 7.5 at 6.57pm.

CARRIED: (7/0)

Foreshadowed Motion:

That Council reaffirm its decision of 22 December 2008, recorded as Minute Number 8498.

Minute No: 8785

Moved:Cr J Moulden

Seconded:Cr R Addis

That Council not reconsider the previous Minute No. 8508 of the Ordinary Council Meeting held on Monday, 22 December 2009.

CARRIED: (6/1)

For: Cr F Mills, Cr R Addis, Cr R Boshammer, Cr D Ausburn, Cr J Parker & Cr K Torres

Against: Cr K Wright

Note: The Council's decision differs from the Officer's Recommendation on the basis that there has been no new information provided and that consideration of other matters such as common use facilities need not be considered at this time.

Cr R Boshammer returned to the room at 7.00pm.

ATTACHMENT 1

Doc No.	007101
Date	6 AUG 2009
Officer	LEO/XTPE TPO/EO
Response	
File	01-2866-04
Cross Ref.	43-04-01

DIVERSION CRUISES & HIRE
PO Box 303 Kununurra WA 6743

Ph: (08) 91683 333 Fax (08) 91693 333 Mobile: 0418 681 100

5th August 2009

Shire of Wyndham & East Kimberley
ALEX DOUGLAS
PO Box 604
Kununurra WA 6743

Dear Alex

Re: Lease renewal for part reserve 41812

Would Council reconsider our lease?

DPI have written to us informing we cannot relocate our hire operations to the second proposed commercial precinct.

The Department of Water will not make any decision until the Shire has made a resolution.

DPI has supported us in the area that we have already leased.

I realize this has been a long process and we are back to where we started 10 years ago.

To date we are the only operator that has been restricted in operations which has been financially challenging for us impeding our income dramatically.

In 2004 we asked for a site that we could operate from as we need infrastructure to operate viably, the area we were using at that time was a road reserve and we were not allowed to use the Celebrity tree Park boat ramp. We looked at relocating to other leased areas on 41812 but we could not since no one had a legal lease on the reserve so we could not apply to operate a commercial hire operation.

One of the main reasons we were asked to relocate to the Messmate site originally was because below the M1 channel was not deemed to be safe due to Water Corporation's operations and DPI safety concerns and the ski area and sailing club.

The Department of Water put forward to the then Ord River Waterways Management Group that we re locate to the finger part of reserve 41812 at the end of Messmate Way as we could put all the infrastructure we needed to operate there.

We need a decision from Council so we can apply to Department of Water as at the end of this month we will not have an identified area to operate from.

I have attached copy of minutes of the Ord River Waterways Management Group 14 July 2004, letter from the Minister for Water /letter from the Minister for Transport.

We would appreciate if it could be presented to Council for the August meeting.

If this is not possible could you please contact me urgently as we require a solution to this before the 1st September this year from Council so we can operate our business.

Please feel free to contact me for any clarification on 0418 681 100.

Thanks



Darren Spackman



Minister for Transport; Disability Services
Hon. Simon O'Brien MLC

Our ref: 29-04035

23 APR 2009

Mr Darren Spackman
Diversion Cruises & Hire
PO Box 303
KUNUNURRA WA 6743

Dear Mr Spackman

**ISSUES ARISING FROM PROPOSED RELOCATION OF HIRE AND DRIVE
BUSINESS, DIVERSION CRUISES & HIRE**

Thank you for your email to the Minister for Transport, the Hon Simon O'Brien MLC, dated 12 March 2009 regarding the possible relocation of your hire and drive business HV 548 operated by you in Kununurra. The Minister has asked me to respond on his behalf.

Your request has been investigated and the Department for Planning and Infrastructure is willing to provide input regarding the suitability from a marine safety perspective of the proposal to relocate and operate your Hire and Drive business from these new locations.

I understand that the Shire of Wyndham East Kimberley has offered you a choice of two new locations. The first option is a new 21 year lease in a commercial vessel area on Lake Kununurra (Ord River) between the Ski Club and Swim Beach. The second option you have is to apply for a licence to operate self hire paddle craft from Celebrity Tree Park, adjacent to Lily Creek Lagoon. I understand that the latter option is near your current location and no marine safety concerns are envisaged with this option.

With regard to the first option on Lake Kununurra (Ord River), the new proposed location is not supported because of the following safety concerns:

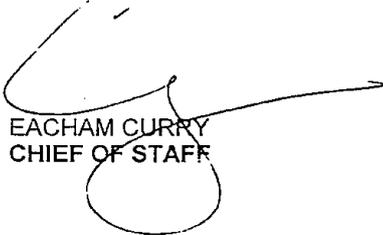
- It is understood that the Shire of Wyndham East Kimberley intends to create a commercial vessel area on the Lake Kununurra (Ord River) that involves commercial vessels and float planes and that these activities will impact on the Hire and Drive operations.

13th Floor, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 9213 6400 Facsimile: +61 8 9213 6401 Email: Minister.O'Brien@dpc.wa.gov.au

- This proposed area is in close proximity and adjacent to an existing gazetted water ski area. This ski area is well utilised in Kununurra.
- The proposed area is susceptible to high water flows due to water being released from the Diversion Dam by the Water Corporation.
- There is a well utilised sailing vessel area which is directly below the water ski area.
- There is an existing 100 metre exclusion zone in front of the dam wall.
- There is an existing float plane operation that operates in close proximity to this proposed area.

I hope you find this information useful in making your decision on which offer to accept.

Yours sincerely



EACHAM CURRY
CHIEF OF STAFF

ORD RIVER WATERWAYS MANAGEMENT GROUP

MINUTES OF THE MEETING HELD AT THE
SHIRE OFFICE, KUNUNURRA
ON WEDNESDAY, 14 JULY 2004.
MEETING COMMENCED AT 9.00AM

1. PRESENT

Keith Williams - Shire of Wyndham East Kimberley
Brian Wall - Shire of Wyndham East Kimberley
Dennis Prior - Water Corporation
Rachel Nelson - Department of Environment
John Buchanan - Ord Land and Water
Brad Rushforth - Conservation and Land Management
Murray Raven - Department of Planning & Infrastructure
Scott Goodson - Department of Environment
Angela Thompson - Shire of Wyndham East Kimberley

2. APOLOGIES

Ernie Pucci - Water Corporation
Tony Chafer - Water Corporation
Nerreda Hillier - WA Tourism Commission
Leith Bowyer - Department of Environment
Dick Pasfield - Ord Land and Water
Jim Lewis - Department of Indigenous Affairs

3. ADOPTION OF PREVIOUS MINUTES

RESOLUTION

Moved Scott Goodson, seconded Keith Williams that the Minutes of the Meeting held on 5 May 2004 be received.

4. MEMORANDUM OF UNDERSTANDING

The existing MOU was revised and minor changes were discussed. The updated MOU will be emailed with the minutes for consideration and signing at the next meeting.

attached. Keith advised that as per the Shire's Town Planning Scheme a buffer of 30 metres is recommended, if land is allowed to be freehold then the owner will need to apply for rezoning to develop the land. John as landowner requested whether the land could be freeholded with restriction - Scott suggested that a restrictive covenant may be an answer to this, more information required. Issues such as weed control and erosion of foreshore were discussed, these issues will need to be considered when freeholding. **ACTION - Murray will write to DPI Planning regarding the impact of freeholding to the edge as opposed to UCL.**

- Management of Lake Kununurra and Lily Creek - Murray Raven advised that the CEO of DPI is keen to see one agency responsible for Lily Creek and one for Lake Kununurra, rather than a combination of bodies (SWEK, DPI, DoE & WRC) as it is at the moment. The main purpose for this is for customers/developers to have one body to liaise with and obtain approval from. This body would be responsible to co-ordinate the development process. Brian suggested the Shire may be best positioned to undertake this role. An ORWMG Pack with all the licences and information from CALM, Water Corp, DPI, DoE including an explanation of the development assessment process will be formulated. The pack will need to be returned to the Shire as a completed pack, after visiting every department and obtaining approval. Once the pack comes back to the Shire it will be brought before the next ORWMG for final approval/discussion.
- Lake Kununurra - this is a more difficult issue in identifying who is the primary responsible body. Water Corporation has control over the water and water level. However it was decided for sake of ease that the Shire will look after the co-ordination role for both of these waterways. **ACTION - Murray Raven will write a letter to formally request Council to initiate this process. Keith Williams will co-ordinate getting the pack together.**

6. COMMERCIAL OPERATIONS

- Murray Raven advised that the site Darren Spackman is using at the moment is one of the sites identified as a potential commercial boat facility. The area is also a Main Roads road reserve. Darren is happy to shift over to the finger side (Reserve 41812), if this is the case the Shire and DoE can enter into a lease arrangement with Darren. DoE & DPI have approved use of the finger area (Reserve 41812). **ACTION - Murray will reply to Darren advising that he will need to apply to DoE and SWEK.**
- Murray Raven advised that a non-exclusive licence for bird watching ONLY has been issued to Darren Spackman by DPI - copy attached. Regarding the Bird Sanctuary Murray sought the committees views. Brad Rushforth (CALM)

advised that he has no issue with Darren taking people in to watch the birds but he doesn't believe a "Bird Sanctuary" is necessary. It was agreed that Bird Sanctuary would not be approved by ORWMG. **ACTION - Murray to advise Darren.**

7. DEVELOPMENT AND ACTIVITY PROPOSALS

- UCL adjoining Lot 482 - Jabiru Road (Packsaddle Plains), Kununurra - Keith Williams advised that this area is currently reserved under the Town Planning Scheme and Council do not have enough information to make a decision on this specific referral. **ACTION - Murray will write to Minister regarding this issue.**

8. ISSUES ARISING FROM LAST MEETING

- Scott Goodson handed out a draft copy of the Commercial Operation Review Process that Ernie Pucci and Scott have developed for ORWMG members to review.
- Scott Goodson has provided SWEK with a number of maps. Data for Underwater Hazards was provided with the agenda.

