



MINUTES OF ORDINARY MEETING OF COUNCIL

HELD ON 15 SEPTEMBER 2009

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

Shire President Confirmed

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SHIRE OF WYNDHAM-EAST KIMBERLEY

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, AT 6:00 PM

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

The 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 P Caley	Councillor
Cr J Moulden	Councillor
Cr K Torres	Councillor
Cr K Wright	Councillor

A Douglas	Acting Chief Executive Officer
J Ellis	Executive Manager Corporate Services
K Apperley	Executive Manager Community Services
I D'Arcy	Executive Manager Development Services
S Russell	Acting Executive Support Officer Engineering & Development
F Kuiper	Executive Support Officer
J. Ninyette	Town Planning Officer
K. Tripp	Environmental Officer

LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Cr J Parker	Councillor
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GALLERY

David Saunders
Darren Spackman

3. DECLARATIONS OF INTEREST

- **Financial Interest**

Cr R Boshammer declared a Financial Interest in Items 12.1.5 Disposal of Shares in Cambridge Gulf Limited, Item 12.3.3 Report for Trial of Aquatic Weed Harvester in Lily Creek Lagoon and Item 16.1 Proposed Workers Accommodation for Ord Expansion and Kimberley Development Package Projects.

Cr R Addis declared a Financial Interest in Items 12.3.1: Tender T02 09/10 – Proposed Construction of Cattle Grids on Parry Creek Road as he is Chief Executive Officer of Wunan which may supply Aboriginal Employment.

Cr R Addis declared a Financial Interest in Item 12.4.1 Draft Subdivision Plan – Lot 29799 Chestnut Drive Kununurra as he is Chief Executive Officer of Wunan which is a proponent for the Coolibah Project.

Cr D Ausburn declared a Financial Interest in Item 12.4.5 Extension of Non-Conforming Use – Wyndham Bakery as the business is a potential customer.

- **Impartiality Interest**

Cr R Addis declared an Impartiality Interest in Item 16.1 Proposed Worker Accommodation for Ord Expansion and Kimberley Development Package Projects as he is Chief Executive Officer of Wunan which has an interest in Aboriginal accommodation, employment and construction.

- **Proximity Interest**

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. PETITIONS

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18 AUGUST 2009 (8802)

RECOMMENDATION

That Council confirm the Minutes of the Ordinary Council Meeting held on 18 August 2009.

COUNCIL DECISION

Minute No. 8802

Moved:Cr K Wright

Seconded:Cr D Ausburn

That Council confirm the Minutes of the Ordinary Council Meeting held on 18 August 2009.

CARRIED UNANIMOUSLY: (7/0)

8.2 CONFIRMATION OF MINUTES FOR SPECIAL MEETING HELD ON 1 SEPTEMBER 2009. (8803)

RECOMMENDATION

That Council confirm the Minutes of the Special Meeting held on 1 September 2009.

COUNCIL DECISION

Minute No. 8803

Moved:Cr J Moulden

Seconded:Cr R Addis

That Council confirm the Minutes of the Special Meeting held on 1 September 2009.

CARRIED UNANIMOUSLY: (7/0)

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Shire President, Cr F Mills reported 28 meetings that he attended on the behalf of the Shire of Wyndham East Kimberley. Councillors can contact Cr F Mills for details.

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

LandCorp – refer Item 12.6.3

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1. MINUTES OF AUDIT COMMITTEE MEETINGS

11.1.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 8 SEPTEMBER 2009 (8806)

RECOMMENDATION

That Council note the unconfirmed Minutes of the Audit Committee held on 8 September 2009.

COUNCIL DECISION

Minute No. 8806

Moved:Cr R Boshammer Seconded:Cr P Caley

That Council note the unconfirmed Minutes of the Audit Committee held on 8 September 2009.

CARRIED UNANIMOUSLY: (8/0)

11.2. MINUTES OF AIRPORT COMMITTEE MEETINGS

Nil

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 PROPOSED POLICY DC1 - LODGEMENT OF DEVELOPMENT APPLICATIONS (8807) (8808)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
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 seek endorsement from Audit Committee on proposed Development Control Policy DC1 - Lodgement of Development Applications for respective planning, building and health approvals.

BACKGROUND

The Audit Committee at its May 2009 meeting requested a draft Development Control Policy be prepared that prescribes the minimum standard/s of information for a range of development applications. The principal objectives of the draft Policy, and as previously discussed with the Audit Committee, is:

- To establish for applicants and staff a clear understanding of the minimum information required for the lodgement of a planning, building and/or health applications.
- To detail the process by which planning, building and health applications will be accepted and accordingly processed by Shire staff in a consistent and timely manner.
- To represent the Shire's commitment to the continuing improvement to the delivery of development approvals based on a high level of customer service.

A copy of the draft Policy is provided as an Attachment

STATUTORY IMPLICATIONS

This draft Policy is structured around an array of legislation listed as follows:

- The Shire of Wyndham – East Kimberley Town Planning Scheme No.6 and No.7;
- *Planning & Development Act (2005)*
- Building Code of Australia (BCA)
- *Health Act 1911*

- *Local Government (miscellaneous provisions) Act 1960 (as amended)*
- *Building Regulations 1989 (as amended)*
- *Building Notes (issued by the Dept housing and Works and now the Building commission)*
- *Association of Building Sustainability Assessors (Energy Efficiency star ratings)*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

A cost in the order of \$300 - \$400 for publication of adverts in the local newspaper will be incurred by Council should it support this policy. However, it is intended to include 2 - 3 development control policies within the one advert to minimise the costs associated with the Policy review.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

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

COMMENT

The intent of this policy is to improve the 'turn around' time to the processing of development applications through prescribed minimum information that allows officers to process applications uninhibited and in a timely manner.

With this in mind, should the Council adopt the draft Policy a direction will be given to staff to not be accepting applications for planning, building and health approvals that do not meet the minimum prescribed Policy standards outlined under Appendices A, B and C. This may immediately result in a 'back lash' from some members of the community, particularly local builders.

ATTACHMENTS

Proposed Development Control Policy DC1 - Lodgement of Development Applications

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee having considered proposed policy DC1 - Lodgement of Development Applications recommend to Council to adopt the proposed policy as attached.

COMMITTEE DECISION

Minute AC177

Moved: Cr D Ausburn

Seconded: Cr R Addis

That the Audit Committee having considered proposed policy DC1 - Lodgement of Development Applications recommend to Council to adopt the proposed policy as attached.

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council having considered proposed policy DC1 - Lodgement of Development Applications adopts the proposed policy as attached.

COUNCIL DECISION

Minute No. 8807

Moved:Cr K Wright

Seconded:Cr J Moulden

That Council having considered proposed policy DC1 - Lodgement of Development Applications adopts the proposed policy as attached with deletion of Landscaping and Schedule of Materials/Colours in Appendix A.

LOST: (2/6)

For: Cr J Moulden and Cr K Wright

Against: Cr F Mills, Cr R Addis, Cr D Ausburn, Cr R Boshammer, Cr K Torres and Cr P Caley.

Minute No: 8808

Moved:Cr R Boshammer

Seconded:Cr D Ausburn

That Council having considered proposed policy DC1 - Lodgement of Development Applications defer Item to the Ordinary Council Meeting to be held 20 October 2009 for further clarification.

CARRIED UNANIMOUSLY: (8/0)

**ATTACHMENT TO ITEM 12.1.1
Proposed Policy DC1 Lodgement of Development Applications**

POLICY NO:	DC 1
DIVISION:	Development Services
SUBJECT:	Lodgement of Development Applications
REPORTING OFFICER:	Executive Manager of Development Services
ENABLING LEGISLATION:	Town Planning Scheme No.6 - Wyndham Town Planning Scheme No 7 - Kununurra & Environs

OBJECTIVES:

- To establish for applicants and staff a clear understanding of the minimum information required for the lodgement of a planning, building and/or health applications.
- To detail the process by which planning, building and health applications will be accepted and accordingly processed by Shire staff in a consistent and timely manner.
- To represent the Shire's commitment to the continuing improvement to the delivery of development approvals based on a high level of customer service.

POLICY:

1.0 Introduction

Historically, respective planning, building and health (development) applications lodged with the Shire have proven to be inconsistent and generally lacking in detailed information required by staff to effectively process the application in a timely manner. As a consequence an increased work load is generated for Shire staff through the need to procure information that concurrently has caused un-necessary delay to the issuance of relevant approvals, licences and permits.

In an endeavour to resolve this issue and improve the processing of development applications in a consistent, transparent and timely manner it is intended that this policy will prescribe the minimum information required and detail the procedure to be followed in respect to the submission and processing of applications.

Broadly, this policy is based on the legislative framework and legal requirements applied through various state government Acts, Regulations and Policies applicable to the grant of planning consents, building licences and health approvals or permits by the Shire of Wyndham East Kimberley.

2.0 Definitions

“Building Application” means an application for a building licence lodged on a Form 2 (Yellow Envelope) under the Local Government Act 1960 – Building Regulations.

“Health Application” means an application to construct or install an apparatus for the treatment of sewage on a form prescribed under the Regulation 4 and 4a of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.

“Planning Application” means an application for planning consent lodged on a Form 1 under the Shire’s respective Town Planning Scheme No.6 and Town Planning Scheme No.7.

3.0 Policy Statements

3.1 The onus is on the applicant to provide all relevant information as detailed in the planning, building or health application check lists and any specific details required by the assessing officer.

3.2 Applications that fail to contain the minimum information as prescribed on the application check list/s will generally not be accepted by either:

- (a) Hand delivery at the front counter, with the applicant to sign a file note that details the information required;
- (b) Post or electronically lodgement and accordingly returned to the applicant with a request for the relevant information to be provided.

Refer to check lists in Appendix A - Planning, Appendix B – Building and Appendix C – Health, that form part of this Policy.

3.3 Building and health applications will not be processed and licences will not be issued until planning consent has been granted – refer to time frames in statement 3.4 below.

3.4 Applications will endeavoured to be processed within the following time frames where all required information is provided:

- Planning
 - no advertising - delegation 30 days
 - no advertising no delegation 45 days
 - advertising - delegation- 60 days
 - advertising -no delegatio- 70 days
- Building
 - delegation- 21 days
- Health
 - delegation- 21 days

These periods are subject to changes in legislation that may occur.

3.5 A register/s of development applications shall be presented to the Shire Council each month detailing the applications processed for the previous month, including the time taken in processing and

reasons should an application not be processed within the time frames prescribed in statement 3.4 above.

- 3.6 All building development for the Shire of Wyndham East Kimberley shall be subject to the protocol and procedures of this policy, with the exception of payment of application fees. In the case of such development the Chief Executive Officer or the Executive Manager of Development Services shall sign the relevant application/s as the authorising agent.

REFERENCE:

- The Shire of Wyndham – East Kimberley Town Planning Scheme No.6 and No.7;
- *Planning & Development Act (2005)*
- Building Code of Australia (BCA)
- *Health Act 1911*
- *Local Government (miscellaneous provisions) Act 1960 (as amended)*
- *Building Regulations 1989 (as amended)*
- *Building Notes (issued by the Dept housing and Works and now the Building commission)*
- *Association of Building Sustainability Assessors (Energy Efficiency star ratings)*

ADOPTED:

REVIEWED:

AMENDED:

Planning Application Check List

(Please read thoroughly)

Every application for Planning Consent shall be accompanied by the following minimum information:

MINIMUM INFORMATION	PROVIDED (Applicant to Tick)	CHECKED (Officer to Tick)
COMPLETED APPLICATION FORM for planning consent signed by applicant or owners of the property		
SITE PLAN (Scale of not less than 1:500 – 3 copies) To include street name/s; lot number/s; north point; lot dimensions; boundary setback distances to existing and proposed buildings; relative levels of the site with respect to the street; use of new buildings; existing and proposed access; location, number, dimensions and layout of car parking spaces; location and dimensions of service areas; landscaped, open storage or trade display areas, where applicable.		
FLOOR PLAN (Scale not less than 1:100 – 3 copies) To include identification of specific rooms, outdoor living areas and vehicle parking under main roof.		
ELEVATIONS (Scale not less than 1:100 – 3 copies) To include reference to natural ground level, height of walls; roof pitches.		
* LANDSCAPING (SHOWN ON) PLAN (scale of not less than 1:500) To include location and area for landscaping and list of plant species		
* SCHEDULE OF MATERIALS/COLOURS To include the type of external wall and roof claddings and relevant colours.		
* STORMWATER MANAGEMENT (SHOWN ON) PLAN (scale of not less than 1:500) To include method of disposal, network of drainage and connection point into Local Government system.		

Note: - * means optional for single house and outbuilding developments;
- Incomplete applications will generally not be accepted.

Building Application Check List

(Please read thoroughly)

Every application for a Building Licence shall be accompanied by the following minimum information:

MINIMUM INFORMATION	PROVIDED (Applicant to Tick)	CHECKED (Officer to Tick)
COMPLETED APPLICATION FORM Envelope with applicant signature and builders registration number		
SITE PLAN (Scale not less than 1:500 – 2 copies) To include street name/s; lot number/s; north point; lot dimensions; existing and proposed buildings; use of new buildings; buildings; relative levels of the site with respect to the street or way adjoin, Storm water control and proposed sheet flow existing and proposed access; location, number, dimensions and layout of car parking spaces; location and dimensions of service areas; landscaped, open storage or trade display areas, where applicable. Note site plans to address all aspects of the R Code requirements		
FLOOR PLAN (for each floor) (Scale not less than 1:100 – 3 2opies)		
ELEVATIONS & CROSS SECTIONS (Scale not less than 1:100 – 2 copies showing height of each story footings proposed finished ground levels)		
SPECIFICATIONS – 2copies		
STRUCTURAL ENGINEER CERTIFICATION All structural plans to be signed off by a registered structural engineer		
BCA ENERGY EFFICIENCY CHECK SHEET(S) including 5 star plus requirements or star rating assessment		
WATER CORPORATION APPROVAL All building applications are to be lodged with the Water Corporation by the applicant/builder for certification prior to lodgement with the Shire. Applications will not be processed without Water Corporation endorsement shown on the plans.		
HOME INDEMNITY INSURANCE CERTIFICATION Applies to houses(domestic buildings) built by a registered builder		
* FIRE & EMERGENCY SERVICE APPROVAL (FESA) Applies to all commercial buildings		
BCITF LEVY FORM Payable on all projects over \$20,000.		

Note: - * means optional for single house and outbuilding developments;
- Incomplete applications will generally not be accepted.

12.1.2 REVIEW OF POLICY F20 - NON-CURRENT ASSET CAPITALISATION AND DEPRECIATION CONTROL (8809)

DATE:	15 September 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:	61.05.01
ASSESSMENT NO:	N/A

PURPOSE

To present reviewed Policy F20 – Non Current Asset Management to the Audit Committee for recommendation to Council, including changing the title of the policy to Non Current Asset Capitalisation and Depreciation Control.

BACKGROUND

At the Ordinary meeting of Council on 11 August 2008, Council resolved:

Minute No. 8313

Moved: Cr R Addis

Seconded: Cr D Ausburn

That the Council adopt Policy F20 – Non Current Asset Management Policy.

Carried Unanimously 7/0

Since this time, staff have received extensive information from the Department of Local Government and Regional Development regarding the management of Local Authority assets. As a result the current policy requires amendment to ensure our procedures comply with best management practice recommendations.

STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 - SECT 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.

AUSTRALIAN ACCOUNTING STANDARD AASB116: Property, Plant and Equipment

POLICY IMPLICATIONS

Policy F20 - Non-current Asset Management

FINANCIAL IMPLICATIONS

The amendments to the Policy will affect depreciation rates and apply a residual value to certain items. As a consequence the value of these assets will be more reflective of true worth.

STRATEGIC IMPLICATION

Provision of meaningful, consistent and accurate details on the Shire's asset base for financial reporting and management purposes.

COMMUNITY CONSULTATION

Nil

COMMENT

The Department of Local Government and Regional Development in conjunction with WALGA and LGMA released Edition 1 of the Western Australian Local Government Account Manual in October 2008. This edition included best practice guidelines for Asset reporting.

Policy F20 – Non Current Asset Management has been reviewed in accordance with these guidelines. A summary of the amendments and review are:

- Introduction of residual values against certain items of plant within the plant and equipment group, as historically Council's depreciation of these assets have not been reflective of usage, resulting in large profits on disposal of the assets.
- An increase in the number of asset classes to better define depreciation rates on similar types of assets.
- Review of estimated useful life times and depreciation rates in accordance with the guidelines.
- Recording of assets under construction as works in progress until time of completion, when they are depreciated according to their relevant asset class.

As part of the WAAMI process, consideration will be given as to apportioning residual values against buildings, but it is not considered a priority at this time as these assets are depreciated at a low rate and are not replaced regularly.

A change in title of Policy F20 – Non Current Asset Management has been recommended to clearly define the difference between a policy that deals with financial management of non current assets, as opposed to Policy F21 Asset Management, which details strategic long term planning for the management of Local Government assets. Therefore it is proposed that Policy F20 – Non Current Asset Management will now be titled Policy F20 – Non Current Asset Capitalisation and Depreciation Control.