9. CORRESPONDENCE

Please note only correspondence sent for and on behalf of the ORWMG or received addressed directly to or C-C to the ORWMG is recorded.

Incoming Correspondence

Date	From	To	Subject
20/5/2004	Joe Zuber	ORWMG (via Ernie Pucci)	Cliff Search
2/7/2004	Joe Zuber	ORWMG (via Ernie Pucci)	World Cliff Diving Championships

* Note both of these documents were emailed to ORWMG members when received.

This correspondence was discussed - no objections were noted from any member of ORWMG, as long as relevant approvals are sought, including a Licence from DPI as diving spots are UCL.

Outgoing Correspondence

Date	From	To	Subject
Nil			

10. GENERAL BUSINESS

- Murray Raven advised that as the water of Lake Argyle has now been cleared on Native Title, a number of expression of interests have been received from existing commercial operators, for houseboats, etc. This is an issue for future consideration to develop a policy for operators.
- Murray Raven to attend Council Briefing Session to advise Councillors on Management of Lake Kununurra & Lake Argyle.
- Cane Toad Forum - CALM and Agriculture Dept will organise a Media Release and Public Education pamphlet. **ACTION - Brad Rushforth to action.**
- Rachel Nelson from DoE will present the "Environmental Protection Act - Clearing Provisions" to all statutory bodies. **ACTION - Rachel to email stat bodies to organise these presentations.**
- Scott Goodson brought up a letter from Kimberley Kohan regarding rubbish at Lily Creek. It was decided that this is not an issue for this group.
- Murray Raven advised that Emma Hitchens (ex Shire Planning Officer) is now working with DPI.
- Keith advised that the Houseboat Policy will be brought before Council in the future and the recommendation will be to repeal this Policy. This policy is seen as non-effective as Council doesn't have the statutory ability to enforce this Policy. Scott noted that in the past legal advice was sought and it was advised that Council did have control over this area.

11. ACTION PLAN

Please review for next meeting. An updated Action list arising from this meeting will be emailed with the minutes.

12. NEXT MEETING

The next ORWMG meeting will be held on Wednesday 1st September 2004 at 9am at the Shire Office.

13. CLOSURE OF MEETING

Meeting closed at 11.45am.

ATTACHMENT 2



Department of Water
Government of Western Australia

Your ref:
Our ref: RF4498
Enquiries: Kellie Loge, 9166 4113

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

Dear Mr Stubbs

Refuelling and Discharge of Sullage within Confines of Lily Creek Lagoon

On 12 August 2008, Department of Water representatives met with the Shire of Wyndham East Kimberley Councillors and the Chief Executive Officer to discuss Celliston Nominees lease over a portion of Reserve 41812. At this meeting the Council requested that the Department of Water put in writing any water quality issues associated with refuelling and sullage discharge in Lily Creek Lagoon.

As a result of this request by Council, the Department of Water conducted an extensive scientific review of associated water quality impacts on Lily Creek Lagoon from refuelling and sullage discharge. The review highlighted that a potential fuel or sullage spill by a vessel into Lily Creek Lagoon poses a significant threat to the water quality and thus the ecological character of this significant waterway. The findings of this review are enclosed for your records.

The Department of Water has a key mandate to protect the water quality and ecological values of the waterway and as a result of this review, the Department has adopted the long term view that all boats are to refuel and discharge sullage (other than small portable toilets with detachable holding tanks) at the commercial boat facility on Lake Kununurra. This view has been endorsed by the Department of Water Director General, Kim Taylor.

If you require further information please contact Kellie Loge in the Kununurra Office on 9166 4113.

Yours sincerely

Dave Munday
Regional Manager – Kimberley

10 December 2008

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

12/12/08



Minister for Transport; Disability Services
Hon. Simon O'Brien MLC

Our ref: 29-07453

10 AUG 2009

Mr Peter Stubbs
CEO@thelastfrontier.com.au

Dear Mr Stubbs

DIVERSION CRUISES ON LAKE KUNUNURRA

Thank you for your email of 9 July 2009 to the Minister of Transport, the Hon Simon O'Brien MLC, regarding the proposed operating location of Diversion Dam Cruises in the Lily Creek Lagoon, and for providing extra information from the Department of Water (DoW).

The Department of Transport (DoT) issues hire and drive vessel licences that are subject to approval from other Government agencies that have jurisdiction or a vested interest in the particular area of operation. In reference to the Diversion Dam Cruises and the proposed Lily Creek Lagoon location, if the DoW does not grant approval from an environmental perspective pertaining to potential drinking water quality issues, then the DoT licence to operate in this area will also not be approved.

From a marine safety perspective, the current operating location for this business is the most suitable at this point in time.

Yours sincerely



EACHAM CURRY
CHIEF OF STAFF

13th Floor, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 9213 6400 Facsimile: +61 8 9213 6401 Email: Minister.Obrien@dpc.wa.gov.au

12.6.4 PROPOSAL FOR THE DEVELOPMENT OF A NEW BRAND FOR THE SHIRE (8786)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	60.04.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider submissions to a request for quotation on the development of a new brand for the Shire of Wyndham East Kimberley.

BACKGROUND

An invitation to quote on the development of a new brand yielded three responses by the closing date of 4pm Friday 31 July 2009.

STATUTORY IMPLICATIONS

No specific statutory implications are associated with this report.

POLICY IMPLICATIONS

Council's Purchasing Policy has been complied with.

FINANCIAL IMPLICATIONS

A budget allocation of \$40,000 has been included in the 2009/10 budget.

STRATEGIC IMPLICATIONS

The assessment of a new brand for the Shire has been seen as important to mark the new beginnings being presented by the development of Ord Stage 2 and the associated community infrastructure. The area is moving on from the images conveyed by 'The Last Frontier'.

COMMUNITY CONSULTATION

Community consultation is a required component of the development and testing of branding options.

COMMENT

The scope of the work as per the Request for Quotation is:

Brand – that reflects uniqueness of region, inclusive of positioning statement:

- Rationale – description of brand rationale;

- Style Guide – describing use of brand elements, colours, fonts, settings for livery etc (10 copies);
- Intellectual Property – to be assigned to the Shire;
- Reports of Consultation – to be provided to the Shire;
- Example Livery – capable of being produced by any credible printer, sign writer, describing capacity for use in conjunction with staff uniforms;
- Ownership – all brand, samples and copyright will be owned wholly by Council.

The three submissions are summarised as follows:

Item	Company	Amount (incl GST)	Nominated extras (incl GST)	Proposed Timeline
1	Jack In The Box Corporation P/L	\$40,343.45	nil	12 weeks
2	Finn Creative	\$60,577.00	Production costs not included (eg style guide Master)	26 weeks (approx.)
3	marketforce exPress	\$33,352.00	\$4,675 (travel and accommodation)	20 weeks

Each of the respondents has provided the required documentation including methodology. Each has similar methodology in general terms although Jack in the Box is more detailed in the composition of stakeholder/representative groups, and business and resident surveys.

Examples of previous clients are summarised as follows:

Item	Company	Referees and Clients listed
1	Jack In The Box Corporation P/L	Harley Survey Group; CinefestOZ; Shire of Moora, Cities of Armadale and Gosnells and Shire of Serpentine Jarrahdale
2	Finn Creative	SBS; Magabala Books/North West Expo; Gelganyem Trust
3	marketforce exPress	City of Belmont; Canning College; WALGA; City of Gosnells

The Selection Criteria and weighting was nominated as follows:

- A) Track Record (20%)
- B) Methodology (40%)
- C) Scope of Works Addressed (30%)
- D) Demonstrated Understanding (10%)

Item	Company	Criteria and Weighted Score
		Total
1	Jack In The Box Corporation P/L	8.2

2	Finn Creative	8.0
3	marketforce exPress	7.7

The scores, excluding price are close and the basis of the recommendation is the belief that Jack in the Box provide a slightly better value for money.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council accept the quotation as submitted by Jack In The Box Corporation Pty Ltd being for the development of a new brand for the Shire of Wyndham East Kimberley in accordance with the Specification and Scope of Work for the sum of \$40,343.45 inclusive of GST.

COUNCIL DECISION

Minute No. 8786

Moved:Cr R Boshammer

Seconded:Cr R Addis

That Council accept the quotation as submitted by Jack In The Box Corporation Pty Ltd being for the development of a new brand for the Shire of Wyndham East Kimberley in accordance with the Specification and Scope of Work for the sum of \$40,343.45 inclusive of GST.

CARRIED: (6/2)

For: Cr F Mills, Cr R Addis, Cr D Ausburn, Cr K Wright, Cr R Boshammer and Cr J Moulden

Against: Cr J Parker and Cr K Torres.

12.6.5 REQUEST TO ALTER MATERIALS FOR NEW ROUNDABOUT LAKESIDE STAGE 5 (8787)

DATE:	18 August 2009
PROPONENT:	Landcorp
LOCATION:	Hibiscus Drive, Lakeside
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	43.04.17
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a request from LandCorp to alter the preferred construction material/pavement for a new roundabout to be constructed as part of the Lakeside Stage 5 road works.

BACKGROUND

LandCorp's consultant engineers nominated brick/block paving for roundabouts within Lakeside Stage 5 in the submitted construction drawings early in 2009. They were advised that Council has a standing resolution requiring the construction of new roundabouts to have a concrete pavement to minimise future pavement deformation and maintenance.

In late July correspondence was received from LandCorp advising that they were authorising the contractor to purchase and deliver concrete block pavers for the first of the roundabouts which will be a new intersection on Hibiscus Drive near the Sirius Street intersection.

STATUTORY IMPLICATIONS

No specific statutory implications are associated with this report.

POLICY IMPLICATIONS

Council does not have a specific policy on roundabout construction.

FINANCIAL IMPLICATIONS

The development costs associated with Lakeside Stage 5 are funded by LandCorp. Upon practical completion of the road works, the Shire takes responsibility for the roads and associated infrastructure except that a defects liability period of twelve months covers any obvious construction failures that are rectified at the contractors cost.

Beyond the initial twelve month period the road infrastructure is the sole responsibility of the Shire. The concern is that the Shire has experienced pavement failures at several roundabouts and is understandably cautious in respect of new works.

STRATEGIC IMPLICATIONS

The management of the Shire's assets is a significant component of the Shire's strategic planning and the need to ensure that future maintenance and replacement costs is minimised through appropriate materials and design specifications.

COMMUNITY CONSULTATION

No community consultation has been undertaken in the preparation of this report.

COMMENT

LandCorp's consultants provided the Lakeside Stage 5 construction drawings for approval in early 2009. One of the items queried was the proposed materials for the construction of a roundabout on Hibiscus Drive where a new road intersects near the Sirius Street/Hibiscus Drive intersection.

Council's decision on the nominated use of concrete pavements was conveyed to them in writing. Subsequent discussion via email and telephone established that should LandCorp pursue the use of an alternative pavement (use of interlocking concrete pavers was proposed) then it would have to be referred to Council. It will be noted in the attached correspondence that reference is made to the issue being referred to the April Briefing Session and Council Meeting. This did not occur as information from LandCorp and their consultants was not forthcoming.

LandCorp consultants advised that pavers had been used on at least one roundabout in Broome, and it was agreed that a report to Council must include a local government 'referee' as to the use and suitability. The consultants undertook to provide that documentation.

On 20 July 2009 correspondence from LandCorp, SKM engineering consultants and a copy of an email relating to the Shire of Broome were emailed to us. The context of the correspondence was to advise that LandCorp's civil contractor for Lakeside Stage 5 needed to order the paving materials for the roundabout and to allow for the freight arrangements LandCorp had authorised the contractor to order the pavers.

The problem for LandCorp is that their consultants are not prepared to recommend a full concrete pavement at the roundabout, however acknowledge that brick paving is easier to repair/reinstate in the event of deformation.

The very issue of weakened pavement strength from high water table and compaction control on relatively small diameter roundabouts is the very reason why Council has taken a stance with respect to preferred materials/construction.

Staff acknowledge that there are construction and maintenance issues with concrete pavements. It is also known that interlocking pavers have been used successfully in numerous locations with high traffic demand. The question

relates to longevity of the pavement materials chosen and the level of risk of subsequent maintenance or failure. The comments made by the Broome staff reflect those issues and concerns.

The issues of weakened sub-grade and sub-base layers resulting from ground water need to be addressed irrespective of the actual base course chosen. Localised settlement will occur if the groundwater issue is not addressed, with the difference between flexible pavement, block paving and concrete pavement is where and the extent of settlement/deformation.

It is unusual for nationally based consultants such as SKM to state that they would not certify a concrete roundabout when it would be highly likely that the company has designed and advocated concrete roundabouts elsewhere in Australia.

The following comments are considered to summarise the situation:

- LandCorp have been aware of the Council's position on roundabout pavements for some time;
- LandCorp's consultant advice is that a concrete pavement should not be used;
- There is nothing unique in the use of either concrete pavements or interlocking block pavers at roundabouts;
- There are localised soil conditions that need to be accounted for in any design of the roundabout and roads;
- The Shire is expected to take responsibility for the road network upon practical completion with a twelve month defects liability period ending twelve months after practical completion.
- It is not practical for the Shire to submit an alternate design from another engineering consultant, particularly given the timeframe for completion;

An extended warranty period for the block paving would be acceptable.

ATTACHMENTS

Attachment 1 – Correspondence from LandCorp

Attachment 2 – Correspondence from SKM Consulting Engineers

Attachment 3 – Email correspondence from Shire of Broome

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council accept the use of 80 mm concrete block paving in the construction of roundabouts within Lakeside 5 and subsequent Stages where applicable on the basis that LandCorp accept a 5 year defects liability period from the date of practical completion.

COUNCIL DECISION

Minute No. 8787

Moved:Cr R Boshammer

Seconded:Cr D Ausburn

That Council referthe item to the Ordinary Council Meeting of Council to be held on 15 September 2009.

CARRIED: (7/1)

Note:The item was deferred at the request of LandCorp to enable a presentation to be made at the 15 September meeting by Landcorp representatives.

For: Cr F Mills, Cr R Addis, Cr R Boshammer, Cr D Ausburn, Cr K Wright, Cr J Parker and Cr K Torres

Against: Cr J Moulden

ATTACHMENT 1

Your Ref:
Our Ref: Stage5 Roundabout Lakeside Knx
Enquiries: W Sillich



Mr Alex Douglas
Executive Manager Engineering and Regulatory Services
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Dear Alex

ROUNDABOUT – HIBISCUS DRIVE STAGE 5 LAKESIDE PARK ESTATE

As you are aware, Council resolution determined that the roundabout as part of Stage 5 subdivision application is to be constructed from concrete. This is a condition of subdivision approval.

LandCorp and it's consulting engineers, Sinclair Knight Mertz, believe that a concrete roundabout will not handle traffic loads in the future, particularly from heavy vehicles, often associated with new housing in any estate. There will be heaving and cracking of the concrete in the future and this will lead to maintenance costs which the Shire will bear.

LandCorp understands there may be some concerns regarding bitumen seal roads in Kununurra where rutting on corners and failures have occurred, often the cause of which is the material used in the sub base, high water table being experienced in many parts of Kununurra and high temperatures affecting the bitumen seal causing softness and bleeding. LandCorp has incorporated an extensive subsoil drainage system into Lakeside from Stage 3 onwards and the current stage has an even greater amount of sub soil drainage to control the seasonally high water table which has in Stages 1 & 2 caused problems with road construction.

The Januburu Six Seasons development in Broome has successfully used interlocking brick paving to roundabouts and this design specification is incorporated in the roundabout on Hibiscus Drive at Lakeside. We have requested that the Shire of Broome provide comment on the maintenance of the roundabouts which have been in place under high traffic loads for some 3 years. The attached comment from John Willis, the Manager of Asset and Design for the Shire of Broome states that the roundabouts are performing well. Additionally the advice to LandCorp from Sinclair Knight Mertz is attached.

WESTERN AUSTRALIAN LAND AUTHORITY ABN 34 868 192 835
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40 The Esplanade Perth Western Australia 6000
Locked Bag 5 Perth Business Centre Perth Western Australia 6849

T: (08) 9482 7499
F: (08) 9481 0861
landcorp@landcorp.com.au
www.landcorp.com.au

Essentially, LandCorp is so concerned about the potential failure of a concrete roundabout that it will not accept any responsibility for maintenance of the roundabout even within the normal 12 month defects liability period associated with the contract between LandCorp and it's contractor. LandCorp's contractor is ordering bricks to come by ship to Wyndham within the next week in order to adhere to it's construction program and therefore Council needs to be aware of LandCorp's position.

LandCorp requests Council review it's earlier resolution, which we believe is not based on any qualified engineering principles and will lead to ongoing maintenance issues and associated costs. Council should also seek the advice from it's own internal engineering staff concerning this letter.

Yours sincerely



20 July 2009

Cc Mr Peter Stubbs – CEO SWEK

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40 The Esplanade Perth Western Australia 6000
Locked Bag 5 Perth Business Centre Perth Western Australia 6849

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ATTACHMENT 2

Sinclair Knight Merz
7th Floor, Durack Centre
263 Adelaide Terrace
PO Box H615
Perth WA 6001 Australia

Tel: +61 8 9268 4400
Fax: +61 8 9268 4488
Web: www.skmconsulting.com



Ms Wayne Silich
LandCorp
Level 3 Wesfarmers House
40 The Esplanade
Perth WA 6000

21st July 2009

L15 pbo SWEK Block paving for roundabout.doc

LAKESIDE KUNUNURRA STAGE 5 CONTRACT NO: DE02925.05

Hibiscus Roundabout – Council Requirement for a Concrete Roundabout

We refer to the Shire of Wyndham and East Kimberly's requirement for the roundabout in Hibiscus Road to be constructed in concrete as opposed to the design submitted in concrete block work as outlined in their engineering approval of our Stage 5 submission for approval. Specifically the approval refers "Brick paving treatment at roundabout requires approval of Council. It will be discussed at a Briefing Session on 7 April and referred to Council on 21 April. SKM and LandCorp are aware of the background to the preferred concrete pavement treatment."

As Sinclair Knight Merz has advised previously we do not recommend that the roundabout is constructed in concrete as requested by council. We do not accept that concrete is a suitable construction technique for a roundabout in this location for the following reasons;

1. A concrete roundabout in this location would require a significant number of joints to cope with the shrinkage due to the irregular shape.
2. The joints are susceptible to movement due to high edge loads from the traffic, which eventually leads to exacerbation of the change in level across the joints, which leads to cracks and finally failure. This effect is exacerbated under poor foundation conditions.
3. The joints require backing strips and sealants which eventually strip out due to traffic movements allowing water to penetrate into the sub base leading to sub base and possibly sub grade failure.
4. The soil in the area is subject to a high water table which tends to reduce the bearing capacity. This will have a greater effect on a concrete roundabout rather than block work which can be removed and re-laid.
5. Maintenance is significantly higher with a concrete roundabout and repairs are very costly. Block work can be removed in the areas which are damaged, whereas concrete would need to be removed as one section and reconstructed.
6. Given the soil conditions and the joint requirements SKM would not certify a concrete roundabout as being suitable for this area.