For ease and of financial management it is recommended to retrospectively apply amended Policy F20 – Non Current Asset Capitalisation and Depreciation Control

from 1 July 2009. There are no negative financial impacts of this recommendation.

ATTACHMENTS

Current Policy F20 – Non Current Asset Management
Proposed Revised Policy F20 – Non Current Asset Capitalisation and Depreciation Control

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee, having reviewed Policy F20 – Non Current Asset Management, recommend to Council adoption of revised and renamed Policy F20 – Non Current Asset Capitalisation and Depreciation Control with an effective date of 1 July 2009.

COMMITTEE DECISION

Minute AC178

Moved: Cr D Ausburn

Seconded: Cr R Addis

That the Audit Committee, having reviewed Policy F20 – Non Current Asset Management, recommend to Council adoption of revised and renamed Policy F20 – Non Current Asset Capitalisation and Depreciation Control with an effective date of 1 July 2009.

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council having reviewed Policy F20 – Non Current Asset Management, adopts the revised and renamed Policy F20 – Non Current Asset Capitalisation and Depreciation Control with an effective date of 1 July 2009.

COUNCIL DECISION

Minute No. 8809

Moved:Cr D Ausburn

Seconded:Cr K Wright

That Council having reviewed Policy F20 - Non Current Asset Management, adopts the revised and renamed Policy F20 - Non Current Asset Capitalisation and Depreciation Control with an effective date of 1 July 2009.

CARRIED UNANIMOUSLY: (8/0)

**ATTACHMENT TO ITEM 12.1.2
Current Policy F20 – Non-Current Asset Management Policy**

POLICY No:	F20
DIVISION	Finance
SUBJECT:	Non-Current Asset Management Policy
REPORTING OFFICER	Executive Manager Corporate Services
ENABLING LEGISLATION	Australian Accounting Standards Board

OBJECTIVE:

To ensure compliance and provide guidelines for asset management.

POLICY:

All Council assets are to be recorded in accordance Australian Accounting Standards Board (AASB) general classifications in order to provide meaningful, consistent and accurate details on the Shire's asset base for financial reporting and management purposes.

Assets arise from capital expenditure that can be either purchased directly or manufactured. The Shire of Wyndham East Kimberley may also receive donated or partially funded assets, which although maybe at a lower or no cost to Council, still satisfies the requirements for asset recognition. All capital expenditure incurred by Council must be considered in terms of the definition of assets.

Assets not included on the asset register for depreciation purposes (ie: items under \$5,000) are to be recorded as the 'inventory' items. All inventory items should be included in the annual stock take of all assets.

Definition of Assets

For the purposes of recording assets in Council's accounts, an item will be considered an "asset", based on whether the item has been allocated to a capital account, is not of a consumable nature and is above the thresholds outlined above. All items purchased and allocated to a capital general ledger account are known as "asset" acquisitions.

It is important that items that are considered to be prone to misappropriation are to be duly recorded as an inventory item, therefore any items purchased costing less than \$5,000 and allocated to an operating account may be listed as an inventory item and remain accountable. These items are recorded in the Council's asset register as inventory items (a non-depreciable asset).

Council also has a large number of pieces of art work. These pieces shall also be included on the asset register, similar to inventory items, in that they are not to be depreciated but kept as a record.

Reporting of Assets

The accurate classification and recording of assets allows Council to determine the amount of funds invested and the cost involved in supplying the necessary infrastructure to support the administrative activities of the Shire.

For reporting purposes, assets are recorded by group and class:

Group	Class	Examples
Land and Building	Land	Land
	Buildings	Offices, houses, hardcourts, large sheds
	Minor Buildings & Building Improvements	Extensions, small sheds, fencing
Furniture and Equipment	Furniture	Desks, Chairs, cupboards, folding chairs
	Equipment	Ice machines, dishwashers, portable refrigerators, gym equipment
	Computers	Computers, Servers, Software
	Communications	Telephone systems, 2-way Radios
Plant & Equipment	Light Plant	Fleet vehicles (sedans & office based utilities)
	Medium Plant	Work utilities, trucks, trailers, ride-on mowers
	Heavy Plant	Graders, loaders
	Minor Plant	Welders, trolley jacks, saws, conveyor belts
Roads and Infrastructure	Roads	Sealed Roads, Unsealed Roads
	Runways/Aprons/Taxiways	Apron, floodlights, runways
Footpaths	Footpaths	Linkpath, footpaths, sidewalks, cyclepath
Drainage	Drainage	Culverts, drains
Infrastructure – Parks and Ovals	Parks	Parks, park reticulation
	Ovals	Ovals, oval reticulation
Infrastructure – Other	Street Lighting	Street lighting
	Boat Ramps	Boat ramps, Jetties
	Reticulation	Other than for parks and ovals
Inventory Items (Attractive items - value less than	Art	Art Work
	Attractive Items – Computers	Laptops, hardware, software
	Attractive Items- Mobile Phones, 2-way radios	

\$5,000)	Communications	
	Attractive Items - Plant	Tools, electric tools
	Attractive Items – other	Cameras

Land and Building

The purchase of Land and/or Building constitutes capital expenditure and should be recorded as a “Land & Buildings” asset. Buildings under construction are recorded at cost. All improvements to land and/or buildings in this class include:

- Swimming pools and any refurbishments
- Courts – tennis, netball etc
- Fencing and retaining walls
- Airport Terminals

Furniture and Equipment

Purchase of furniture including chairs, desks, bookshelves, filing cabinets. Office Equipment is inclusive of photocopiers, printers, scanners and typewriters.

Computers –this class includes hardware and software – hardware being UPS, servers, personal computers and laptops and software being that which is integral to the operation of the computer (such as set-up software) which would constitute capital expenditure and should be included in the total cost of the purchasing of the computer package. Purchases of computer applications software do not usually constitute capital expenditure, eg Excel, Word, email applications. These amounts should be regarded as expenditure.

Plant and Equipment

Purchase of all motor vehicles including sedans, graders, loaders, trailers and tractors. Purchases of plant (power tools-mowers, brush cutters etc) with a value equal to or greater \$5,000 included in are recorded at invoice value ex GST as an asset. Any purchases less than \$5,000 remain as accountable items and should be included as inventory items.

Depreciation of Assets

Assets are depreciated on an ‘estimated useful life’ basis:

Description	Estimated Useful life
<u>Land and Buildings</u>	
Land	
Buildings	50
Minor Buildings and Building Improvements	10
<u>Furniture and Equipment</u>	
Computers	3
communications	5
Furniture	10
Equipment	5
<u>Plant and Equipment</u>	
Light Plant	3
Medium Plant	3
Heavy Plant	10
Minor Plant	10
<u>ROADS</u>	50

Roads	
<u>RUNWAY/APRONS/TAXIWAYS</u>	
Runways/ Aprons/ Taxiways	15
<u>FOOTPATHS</u>	
Footpaths	20
<u>DRAINAGE</u>	
<u>Drainage</u>	10
<u>INFRASTRUCTURE - PARKS & OVALS</u>	
Parks and Ovals	15
<u>INFRASTRUCTURE - OTHER</u>	
Street Lighting	15
Boat Ramps	15

Disposal of Assets

Assets identified for disposal may be dispensed with by using the following acceptable methods of disposal:

- Sale by public tender or auction
- Trade-in
- Destroyed
- Lost or Stolen

The disposal option will normally be influenced by the nature of goods for disposal and by their location and market value.

Disposals by way of sale or trade-in are to be recorded on the asset register at the value of the disposal and profit/loss recorded.

If item has been destroyed, lost or stolen then the disposal is defined as a write off and the disposal value is equal to the net book value.

Adopted: 19 August 2008

**ATTACHMENT TO ITEM 12.1.2
Proposed Revised Policy F20 – Non-Current Asset Capitalisation and
Depreciation Control**

POLICY No:	F20
DIVISION	Finance
SUBJECT:	Non Current Asset Capitalisation and Depreciation Control
REPORTING OFFICER	Executive Manager Corporate Services
ENABLING LEGISLATION	Local Government Act (1995) Section 2.7 and Australian Accounting Standards AASB 116

OBJECTIVE:

To ensure legislative compliance in accordance with Australian Accounting Standards and provide guidelines for financial management of Non Current Assets for the Shire of Wyndham East Kimberley.

POLICY:

Non Current Assets held by Council are recorded in accordance with the Australian Accounting Standards Board (AASB) general classifications in order to provide meaningful, consistent and accurate details on the Shire's asset base for financial reporting and management purposes.

Non Current Assets arise from capital expenditure that can be either purchased directly or manufactured/constructed. The Shire of Wyndham East Kimberley may also receive donated or partially funded assets, which although maybe at a lower or no cost to Council, still satisfies the requirements for asset recognition. All capital expenditure incurred by Council must be considered in terms of the definition of assets.

Non Current Assets

Non Current Assets should comply with the recognition and measurement requirements of AASB 116 Property, Plant and Equipment.

For the purposes of recording Non Current Assets in Council's accounts, an item will be considered an "asset", based on whether the item has been allocated to a capital account, is not of a consumable nature and is valued over the threshold amounts. All items purchased and allocated to a capital general ledger account are known as "asset acquisitions". A value threshold of \$5,000.00 applies under which an asset is considered immaterial and expensed in the year it is required.

Attractive Items

Assets that may be considered non current in nature but are not recorded in the Asset Register due to threshold limits (ie: items under \$5,000) are to be recorded as the 'attractive' items should it be considered necessary to maintain a record of the item for the purposes of security, control or insurance. All attractive items should be included in any stocktake of all assets. The values of these items are

to be expensed in the year they are purchased. These items are recorded in a subsection of the Asset Register as Attractive Items (a non-depreciable asset).

Works of Art

Council also has a large number of pieces of art work. These pieces shall also be included on the asset register, similar to attractive items, in that they are not to be depreciated but kept as a record and subject to stocktake.

Reporting of Assets

The accurate classification and recording of non current assets allows Council to determine the amount of funds invested and the cost involved in supplying the necessary infrastructure to support the activities of the Shire.

For reporting purposes, assets are recorded by group and class:

Group	Class	Examples
Land & Buildings	Land	Land, vacant/occupied
	Landfill	refuse(land component only)
	Brick/concrete buildings	
	Transportable Buildings	
	Steel Construction Buildings	
	Ancillary Structures to buildings	small sheds, carports, fencing, retaining walls
Furniture & Equipment	Computer equipment	computers scanners computer software
	Office Equipment	Audio/ Visual Communication Equipment Fax machines photocopiers Plan Printer Plotter Other Office equipment
	Phone Systems	Phone System
	Office Furniture	Chairs Desks Cupboards
	Kitchen Equipment	Dishwashers refrigerators
	Fitouts	flooring
	Outdoor furniture	Picnic Tables/chairs park benches Barbeque

Plant & Equipment	Light Plant	motor vehicles Sedans 4WD Vehicles Mowers Utes
	Medium Plant	Surveying equipment Tractors up to 100hp Light trucks Bush Fire fighting vehicles
	Sport & Recreation Equipment	Recreation Equipment Sound Equipment Sporting Equipment
	Other Equipment	Line Markers Playground Equipment Generators Pumps Security Systems
	Heavy Plant	Rollers Bulldozers Loaders Heavy Trucks Tractors over 100hp Graders Street Cleaners Street Sweepers Trailers
	Broadcasting	Rebroadcasting equipment
Infrastructure - Airports	Airfields	Runways Aprons Taxiways
Infrastructure - Road	Kerbs	Kerbs Median Strips
	Town road formation	
	Town - Pavement under seal	
	Town - Road seal (aggregate)	
	Town - Road Seals (Asphalt)	
	Town - Sheeting on paved roads	
	Rural Road Formation	
	Rural - Pavement under seal	
	Rural - Road Seal (Aggregate)	
	Rural - Road Seal (Asphalt)	

	Rural - Sheeting on paved roads	
Infrastructure - Bridges	Bridges	Bridges Culverts
Infrastructure - Drainage	Retarding Basins Drains	Retarding Basins Drains
Infrastructure - Footpaths	Footpaths (Concrete)	Footpaths Cyclepaths Sidewalks
	Footpaths (Slab)	Footpaths Cyclepaths Sidewalks
Infrastructure - Other	Carparks	Sealed Carparks
	Boat Ramps	Boat Ramps
	Retic	Staff housing retic Oval retic Parks Retic
	Street Lights	Street Lighting
	Jetties	Jetties
	Outdoor Pools	Swimming complexes
	Sporting Facilities	Hardcourts Skatepark
Uncompleted Works	Property, Plant and Equipment	Uncompleted Buildings
	Infrastructure	Uncompleted footpaths
Attractive Items	Art Register	Artwork
	Attractive Items	Mobile Telephones Laptop Computers Cameras

Land and Building

The purchase of Land and/or Building constitutes capital expenditure and should be recorded as a "Land & Buildings" asset. The construction of buildings are to be recorded at cost. All improvements to land and/or buildings in this class include:

- Housing
- Office Buildings
- Fencing and retaining walls
- Airport Terminals

Furniture and Equipment

Purchase of furniture including chairs, desks, bookshelves, filing cabinets. Office Equipment is inclusive of photocopiers, printers, scanners.

Computers –this class includes hardware and software – hardware being UPS, servers, personal computers and laptops and software being that which is integral to the operation of the computer (such as set-up software) which would constitute capital expenditure and should be included in the total cost of the purchasing of the computer package. Purchases of computer applications which relate directly to the day-to-day running of the Shire (eg: Synergy) should be recorded on the asset register however word processing programmes are to be reported as expenditure through the profit and loss statement.

Plant and Equipment

Purchase of all motor vehicles including sedans, graders, loaders, trailers and tractors. Purchases of plant (power tools-mowers, brush cutters etc) with a value equal to or greater \$5,000 included in are recorded at invoice value ex GST as an asset. Any purchases less than \$5,000 that may remain accountable should be included as attractive items.

Uncompleted Works

It is common at the end of any given financial year for a number of assets under construction to be uncompleted. In the event that this occurs, these assets are to be recorded separately on the asset register as uncompleted infrastructure works and uncompleted property, plant and equipment works respectively. The assets held in these groups are not to be depreciated until the completion of the work. The asset is then moved to its appropriate group and class, and depreciation will then commence from the completion date of the works.

Residual Values

The residual value of an asset is the estimated amount that would be obtained from disposal of the asset, after deducting the estimated costs of disposal.

Residual values have been applied to specific items that are subject to regular disposal, such as plant.

The Standards require the residual value of an asset to be assessed at least annually, and, if expectations differ from previous estimates, the change in useful life is to be accounted for as a change in an accounting estimate.

Depreciation of Assets

Depreciation is to commence from the date the non current asset is ready or available for use.

Assets are depreciated on an 'estimated useful life' basis:

Group	Class	Examples	Estimated Useful Life (Years)	Residual Value (%)
Land & Buildings	Land	Land, vacant/occupied	infinite	Not applicable
	Landfill	refuse(land component only)	30	Not applicable
	Brick/concrete buildings		40	Not applicable
	Transportable Buildings		10	Not applicable
	Steel Construction Buildings		35	Not applicable
	Ancillary Structures to buildings	small sheds, carports, fencing, retaining walls	10	Not applicable
Furniture & Equipment	Computer equipment	computers scanners computer software	3	Not applicable
	Office Equipment	Audio/ Visual Communication Equipment Fax machines Photocopiers Plan Printer Plotter Other Office equipment	5	Not applicable
	Phone Systems	Phone System	10	Not applicable
	Office Furniture	Chairs Desks Cupboards	10	Not applicable
	Kitchen Equipment	Dishwashers refrigerators	5	Not applicable
	Fitouts	Flooring	20	Not applicable
	Outdoor furniture	Picnic Tables/chairs Park benches Barbeque	10	Not applicable

Group	Class	Examples	Estimated Useful Life (Years)	Residual Value (%)
Plant & Equipment	Light Plant	motor vehicles Sedans 4WD Vehicles Mowers Utes	3	33% 33% 33% 10% 33%
	Medium Plant	Surveying equipment Tractors up to 100hp Light trucks Bush Fire fighting vehicles	7	Not applicable 33% 33% 33%
	Sport & Recreation Equipment	Recreation Equipment Sound Equipment Sporting Equipment	7	Not applicable Not applicable Not applicable
	Other Equipment	Line Markers Playground Equipment Generators Pumps Security Systems	10	Not applicable Not applicable Not applicable Not applicable Not applicable
	Heavy Plant	Rollers Bulldozers Loaders Heavy Trucks Tractors over 100hp Graders Street Cleaners Street Sweepers Trailers	10	33% 33% 33% 33% 33% 33% 33% 33% 33%
	Broadcasting	Rebroadcasting equipment	15	Not applicable
Infrastructure - Airports	Airfields	Runways Aprons Taxiways	25	Not applicable

Group	Class	Examples	Estimated Useful Life (Years)	Residual Value (%)
Infrastructure - Road	Kerbs	Kerbs Median Strips	40	Not applicable
	Town road formation		infinite	Not applicable
	Town - Pavement under seal		45	Not applicable
	Town - Road seal (aggregate)		10	Not applicable
	Town - Road Seals (Asphalt)		25	Not applicable
	Town - Sheeting on paved roads		20	Not applicable
	Rural Road Formation		infinite	Not applicable
	Rural - Pavement under seal		40	Not applicable
	Rural - Road Seal (Aggregate)		10	Not applicable
	Rural - Road Seal (Asphalt)		20	Not applicable
	Rural - Sheeting on paved roads		10	Not applicable
Infrastructure - Bridges	Bridges	Bridges Culverts	30	Not applicable
Infrastructure - Drainage	Retarding Basins	Retarding Basins	infinite	Not applicable
	Drains	Drains	40	Not applicable
Infrastructure - Footpaths	Footpaths (Concrete)	Footpaths Cyclepaths Sidewalks	20	Not applicable
	Footpaths (Slab)	Footpaths Cyclepaths Sidewalks	15	Not applicable

Group	Class	Examples	Estimated Useful Life (Years)	Residual Value (%)
Infrastructure - Other	Carparks	Sealed Carparks	30	Not applicable
	Boat Ramps	Boat Ramps	10	Not applicable
	Retic	Staff housing retic oval retic Parks Retic	15	Not applicable
	Street Lights	Street Lighting	25	Not applicable
	Jetties	Jetties	30	Not applicable
	Outdoor Pools	Swimming complexes	30	Not applicable
	Sporting Facilities	Hardcourts Skatepark	35	Not applicable
Uncompleted Works	Property, Plant and Equipment	Uncompleted Buildings		Not applicable
	Infrastructure	Uncompleted footpaths		Not applicable
Attractive Items	Art Register	Artwork		Not applicable
	Attractive Items	Mobile Telephones Laptop Computers Cameras		Not applicable Not applicable Not applicable

Disposal of Assets

Assets identified for disposal may be disposed with by using the following acceptable methods of disposal:

- Sale by public tender or auction
- Trade-in

In addition assets may be removed from the asset register or attractive items register if it has been identified that they have been:

- Destroyed
- Lost or Stolen

The disposal of assets will normally be influenced by the nature of goods for disposal and by their location and market value.