We do not recommend a concrete roundabout. All of the roundabouts in Broome have been constructed as block paved and are performing very well. This is evidenced by the recent email communication from John Willis at the Shire of Broome who commented on the performance of the existing roundabouts in Broome.

In relation to the comparison with the roundabouts in Broome the construction will be slightly different and in effect a better construction that in Broome as follows:

Sinclair Knight Merz Pty Limited ABN 37 001 024 095
Offices across Australia, New Zealand, UK, South East Asia, Middle East, the Pacific and Americas

SKM

- We will be using Interlok 80 pavers which are a better quality than that used in Broome due to the better interlocking arrangement of the pavers. These are the same pavers used for aircraft pavement.
- The specific detailing includes 100mm of compacted Pindan Gravel over the compacted subgrade and then 200mm of cement stabilised base course, 25mm of bedding sand with 80mm of interlocking paving. This in effect gives a final pavement of over 300mm not including the paving which effectively has a higher strength than the adjacent roads leading into it.
- The workmanship should be good due to the fact that Ertech are using a Perth based paving contractor experienced with this type of paving and who laid the roundabouts in Stage 4.
- We are using a single colour block paver with no joints other than against the kerbing where we will be using Pavelok at the joint.

Please contact Mr Grant Boyd, should you require further information or clarification.

Yours faithfully,



Peter Oliver
Civil Engineer
For Sinclair Knight Merz Pty Ltd
Phone: 9268 4470;
Fax: 9268 4488;
E-mail: poliver@skm.com.au

ATTACHMENT 3

Hi John,

Thanks for the reply on behalf of the Shire of Broome regarding performance and maintenance of paved roundabouts, it is greatly appreciated. As previously discussed, LandCorp will forward these comments to SWEK and hope they assist in progressing approval to install paved roundabouts within Lakeside Park.

Regards

Will Eyres
Project Manager
LandCorp



Level 3 Wesfarmers House 40 The Esplanade Perth Western Australia 6000
T: 08 9482 7589 **F:** 08 9481 3315 **M:** 0437 417 034
E: will.eyres@landcorp.com.au **W:** www.landcorp.com.au

From: John Willis [mailto:John.Willis@broome.wa.gov.au]
Sent: Friday, 17 July 2009 10:52 AM
To: Will Eyres
Subject: RE: Performance of interlocked paved roundabouts

Will

Several roundabouts on both local streets and distributor roads have been constructed in Interlocking Brick Paving in Broome as part of LandCorps Januburu Stages 1-4 Subdivision, in fact as well as the roundabouts several small link streets are entirely brickpaved.

In the design and approvals stage it was stressed to LandCorps consultants SKM that there had been problems in previous early Broome subdivisions were brickpaved threshold treatments had locally subsided at concrete flushkerb edges and this was primarily due to a lack of laying expertise with Broome contractors and also poorer quality basecourse materials used. It was specifically stated that detailed engineering design would be required to ensure that the proposed roundabouts did not suffer the same fate.

To ensure the final brickpaved installation was of the highest quality, SKM produced specific detailing which included a worked and compacted subgrade topped with 200mm of basecourse and then bedding sand with interlocking paving. This in effect gives a final pavement of over 300mm which effectively has a higher strength than the adjacent roads leading into it, workmanship issues were solved by efficient site supervision and the contractor utilising brickpaving subcontractors experienced in road/civil construction rather than domestic.

All of the roundabouts installed are showing no signs of any deformation or requiring maintenance and if any advice could be relayed from a Shire perspective it would be to try and minimise the different colours used and to ensure they are all of a similar high quality paving brick with a flush surface rather than mottled. Shires should be provided with an amount of bricks for any future maintenance, all joints between kerbs and splitter island should be filled with lockjoint infill and particular care must be taken in the supervision of the installation.

It is also worth mentioning that brick paved surfaces provide a valuable traffic management effect by having a different visual surface texture in the roadway which tends to decrease motorist speed especially in residential areas.

Regards

John Willis
Manager of Asset & Design

Shire of Broome
PO Box 44 Broome WA 6725
(08) 9191 3456 - Reception
(08) 9191 3409 - Direct Line
(08) 9191 3455 - Fax

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12.7. ELECTED MEMBER REPORTS

Nil

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. 8788

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

That Council move to deal with Late Items

CARRIED UNANIMOUSLY: (8/0)

**15.1 ROAD WIDENINGS - GREAT NORTHERN HIGHWAY,
DUNHAM RIVER (8788) (8789)**

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Great Northern Highway, Dunham River
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	21.11.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the procedural request for the widening of portion of the Great Northern Highway road reserve at the Dunham River.

BACKGROUND

Fugro Spatial Solutions Pty Ltd has written on behalf of Main Roads WA to seek Council's endorsement of boundary adjustments to the highway road reserve at the Dunham River.

STATUTORY IMPLICATIONS

The procedure required is in accordance with the Land Administration Act 1997 and Public Works Act 1902.

POLICY IMPLICATIONS

No specific Council Policy applies.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

COMMUNITY CONSULTATION

No consultation has been required or undertaken in preparing this report.

COMMENT

The widening of the road reserve at the locations shown in Attachment 1 are required for the realignments undertaken with the construction of the Dunham River Bridge.

Consultation is a requirement of the process and the endorsement by the Council is a formality. Council has previously considered the gazettal and de-gazettal of portions of the Great Northern Highway as part of the progressive improvements and realignment of the Highway.

ATTACHMENTS

Attachment 1 – Correspondence from Fugro Spatial Solutions P/L

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council concur to the taking of the land being lots 503 and 504 the subject of Deposited Plan contained within the Shire of Wyndham East Kimberley and to its dedication as a road under Section 56 of the Land Administration Act 1997.

Minute No: 8789

Moved:Cr D Ausburn

Seconded:Cr R Boshammer

That Council concur to the taking of the land being lots 503 and 504 the subject of Deposited Plan contained within the Shire of Wyndham East Kimberley and to its dedication as a road under Section 56 of the Land Administration Act 1997.

CARRIED UNANIMOUSLY: (8/0)

15.2 LOCAL GOVERNMENT STRUCTURAL REFORM (8791)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	66.11.36
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the responses to the Assessment Checklist submitted as required under the State Government Reform Strategy and a proposal to have a public meeting/s to obtain public comment on local government reform options within the Kimberley Region.

BACKGROUND

The Local Government Reform Steering Committee (previously the Local Government Advisory Committee) operates under the direction of the Minister for Local Government, the Hon. Minister John Castrilli MLA.

Each local government has been required to submit an Assessment Checklist, and a formal submission inclusive of public consultation.

At the Kimberley Zone meeting held on 5 August 2009, the Minister for Local Government was reasonably clear as to the intent of the State Government to ensure that amalgamations would follow as a result of the reform process they initiated. At the Local Government Convention WALGA AGM held on 8 August 2009, the Premier was adamant that local government amalgamation would occur and that there would be fewer than 100 local governments within Western Australia as a result of the reform process.

The original deadline was 31 August 2009 and has been amended by the Minister for Local Government to 30 September 2009 following a request from WALGA from the State Council Meeting held on 9 August 2009.

Advice from two of the three other Kimberley Zone councils is that they are undertaking their submissions independently.

STATUTORY IMPLICATIONS

Local government within Western Australia operates under a number of State and Federal Acts and Regulations.

The Local Government Act 1995 empowers the State Government to structure local government as it sees fit.

POLICY IMPLICATIONS

There are specific policy implications applicable to this report.

FINANCIAL IMPLICATIONS

There are significant financial opportunities and threats implicit in the process of reforming local government. The allocation of grants and other funding has been mooted to be 'means tested' in the future based on local and regional council viability and efficiency.

STRATEGIC IMPLICATIONS

The governance and resource capacity of local government is crucial to the delivery of services to the communities they serve. Local governments must have the capacity to deliver services at an appropriate level and meet the requirements of long term infrastructure management.

COMMUNITY CONSULTATION

No public consultation has been undertaken in the preparation of this report, however consultation is one of the key requirements in making our submission to the Minister on local government reform.

COMMENT

Council endorsed the Assessment Checklist as prepared by the previous Chief Executive Officer at the Ordinary Council Meeting held on 21 April 2009. A response from the Department of Local Government was received on 29 July 2009 advising of the Local Government Reform Steering Committee's assessment.

The Steering Committee has established three categories for local governments being: -

Category One: *evidence indicates that there is existing organisational and financial capacity to meet current and future community needs. Local governments should still consider reform opportunities which enhance service provision to local and regional communities.*

Category Two: *structural reform including amalgamation/boundary adjustments and formalisation of regional groupings should be considered to enhance organisational and financial capacity to meet current and future community needs.*

Category Three: *significant structural reform including amalgamation and formalisation of regional groupings is required to ensure long term community and organisational benefit in order that the needs of the current and future generations are met.*

The Shire has been placed in Category Three.

A comparison of the Assessment Checklist submission and the responses are provided as Attachment 1.

As can be seen from the Checklist there are 13 topics listed. It is considered that the submission to the Minister should be framed around these topics rather than a general response of “no we don’t want it”.