Disposals by way of sale or trade-in are to be recorded on the asset register at the value of the disposal and profit/loss recorded.

If item has been destroyed, lost or stolen then the disposal is defined as a write off and the disposal value is equal to the net book value.

Asset Inspection and Control

An asset stocktake will occur at least every three years to physically assess what assets are still controlled by Council to maintain accuracy of the asset register.

Impairment

As per Policy F7 – Significant Accounting Policies assets are to be assessed for impairment and reported on accordingly.

Adopted: 19 August 2008

Amended:

Effective:

12.1.3 REVIEW OF POLICY F15 - SUNDRY DEBT COLLECTION (8810)

DATE:	15 September 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:	61.23.01
ASSESSMENT NO:	N/A

PURPOSE

For the Committee to review Policy F15 - Sundry Debt Collection and recommend to Council for adoption of amended policy.

BACKGROUND

Council adopted a policy for collection of outstanding Sundry Debts at the Ordinary Council Meeting 20 April 2004. Policy F15 – Sundry Debt Collection is to provide consistency in the treatment of all debtors. The policy outlines the timing and action of debt recovery. Council reviewed Policy F15 – Sundry Debt Collection at the Ordinary Council Meeting 22 January 2009.

Minute No. 8049

Moved: Cr J Parker

Seconded: Cr K Wright

That Council review and adopt the changes to policies F12 – Rates Collection Policy and F15 – Sundry Debt Collection Policy.

Carried Unanimously 5/0

The Council adopted Policy F22 – Collection of Fees and Charges at the Ordinary Council Meeting at the Ordinary Council Meeting 18 August 2009.

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)

STATUTORY IMPLICATIONS

Local Government Act 1995 –

Section 6.13: Interest on money owing to local governments.

- (1) Subject to any other written law, a local government may resolve* to require a person to pay interest at the rate set in its annual budget on any amount of money (other than rates and service charges) which —
 - (a) that person owes to the local government; and

- (b) has been owed for the period of time referred to in subsection (6).

* Absolute majority required.

- (2) A resolution under subsection (1) is to be included in the annual budget.
- (3) The rate of interest that may be set by the local government under this section is not to exceed the rate for the time being prescribed as the maximum rate of interest that may be set for the purposes of this section.
- (4) Where a local government imposes interest under subsection (1) on any outstanding amount of money the local government is not to also impose an additional charge in relation to that amount.
- (5) Accrued interest is, for the purpose of its recovery, taken to form part of the money owed to the local government on which it is charged.
- (6) A local government is not to impose interest on any amount of money under subsection (1) until the money has been owed to the local government for the period of time set by the local government in its annual budget (not being less than 35 days) after the date which is stated on the relevant account for payment as being the date the account was issued.
- (7) Regulations may provide for the method of calculation of interest.

Local Government (Financial Manual) Regulations 1996 –
Section 19A: Maximum rate of interest on money owing per s. 6.13(3)

The maximum rate of interest to be imposed under section 6.13(1) is prescribed as 11%.

Section 19B: Calculating interest on money owing

- (1) Interest on money that remains owing after the date determined in accordance with section 6.13(6) (**the due date**) is to be calculated on a simple interest basis for the number of days from the due date until the day before the day on which a payment is received by the local government.
- (2) The principal sum on which interest is calculated for a financial year may include interest accrued but not paid in a previous financial year but is not to include interest accrued in the current financial year.
- (3) If payment is received by the local government during the period from 1 July in a financial year until the annual budget for that financial year is adopted, interest referred to in subregulation (1) for that period is to be at the rate of interest imposed under section 6.13(1) for the previous financial year.
- (4) If under section 6.13 interest is to be imposed on money owing, a request for payment of that money is to include or be accompanied by a statement that interest is to accrue on money that remains owing after the due date and stating —
 - (a) the date from which interest will be imposed; and
 - (b) the rate of interest.

POLICY IMPLICATIONS

Policy F15 – Sundry Debt Collection
Policy F22 – Collection of Fees and Charges

FINANCIAL IMPLICATIONS

The draft policy provides the ability for the Shire to charge penalty interest on overdue accounts and recover debt collection costs where incurred. This will encourage prompt payment of debts owed to Council and provide cost recovery.

The policy also allows for delegated write offs for unrecoverable debts to an approved value.

STRATEGIC IMPLICATIONS

Nil.

COMMUNITY CONSULTATION

Community Consultation is not required in this instance.

COMMENT

Following the adoption of Policy F22 - Collection of Fees and Charges the review of Policy F15 – Sundry Debt Collection is the next phase in reviewing Councils approach to collection of it's fees and charges.

Policy F22 – Collection of Fees and Charges which includes the following clause:

“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.”

To implement this clause above it is intended an account application form (draft Attached) is to be sent to all existing sundry debtors. The terms of trade, interest charges and the on charging of all associated charges for debt collection will be incorporated within the application form with the signatory confirming acceptance of these conditions. Customers will be advised if they wish to continue their account with Council they must return the signed application by 31 December 2009. Any accounts without a signed application after this date will be closed.

It is recommended revised Policy F15 – Sundry Debt Collection is adopted with an effective date of 1 January 2010 to allow time for application forms to be distributed and sufficient time for customers to respond.

Additionally the introduction of penalty interest on sundry debts requires the interest charge to be included in the Adopted Fees & Charges. It is recommended that the interest charge is adopted as a charge effective 1 January 2010 and that the relevant advertising take place in conjunction with other fee changes that are intended to be recommended to Council in the next few months (should they be adopted).

ATTACHMENTS

Current Policy F15 – Sundry Debt Collection
Proposed Revised Policy F15 – Sundry Debt Collection

VOTING REQUIREMENT

Simple Majority (point one)
Absolute Majority (point two)

OFFICER'S RECOMMENDATION

That the Audit Committee:

1. having considered amended policy F15 Sundry Debt Collection recommend to Council to adopted the amended policy as attached, with an effective date of 1 January 2010.
2. recommend to Council to adopt and advertise the following addition to the Fees and Charges - Council will impose an interest charge of 11% on money owing on unpaid fees and charges after the amount is owed for more than 45 days. This interest charge will be imposed effective 1 January 2010.
3. endorse the Debtor Account Application Form and the outlined process to inform all debtors of the new policy requirements and to obtain updated debtor information.

COMMITTEE RESOLUTION

Minute AC179

Moved: Cr D Ausburn

Seconded: Cr R Addis

That the Audit Committee:

1. having considered amended policy F15 Sundry Debt Collection recommend to Council to adopted the amended policy as attached, with an effective date of 1 January 2010.
2. recommend to Council to adopt and advertise the following addition to the Fees and Charges - Council will impose an interest charge of 11% on money owing on unpaid fees and charges after the amount is owed for more than 45 days. This interest charge will be imposed effective 1 January 2010.
3. endorse the Debtor Account Application Form and the outlined process to inform all debtors of the new policy requirements and to obtain updated debtor information.

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council:

1. having considered amended policy F15 Sundry Debt Collection adopts the amended policy as attached, with an effective date of 1 January 2010.
2. adopts and advertises the following addition to the Fees and Charges - Council will impose an interest charge of 11% on money owing on unpaid fees and charges after the amount is owed for more than 45 days. This interest charge will be imposed effective 1 January 2010

COUNCIL DECISION

Minute No. 8810

Moved:Cr R Boshammer

Seconded:Cr D Ausburn

That Council:

- 1. having considered amended policy F15 Sundry Debt Collection adopts the amended policy as attached, with an effective date of 1 January 2010.***
- 2. adopts and advertises the following addition to the Fees and Charges - Council will impose an interest charge of 11% on money owing on unpaid fees and charges after the amount is owed for more than 45 days. This interest charge will be imposed effective 1 January 2010***

CARRIED UNANIMOUSLY: (8/0)

**ATTACHMENT TO ITEM 12.1.3
Current Policy F 15 – Sundry Debt Collection Policy**

POLICY No:	F15
DIVISION	Finance
SUBJECT:	Sundry Debt Collection Policy
REPORTING OFFICER	Executive Manager Corporate Services
ENABLING LEGISLATION	Local Government Act 1995 Section 5.36

OBJECTIVE:

To allow for timely and consistent treatment of all sundry debtors so as to minimise Council's outstanding sundry debtors.

POLICY:

Sundry Debt Collection Policy:

- 1 That all invoices are raised within 14 days of receiving an authority to raise invoice.
- 2 If full payment for debt is not received within 30 days of initial statement then a reminder notice and a copy of invoice is to be sent.
- 3 After 45 days a phone call is to be made so as to establish when payment will be made.
- 4 After 60 days a final notice (proforma attached) is to be sent with a copy of the invoice attached.
- 5 A Notice of Intention to Claim is to be sent after 75 days (proforma attached). The debtor will be notified at this point that they are on stop credit. No further credit will be provided until full payment is made or suitable payment arrangements made and approved at the discretion of the Chief Executive Officer.
- 6 By the 87th day a copy of all the above mention correspondence to be issued to the Shire's debt collection agency so that this agency can send a General Procedure Claim to the debtor by the 90th day.

Other Matter Pertaining to Sundry Debtors:

1. That the Chief Executive Officer has the discretion to write off amounts under \$100.00 for any given month as per provisions under the Local Government Act 1995 - section 5.36. These write offs are to be reported to Council in the following month.

2. That the Chief Executive Officer can write off any operating licence which has not been paid after 90 days as per provisions under the Local Government Act 1995 - section 5.36, with the notice of Intention to Claim of this communicated to the debtor by the responsible Officer after the debt exceeds 60 days.
3. That debtors who have had in excess of three Intention to Claim issued not be allowed to accrue any debt with the Shire for a duration after this of 12 months. For services which it is imperative that the debtor use, then a prepayment by the debtor is to be implemented.
4. Debtors will be on charged any fees and charges issued to the Shire for the recovery of their outstanding debt.

ADOPTED: 20/04/2004

REVIEW: 10/12/2007

AMENDED: 22/01/2008

**ATTACHMENT TO ITEM 12.1.3
Proposed Amended Policy F15 – Sundry Debt Collection Policy**

POLICY No:	F15
DIVISION	Finance
SUBJECT:	Sundry Debt Collection Policy
REPORTING OFFICER	Executive Manager Corporate Services
ENABLING LEGISLATION	Local Government Act 1995

OBJECTIVE:

To allow for timely and consistent treatment of all sundry debtors so as to minimise Council's outstanding sundry debtors.

POLICY:

Sundry Debt Collection Policy:

- 1 That all invoices are raised within 7 days of receiving an authority to raise invoice with all invoices being raised in accordance with the F22 Policy – Collection of Fees and Charges.
- 2 That a Statement is to be issued within 7 days after the end of month.
- 3 If full payment for debt is not received after 30 days a reminder notice and a copy of invoice is to be sent.
- 4 After 45 days interest will start to accrue at the prescribed rate on invoices issued for fees and charges as adopted by Council, exclusive of those charges prescribed under other legislation. A phone call (or other form of contact) is to be made so as to establish when payment will be made.
- 5 After 60 days a final notice is to be sent with a copy of the invoice attached
- 6 After 74 days if no payment received the debtor account is to be referred to the Executive Manager Corporate Services to decide further action (i.e. place account on stop credit or onto a prepayment system for future services).
- 7 After 80 days an Intention to Summons is to be sent after.
- 8 By the 87th day if the debt exceeds \$400.00 a copy of all the above mention correspondence is to be issued to the Shire's debt collection agency so that this agency can send a summons to the debtor by the 90th day. All associated costs for debt collection will be on charged to the debtor.

Matters Relating to Sundry Debts for licences

After 60 days the Officer who issued the licence is to communicate with the debtor the intention to withdraw the licence if payment is not made in next 30 days. After 90 days the Chief Executive Officer can withdraw any licence which has not been paid and instruct the issuing officer to cancel the licence.

Other Matter Pertaining to Sundry Debtors:

1. That the Chief Executive Officer has the discretion to write off amounts under \$100.00, only after all avenues of debt collection have been exhausted. These write offs are to be reported to Council in the following month.
2. Debtors will be on charged any fees and charges issued to the Shire for the recovery of their outstanding debt.

None of the above is designed to prevent Council from coming to an arrangement with the debtor to make alternative arrangements for payment.

ADOPTED: 20/04/2004

REVIEW: 10/12/2007

AMENDED: 22/01/2008

12.1.4 WRITE OFF OUTSTANDING RATES DEBT ASSESSMENT A6872 (8811)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Finance Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	01.6872.04
ASSESSMENT NO:	A6872

PURPOSE

To recommend Council write off outstanding rates and penalties on Assessment 6872.

BACKGROUND

In November 2007 the mining tenement was granted.
All costs relating to this tenement were paid in full up to 30 June 2008.

On 4 March 2009 the outstanding rates debt for financial year 2008/2009 on this assessment was lodged with Councils debt collection agent. The mining tenement was forfeited by the company on 26 June 2009.

Total of outstanding debt as at 31 August 2009 is \$1,678.33 (this is represented by outstanding rates \$1,283.83, outstanding penalties of \$116.60 and debt collection fees \$277.90.

STATUTORY IMPLICATIONS

Local Government Act 1995, s6.12;

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

- (a) when adopting the annual budget, grant* a discount or any other incentive for the early payment of any amount of money;
- (b) waive or grant concessions in relation to any amount of money;
or
- (c) write off any amount of money,
which is owed to the local government.

*absolute majority required.

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

Should further details be required to be disclosed this item will need to be discussed behind closed doors under Section 5.23. (2) (e) (iii) of the Local Government Act 1995 because due to disclosure of information about the business, professional, commercial or financial affairs of a person and legal advice to the Council.

POLICY IMPLICATIONS

Policy 12 – Rate Collection Policy.

FINANCIAL IMPLICATIONS

Total outstanding debt requested for write off as at 31 August 2009 is \$1,678.33.

STRATEGIC IMPLICATIONS

The costs associated with legal fees to recover debt needs to be measured against the debt and the realistic prospect of recovery, to ensure an economically viable action is being taken.

COMMUNITY CONSULTATION

Not required.

COMMENT

With consideration to the costs and realistic prospect of recovery this debt is recommended for write off.

ATTACHMENTS

Nil.

VOTING REQUIREMENT

Absolute majority for (point one)
Simple majority (point two)

OFFICER'S RECOMMENDATION

That the Audit Committee recommend to Council the outstanding debt of \$1,678.33 plus accrued penalties relating to assessment 6872 be written off as the debt is considered uncollectible.

COMMITTEE DECISION

Minute AC181

Moved: Cr K Wright

Seconded: Cr R Addis

That the Audit Committee recommend to Council:

1. To write off the outstanding debt of \$1,678.33 plus accrued penalties relating to assessment 6872 as the debt is considered uncollectible.
2. To write to the Minister for Lands requesting that consideration be given to a policy of cancelling mining tenements that have rates arrears recorded against the tenement.

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

1. *That the outstanding debt of \$1,678.33 plus accrued penalties relating to assessment 6872 be written off as the debt is considered uncollectible.*
2. *That Council write to the Minister for Lands requesting that consideration be given to a policy of cancelling mining tenements that have rates arrears recorded against the tenement*

COUNCIL DECISION

Minute No. 8811

Moved:Cr R Addis

Seconded:Cr P Caley

1. ***That the outstanding debt of \$1,678.33 plus accrued penalties relating to assessment 6872 be written off as the debt is considered uncollectible.***
2. ***That Council write to the Minister for Lands requesting that consideration be given to a policy of cancelling mining tenements that have rates arrears recorded against the tenement***

CARRIED UNANIMOUSLY: (8/0)

12.1.5 DISPOSAL OF SHARES IN CAMBRIDGE GULF LIMITED (8812)

DATE:	15 September 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:	61.35.07
ASSESSMENT NO:	N/A

Cr R Boshammer left the room at 6.49 as he declared a Financial Interest in Item 12.1.5 Disposal of Shares in Cambridge Gulf Limited.

PURPOSE

To recommend further action in relation to the disposal of 4,061 shares in Cambridge Gulf Limited.

BACKGROUND

At the Ordinary Council Meeting on 19 August 2008 Council resolved:

Minute No. 8314

Moved: Cr J Moulden

Seconded: Cr K Wright

That Council:

- a. Council retain the current shares held with the Co-operative and continue to do business with the Co-operative to benefit from the dividends and the rebate when issued; and*
- b. Council dispose of the current shares held with Cambridge Gulf Limited by public expression of interest with such sale to be ratified by the board of Cambridge Gulf Limited*

Carried Unanimously 6/0

As a result of this decision, an expression of interest for the acquisition of these shares was advertised. At the close of the submission period, one offer was received from Cuckoona Park Superannuation Fund.

At the Ordinary Council Meeting on 16 December 2008 Council resolved:

Minute No: 8471

Moved: Cr J Moulden

Seconded: Cr R Addis

That Council having considered the offer received from Cuckoona Park Superannuation Fund to purchase 4,061 shares in Cambridge Gulf Limited for \$3.50 per share makes a counter offer to sell the

shares at a value of \$5.00 per share with the offer expiring at 4.00pm on Monday 12 January 2009.

Carried: (4/2)

After these minutes were published Council officers were contacted by a representative of the company who made the initial offer to inform Council that the correct name of the company was Arkoona Park Super Fund, not Cuckoona Park Superannuation Fund as published.

Following the expiration of the counter offer for the sale of the shares, Council resolved, at its Ordinary Meeting of Council on 17 March 2009:

Minute No. 8588

Moved:Cr K Wright

Seconded:Cr K Torres

That Council adopt the recommendation that the status of the 4,061 Cambridge Gulf Limited shares be re-examined in six months time.

Carried Unanimously: (6/0)

STATUTORY IMPLICATIONS

Section 3.58 of the Local Government Act 1995: Disposal of Property

POLICY IMPLICATIONS

Disposal of these shares will ensure Council practice is in line with Council Policy, F17 Investment Policy

FINANCIAL IMPLICATIONS

Proceeds from sale of shares was not included in the 2009-10 Budget.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Not required

COMMENT

Whilst the value of the shareholding is not large in relation to the Shire of Wyndham East Kimberley total investment portfolio, it is considered that the retention of the Cambridge Gulf Limited shares is not consistent with the guidelines set down in the Investment Policy F17.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit Committee recommend to Council to advertise for expressions of interest for the purchase of the 4,061 shares in Cambridge Gulf Limited.

COMMITTEE DECISION

Minute AC183

Moved: Cr K Wright

Seconded: Cr R Addis

That the Audit Committee having considered the option to advertised for expressions of interest for the purchase of 4,061 shares in Cambridge Gulf Limited recommend to Council that is not the opportune time to sell the shares and that the status of the 4,061 Cambridge Gulf Limited shares be re-examined in a further six months time.

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council having considered the option to advertise for expressions of interest for the purchase of 4,061 shares in Cambridge Gulf Limited consider that it is not the opportune time to sell the shares and that the status of the 4,061 Cambridge Gulf Limited shares be re-examined in a further six months time.

COUNCIL DECISION

Minute No. 8812

Moved:Cr K Wright

Seconded:Cr K Torres

That Council having considered the option to advertise for expressions of interest for the purchase of 4,061 shares in Cambridge Gulf Limited consider that it is not the opportune time to sell the shares and that the status of the 4,061 Cambridge Gulf Limited shares be re-examined in a further six months time.

CARRIED UNANIMOUSLY: (7/0)

Cr R Boshammer returned to the room at 6.50pm.

12.1.6 DEBTS CURRENTLY IN LEGAL PROCESS (8813)

DATE:	15 September 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:	61.23.02
ASSESSMENT NO:	N/A

PURPOSE

To recommend actions to Council as outcomes of the Audit Committee consideration of debts currently in legal process.

BACKGROUND

At the Ordinary Council Meeting, 16 October 2007, Council moved the following resolution:

Minute No. 7936

That Council direct the CEO to provide a written report to Council under confidential cover each month in regard to all debts currently in legal process.

Carried Unanimously 5/0

At the Ordinary Council Meeting, 18 March 2008, Council moved the following:

Minute No: 8148

Moved: Cr J Parker

Seconded: Cr F Mills

That Council:

- 1. note the confidential report provided to it in relation to debts owed to Council and under legal action.*
- 2. direct the Executive Manager Corporate Services to provide a written report to the Audit Committee under confidential cover at each Audit Committee meeting in regard to all debts currently in legal process.*
- 3. request the Audit Committee to make recommendations to Council as required and appropriate in relation to the report provided under confidential cover regarding debts currently in legal process.*
- 4. resolve that this requirement replaces the previous requirement on the CEO to report information to Council.*

Carried Unanimously 8/0

The report is presented as a standing item to each Audit Committee Meeting.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Legal fees may be incurred to recover debts or revenue written off if debt recovery is considered not economically viable.

STRATEGIC IMPLICATIONS

The costs associated with legal fees to recover debt need to be weighed up against the debt to ensure and economically viable action is being taken.

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

The listing of Debtors currently in legal process was presented to the Audit Committee as per Council resolution. The committee has recommended actions to attempt to recover a debt outstanding by a company who is no longer trading but the Director of the company is still utilising Council services.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

COMMITTEE RESOLUTION

Minute AC186

Moved: Cr R Addis

Seconded: Cr D Ausburn

That the Audit Committee

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

2. recommend to Council to adopt the following actions in relation to the \$12,300 debt for cemetery charges outstanding to a company recorded as debtor 98563:
 - a. No services are to be provided to debtor 98563 until the debt is paid in full.
 - b. Debtor 98563 is requested to enter into an appropriate payment plan with Council to repay the debt with the Director(s) of the Company providing a personal guarantee for the repayment of the debt.
 - c. No services are to be provided to any Director or former Director of debtor 98563 unless an appropriate payment plan as outlined in (b) above is in place and all payments on this plan are up to date.
 - d. No services are to be provided to any entity that a Director or former Director of debtor 98563 is associated with unless an appropriate payment plan as outlined in (b) above is in place and all payments on this plan are up to date.
 - e. No credit will be provided to debtor 98563 or any Directors or former Directors of this debtor until the outstanding debt is repaid in full. Any credit afforded after this time must be in accordance with Council Policy.

Carried Unanimously: 3/0

COMMITTEE RECOMMENDATION

That Council adopt the following actions in relation to the \$12,300 debt for cemetery charges outstanding to a company recorded as debtor 98563:

1. No services are to be provided to debtor 98563 until the debt is paid in full.
2. Debtor 98563 is requested to enter into an appropriate payment plan with Council to repay the debt with the Director(s) of the Company providing a personal guarantee for the repayment of the debt.
3. No services are to be provided to any Director or former Director of debtor 98563 unless an appropriate payment plan as outlined in (2) above is in place and all payments on this plan are up to date.
4. No services are to be provided to any entity that a Director or former Director of debtor 98563 is associated with unless an appropriate payment plan as outlined in (2) above is in place and all payments on this plan are up to date.
5. No credit will be provided to debtor 98563 or any Directors or former Directors of this debtor until the outstanding debt is repaid in full. Any credit afforded after this time must be in accordance with Council Policy.

COUNCIL DECISION

Minute No. 8813

Moved:Cr K Wright

Seconded:Cr R Boshammer

That Council adopt the following actions in relation to the \$12,300 debt for cemetery charges outstanding to a company recorded as debtor 98563:

- 1. No services are to be provided to debtor 98563 until the debt is paid in full.**
- 2. Debtor 98563 is requested to enter into an appropriate payment plan with Council to repay the debt with the Director(s) of the Company providing a personal guarantee for the repayment of the debt.**
- 3. No services are to be provided to any Director or former Director of debtor 98563 unless an appropriate payment plan as outlined in (2) above is in place and all payments on this plan are up to date.**
- 4. No services are to be provided to any entity that a Director or former Director of debtor 98563 is associated with unless an appropriate payment plan as outlined in (2) above is in place and all payments on this plan are up to date.**
- 5. No credit will be provided to debtor 98563 or any Directors or former Directors of this debtor until the outstanding debt is repaid in full. Any credit afforded after this time must be in accordance with Council Policy.**

CARRIED UNANIMOUSLY: (8/0)

12.2. CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT (8814)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to note and accept the Monthly Financial Report for July 2009 and August 2009.

BACKGROUND

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

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governace

Councils financial position and forward planning is sound

COMMUNITY CONSULTATION

Nil

COMMENT

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

ATTACHMENTS

Monthly Financial Report for July 2009
Monthly Financial Report for August 2009

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Monthly Financial Reports for the months of July 2009 and August 2009.

COUNCIL DECISION

Minute No. 8814

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

That Council accept the Monthly Financial Report for the months of July 2009 and August 2009.

CARRIED UNANIMOUSLY: (8/0)



Shire of Wyndham East Kimberley

Monthly Financial Report 2009/2010

As at 31 July 2009

Presented to Council 15 September 2009

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

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

	YTD Budget 2009-10		YTD Actual 2009-10		YTD Variance 2009-10	
	\$	\$	\$	\$	\$	%
Revenues		479,766		241,587		
General Purpose Funding	13,333		23,362		10,029	75%
Governance	4,107		4,270		153	4%
Law, Order And Public Safety	748		1,051		303	40%
Health	1,040		698		(342)	-33%
Education And Welfare	26,000		15,094		(10,906)	-42%
Housing	11,900		14,856		2,956	25%
Community Amenities	97,212		28,837		(68,375)	-70%
Recreation And Culture	41,673		37,269		(4,404)	-11%
Transport	273,922		103,156		(170,766)	-62%
Economic Services	9,166		11,333		2,168	24%
Other Properties And Services	666		1,662		996	150%
Expenses		(1,130,920)		(1,268,325)		
General Purpose Funding	(13,805)		(13,042)		763	-6%
Governance	(92,879)		(104,070)		(11,191)	12%
Law, Order And Public Safety	(30,542)		(35,918)		(5,376)	18%
Health	(22,721)		(22,231)		490	-2%
Education And Welfare	(26,919)		(36,814)		(9,895)	37%
Housing	(17,684)		(24,556)		(6,872)	39%
Community Amenities	(200,949)		(140,893)		60,056	-30%
Recreation and Culture	(264,631)		(247,172)		17,459	-7%
Transport	(392,021)		(262,422)		129,599	-33%
Economic Services	(68,903)		(60,850)		8,053	-12%
Other Property and Services	134		(320,356)		(320,490)	-239172%
Adjustments for Cash Budget Requirements						
Adjustments and Accruals		180,826			(180,826)	-100%
<i>(Profit)/Loss on Asset Disposals</i>						
<i>Movement in Accruals and Provisions</i>						
<i>Depreciation on Assets</i>	180,826					
Purchase of Non-Current Assets		(210,020)		(149,637)	60,383	-29%
<i>Purchase Land Held for Resale</i>						
<i>Purchase Land and Buildings</i>			(11,995)			
<i>Purchase Infrastructure Assets - Roads</i>	(182,104)		(1,060)			
<i>Purchase Infrastructure Assets - Parks</i>			(15,863)			
<i>Purchase Infrastructure Assets - Footpaths</i>			(21,373)			
<i>Purchase Infrastructure Assets - Drainage</i>						
<i>Purchase Infrastructure Assets - Other</i>	(1,250)		(62,762)			
<i>Purchase Plant and Equipment</i>	(26,666)		(46,583)			
<i>Purchase Furniture and Equipment</i>						
Capital Income		10,832		21,100	10,268	95%
<i>Grants / Contributions for Development of Assets</i>	10,832		22,000			
<i>Proceeds from Disposal of Assets</i>						
<i>Proceeds from Sale of Land Held for Resale</i>			(900)			
Debentures				(15,286)	(15,286)	
<i>Repayment of Debentures</i>			(15,286)			
<i>Proceeds from New Debentures</i>						
<i>Self-Supporting Loan Principal Income</i>						
Reserves		(17,970)		(9,969)	8,001	-45%
<i>Transfers to Reserves (Restricted Assets)</i>	(17,970)		(9,969)			
<i>Transfers from Reserves (Restricted Assets)</i>						
Add Estimated Surplus/(Deficit) July 1 B/Fwd	4,924,844	4,924,844	5,361,267	5,361,267	436,423	9%
Less Estimated Surplus/(Deficit) June 30 C/Fwd	4,237,774	4,237,774	4,162,787	4,162,787	(74,987)	-2%
Amount Required to be Raised from Rates		416		(17,950)	(18,366)	-4415%

Shire of Wyndham East Kimberley

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

	YTD Actual 2009/10 \$	Brought Forward 1 July 2009 \$
Net Current Assets	\$	\$
<i>Composition of Net Current Asset Position</i>		
Current Assets		
Cash - Unrestricted	4,510,081	6,140,740
Cash - Reserves	6,748,675	6,738,705
Cash - Restricted Unspent Grants		
Investments - Restricted		
Receivables	959,042	1,174,211
Self Supporting Loans	-	-
Inventories	3,538	3,387
Land Held for Resale	3,538	-
	12,025,478	14,063,043
Less		
Current Liabilities		
Payables	(1,114,015)	(1,705,859)
	(1,114,015)	(1,795,359)
Less		
Restricted Reserves		
Cash	(6,748,675)	(6,738,705)
Investments		
	(4,162,787)	(5,525,878)
Net Current Asset Position	4,162,787	5,525,878

Shire of Wyndham East Kimberley

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

Explanation of Material Variances

Variances +/- \$50,000

Operating

Recurrent Revenue - Excluding Rates

Community Amenities: East Kimberley Youth Services funding contract with State Government is currently being executed so funds will not be received until contract in place.

Transport: Revenue for East Kimberley Regional Airport budgetted for July was June revenue adjusted to 2008/2009. Revenue for 2008/2009 over achieved. Imbalance in forecast to actual will adjust itself by end of year.

Recurrent Expenditure

Community Amenities: Refuse Collection and Litter Control invoices for July yet to be posted to accounts.

Transport: Depreciation yet to occur pending adoption of revised Policy at Ordinary Council Meeting in September. Recurrent Contractor expenses for East Kimberley Regional Airport budgetted for July was June expenses adjusted to 2008/2009. Expenditure for 2008/2009 over achieved. Imbalance in forecast to actual will adjust itself by end of year.

Other Property and Services: Insurance costs shown in this program yet to be on-costed to relevant programs. Expenses for recruitment of CEO incurred earlier than forecasted in budget.

Capital

Adjustments and Accruals

Depreciation expenses yet to be posted pending adoption of revised Policy at Ordinary Council Meeting in September.