Those topics are listed as follows: -

1. Long Term Strategic Planning
2. Detailed Asset Management Planning
3. Future Financial Viability and Planning
4. Equitable Governance and Community Representation
5. Proficient Organisational Capacity
6. Effective Political and Community Advocacy for Service Delivery
7. Understanding of and Planning for Demographic Change
8. Effective Management of Natural Resources
9. Optimal Community of Interest
10. Optimal Service Delivery to Communities
11. Membership of an Effective Regional Grouping
12. Previous Structural Reform

The purpose of this report is to apprise elected members of the responses to the Checklist and that the original plan to have a separate but common approach to the submissions is not now the case.

The likelihood of forced amalgamation within the Kimberley or Pilbara Region is low however clearly there is a need to present a thorough and professional submission to the Minister to at least demonstrate that the Council is cognisant of its responsibility to provide effective governance for its community.

There is a clear demand for additional time to be spent on this topic, far more than has been spent to date by both staff and elected members.

Elected members are requested to consider a workshop or Special Council Meeting to consider the provision and details of a community consultation process as part of the submission. One of the implicit requisites of the Assessment Checklist and the required Submission involves community interaction.

An alternate recommendation to the Officers Recommendation 3 is: -

consider the results of the public consultation at a Special Council Meeting to be held on Tuesday 22 September 2009 in order to finalise the Shire of Wyndham East Kimberley submission to the Minister for Local Government due by 30 September 2009.

ATTACHMENTS

Attachment 1 – Assessment Checklist and Response from the Local Government Reform Steering Committee (provided under separate cover)

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council:

1. note the response from the Local Government Reform Steering Committee,
2. prepare a discussion paper for public comment and a public meeting to be held on Wednesday 9 September 2009, and
3. consider the results of the public consultation at the Ordinary Council Meeting to be held on 15 September 2009 in order to finalise the Shire of Wyndham East Kimberley submission to the Minister for Local Government due by 30 September 2009.

COUNCIL DECISION

Minute No. 8791

Moved:Cr R Boshammer

Seconded:Cr R Addis

That Council:

- 1. note the response from the Local Government Reform Steering Committee,**
- 2. prepare a discussion paper for public comment and a public meeting to be held on Wednesday 16 September 2009 in Kununurra and Thursday 17 September 2009 in Wyndham.**
- 3. consider the results of the public consultation at the Ordinary Council Meeting to be held on Tuesday 22 September 2009 in order to finalise the Shire of Wyndham East Kimberley submission to the Minister for Local Government due by 30 September 2009.**

CARRIED UNANIMOUSLY: (8/0)

T

**15.3 PROPOSED AMENDMENT 33 - REZONING LOT 553
PACKSADDLE ROAD (8793)**

DATE:	18 August 2009
PROPONENT:	D & M Den - Whelans Town Planning
LOCATION:	Lot 553 Packsaddle Road Kununurra
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	43.31.33
ASSESSMENT NO:	A607

Due to a declaration of a financial interest in Item 15.3 Cr R Addis left the room at 7.32pm

PURPOSE

For Council to consider initiation of an amendment to Town Planning Scheme No.7 for a portion of Lot 3003 Packsaddle Road, Kununurra to rezone the land from 'Special Foreshore Reserve' to the 'Rural Agriculture 2' zone.

BACKGROUND

The Department for Regional Development and Lands is in the process of selling land along the Packsaddle foreshore to be amalgamated with adjoining properties. This process evolved during preparation of the Ord Final Agreement [OFA] when the land was identified as Crown land that could be disposed of to provide a financial contribution to the terms of the agreement, an initiative supported by Council.

The land has subsequently been valued and offered to adjoining property owners. It is understood that a majority of landowners on Jabiru and Packsaddle Roads have agreed to the acquisition with land survey, transfer and settlement processes either in progress or completed.

In response to this process staff has received a number of enquiries in relation to development opportunity on the newly acquired land with advice given that the foreshore land needs to be rezoned from 'Special Foreshore Reserve' to the 'Rural Agriculture 2' zone.

An application has now been received from Whelans Surveyors and Town Planners representing the owners of Lot 553 Packsaddle Road who are currently acquiring a portion of Lot 3003 - refer to Attachment 1. The application seeks the Council's consideration to initiate a scheme amendment to rezone the additional portion foreshore land to be amalgamated with their title – refer to Attachment 2.

For reference purposes Figure 1 provides an understanding of the location of Lot 553:

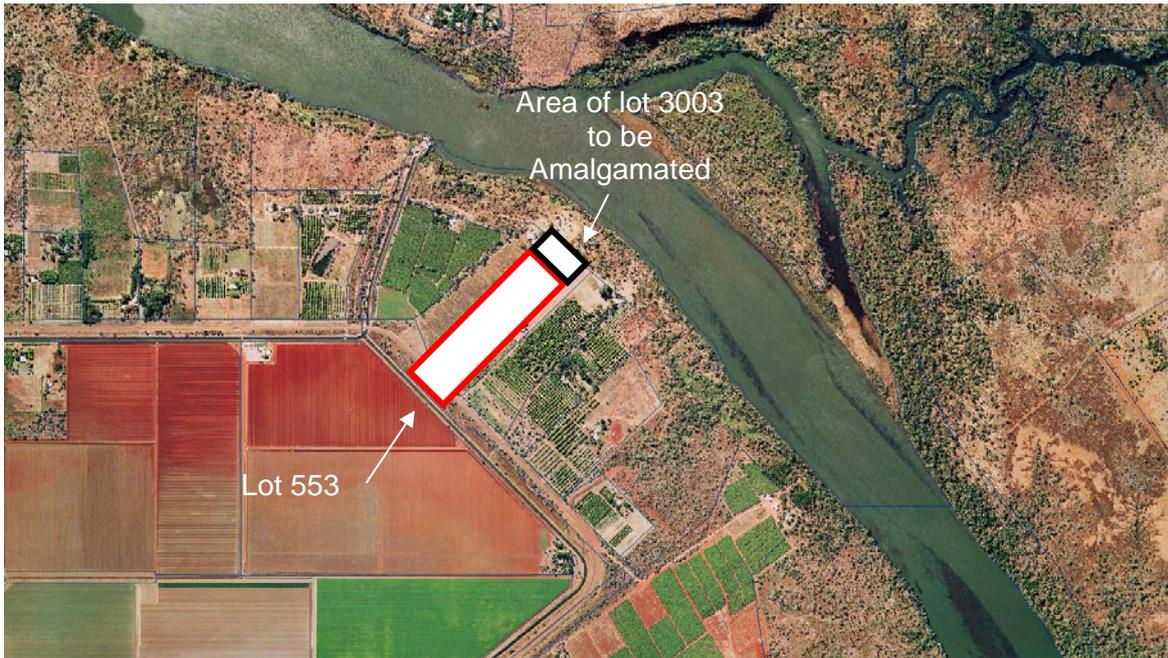


Figure 1 – Location Plan

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 *Planning Regulations, 1967*.

Should Council initiate the proposed Scheme Amendment, the amendment and supporting documentation will be submitted to the EPA for assessment. When the EPA releases the amendment for advertising, the amendment is advertised in accordance with the *Town Planning Regulations 1967* and the *Planning and Development Act 2005*. At the completion of advertising, Council has an opportunity to review submissions prior to forwarding the amendment to the WAPC. Ultimately the WAPC will recommend to the Minister whether the amendment should be approved or not.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An initiation fee of \$500 is payable on initiation.

STRATEGIC IMPLICATIONS

The proposal is in line with the Ord Final Agreement and the strategic initiatives of the Shire that includes:

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.”

COMMUNITY CONSULTATION

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 occurs for 42 days, and will require signage, newspaper advertisements and/or correspondence to all affected parties and adjoining owners.

All landowners adjoining the foreshore land have been advised of the proposed amalgamations through the amalgamation and sale process.

COMMENT

The amalgamation of the foreshore land with adjoining lots will result in a zoning anomaly under the Town Planning Scheme with a split zoning consisting of land partly reserved 'Special Foreshore' and partly zoned 'Rural Agriculture 2' – refer to Attachment 2.

Whilst the land is split zoned landowners will not be able to utilise the foreshore portion until the land is suitably rezoned. Ordinarily this would not present an issue and the whole of Lot 3003 could be rezoned as part of the Scheme Review process, however the owner of Lot 553 has expressed intentions to develop the land within a short time frame and therefore is seeking an expeditious rezoning of the land through the amendment process. Further, it is understood that other landowners in the vicinity will also be pursuing a rezoning in a grouped approach. It is intended that any landowners that have no immediate need for rezoning will have their land rezoned as part of the Scheme Review to rectify this anomaly.

Therefore, on this understanding it is recommended the Council support the application and initiate an Amendment to Town Planning Scheme No.7 and request amendment documents be prepared upon completion survey data for the Department of Regional Development and Lands amalgamation process.

ATTACHMENTS

1. Landgate Amalgamations
2. Existing zoning plan
3. Letter from Applicant

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005 (as amended)*, amend the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 (Kununurra and Environs) by:
 - (a) Rezoning portion of Lot 3000 Packsaddle Road that immediately adjoins the north east boundary of Lot 553 to 30 metres from the lake edge from the 'Special Foreshore' reservation to the 'Rural Agriculture 2' zone;

- (b) Amending the Scheme Maps accordingly.
2. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation;
 3. Request the consultant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority for the level of assessment for the amendment be set pursuant to Section 48A of the Environment Protection Act 1986 [as amended]; and
 4. Upon receipt of the level of assessment from the Environmental Protection Authority, proceed to advertise the amendment for a period of 42 days through the placement of an advertisement in the Kimberley Echo, erection of a notice in the Shire Offices, modification of the sign on-site and the posting of notices to affected parties.