Capital Expenditure and Revenue

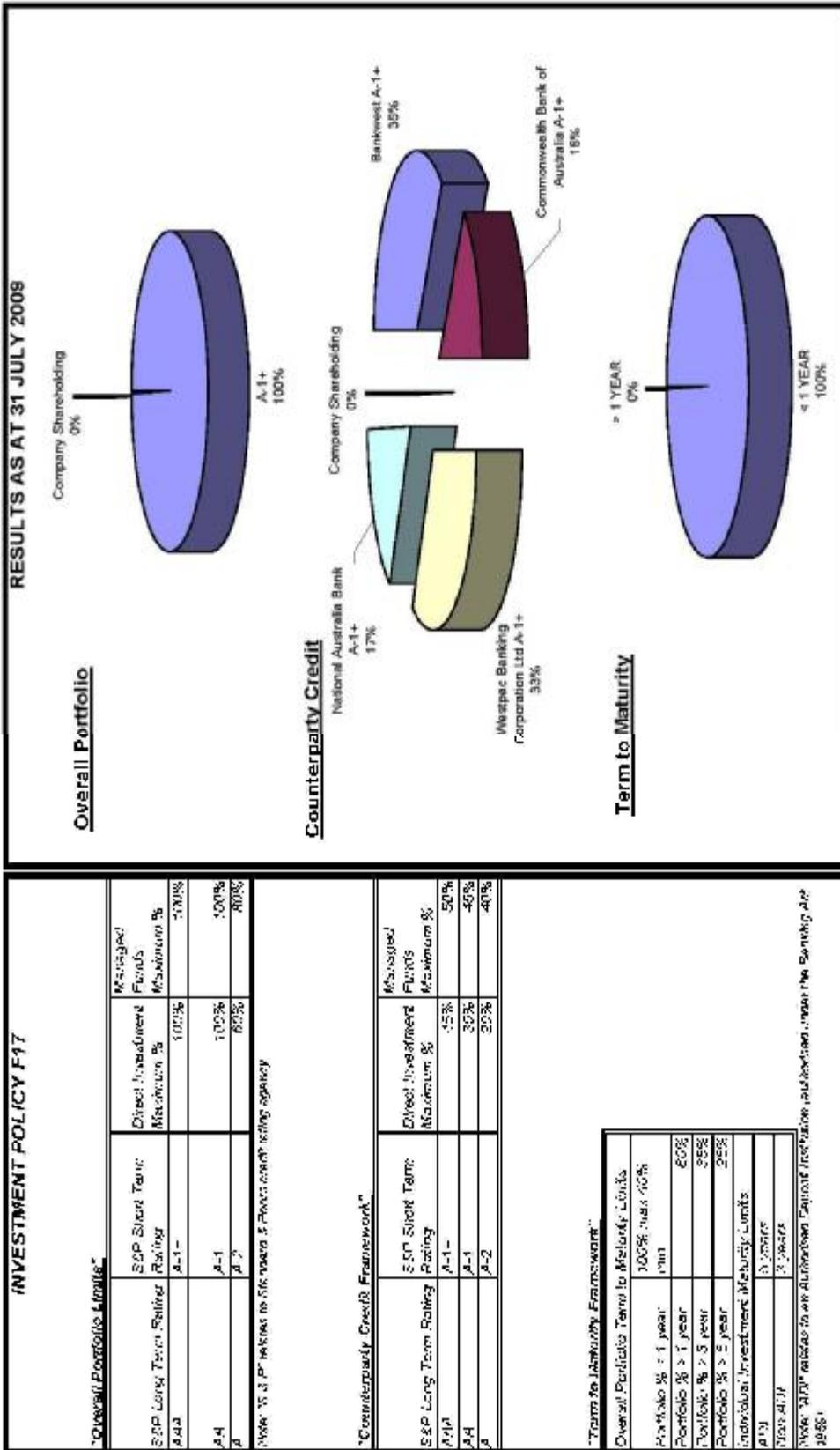
Purchase Infrastructure Assets (Roads) - Coolibah Drive Reconstruction works did not commence when originally planned to forecasted budget. Carleton Hill Road Upgrade invitation of tenders delayed due to higher priority projects.

Purchase Infrastructure Assets (Other) - Expenses for East Kimberley Regional Airport Carpark Upgrade expected in 2008/2009 not incurred until 2009/2010. Budget amendment will occur to reflect this adjustment to the carried forward position.

Shire of Wyndham East Kimberley
Statement of Financial Activity
Budget to Collect / Spend
as at 31 July 2009

	Adopted Budget 2008-10		YTD Actual 2008-10		Budget Remaining 2008-10	
	\$	\$	\$	\$	\$	\$
Revenues		10,503,296		241,557		10,261,739
General Purpose Funding	3,355,207		22,362		3,321,845	
Governance	39,185		4,273		31,925	
Law Order And Public Safety	49,465		1,051		48,404	
Health	35,500		699		34,802	
Education And Welfare	114,000		15,094		98,906	
Housing	301,021		14,853		286,168	
Community Amenities	2,059,040		28,837		2,028,203	
Recreation And Culture	572,265		37,259		534,997	
Transport	3,535,000		133,155		3,422,844	
Economic Services	302,800		11,333		161,467	
Other Properties And Services	247,814		1,052		246,762	
Expenses		(15,435,490)		(1,208,325)		(14,167,165)
General Purpose Funding	(467,130)		(13,042)		(454,088)	
Governance	(1,050,832)		(134,070)		(976,762)	
Law Order And Public Safety	(400,634)		(36,918)		(414,716)	
Health	(319,142)		(22,231)		(293,911)	
Education And Welfare	(377,324)		(36,814)		(340,570)	
Housing	(291,153)		(24,556)		(266,597)	
Community Amenities	(3,235,981)		(140,893)		(3,095,088)	
Recreation and Culture	(3,611,359)		(247,172)		(3,364,227)	
Transport	(4,863,304)		(232,422)		(4,606,882)	
Economic Services	(502,012)		(80,650)		(531,162)	
Other Property and Services	(143,519)		(320,356)		176,837	
Adjustments for Cash Budget Requirements						
Adjustments and Accruals		1,719,935				1,719,935
(Profit)/Loss on Asset Disposals	(453,439)				(453,439)	
Movement in Accruals and Provisions	3,264				3,264	
Depreciation on Assets	2,170,110				2,170,110	
Purchase of Non-Current Assets		(15,513,781)		(145,637)		(15,364,144)
Purchase Land Held for Resale	(750,000)				(750,000)	
Purchase Land and Buildings	(5,741,920)		(11,995)		(5,729,925)	
Purchase Infrastructure Assets - Roads	(5,053,450)		(1,000)		(5,052,350)	
Purchase Infrastructure Assets - Parks	(240,000)		(15,063)		(224,137)	
Purchase Infrastructure Assets - Footpaths	(71,400)		(21,373)		(50,027)	
Purchase Infrastructure Assets - Drainage	(195,800)				(195,800)	
Purchase Infrastructure Assets - Other	(1,799,000)		(52,762)		(1,746,238)	
Purchase Plant and Equipment	(1,377,711)		(40,583)		(1,331,128)	
Purchase Furniture and Equipment	(255,500)				(255,500)	
Capital Income		7,101,791		21,100		7,080,691
Grants / Contributions to Development of Assets	6,505,221		22,000		6,483,221	
Proceeds from Disposal of Assets	500,500				500,500	
Proceeds from Sale of Land Held for Resale	95,000		(900)		96,900	
Debentures		1,765,168		(16,286)		1,780,454
Repayment of Debentures	(1,057,847)		(16,286)		(1,042,561)	
Proceeds from New Debentures	2,603,000				2,603,000	
Self-Supporting Loan Principal Income	17,015				17,015	
Reserves		282,840		(5,969)		242,809
Transfers to Reserves (Restricted Assets)	(899,680)		(5,969)		(889,711)	
Transfers from Reserves (Restricted Assets)	1,152,520				1,122,520	
Add Estimated Surplus/(Deficit) July 1 B/A/Wd	4,524,844	4,524,844	5,351,257	5,351,257	(436,423)	(436,423)
Less Estimated Surplus/(Deficit) June 30 C/F/Wd	429,614	429,614	4,132,787	4,162,797	(5,739,173)	(5,739,173)
Amount Required to be Raised from Rates	5,128,079	5,128,079	(17,050)	(17,050)	5,144,029	5,144,029

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)



EXPLANATION OF VARIANCES:
 Company shareholding (on 31 July 2008) represents less than 1% of investment portfolio. Council minute 8314 of 19 August 2008 provides instruction to sell shareholding. Council minute 8328 of 17 March 2009 instructs that status of shares be reassessed in six months time.



Shire of Wyndham East Kimberley

Monthly Financial Report 2009/2010

As at 31 August 2009

Presented to Council 15 September 2009

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

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

	YTD Budget 2008/10		YTD Actual 2008/10		YTD Variance 2009/10		
	£	£	£	£	£	%	
Revenues		2,872,118		1,672,617			
General Purpose Funding	876,568		200,960		(685,568)	-78%	
Governance	5,714		14,971		9,257	162%	
Law, Order And Public Safety	1,246		2,082		936	67%	
Health	2,080		3,237		1,157	56%	
Education And Welfare	26,000		20,260		(5,740)	-22%	
Housing	23,800		28,387		4,587	19%	
Community Amenities	910,964		867,570		(43,294)	-5%	
Recreation And Culture	54,546		67,007		12,461	3%	
Transport	682,410		412,962		(269,448)	-39%	
Economic Services	18,330		35,318		21,088	115%	
Other Properties And Services	1,322		6,740		5,418	406%	
Expenses		(2,360,859)		(2,008,562)			
General Purpose Funding	(64,265)		(27,472)		36,793	-57%	
Governance	(158,969)		(182,267)		(23,298)	3%	
Law, Order And Public Safety	(61,064)		(67,169)		(6,074)	10%	
Health	(47,442)		(36,293)		11,149	-19%	
Education And Welfare	(65,838)		(65,801)		37	0%	
Housing	(46,713)		(41,113)		7,501	-16%	
Community Amenities	(432,785)		(282,567)		150,278	-35%	
Recreation and Culture	(573,824)		(551,980)		21,844	-4%	
Transport	(734,752)		(436,774)		349,018	-44%	
Economic Services	(137,577)		(32,312)		55,067	-40%	
Other Property and Services	2,306		(593,819)		(596,118)	25845%	
Adjustments for Cash Budget Requirements							
Adjustments and Accruals		361,652			(361,652)	-100%	
<i>(Profit)/Loss on Asset Disposals</i>							
<i>Movement in Accruals and Provisions</i>							
<i>Depreciation on Assets</i>		351,652					
Purchase of Non-Current Assets		(2,036,782)		(881,404)	1,155,378	57%	
<i>Purchase Land Held for Resale</i>				(41,851)			
<i>Purchase Land and Buildings</i>				(26,076)			
<i>Purchase Infrastructure Assets - Roads</i>		(1,579,948)		(607,572)			
<i>Purchase Infrastructure Assets - Parks</i>				(43,744)			
<i>Purchase Infrastructure Assets - Footpaths</i>				(21,904)			
<i>Purchase Infrastructure Assets - Drainage</i>				(30,600)			
<i>Purchase Infrastructure Assets - Other</i>		(404,500)		(35,370)			
<i>Purchase Plant and Equipment</i>		(53,332)		(59,038)			
<i>Purchase Furniture and Equipment</i>							
Capital Income		597,330		241,100	(356,230)	-60%	
<i>Grants / Contributions for Development of Assets</i>		597,330		242,000			
<i>Proceeds from Disposal of Assets</i>				(900)			
<i>Proceeds from Sale of Land Held for Resale</i>							
Debtures		(587,348)		(616,703)	(29,355)	80%	
<i>Repayment of Debtures</i>		(603,348)		(36,703)			
<i>Proceeds from New Debtures</i>		621,000					
<i>Self-Supporting Loan Principal Income</i>							
Reserves		234,060		(12,074)	(247,134)	-106%	
<i>Transfers to Reserves (Restricted Assets)</i>		(35,940)		(13,074)			
<i>Transfers from Reserves (Restricted Assets)</i>		270,000					
<i>Add Estimated Surplus/(Deficit) July 1 5/Fwd</i>		4,924,844	4,924,844	5,361,267	5,361,267	436,423	9%
<i>Less Estimated Surplus/(Deficit) June 30 04/Fwd</i>		9,187,488	9,167,488	9,426,100	9,426,100	258,612	3%
Amount Required to be Raised from Rates		5,121,911	5,121,911	5,140,659	5,140,659	18,748	0%

Shire of Wyndham East Kimberley

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

	YTD Actual 2009/10	Brought Forward 1 July 2009
Net Current Assets	\$	\$
Composition of Net Current Asset Position		
Current Assets		
Cash - Unrestricted	6,025,307	6,140,743
Cash - Reserves	6,751,779	6,738,705
Cash - Restricted Unspent Grants		
Investments - Restricted		
Receivables	3,973,045	1,174,211
Self Supporting Loans	-	-
Inventories	11,023	6,857
Land Held for Resale	11,023	-
	17,673,175	14,050,443
<i>Less</i>		
Current Liabilities		
Payables	(1,498,253)	(1,795,659)
	(1,498,253)	(1,795,659)
<i>Less</i>		
Restricted Reserves		
Cash		
Investments	(8,721,779)	(8,738,705)
	(8,721,779)	(8,738,705)
Net Current Asset Position	9,453,100	6,525,678

Shire of Wyndham East Kimberley

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

Explanation of Material Variances

Variances +/- \$50,000

Operating

Recurrent Revenue - Excluding Rates

General Purpose Funding Financial Assistance Grants not yet received in accordance with forecast budget.

Transport: MRWA Direct Grant invoice will be raised by end of September for October payment. Revenue for East Kimberley Regional Airport budgeted for July was June revenue adjusted to 2008/2009. Revenue for 2009/2008 over achieved. Imbalance in forecast to actual will adjust itself by end of year.

Recurrent Expenditure

Community Amenities: Refuse Collection and Litter Control invoices for July yet to be posted. Cumbungi management costs were allocated to incorrect account. Journal will occur. Youth officers commenced later than budget estimates due to difficulty in recruiting staff.

Transport: Depreciation yet to occur pending adoption of revised Policy at Ordinary Council Meeting in September. Street lighting invoice not yet received. Kununurra and Wyndham Urban Road Maintenance variance due to staff being engaged on range of projects not related to road maintenance. Year to date budget projections may need to be reassessed.

Economic Services: Round one of annual grants has been completed, waiting claims from grant recipients.

Other Property and Services: Insurance costs shown in this program yet to be re-costed to relevant programs. Expenses for recruitment of CEO incurred earlier than forecasted in budget.

Capital

Adjustments and Accruals

Depreciation expenses yet to be posted pending adoption of revised Policy at Ordinary Council Meeting in September.

Capital Expenditure and Revenue

Purchase Infrastructure Assets (Roads) - Coolibah Drive Reconstruction works did not commence when originally planned to forecasted budget. Carlton Hill Road Upgrade invitation of tenders delayed due to higher priority projects. Riverfarm Road and Barding Loop reconstruction projects invoices received pending authorisation for payment.

Purchase Infrastructure Assets (Other) - Wyndham Pool Upgrade project progress payment will occur in September.

Grants/Contributions to Development of Assets - Grant for Wyndham Pool Upgrade forecasted for August expected in September.

Debentures and Reserves - Refinancing of Kununurra Childcare Loan has occurred. Adjustments to loans and transfer from Reserve will occur in September.

**Shire of Wyndham East Kimberley
Statement of Financial Activity
Budget to Collect / Spend
as at 31 August 2009**

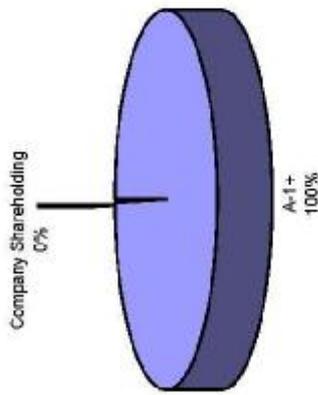
	Accepted Budget 2009-10		YTD Actual 2009-10		Budget Remaining 2009-10	
	\$	\$	\$	\$	\$	\$
Revenues		10,509,293		1,672,517		8,035,631
General Purpose Funding	3,356,207		209,990		3,146,217	
Governance	38,135		14,971		24,224	
Law, Order And Public Safety	48,755		2,082		47,373	
Health	39,500		3,237		32,263	
Education And Welfare	114,000		20,290		93,710	
Housing	301,021		28,391		272,930	
Community Amenities	2,058,040		867,570		1,190,470	
Recreation And Culture	672,266		67,037		505,229	
Transport	3,036,000		412,902		3,123,345	
Economic Services	202,800		39,368		163,442	
Other Properties And Services	244,014		6,740		236,374	
Expenses		(15,435,400)		(2,035,562)		(13,336,328)
General Purpose Funding	(467,130)		(37,472)		(439,658)	
Governance	(1,080,832)		(102,287)		(916,535)	
Law, Order And Public Safety	(450,031)		(57,158)		(385,470)	
Health	(310,142)		(38,293)		(277,049)	
Education And Welfare	(377,384)		(55,801)		(321,583)	
Housing	(291,153)		(41,119)		(250,034)	
Community Amenities	(2,236,981)		(282,507)		(2,953,477)	
Recreation and Culture	(3,611,399)		(551,553)		(3,059,419)	
Transport	(4,369,304)		(435,774)		(4,403,530)	
Economic Services	(392,012)		(82,310)		(509,702)	
Other Property and Services	(143,519)		(203,852)		150,333	
Adjustments for Cash Budget Requirements						
Adjustments and Accruals		1,718,989				1,718,989
<i>(Profit) Loss on Asset Disposals</i>	(453,439)				(453,439)	
<i>Movement in Accruals and Provisions</i>	3,264				3,264	
<i>Depreciation on Assets</i>	2,170,110				2,170,110	
Purchase of Non-Current Assets		(15,513,781)		(881,404)		(14,632,377)
<i>Purchase Land Held for Resale</i>	(750,000)		(41,851)		(708,149)	
<i>Purchase Land and Buildings</i>	(5,741,920)		(29,075)		(5,713,845)	
<i>Purchase Infrastructure Assets - Roads</i>	(5,053,450)		(607,572)		(4,445,878)	
<i>Purchase Infrastructure Assets - Parks</i>	(240,000)		(43,794)		(196,206)	
<i>Purchase Infrastructure Assets - Footpaths</i>	(71,400)		(21,904)		(49,496)	
<i>Purchase Infrastructure Assets - Drainage</i>	(195,600)		(30,800)		(165,000)	
<i>Purchase Infrastructure Assets - Other</i>	(1,792,000)		(85,570)		(1,712,630)	
<i>Purchase Plant and Equipment</i>	(1,377,711)		(92,038)		(1,325,673)	
<i>Purchase Furniture and Equipment</i>	(285,500)				(285,500)	
Capital Income		7,101,721		241,100		6,863,621
<i>Grants / Contributions for Development of Assets</i>	6,506,221		242,000		6,263,221	
<i>Proceeds from Disposal of Assets</i>	500,500				500,500	
<i>Proceeds from Sale of Land Held for Resale</i>	95,000		(900)		96,900	
Debentures		1,785,168		(59,703)		1,821,871
<i>Repayment of Debentures</i>	(1,057,047)		(55,703)		(1,001,144)	
<i>Proceeds from New Debentures</i>	2,806,000				2,806,000	
<i>Self-Supporting Loan Principal Income</i>	17,015				17,015	
Reserves		232,810		(13,074)		245,814
<i>Transfers to Reserves (Restricted Assets)</i>	(398,080)		(13,074)		(825,600)	
<i>Transfers from Reserves (Restricted Assets)</i>	1,132,520				1,132,520	
<i>Add Estimated Surplus/(Deficit) July 1 B/Fwd</i>	4,821,814	4,821,814	5,361,267	5,361,267	(426,425)	(426,422)
<i>Less Estimated Surplus/(Deficit) June 30 C/Fwd</i>	426,814	426,814	9,426,100	9,426,100	(8,996,486)	(8,996,486)
Amount Required to be Raised from Rates	5,126,079	5,126,079	5,140,859	5,140,859	(14,783)	(14,780)

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

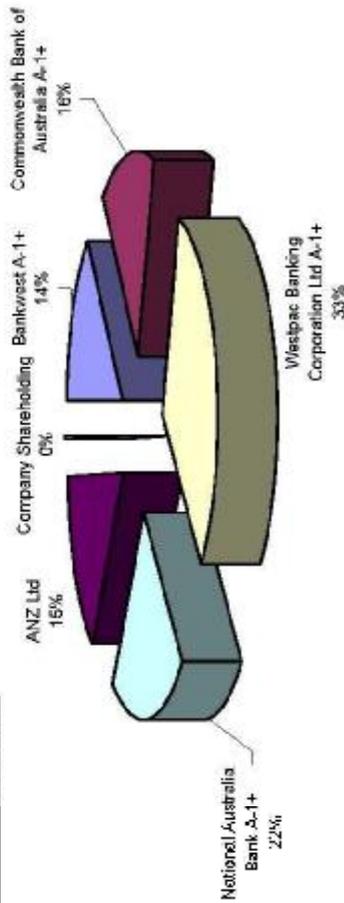
INVESTMENT POLICY F17

RESULTS AS AT 31 AUGUST 2009

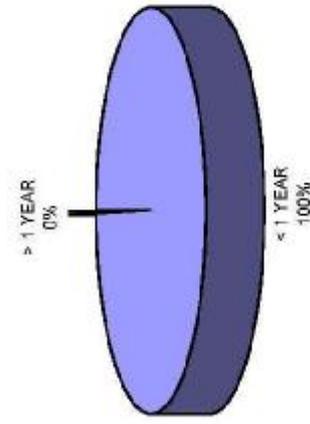
Overall Portfolio



Counterparty Credit



Term to Maturity



Overall Portfolio Limits

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

Note: "S & P" refers to Standard & Poor's credit rating agency

Counterparty Credit Framework

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

Term to Maturity Framework

Overall Portfolio Term to Maturity Limits	1:10% max 40%
Portfolio % < 1 year	min
Portfolio % > 1 year	80%
Portfolio % > 3 year	33%
Portfolio % > 5 year	25%
Individual Investment Maturity Limits	
ADI	5 years
Non ADI	3 years

Note: "ADI" refers to an Authorised Deposit Institution authorised under the Banking Act (1958)

EXPLANATION OF VARIANCES:

Company shareholding (non S&P rated or ADI) represents less than 1% of investment portfolio. Council minute 8314 of 19 August 2008 provides instruction to sell shareholding. Council minute 8588 of 17 March 2009 instructs that status of shares be re-examined in six months time.

12.2.2 LIST OF ACCOUNTS PAID UNDER DELEGATION 18 (8815)

DATE:	15 September 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Sue Dillon, Senior Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

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

BACKGROUND

Delegation 18 – Payment of Creditors was 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 39146 – 39188 (6 to 27 August 2009)	\$35,681.48
EFT 106838 – EFT 107055 (6 to 27 August 2009)	\$993,380.91
Payroll (7 to 26 August 2009)	\$299,594.61
Direct bank debits (1 to 31 August 2009)	\$14,193.51
Total	\$1,342,850.51

COUNCIL DECISION

Minute No. 8815

Moved:Cr K Wright

Seconded:Cr D Ausburn

Municipal cheques 39146 – 39188 (6 to 27 August 2009)	\$35,681.48
EFT 106838 – EFT 107055 (6 to 27 August 2009)	\$993,380.91
Payroll (7 to 26 August 2009)	\$299,594.61
Direct bank debits (1 to 31 August 2009)	\$14,193.51
Total	\$1,342,850.51

CARRIED UNANIMOUSLY: (8/0)

List of Accounts Paid Under Delegation 18
List of Accounts Submitted to Council 15 September 2009

Chq/EFT	Date	Name	Description	Amount
EFT106838	6/08/2009	ABORIGINAL RESOURCE & DEV SER INC.	BRIDGING THE GAP CONFERENCE 27 & 28 AUG 2009 B FLYNN	720.00
EFT106839	6/08/2009	ADCORP	ADVERTISING FOR CEO VACANCY	13,596.18
EFT106840	6/08/2009	ALLGEAR MOTORCYCLES	ROLLS WHIPPER SNIPPER CORD, CHAINS FOR CHAINSAWS	546.00
EFT106841	6/08/2009	ARGYLE MOTORS	AIR CON & LIGHT REPAIRS WY1	654.00
EFT106842	6/08/2009	ARMANDO'S SPORTS	SPORTING EQUIPMENT FOR OOMBULGURRI COMMUNITY	7,678.00
EFT106843	6/08/2009	AUSFUEL AFD DISTRIBUTORS	SUPPLY OF DIESEL	2,623.68
EFT106844	6/08/2009	BUSH CAMP SURPLUS STORES	WORK BOOTS	133.50
EFT106845	6/08/2009	DAVEY TYRE AND BATTERY SERVICE	4 X NEW TYRES, TUBES AND FITTED WY12478	1,129.00
EFT106846	6/08/2009	DOUGLAS ALEXANDER	REIMBURSEMENT FOR FUEL	191.16
EFT106847	6/08/2009	EAST KIMBERLEY HARDWARE	PAINT AND MATERIALS, PALLET OF CEMENT, ETC	2,720.70
EFT106848	6/08/2009	FUGRO PMS	HEAVY WEIGHT DEFLECTOMETER SURVEY RUNWAY AND TAXIWAYS	28,325.00
EFT106849	6/08/2009	GUERINONI & SON	SUPPLY OF PREMIXED CONCRETE FOR PATH REPAIR	841.50
EFT106850	6/08/2009	GULLIVERS TAVERN	DINNER FOR SPECIAL MEETING FOR 30 JUNE 2009	210.00
EFT106851	6/08/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	3,244.23
EFT106852	6/08/2009	IBAC PLUMBING PTY LTD	REPAIR FEMALE TOILET KNX ADMIN	189.20
EFT106853	6/08/2009	ISLAND HOME MUSIC PTY LTD	NEIL MURRAY TWO DAYS OF WORKSHOPS WRITERS FESTIVAL	1,100.00
EFT106854	6/08/2009	IT VISION ITV	WEBINAR TRAINING RATES MODELLING AND RATES BILLING	594.00
EFT106855	6/08/2009	IVANHOE FARM LUNCH BAR	LUNCHES & BREAKFAST FOR GUESTS WRITERS FESTIVAL	689.48
EFT106856	6/08/2009	JASON SIGNMAKERS LTD	WARRIU PARK PUBLIC NOTICE SIGN WITH 4 X BRACKETS	138.60
EFT106857	6/08/2009	JH COMPUTER SERVICES	LEXMARK C780 BLACK HIGH YIELD PRINT CARTRIDGES	966.00
EFT106858	6/08/2009	JON & GRYTSJE DOUST	PAYMENT JON DOUST - KIMBERLEY WRITERS FESTIVAL 24 & 26 JULY	1,100.00
EFT106859	6/08/2009	KIMBERLEY COMMUNICATIONS	TRAVEL & RECTIFY INTERFERENCE JJJ RADIO WITH WATER CORP	1,008.00
EFT106860	6/08/2009	KIMBERLEY GROUP TRAINING	TRAINEE OVER CHARGE TO BE CREDITED	221.50
EFT106861	6/08/2009	KIMBERLEY MARKETING	STOCK FOR SALE FOR THE KLC DISCO	320.94
EFT106862	6/08/2009	KIMBERLEY PROPERTY SETTLEMENTS	BALANCE TO PURCHASE LAND	46,036.29
EFT106863	6/08/2009	KIMBERLEY PROPERTY VALUERS	PROPERTY VALUATION	990.00

EFT106864	6/08/2009	KOSMOS FOODS PTY LTD	ICE CREAM FOR SALE AT THE LEISURE CENTRE	794.30
EFT106865	6/08/2009	KUNUNURRA CRUISES 'THE BBQ BOAT'	HIRE OF BBQ BOAT CRUISE - KIMBERLEY WRITERS FESTIVAL 2009	3,760.00
EFT106866	6/08/2009	KNX PANEL BEATING WORKS WA P/L	NEW WINDSCREEN WY12752	385.00
EFT106867	6/08/2009	KUNUNURRA REFRIG & AIR CON P/L	SUPPLY & INSTALL AIR CON - WYN ADMIN & REMOVE OLD AIR CON	1,600.50
EFT106868	6/08/2009	KUNUNURRA SECURITY SERVICE	AIRPORT BAGGAGE & SCREENING KNX AIRPORT 3-16 JUNE 09	60,404.00
EFT106869	6/08/2009	LAKEVIEW APARTMENTS	ACCOMMODATION FOR WRITERS FESTIVAL GUESTS 22-29 JULY 09	3,690.00
EFT106870	6/08/2009	LGIS - JARDINE LLOYD THOMPSON	QBE INSURANCE AIG AUST	82,249.42
EFT106871	6/08/2009	LGIS LIABILITY	INSURANCE FIRST INSTALMENT	41,167.50
EFT106872	6/08/2009	LGIS PROPERTY	INSURANCE FIRST INSTALMENT	78,736.78
EFT106873	6/08/2009	LIZ BYRSKI COMMUNICATIONS	PRESENTATIONS & WORKSHOP FEES - WRITERS FESTIVAL	1,100.00
EFT106874	6/08/2009	MCLEAN ENTERPRISES	DRUMS EMULSION	962.00
EFT106875	6/08/2009	MEGAN HUNT	CLEANING OF WYN ADMIN 22 TO 26 JUNE 09	1,996.50
EFT106876	6/08/2009	NORTH AUSTRALIAN DIAMONDS LTD	REPLACEMENT CHEQUE FOR OLD STALE CHEQUE	622.16
Chq/EFT	Date	Name	Description	Amount
EFT106877	6/08/2009	OFFICE NATIONAL KUNUNURRA	REPAIR PRINTER	65.00
EFT106878	6/08/2009	ORD RIVER ELECTRICS	ELECT REPAIRS PUMP STATION, KNX CHAMBERS & LIGHTS AT OVAL	4,696.64
EFT106879	6/08/2009	ORD RIVER MEAT SUPPLY	MEAT FOR CLOSING CEREMONY KIMBERLEYS WRITERS FESTIVAL	774.20
EFT106880	6/08/2009	OUTBACK CLEANING	CLEANING OF YOUTH CENTRE JULY 09	1,821.60
EFT106881	6/08/2009	ORD VALLEY TURF	M3 REPLACEMENT TURF OUTSIDE SWEK OFFICE	39.60
EFT106882	6/08/2009	PIVOTEL	SATELLITE PHONE CHARGES 15/07/09 TO 14/08/09	105.00
EFT106883	6/08/2009	PUMPHOUSE RESTAURANT & BAR	CATERING - PETER STUBBS FAREWELL	2,417.90
EFT106884	6/08/2009	RAGEE SOUND	VICKI PHILIPP FEES KIMBERLEY WRITERS FESTIVAL 24 TO 27 JULY	1,118.00
EFT106885	6/08/2009	STITCHED UP EMBROIDERY SERVICES	UNIFORMS	1,564.60
EFT106886	6/08/2009	THE KIMBERLEY GRANDE	ACCOMM & MEALS - RECRUITMENT EXPENSES MHR	800.00
EFT106887	6/08/2009	TNT AUSTRALIA PTY LIMITED	FREIGHT	197.16
EFT106888	6/08/2009	TOLL EXPRESS	FREIGHT	632.16
EFT106889	6/08/2009	TOTAL SAFETY & FIRE SOLUTIONS	HAZCHEM SIGN	36.30
EFT106890	6/08/2009	TRAVELWORLD KUNUNURRA	AIR FARES FOR GUESTS FOR THE WRITERS FESTIVAL 2009	11,356.90
EFT106891	6/08/2009	TUCKERBOX/RETRAVISION	16 GB USB PEN DRIVE KNX AIRPORT	69.95
EFT106892	6/08/2009	VANDERFIELD MACHINERY PTY LTD	DISCHARGE SCHUTE, JOCKEY & DECK R/ WHEELS - MOWER DECK	324.83
EFT106893	6/08/2009	WA LOCAL GOVERNMENT ASSOCIATION	MEMBER SUBSCRIPTION	20,497.87

EFT106894	6/08/2009	WARINGARRI ABORIGINAL ARTS	STORYTELLER FEE FOR SHARING OUR STORIES 17/05/09	350.00
EFT106895	6/08/2009	WYNDHAM EXCAVATIONS	HIRE OF TIPPER & LOADER TO CART FILL TO PARRY CREEK RD	3,124.00
EFT106896	13/08/2009	ALLGEAR MOTORCYCLES	BOX OF BR6HS SPARK PLUGS FOR WACKER PACKER	169.60
EFT106897	13/08/2009	ARGYLE ENGINEERING	RAISE MUD GUARDS ON TRAILER 1TKC163, TYRE REPAIR WY12478	1,150.35
EFT106898	13/08/2009	AUSFUEL AFD AUSTRALIAN FUEL DISTRIB	UNLEADED FUEL FOR LINE MARKER WY4011	87.63
EFT106899	13/08/2009	AUSTRAL MERCANTILE COLLECTIONS P/L	PROFESSIONAL FEES	1,485.86
EFT106900	13/08/2009	BUSH CAMP SURPLUS STORES	WORK SHORTS	85.50
EFT106901	13/08/2009	CENTURION TRANSPORT	FREIGHT	618.58
EFT106902	13/08/2009	CORPORATE EXPRESS	OFFICE SUPPLIES FOR YOUTH CENTRE, WYN & KNX OFFICE	383.49
EFT106903	13/08/2009	DEPT OF TREASURY AND FINANCE	GIFT BOOKS FOR THE BETTER BEGINNINGS 2009/10	968.00
EFT106904	13/08/2009	EAST KIMBERLEY HARDWARE	TOOLS FOR MTCE AT KNX AIRPORT DEPOT	1,043.75
EFT106905	13/08/2009	FISCHER, CYNTHIA	CLEANING OF BONAPARTE TOILET JUNE 09	3,642.37
EFT106906	13/08/2009	FUJI XEROX AUSTRALIA P/L	XEROX CONTRACT X204751 KNX ADMIN PRINTER JULY TO DEC 2009	2,422.98
EFT106907	13/08/2009	GULLIVERS TAVERN	DINNER - ORDINARY COUNCIL MEETING 21 JULY 2009	210.00
EFT106908	13/08/2009	HALLIDAY'S BUS INSIGHTS	PRESENTATIONS BY PHIL KETTLE - KIMBERLEY WRITERS FESTIVAL	1,100.00
EFT106909	13/08/2009	CANCELLED PAYMENT		0.00
EFT106910	13/08/2009	IBAC PLUMBING PTY LTD	REPAIR WATER LEAK UNDER BUILDING KNX ADMIN	926.20
EFT106911	13/08/2009	IOR PETROLEUM PTY LTD	DIESEL SUPPLIED TO SHIRE DEPOT	8,552.42
EFT106912	13/08/2009	IPAA INSTITUTE OF PUBLIC ADMIN AUST	SUSTAINABILITY INTRO TO STRATEGIES & TOOLS (ONLINE REG)	492.00
EFT106913	13/08/2009	JASON SIGNMAKERS LTD	VARIOUS STREET & DIRECTIONAL SIGNS AS QUOTED	3,989.70
EFT106914	13/08/2009	JOANNE ROACH	REIMBURSEMENT OF CONSUMABLES PURCHASED WRITERS FESTIVAL	309.36
EFT106915	13/08/2009	KIMBERLEY GROUP TRAINING	TRAINEE PPE 01/07/09	442.98
EFT106916	13/08/2009	KINGS CROWN INSTRUM & ELECT	ELECT REPAIRS & REPLACE MISSING FUSES WITH BREAKERS PRH	515.90
EFT106917	13/08/2009	KUNUNURRA COURIERS	DELIVERY OF 2 X 15 LITRE BOTTLES NEVERFAIL SPRING WATER	37.00
EFT106918	13/08/2009	KUNUNURRA DISTRICT HIGH SCHOOL	LUNCH VISITING AUTHORS FOR KIMBERLEY WRITERS FESTIVAL 2009	115.30
Chq/EFT	Date	Name	Description	Amount
EFT106919	13/08/2009	KUNUNURRA MEDICAL	DRUG SCREEN	48.40
EFT106920	13/08/2009	KUNUNURRA MOBILE WELDING SERVICE	MODIFICATIONS TO NETBALL POLES	365.20
EFT106921	13/08/2009	KUNUNURRA PLUMBING & GAS FITTING	CLEAR PIPE BLOCKAGE AT YOUTH CENTRE	200.00
EFT106922	13/08/2009	KUNUNURRA REFRIG & AIR CON P/L	REPAIR AIR CON UNITS IN TERMINAL KNX AIRPORT	280.50
EFT106923	13/08/2009	KUNUNURRA SECURITY SERVICE	CALL OUT FOR SINGLE AND MULTI ALARM LEISURE CENTRE	204.00