COUNCIL DECISION

Minute No. 8793

Moved:Cr R Boshammer

Seconded:Cr K Wright

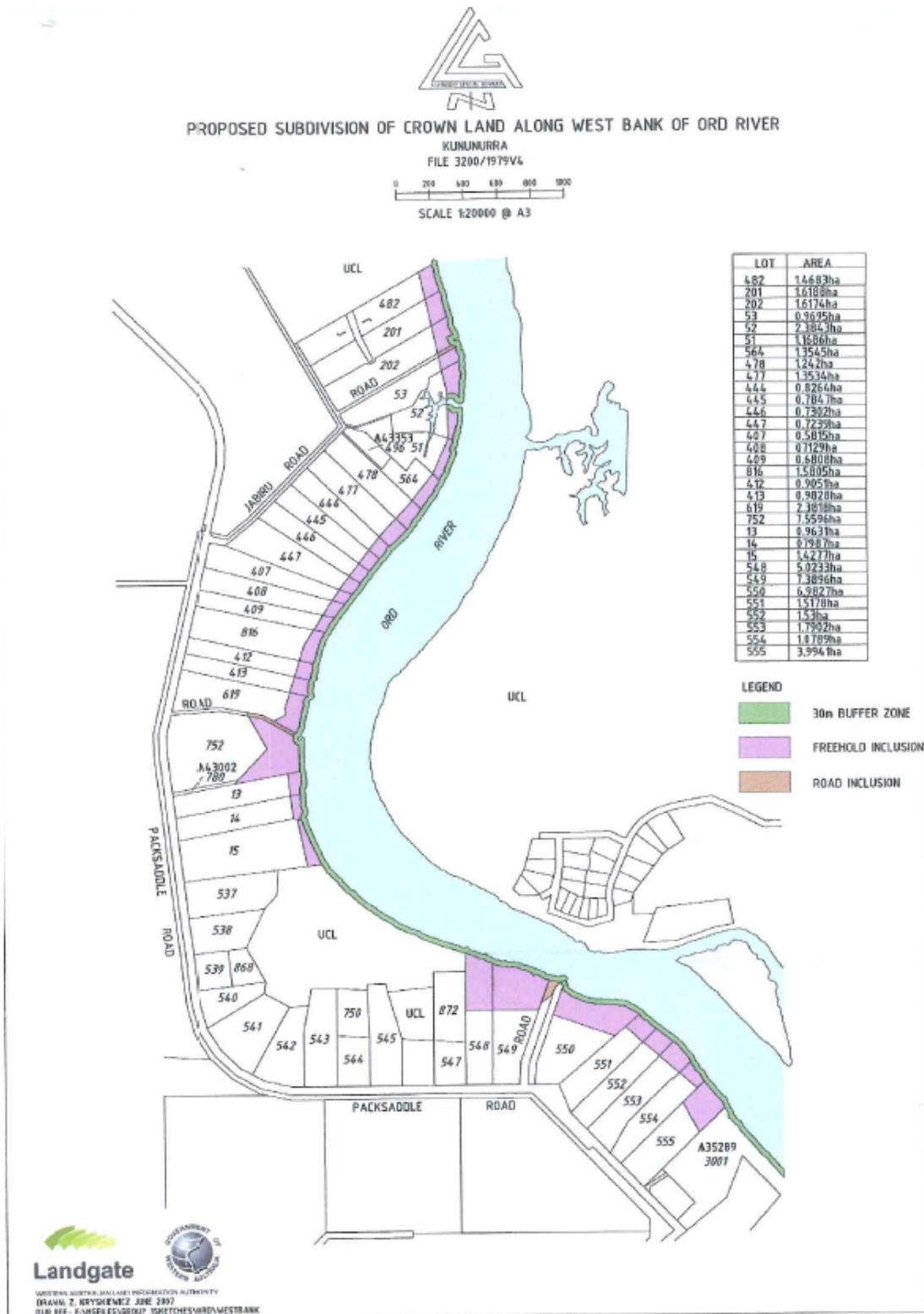
That Council:

1. ***Pursuant to Section 75 of the Planning and Development Act 2005 (as amended), amend the Shire of Wyndham-East Kimberley Town Planning Scheme No. 7 (Kununurra and Environs) by:***
 - (a) Rezoning portion of Lot 3000 Packsaddle Road that immediately adjoins the north east boundary of Lot 553 to 30 metres from the lake edge from the 'Special Foreshore' reservation to the 'Rural Agriculture 2' zone;***
 - (b)Amending the Scheme Maps accordingly.***
2. ***Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation;***
3. ***Request the consultant to prepare the formal amendment documentation to enable referral to the Environmental Protection Authority for the level of assessment for the amendment be set pursuant to Section 48A of the Environment Protection Act 1986 [as amended]; and***
4. ***Upon receipt of the level of assessment from the Environmental Protection Authority, proceed to advertise the amendment for a period of 42 days through the placement of an advertisement in the Kimberley Echo, erection of a notice in the Shire Offices, modification of the sign on-site and the posting of notices to affected parties.***

CARRIED: (7/1)

Cr Addis returned to the room at 7.42pm.

ATTACHMENT 1



ATTACHMENT 2





Our ref: 1346101
11 August 2009

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

ATTN: Ian D'Arcy

Dear Ian,

PROPOSED PLANNING SCHEME AMENDMENT LOT 3003 PACKSADDLE ROAD

We act on behalf of the owner of the above described property, and respectfully request Council initiate an amendment to Town Planning Scheme No 7 Kununurra and Environs to rezone the subject land to Rural Agriculture 2.

As you are aware, land along the Packsaddle foreshore is in the process of being sold and amalgamated with adjoining properties. This process evolved during preparation of the Ord Final Agreement [OFA] when the land was identified as Crown land that could be disposed of to provide a financial contribution to the terms of the agreement.

Council accordingly resolved to support the amalgamation of the land.

The land has subsequently been valued and offered to adjoining property owners, and the majority of landowners on Jabiru and Packsaddle Roads have agreed to purchase the surplus land, and have paid for the land. The land proposed to be amalgamated has recently been surveyed. Survey data to delineate the area to be rezoned will be available shortly, allowing preparation of amendment documentation.

Lot 3003 was created to provide for release of land for Stage 2 of the Ord Irrigation Scheme. Portion of this lot includes land on the foreshore. The survey Diagram attached shows Lot 3003, and also attached is a plan that shows the land proposed to be amalgamated. Landgate is consequently amalgamating portion of Lot 3003 with adjoining properties.

The amalgamation of the foreshore land with adjoining land will result a serious anomaly under the Scheme as it will create lots with split coding, with land partly reserved Special Foreshore and partly zoned Rural Agriculture 2.

All landowners on the foreshore that have agreed to purchase the offered foreshore land will not be able to utilise the land until the land is recoded.

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E: whelans@whelans.com.au W: www.whelans.com.au

PERTH | KALGOORLIE | KARRATHA | BROOME | KUNUNURRA
WHELANS (WA) PTY LTD ACN 074 363 741
ASSOCIATED OFFICES: ADELAIDE | MELBOURNE | SYDNEY | BRISBANE

SURVEYING | MAPPING | TOWN PLANNING

The owner of Lot 553 Packsaddle Road has intentions to develop the land within a short time frame and is seeking expeditious rezoning of the land. This will result in the owner being in a position to utilise the land that has been purchased.

Whelans will be pursuing a rezoning for a group of landowners that are also seeking to rezone the amalgamated land. It is anticipated that any landowners that have no immediate need for rezoning will have their land rezoned as part of the Scheme Review to rectify the anomaly.

We formally request that Council initiate the amendment to allow the preparation of amendment documents to proceed once survey data is available. Amendment documentation will be prepared as soon as the amendment is initiated.

Please do not hesitate to contact me if you have any enquiries relating to this matter.

Yours sincerely,



Keith Williams
Senior Town Planner
Town Planning

encl.

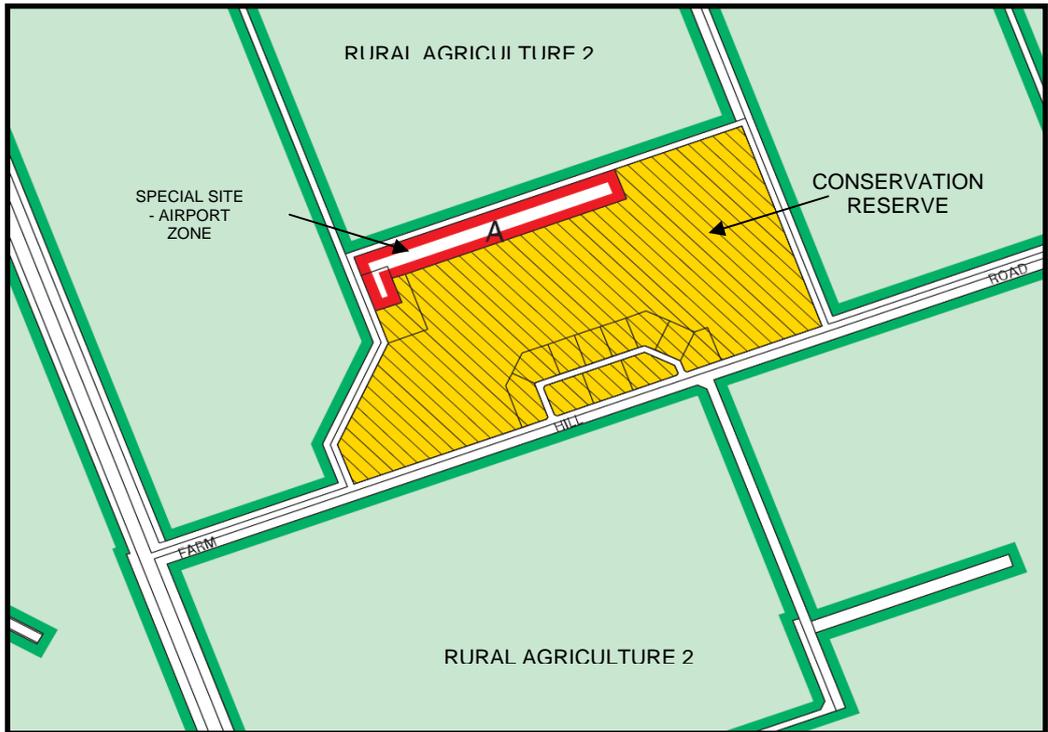


Figure 2

Lot 100 is a 4.36 hectare parcel of land located within the Ord Valley agricultural district. Immediately to the north is Lot 286, also zoned 'Special Site – Airport' and owned by the same person as Lot 100, which accommodate as small aircraft landing strip.