EFT106924	13/08/2009	KUNUNURRA TYREPOWER	REPLACED FLAT TYRE	230.00
EFT106925	13/08/2009	LESTER BLADES	RECRUITMENT FEES FOR REPLACEMENT CEO	8,492.00
EFT106926	13/08/2009	LW PROPERTY CARE	SPRING CLEAN OF THE YOUTH CENTRE	990.00
EFT106927	13/08/2009	MCLEAN ENTERPRISES	DRUM EMULSION	1,698.50
EFT106928	13/08/2009	MEGAN HUNT	MONTHLY CLEAN WYNDHAM	482.62
EFT106929	13/08/2009	MEGAN JANE ALCHIN	FUEL REIMBURSEMENT	88.70
EFT106930	13/08/2009	OFFICE NATIONAL KUNUNURRA	STATIONERY ORDER	338.58
EFT106931	13/08/2009	ORD MACHINING	DRILL NEW HOLES IN WHEEL HUB FOR ROLLER WA264	350.63
EFT106932	13/08/2009	ORD RIVER ELECTRICS	CABLE LOCATION BETWEEN ADMIN BUILDING & LEISURE CENTRE	110.00
EFT106933	13/08/2009	ORD RIVER TRENCHING	CABLE LOCATION BETWEEN ADMIN BUILDING & LEISURE CENTRE	88.00
EFT106934	13/08/2009	ORDCO	CHAPIN SPRAYER 11L	297.00
EFT106935	13/08/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY	15.00
EFT106936	13/08/2009	ORICA AUSTRALIA PTY LTD	RECTIFY CREDIT CLAIMED TWICE IN ERROR MAY 09	1,222.22
EFT106937	13/08/2009	PACIFIC DATACOM	FLUKE MICROSCANNER 2 PROFESSIONAL KIT	1,531.78
EFT106938	13/08/2009	PETER LOUIS MILLER	CATERING FOR FRIDAY NIGHT OPENING WRITERS FESTIVAL	550.00
EFT106939	13/08/2009	SHOAL AIR PTY LTD	HLTH INSPECT FLIGHT – OOMBULGURRI,KALUMBURU,MITCHELL PLATEAU	2,300.00
EFT106940	13/08/2009	ST JOHN AMBULANCE	RESTOCKING OF FIRST KITS	199.93
EFT106941	13/08/2009	THE SMART SECURITY COMPANY	24 HOUR MONITORING OF ALARM	171.60
EFT106942	13/08/2009	THE ZEBRA ROCK GALLERY	MEALS FOR WRITERS FESTIVAL 2009 FOR GUESTS	225.00
EFT106943	13/08/2009	THINKWATER	6 X I35 HUNTER SPRINKLERS AND ASSORTED IRRIGATION FITTINGS	1,236.50
EFT106944	13/08/2009	THORLEY'S STORE	TRANSPORT SHIRE BAG KNX WYN TWICE A DAY JULY 09	414.00
EFT106945	13/08/2009	TNT AUSTRALIA PTY LIMITED	FREIGHT	574.72
EFT106946	13/08/2009	TST ELECTRICAL	ELECTRICAL REPAIRS UNIT 1/264 RIVERFIG AVE KNX	128.50
EFT106947	13/08/2009	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISEMENT IN WEST AUSTRALIAN 20/06/09	563.27
EFT106948	13/08/2009	WESTRAC EQUIPMENT PTY LTD	FIT PARTS FOR STEERING & REPAIR THROTTLE – GRADER	626.55
EFT106949	13/08/2009	WYNDHAM EXCAVATIONS	HIRE OF GRADER FOR MAINTENANCE GRADE OF KING RIVER ROAD	7,000.00
EFT106950	20/08/2009	ADVENTURE OFFROAD CAMPERS	DEPOSIT FOR CAMPER TRAILER OOBULGARRI YOUTH SERVICES	6,000.00
EFT106951	20/08/2009	ALLGEAR MOTORCYCLES	REPAIRS TO WACKER PACKER, BLADES FOR MOWER	450.30
EFT106952	20/08/2009	ALLIED PICKFORDS VICTORIA	REMOVALIST COSTS HRM	8,426.00
EFT106953	20/08/2009	ARGYLE MOTORS	PIPE MOUNT BEACON	88.00
EFT106954	20/08/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	133.66

Chq/EFT	Date	Name	Description	Amount
EFT106955	20/08/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT106956	20/08/2009	B VISUAL MEDIA	COPYRIGHT PURCHASE 100 COPIES MY HOME MY HEART	1,600.00
EFT106957	20/08/2009	BOAB CARPENTRY MTCE SERVICE	REPAIR SMASHED WINDOWS/BOARD UP WINDOWS WYN ADMIN	1,527.69
EFT106958	20/08/2009	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL JULY 09	254.02
EFT106959	20/08/2009	BRANKO BP MOTORS	FUEL FOR VARIOUS PLANT, SERVICES WY11633,WY12885 & WY11650	2,516.55
EFT106960	20/08/2009	BUSH CAMP SURPLUS STORES	3 X PAIR KING GEE LONG TROUSERS	150.45
EFT106961	20/08/2009	CABCHARGE	SURVIVAL SKILLS BETTY MCKINLAY 16 & 17 JULY 2009	267.52
EFT106962	20/08/2009	CEMETERIES & CREMATORIA ASSOC	ORDINARY MEMBERSHIP RENEWAL 2009/10	100.00
EFT106963	20/08/2009	CANCELLED PAYMENT		0.00
EFT106964	20/08/2009	COATES HIRE OPERATIONS PTY LTD	2 DAY HIRE OF SKID STEER LOADER.	1,039.50
EFT106965	20/08/2009	COOLIBAH PLUMBING AND GAS	PLUMBING WORKS CONSTRUCT TOILET BLOCKS AT WYN & KNX	11,264.99
EFT106966	20/08/2009	DAVEY TYRE AND BATTERY SERVICE	TUBE AND BATTERY WY11485	116.50
EFT106967	20/08/2009	EAST KIMBERLEY GLASS	REPLACEMENT OF SMASHED SQUASH COURT DOOR	2,250.00
EFT106968	20/08/2009	EAST KIMBERLEY HARDWARE	STAR PICKETS & CEMENT	701.00
EFT106969	20/08/2009	EAST KIMBERLEY PLUMBING	PLUMBING REPAIRS CELEB TREE PARK, KLC & 16 KIMBERLEY ST, WYN	589.15
EFT106970	20/08/2009	FISCHER, CYNTHIA	CLEANING PUBLIC CONVENIENCES WYN JULY 09	3,642.37
EFT106971	20/08/2009	FRONTIER POST & NEWS	POSTAGE, NEWSPAPERS AND STATIONERY	92.90
EFT106972	20/08/2009	GULLIVERS TAVERN	ALCOHOL FOR WRITERS FESTIVAL	1,013.00
EFT106973	20/08/2009	HEINER STRUCT. ENG. CONS	STRUCTURAL CERTIFICATION SHADE SAILS REGIONAL A/PORT TERM	1,320.00
EFT106974	20/08/2009	HYDRAMET PTY LTD	1 X V100 INJECTOR COMPLETE WITH TAIL AND THROAT	829.84
EFT106975	20/08/2009	IAN DEMPSEY	PLANTS FOR A/57 RIVERFIG AVE KNX	155.90
EFT106976	20/08/2009	INTEGRATED RECORDS & INFO	INTEGRATED RECORDS TRAINING T JARVIS 11-14 AUG 2009	1,177.00
EFT106977	20/08/2009	IOR PETROLEUM PTY LTD	DIESEL SUPPLIED TO DEPOT	3,800.70
EFT106978	20/08/2009	IT VISION USER GROUP (INC) ITVUG	ANNUAL SUBSCRIPTION 09/10	484.00
EFT106979	20/08/2009	JSW HOLDINGS PTY LTD	MIXED GRAVEL AS PER QUOTE FOR IVANHOE RD TRUCK BAY	1,464.00
EFT106980	20/08/2009	JTAGZ	500 X BLUE 95MM WRAP STRAP DOG TAGS	363.00
EFT106981	20/08/2009	K & M ALLCLEAN	CLEANING JULY 09	15,053.82
EFT106982	20/08/2009	KATE LYNCH	REIMBURSEMENT OF FLIGHTS - WYN RECREATION POSITION	939.64
EFT106983	20/08/2009	KIMBERLEY COMMUNICATIONS	REPAIR 102FM RADIO, INSTALL TRIP METERS WY12926, WY12352	1,013.50
EFT106984	20/08/2009	KIMBERLEY INDUSTRIES METALAND	NEW SWIVEL HOOK FOR HIAB 1CWW 319	169.09

EFT106985	20/08/2009	KIMBERLEY KOOL REFRIGERATION	SUPPLY AND FIT FILTER TO ICE MACHINE KNX DEPOT	511.50
EFT106986	20/08/2009	KIMBERLEY TREE SERVICES PTY LTD	REMOVE PALMS, GRIND AND BACKFILL HOLES COOLIBAH DR	1,701.50
EFT106987	20/08/2009	KIMBERLEY WASTE SERVICES	SKIP BIN EMPTIED	200.00
EFT106988	20/08/2009	KOSMOS FOODS PTY LTD	ICE CREAM FOR SALE AT THE LEISURE CENTRE	752.55
EFT106989	20/08/2009	KNX REFRIGERATION & AIR CON P/L	QUARTERLY SERVICING OF TERMINAL AIR CONS MTCE SCHEDULE	143.00
EFT106990	20/08/2009	KUNUNURRA SECURITY SERVICE	SECURITY OFFICERS FOR DISCO AT KNX LEISURE CENTRE	426.57
EFT106991	20/08/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT106992	20/08/2009	LANDGATE	GRV SCHEDULES	543.57
EFT106993	20/08/2009	LOCAL HEALTH AUTHORITIES	ANALYTICAL SERVICES 2009/10	1,656.60
EFT106994	20/08/2009	LW PROPERTY CARE	CLEANING OF GAS BBQS AT SWIM BEACH JUNE TO JULY 09	528.00
EFT106995	20/08/2009	MEGAN HUNT	CLEANING ADMIN BUILDING - 6 MONTHS	2,095.49
EFT106996	20/08/2009	NORSIGN PTY LTD	R12A GIVE WAY SIGN	171.69
EFT106997	20/08/2009	ORD RIVER ELECTRICS	REPAIR & REPLACE EXIT LIGHTS KLC, LIGHT REPAIR CELEB TREE PK	546.65
EFT106998	20/08/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	15.00
EFT106999	20/08/2009	ORICA AUSTRALIA PTY LTD	CHLORINE CYLINDERS X 5 PLUS PACKAGING	352.94
EFT107000	20/08/2009	ORIMATECH	ANNUAL SERVICE OF AUTO VACUUM KLC	2,846.44
EFT107001	20/08/2009	SALERNO LAW	MONIES HELD IN TRUST FOR LEASE PREPARATION	2,750.00
EFT107002	20/08/2009	SHERIDAN'S FOR BADGES	NAME BADGES FOR STAFF	164.05
Chq/EFT	Date	Name	Description	Amount
EFT107003	20/08/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	530.00
EFT107004	20/08/2009	ST JOHN AMBULANCE AUST (WA) INC	WALL MOUNTED FIRST AID KIT	596.00
EFT107005	20/08/2009	STEWART & HEATON CLOTHING P/L	BALANCE OF CLOTHING ORDER FOR IVBFB	307.03
EFT107006	20/08/2009	STITCHED UP EMBROIDERY SERVICES	UNIFORM ORDER	254.40
EFT107007	20/08/2009	TELFORD INDUSTRIES	PALLET OF SODIUM BICARB, DPD1 & PHENOL RED TEST TABLETS	1,121.36
EFT107008	20/08/2009	THE CANVAS SHED	2ND PART PAYMENT FOR SHADE SAILS - KNX AIRPORT	1,210.00
EFT107009	20/08/2009	THINKWATER	POLLY PIPE, DRIPPER LINES, RETICULATION PARTS	738.31
EFT107010	20/08/2009	TOLL EXPRESS	FREIGHT	47.82
EFT107011	20/08/2009	TONY'S PLUMBING & EXCAVATION P/L	REPAIR SPLIT COPPER WATER PIPE AT REAR OF WYNDHAM ADMIN	475.20
EFT107012	20/08/2009	TOP END MOTORS	SERVICE WY12324. NEW FAN BELT REPLACED PRE SERVICE	436.41
EFT107013	20/08/2009	TOTAL EDEN KP PUMPS	RETIC - COUPLINGS AND POLY PIPE	69.85
EFT107014	20/08/2009	TUSS CONCRETE PTY LTD	6 X 1050MM DIA NON TRAFFICABLE MANHOLE COVERS	847.00

EFT107015	20/08/2009	URBIS PTY LTD	SHIRE OF WYNDHAM EAST KIMBERLEY TPS REVIEW	10,564.14
EFT107016	20/08/2009	VANDERFIELD MACHINERY PTY LTD	BLADES, DEFLECTORS, BOLTS & WASHERS - RIDE ON MOWER	287.99
EFT107017	20/08/2009	WANNA WORK LABOUR HIRE SOLUTIONS	PINDAN PARK LANDSCAPING LABOUR, MATERIALS & MACHINERY HIRE	2,436.15
EFT107018	20/08/2009	WARINGARRI MEDIA ABORIGINAL CORP	RADIO ANNOUNCEMENTS REGARDING ISSUE OF RATES	192.50
EFT107019	20/08/2009	WAYNE RICHARDS & REBECCA MORRALL	WORKING WITH CHILDREN CHECK	50.00
EFT107020	20/08/2009	WYNDHAM EXCAVATIONS	LOADER HIRE MAINTAIN WYN LANDFILL SITE JULY 2009	2,376.00
EFT107021	27/08/2009	ALLGEAR MOTORCYCLES	WELD LEVER ON WACKER PACKER	49.50
EFT107022	27/08/2009	ARGYLE ENGINEERING	ALUMINIUM CHECKER PLATE RETICULATION LID	93.50
EFT107023	27/08/2009	AUSTRALIA POST	POSTAGE AND STATIONERY PURCHASES	687.15
EFT107024	27/08/2009	BAB ALUMINIUM	ALUMINIUM SEATING FOR OOMBULGURRI YOUTH SERVICE	7,033.40
EFT107025	27/08/2009	BODAN CONSTRUCTIONS PTY LTD	REPAIRS TO BUILDING INTERNAL & EXTERNAL PRMH WYN	31,680.00
EFT107026	27/08/2009	BOSS FLUID POWER	CARTONS OF TOILET ROLLS FOR WYN PUBLIC CONVENIENCES	904.20
EFT107027	27/08/2009	CHEFMASTER AUSTRALIA	4 X CARTONS OF BIN LINERS	571.60
EFT107028	27/08/2009	EAST KIMBERLEY HARDWARE	CANS OF LINE MARKING PAINT	145.00
EFT107029	27/08/2009	FIVE RIVERS LIVESTOCK	CONSTRUCTION OF CROSSOVER & CULVERT WEABER PLAIN RD	6,600.00
EFT107030	27/08/2009	GRUNT LABOUR SERVICES PTY LTD	LABOUR HIRE KNX LANDFILL SITE	3,594.69
EFT107031	27/08/2009	GUERINONI & SON	MTCE GRADING KALUMBURU RD MAY & JUNE 2009	91,294.50
EFT107032	27/08/2009	IAN DEMPSEY	ACCOMMODATION HRM RELOCATION	2,071.50
EFT107033	27/08/2009	J BLACKWOOD & SON LIMITED	SEALANT MARINE SIKAFLEX	715.34
EFT107034	27/08/2009	JOHN G BAYLY	UNDERTAKE UPDATING OF ROMAN RELATED DATA	11,605.00
EFT107035	27/08/2009	JSW HOLDINGS PTY LTD	CONSTRUCTION OF KNX AIRPORT CAR PARK PROJECT	66,047.73
EFT107036	27/08/2009	KIMBERLEY GROUP TRAINING	TRAINEE PPE 12/08/09	221.50
EFT107037	27/08/2009	KIMBERLEY WASTE SERVICES	CLEAN UP OF IRONWOOD DRIVE	4,140.00
EFT107038	27/08/2009	KUNUNURRA DISTRICT HIGH SCHOOL	GRANT TOURNAMENT OF THE MINDS PERTH 29 & 30 AUGUST 2009	550.00
EFT107039	27/08/2009	KUNUNURRA HOME & GARDEN	75MM X 10MM X 25M FOAM JOINT	30.75
EFT107040	27/08/2009	KUNUNURRA SECURITY SERVICE	AIRPORT BAGGAGE AND SCREENING 1 TO 14 JULY 2009	30,984.20
EFT107041	27/08/2009	KUNUNURRA TYREPOWER	BALANCE TWO FRONT TYRES WY 01	33.00
EFT107042	27/08/2009	MARTIN PRINT	BUSINESS CARDS	177.00
EFT107043	27/08/2009	ORD RIVER CONTRACTING	LOADER HIRE LANDFILL SITE MTCE & ADDITIONAL WORKS	15,290.00
EFT107044	27/08/2009	ORD RIVER SPORTS CLUB	ANNUAL GRANT TOWARDS INDOOR CRICKET NET REPLACEMENT	3,550.00
Chq/EFT	Date	Name	Description	Amount