The applicant states Lot 100 has been created through amalgamation to resolve a number of drainage issues associated with the ridge to the south, however it is also understood that the landowner is keen to construct a caretaker's residence on this site that relates to the operations of the air strip. This has been verified through discussions with the owner of Lots 286 and 100.

STATUTORY IMPLICATIONS

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

Should Council initiate the proposed Scheme Amendment, the amendment and supporting documentation will be submitted to the EPA for assessment. When the EPA releases the amendment for advertising, the amendment is advertised in accordance with the *Town Planning Regulations 1967* and the *Planning and Development Act 2005*. At the completion of advertising, Council has an opportunity to review submissions prior to forwarding the amendment to the WAPC. Ultimately the WAPC will recommend to the Minister whether the amendment should be approved or not.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An initiation fee of \$500 is payable on initiation.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this proposal, however the proposal to initiate rezoning for the subject land is logical as it will provide a consistency in zoning and support development that compliments the existing air strip on the adjoining property.

COMMUNITY CONSULTATION

Should the Council support this proposal, the documentation for the amendment, once adopted, will be forwarded to the Western Australian Planning Commission (WAPC) and Environmental Protection Authority (EPA) seeking consent to advertise. Advertising occurs for 42 days, and will require signage, newspaper advertisements and/or correspondence to all affected parties and adjoining owners.

COMMENT

Through the amalgamation and creation of Lot 100 it is acknowledged a split zoning now applies to the newly created land parcel. In this regard it is accepted the current zoning is an anomaly that can easily and logically be rectified through an Amendment to the Shire Town Planning Scheme to rezone the whole of Lot 100 to 'Special Site – Airport'. In turn this will allow for the site to be developed to compliment the existing air strip on the adjoining Lot 286 to the north.

However, should Lot 100 be rezoned as proposed and yet still remain a separate lot to the existing air strip lot, the potential exists for Lot 100 to be developed with a caretaker's residence and then on sold with no direct relationship to the air strip. This in turn could present conflict issues, compromise the operation of the air strip in the longer term, and not prove to be in the spirit of the zoning change.

Therefore, it is recommended the rezoning of Lot 100, if supported, be subject to amalgamation with the adjoining Lot 286 prior to initiation of the zoning change (Scheme Amendment).

ATTACHMENTS

- 1 Letter of request from applicant
- 2 Survey Diagram - prior to amalgamation

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Inform the applicant (Whelans Pty Ltd) it is prepared to initiate an amendment to the Shire's Town Planning Scheme No.7 (Kununurra and Environs) to change the zoning for Lot 100 Farm Hill Road, Kununurra to 'Special Site – Airport', subject

to prior amalgamation of this property with Lot 286 that accommodates the existing air strip.

COUNCIL DECISION

Minute No. 8794

Moved:Cr R Boshammer

Seconded:Cr J Moulden

That Council:

- 1. Inform the applicant (Whelans Pty Ltd) it is prepared to initiate an amendment to the Shire's Town Planning Scheme No.7 (Kununurra and Environs) to change the zoning for Lot 100 Farm Hill Road, Kununurra to 'Special Site - Airport', subject to prior amalgamation of this property with Lot 286 that accommodates the existing air strip.***

CARRIED UNANIMOUSLY: (8/0)



Our ref: 13446-01
11 August 2009

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

ATTN: Ian D'Arcy

Dear Ian,

PROPOSED PLANNING SCHEME AMENDMENT - LOT 100 FARM HILL ROAD

We act on behalf of the owner of the above described property, and respectfully request Council initiate an amendment to Town Planning Scheme No 7 - Kununurra and Environs to rezone the subject land to Special Site - Airport.

Landgate amalgamated portion of both Lots 1010 and 1009 with Lot 505 Farm Hill Road, creating Lot 100. Lots 1010 and 1009 were Crown Land, and Lot 505 is privately owned [the attached copy of the former Deposited Plan shows boundaries prior to amalgamation].

The purpose of the amalgamation is to resolve drainage issues. A drain traverses all of the parcels of land, creating management issues. The amalgamation of crown land with adjoining land has resulted in an anomaly under the Scheme, as it has resulted in land with split coding. Portion of Lot 100 is zoned Special Site - Airport, while portion is Reserved under the Scheme for Conservation purposes.

The owner of Lot 100 Road has intentions to develop the land within a short time frame and is seeking expeditious rezoning of the land. It is formally requested that Council initiate the amendment to allow the preparation of amendment documents to proceed, to rectify the zoning anomaly.

Amendment documentation will be prepared as soon as the amendment is initiated.

Please do not hesitate to contact me if you have any enquiries relating to this matter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Keith Williams'.

Keith Williams
Senior Town Planner
Town Planning

encl.

HEAD OFFICE:
183 Scarborough Beach Road, Mount Hawthorn WA 6016
PO Box 99, BOUNDARY HARBOR WA 6010
T: 80 5443 1311 F: 80 5444 3761
E: whelans@whelans.com.au W: www.whelans.com.au

PERTH | KALGOORNE | KARRATHA | BODONDI | IDI HURVEA
WHELANS (WA) PTY LTD. ABN 674 545 741
ASSOCIATED OFFICES: ADELAIDE | BRISBANE | GYERBY | MILDURA

SURVEYING | MAPPING | TOWN PLANNING

15.5 PROPOSED EXPANSION OF LEASE AREA - KUNUNURRA MOTOCROSS CLUB (8795)

DATE:	18 August 2009
PROPONENT:	Kununurra Motocross Club
LOCATION:	Location 633 Ivanhoe Road, Kununurra
AUTHOR:	Jennifer Ninnette, Town Planning Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	01.5616.02, 66.20.20
ASSESSMENT NO:	A5616

PURPOSE

For Council to consider a request by the Kununurra Motocross Club to increase their lease area by amalgamating approximately 23.6 hectares of unallocated Crown land adjoining the existing lease site to the south.

BACKGROUND

Reserve 39391 is located at the end of Ivanhoe Road adjacent to Ivanhoe Crossing, has an area of 10.99 hectares, is reserved for the purpose of 'Recreation (Motocross Track)' and is vested to Council with the power to lease.

A new lease was issued to the Motocross Club on 1st January 2006 for a term of five (5) years with a five (5) year option to renew. This lease stipulates that the use of the premises is for recreation (motocross track) and other ancillary uses consistent with the purpose of the reserve vesting but subject to local government, government and other required approvals being first obtained prior to any development of the premises.

The Shire has received a request from the Kununurra Motocross Club to extend the current lease area by approximately 23.6 hectares, by utilising an area of unallocated Crown land (UCL) adjoining the existing site to the south. The existing lease area and requested extension is shown on the site plan at Attachment 1.

The Club advises that the current lease site is restricted due to a creek running through a large portion of the site, which the Department of Environmental Protection (DEP) has stipulated cannot be developed and is therefore unusable.

The Motocross Club wish to increase their lease area to enable the development of extra facilities which will enable the Club to increase membership and host larger events, such as state and interstate events, which may attract a large number of riders and spectators.

The type of facilities the Club wishes to develop includes:

- A Natural Terrain Track
- Solo Speedway Track
- Arena Cross/Super Cross Track
- Carparking facilities
- Ablutions

- Camping areas for participants and support crews visiting town
- Club House
- Wash down bays
- Storage sheds

The various tracks proposed to be developed are defined in the Kununurra Motocross Club request at Attachment 2.

STATUTORY IMPLICATIONS

Land Administration Act 1997

Under section 41 of the *Land Administration Act 1997* (LAA) the Minister for Land may by order reserve Crown land for one or more purposes in the public interest.

Although the Motocross Club is requesting the Council expand the lease area, any increase of the Reserve area will be subject to investigation/consultation undertaken by the Department of Regional Development and Lands.

Local Planning Strategy

The Local Planning Strategy (LPS) recognises that:

“Kununurra is continuing to grow and has established itself as a sub-regional centre within the Kimberley with a high standard of services and facilities for its relatively modest, yet expanding population”.

In consideration of this statement there is a need to improve and expand existing recreational/sporting facilities to meet the increasing demand and expectations. The proposal would improve the existing facility and would therefore be consistent with the LPS.

Town Planning Scheme No. 7 – Kununurra and Environs

The existing lease area is reserved in the Town Planning Scheme for Parks and Recreation.

The area proposed to be included into the reserve is zoned Rural Agriculture 2 in the Town Planning Scheme. Therefore any land to be amalgamated into Reserve 39391 will need to be rezoned accordingly.

A development application under the class of ‘Public Recreation’ will also need to be submitted and approved by Council prior to any development on the site. The development application will need to ensure that proposed development will not adversely impact on adjoining land uses or landholders.

A motocross track is likely to create a high level of noise and dust (if not sealed), and therefore should be located a minimum of 500 metres from any existing residences. Currently the existing track is located approximately 650 metres from the nearest residence, located on Location 649 Ivanhoe Road.

The area requested to be amalgamated into the reserve would result in the closest boundary just over 200 metres from the existing residence on Location 649 – refer to Attachment 2. Therefore the proposed extension will be subject to consultation with the adjoining landowner.

It is likely that if the lease is extended, any development within the south eastern portion may be restricted, however any potential noise and dust impacts could potentially be addressed and minimised through design and site layout with guidance from an acoustic engineer, such as constructing bund walls around portion of the tracks and retaining vegetation buffers within the site boundary.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no apparent costs applicable to the Shire with all survey works and costs to be borne by the Department of Regional Development and Lands.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

The Department of Regional Development and Lands will undertake referrals and consultation to relevant agencies, such as any Native Title claimants and adjoining landowners to effect reservation of the land. This consultation may result in only a portion of the area requested being amalgamated into reserve 39391.

The nearest residents within a kilometre radius of the site will also be consulted as part of this process.

COMMENT

Given the location of the current motocross facility has not attracted any from of complaint relating to amenity/nuisance issues, such as noise and dust, it is viewed this site is ideally suited to motocross racing.

However, with the proposal to incorporate a new track will effectively triple the area for racing and associated activity bringing the motocross closer to residential development it is important nearby residents are given ample opportunity to comment to ensure the Council and Department of Regional Development and Lands is making an informed decision on the proposal.

Therefore, it is recommended that Council:

1. Support the proposed expansion of the lease area 'in principle';
2. Seek comment over a 21 day period from surrounding landowners and key stakeholders within a 1 kilometre radius on the proposal; and
3. Grant delegation to the CEO to;
 - (a) request the Department of Regional Development and Lands initiate proceedings to expand the reserve, subject to no adverse comment being received from the initial consultation;

- (b) prepare a new lease upon confirmation expansion of the reserve area is supported by the Minister for Regional Development and Lands.

ATTACHMENTS

Attachment 1 – Site Plan

Attachment 2 – Request from the Kununurra Motocross Club.

Attachment 3 – Proximity to Residences

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council

1. Support the proposed expansion of the lease area 'in principle';
2. Seek comment over a 21 day period from surrounding landowners and key stakeholders within a 1 kilometre radius on the proposal; and
3. Grant delegation to the CEO to;
 - (a) request the Department of Regional Development and Lands initiate proceedings to expand the reserve, subject to no adverse comment being received from the initial consultation;
 - (b) prepare a new lease upon confirmation expansion of the reserve area is supported by the Minister for Regional Development and Lands.

COUNCIL DECISION

Minute No. 8795

Moved:Cr R Boshammer

Seconded:Cr D Ausburn

That Council

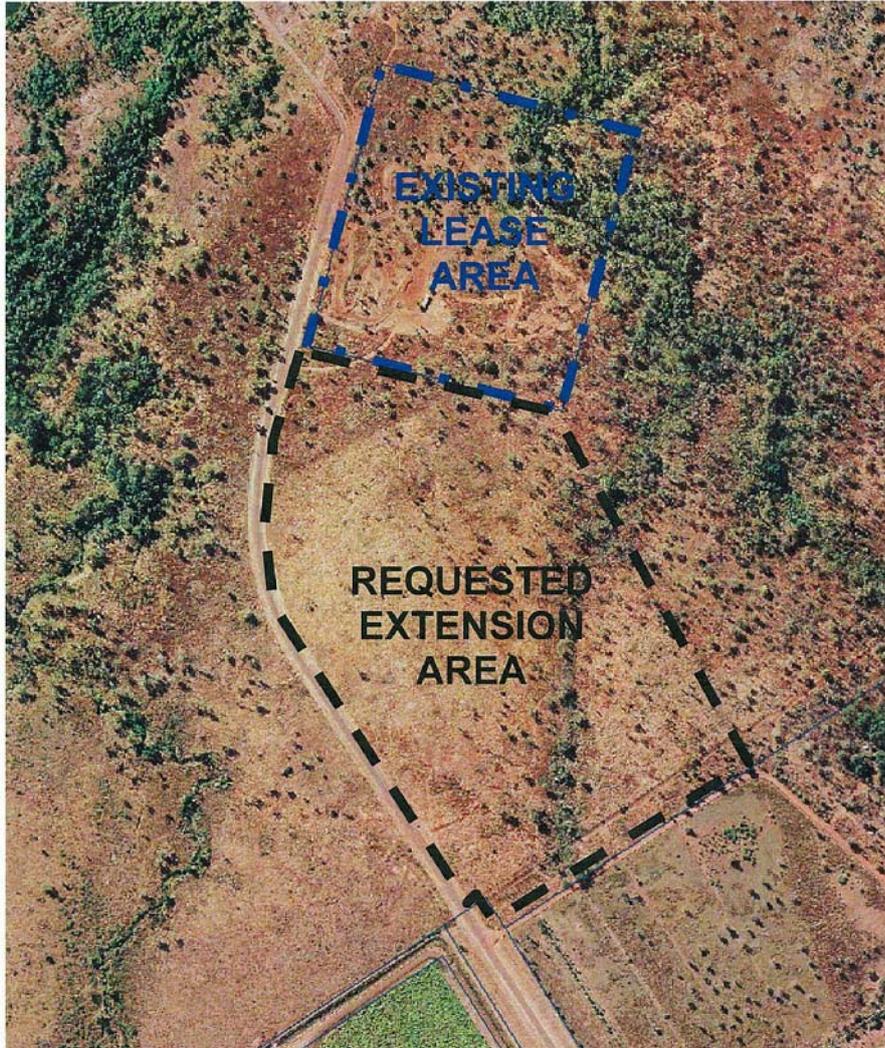
- 1.Support the proposed expansion of the lease area 'in principle';**
- 2.Seek comment over a 21 day period from surrounding landowners and key stakeholders within a 1 kilometre radius on the proposal; and**
- 3.Grant delegation to the CEO to;**
 - (a) request the Department of Regional Development and Lands initiate proceedings to expand the reserve, subject to no adverse comment being received from the initial consultation;**

(b) prepare a new lease upon confirmation expansion of the reserve area is supported by the Minister for Regional Development and Lands.

CARRIED: (7/1)

For: Cr F Mills, Cr R Addis, Cr D Ausburn, Cr R Boshammer, Cr J Moulden, Cr J Parker and Cr K Torres
Against: Cr K Wright

ATTACHMENT 1—KUNUNURRA MOTOCROSS SITE PLAN



Attachment 2



KUNUNURRA MOTOCROSS CLUB

067003
Date: 1 2009
Officer: TPO
Cross Ref.

PO Box 1927
Kununurra 6743

President: Peter Woodhead Phone 0408681351
Secretary: Dave Muirson Phone 0488 297 388
Treasurer: Cathy Hasted Phone 08 9168 1388

Shire of Wyndham East Kimberley
P.O. Box 614,
Kununurra WA 6743

29-7-09

Dear Sir/Madam

Re: Extension of Current Motocross Club Lease

The Kununurra Motocross Club would like to approach the Shire of Wyndham East Kimberley to extend the area of the current lease by approximately 23.6 hectares, utilising the vacant Crown Land between our current lease, Ivanhoe road and the Mock Farm on the corner of Ivanhoe Rd and Research Station Rd.

The clubs lease of 10.99 hectares currently contains the motocross track. Currently the club is restricted with the use of the site due to a creek running through a large portion of the lease site. The Department of Environmental Protection (DEP) has stipulated that the Motocross club cannot develop any of the land in the creek area, leaving the club with a large area of the current lease unusable.

The vision for the Kununurra Motocross Club and the future of motorcycling in Kununurra, the Kimberley and the north of Western Australia is to develop a Natural Terrain track, a Solo Speedway track and an Arena Cross / Super Cross track, thus the requirement for the extra land. With the development of extra facilities, holding state

ATTACHMENT 3— PROXIMITY TO EXISTING RESIDENCES



16. MATTERS BEHIND CLOSED DOORS

COUNCIL DECISION

Minute No. 8796

*Moved:Cr D Ausburn
Seconded:Cr R Addis*

That Council move Behind Closed Doors to consider Item 16.1

CARRIED: (8/0)

16.1 ORD RIVER SPORTS CLUB - STATUS OF NEGOTIATIONS (8796) (8797) (8798)

DATE:	18 August 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Kununurra
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Chief Executive Officer
FILE NO:	66.27.37
ASSESSMENT NO:	N/A

This item will be discussed Behind Closed Doors under Section 5.23 (2) (e) (iii) as this is a matter that affects

(e) a matter that if disclosed, would reveal —

(iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;

PURPOSE

For Council to consider the basis of ongoing discussions with the Ord River Sports Club.

Minute No: 8797

*Moved:Cr D Ausburn
Seconded:Cr R Boshammer*

That Council note the report and supplementary information tabled at meeting.

CARRIED UNANIMOUSLY: (8/0)

Minute No: 8798

***Moved:Cr D Ausburn
Seconded:Cr J Parker***

That Council come out of Behind Closed Doors.

CARRIED UNANIMOUSLY: (8/0)

17. CLOSURE

With all matters of Business complete the Shire President declared the meeting closed at 7.43pm.