EFT107045	27/08/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX ADMIN	15.00
EFT107046	27/08/2009	SETON AUSTRALIA PTY LTD	4 X NO ALCOHOL SIGNS	257.95
EFT107047	27/08/2009	STATE LAW PUBLISHER	NOTICE OF APPROVAL AMENDMENT 25 TO TPS 7	74.70
EFT107048	27/08/2009	TOP END MOTORS	60,000KM SERVICE ON WY12752	1,565.18
EFT107049	27/08/2009	TUCKERBOX/RETRAVISION	COOL DRINKS FOR SALE KLC, KEYS CUT, CONSUMABLES	2,771.75
EFT107050	27/08/2009	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISEMENT JULY 2009	1,625.88
EFT107051	27/08/2009	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	22,188.04
EFT107052	27/08/2009	WASTE MANAGEMENT ASS. OF AUST.	REG CR AUSBURN 3RD NAT LANDFILL & TRANSFER STATIONS CONF	2,145.00
EFT107053	27/08/2009	WESFARMERS KLEENHEAT GAS PTY LTD	YEARLY FACILITY FEE FOR 112 HIBISCUS	242.00
EFT107054	27/08/2009	WESTERN AUST. TREASURY CORP	LOAN NO. 113	73,567.75
EFT107055	27/08/2009	YAWOORROONG MIRIUWUNG GAJERRONG ABORIGINAL CORPORATION	REFUND BOND HIRE JULY 2009	515.00

993,380.91

Chq/EFT	Date	Name	Description	Amount
39146	6/08/2009	ARGYLE DIAMOND MINE PTY LTD	REPLACEMENT CHEQUE FOR OLD STALE CHEQUE	180.00
39147	6/08/2009	CGL WYNDHAM PORT	HIRE FORKLIFT & OPERATOR UNLOAD CONCRETE CULVERTS	133.10
39148	6/08/2009	CANCELLED PAYMENT		0.00
39149	6/08/2009	INGLE, LARRY JOHN	REPLACEMENT CHEQUE FOR OLD STALE CHEQUE	57.00
39150	6/08/2009	MIDLAND TROPHIES	ENGRAVINGS FOR TRIATHLON PERPETUAL TROPHY	92.50
39151	6/08/2009	MUSICA VIVA AUSTRALIA	CANCELLED CONCERT FEE FROM THE CHAMBERMAIDS MAY 2009	1,760.00
39152	6/08/2009	CANCELLED PAYMENT		0.00
39153	6/08/2009	TELSTRA CORPORATION	MOBILE PHONE ACCOUNT	1,235.58
39154	6/08/2009	WA POLICE LEGACY (INC)	REPLACEMENT CHEQUE FOR OLD STALE CHEQUE	550.00
39155	6/08/2009	WATER CORPORATION	ANNUAL SERVICE CHARGE VARIOUS LOCATIONS	3,496.05
39156	6/08/2009	WILSON, SUE	REPLACEMENT CHEQUE FOR OLD STALE CHEQUE	65.00
39157	6/08/2009	WYNDHAM BLUE LIGHT	REPLACEMENT CHEQUE FOR OLD STALE CHEQUE	50.00
39158	6/08/2009	DEPART FOR PLAN & INFRAST	LOCAL AUTHORITY SERVICES SPECIAL PLATES 090 WY	140.00
39159	6/08/2009	NATIONAL C/C ACC. COUNCIL	ANNUAL REGISTRATION FEE YEAR ENDING 30TH JUNE 2010	172.40
39160	13/08/2009	AMANDA & PHIL MCLEAN	REFUND OF FOOTPATH/KERB BOND	350.00
39161	13/08/2009	AUST. INST. BUILDING. SURVEY	AIBS MAGAZINE SUBSCRIPTION JULY 09 TO JUNE 10	55.00

39162	13/08/2009	DONNA LYN SCOTT	REFUND OF FOOTPATH/KERB BOND	250.00
39163	13/08/2009	JANINE SEATON	REFUND OF FOOTPATH/KERB BOND	350.00
39164	13/08/2009	MR PETER GREEN	REFUND OF FOOTPATH/KERB BOND	500.00
39165	13/08/2009	SHIRE WYN EAST KIM CHQ PAY	BUILDING LICENCE NO BL080/2009 APPLICATION NO 66262 BCTIF	111.00
39166	13/08/2009	WATER CORPORATION	INDUSTRIAL WASTE CHARGES FOR KNX LEISURE CENTRE	477.15
39167	20/08/2009	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	116.34
39168	20/08/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	220.12
39169	20/08/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	152.76
39170	20/08/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	168.89
39171	20/08/2009	CASH PETTY CASH KNX DEPOT	KNX DEPOT PETTY CASH	99.05
39172	20/08/2009	CHALARIMERI, AMBROSE	PAYMENT FOR SESSION ATTENDED AT WRITERS FESTIVAL 2009	500.00
Chq/EFT	Date	Name	Description	Amount
39173	20/08/2009	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	368.04
39174	20/08/2009	COMMISSIONER OF POLICE	ANNUAL FIREARM LICENCE 0910	104.00
39175	20/08/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	14,732.14
39176	20/08/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	350.72
39177	20/08/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	267.79
39178	20/08/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	342.78
39179	20/08/2009	SHIRE OF BROOME	SHARE OF COSTS STRAT PLAN ZONE WORKSHOP	1,300.75
39180	20/08/2009	ST JOHN AMBULANCE ASSOC IN WA	UPDATE FIRST AID KITS	56.84
39181	20/08/2009	TELSTRA	LANDLINE PHONE BILL YOUTH CENTRE	233.43
39182	20/08/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	172.28
39183	27/08/2009	DEPART FOR PLAN & INFRAST	SPECIAL SERIES PLATES 17 WY	140.00
39184	27/08/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	1,333.75
39185	27/08/2009	MARGARET FITZGERALD	BOND REFUND FROM MARKET DAY @ WYNDHAM OVAL 16/08/09	200.00
39186	27/08/2009	MR SEAN & MRS LIBUSE MCGEE	REFUND FOR BOOKING OF CELEBRITY TREE PARK	20.00
39187	27/08/2009	TELSTRA	LANDLINE PHONE ACCOUNT JULY 09	4,677.67
39188	27/08/2009	WATER CORPORATION	WATER CHARGES 57C RIVERFIG AVE 23/03/0924/07/09	99.35
				<u>35,681.48</u>

Date	Name	Description	Amount
7/08/2009	PAYROLL	ONE OFF PAY	1,304.27
12/08/2009	PAYROLL	PAYROLL	135,992.05
21/08/2009	PAYROLL	ONE OFF PAY	27,379.59
26/08/2009	PAYROLL	PAYROLL	134,918.70
			<u>299,594.61</u>

Date	Name	Description	Amount
25/08/2009	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	2,036.66
17/08/2009	DIRECT DEBIT	RENT 4 BOOBIALLA WAY	2,491.67
20/08/2009	DIRECT DEBIT	RENT 20 BARRINGTONIA WAY	2,426.66
Aug-08	DIRECT DEBIT	BANK FEES	248.35
Aug-08	DIRECT DEBIT	BPOINT	59.00
Aug-08	DIRECT DEBIT	VISA PAYMENT	30.00
Aug-08	DIRECT DEBIT	MASTERCARD	0.00
Aug-08	DIRECT DEBIT	MERCHANT FEE	5,980.71
Aug-08	DIRECT DEBIT	WESTNET P/L	920.46
		TOTAL DIRECT DEBIT PAYMENTS	<u>14,193.51</u>

12.3. ENGINEERING & REGULATORY SERVICES

12.3.1 TENDER T02 09/10 - PROPOSED CONSTRUCTION OF CATTLE GRIDS ON PARRY CREEK RD (8816)

DATE:	15 September 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:	66.58.02
ASSESSMENT NO:	N/A

Cr R Addis left the room at 6.53pm as he declared a Financial Interest in Item 12.3.1.

PURPOSE

To advise Council of the outcomes of Tender T02 09/10 Parry Creek Road Cattle Grid Construction 2009 that closed on 13 August 2009.

BACKGROUND

The Council included a budget allocation this year to replace the four gates along Parry Creek Road with cattle grids. The Department of Environment and Conservation also have funds available to replace and widen the existing cattle grid on the eastern boundary of Goose Hill Station on Parry Creek Rd so tenders were called for the construction of five (5) cattle grids.

Four (4) tenders were received ranging in price between \$400,000 and \$700,000. With the budget allocation being below \$200,000 a full analysis of received tenders was not undertaken as an alternative means of completing the project was required.

To complete this project it is proposed to utilise a combination of Shire staff and sub-contractors being project managed in house.

STATUTORY IMPLICATIONS

Tenders were invited in accordance with the provisions of the Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

The recommendation is consistent with Council's Purchasing Policy.

FINANCIAL IMPLICATIONS

This project is to be funded from the CPC funding within the 09/10 budget allocations. An allocation of \$199,000 has been set aside for the Shire component of this project. Undertaking the DEC grid will be a private works project on their behalf and will be funded separately.

STRATEGIC IMPLICATIONS

By completing this project Council will comply with its obligation for maintaining or improving Shire roads.

COMMENT

To progress this project it is proposed to utilise a combination of Shire staff, Wanna Work, Wunan and sub-contractors being project managed by Shire staff and Peter Sheriff who is a sub-contractor well experienced in pre-cast and general concrete works.

ATTACHMENTS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Council resolve to:

1. Not accept any tenders submitted for T02 09/10 – Parry Creek Road Cattle Grid Construction 2009 based on all submissions exceeding the allocated budget, and
2. Complete the construction of 5 cattle grids replacing four (4) gates and one (1) old cattle grid utilising a combination of Shire staff and sub-contractors to a project value of \$199,000 plus private works funds from the Department of Conservation and Environment.

COUNCIL DECISION

Minute No. 8816

Moved:Cr K Wright

Seconded:Cr D Ausburn

That the Council resolve to:

1. **Not accept any tenders submitted for T02 09/10 – Parry Creek Road Cattle Grid Construction 2009 based on all submissions exceeding the allocated budget, and**
2. **Complete the construction of 5 cattle grids replacing four (4) gates and one (1) old cattle grid utilising a combination of Shire staff and sub-contractors to a project value of \$199,000 plus private works funds from the Department of Conservation and Environment.**

CARRIED: (7/0)

Cr R Addis returned to the room at 6.55pm.

12.3.2 TENDER T03 09/10 - PROPOSED REALIGNMENT AND RESURFACING OF SECTIONS OF CARLTON HILL ROAD (8817)

DATE:	15 September 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:	66.58.03
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the submissions for the Carlton Hill Road Realignment and resurfacing of selected sections.

BACKGROUND

The works on Carlton Hill Road are part of the "Rural Road Improvement" Program and were included in the adopted budget for 2009/10. The funds have been provided under an agreement between the State Government and the Consolidated Pastoral Company as the previous owners of the Carlton Hill Station

Tenders were invited, and closed at 4:00pm, Thursday 27 August 2009. Nine (9) conforming tenders were received before the closing date.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

There are no specific policies relating to this report.

FINANCIAL IMPLICATIONS

Council has allocated \$260,000 (excluding GST) to this project.

Tender amounts ranged from \$233,600 to \$519,976 (excluding GST)

STRATEGIC IMPLICATIONS

The Strategic Plan, Key Result Area 1 includes the aim to provide a "road network that is safe and meets its functional requirements".

COMMENT

The Tender Information and the Evaluation Matrix are provided as Attachments.

Two submissions fall within the budget allocation and one is marginally over the budgeted amount.

Two of the three lowest priced contractors have recently undertaken satisfactory works for the Shire and referee checks were undertaken for the other contractor. Staff consider that there is insufficient difference between the contractors to justify accepting a tender other than the lowest tender.

ATTACHMENTS

Attachment 1: Tender Information

Attachment 2: Confidential Tender Assessment – Evaluation Matrix – attached under separate cover

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the tender as submitted by Stanley Grading and Contracting for the works as specified for Carlton Hill Road for a total amount of \$233,600 (excluding GST) as the most advantageous to Council.

COUNCIL DECISION

Minute No. 8817

Moved:Cr R Boshammer

Seconded:Cr D Ausburn

That Council accept the tender as submitted by Stanley Grading and Contracting for the works as specified for Carlton Hill Road for a total amount of \$233,600 (excluding GST) as the most advantageous to Council.

CARRIED UNANIMOUSLY: (8/0)

**Tender T03-09/10 Carlton Hill Rd. Realignment and Upgrade –
Tender Information**

Company Name	Construction Period (weeks)	Start Date	Sources	Cost Section 1	Cost Section 2	Total Cost (exc. GST)	Total Cost (incl. GST)	Note
ERTECH	7	14/09/09	50:50	\$140.489	\$379.487	\$519.976	\$571.973	
DownerEDI Works	4	October	Outsource Guerinoni & Sons	\$129.358	\$389.948	\$519.307	\$571.237	
DENSFORDCIVIL	4	October	Outsource	\$103.330	\$365.485	\$468.815	\$515.697	
Buckleys Earthworks and Paving	4	Start within 10 days	Outsource Guerinoni & Sons	\$85.756	\$223.334	\$309.090	\$339.999	
JAB Industries	5	14/10/09	Only Grader outsource	\$42.750	\$195.352	\$238.102	\$261.912	
JSW Holding	5	By request of SWEK	Only Grader outsource	\$53.885	\$213.965	\$267.850	\$294.635	
Stanley Grading and Contracting	4	10/09/09	Excavator & Tipper outsource	\$46.900	\$186.700	\$233.600	\$256.960	
Plant Hire Services	5	06/10/09	Own	\$86.300	\$289.650	\$375.950	\$413.545	
Ord River Contracting	4	01/09/09	Only Grader outsource	\$41.420	\$249.177	\$290.597	\$319.656	

12.3.3 REPORT FOR TRIAL OF AQUATIC WEED HARVESTER IN LILY CREEK LAGOON(8818)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Katya Tripp, Environmental Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	50.10.06
ASSESSMENT NO:	N/A

Cr R Boshammer declared a Financial Interest in this item and left the room at 6.56pm.

PURPOSE

To provide to Council a summary of the aquatic weed harvester trial and to gain direction from Council for the future management of weed in Lily Creek Lagoon.

BACKGROUND

The Shire of Wyndham East Kimberley has been battling the growth of aquatic weeds in the lagoon for many years now in an effort to maintain an area for wildlife, recreation and aesthetics.

In 2007 Council approved a Vegetation Management Plan for the Lake and Lagoon that recommended the use of an aquatic weed harvester.

In June 2009, Kimberley Environmental Solutions (KES) was contracted to conduct a trial for the water based removal of weed in Lily Creek Lagoon using an aquatic weed harvester.

STATUTORY IMPLICATIONS

Clearing needs to be undertaken in accordance with the Shire's native vegetation clearing permit.

POLICY IMPLICATIONS

There are no specific Council Policies that apply.

FINANCIAL IMPLICATIONS

KES estimated the costs to remove weed from the areas as identified in the Shire Vegetation Management Plan and our clearing permit (17.8Ha) to be approximately \$72,000.

A meeting was held between KES and Shire officers on 29 July to discuss the harvesting progress and costs. It was agreed to meet the costs until the end of the month (July 2009) which totalled \$87,500 +GST. This figure is for costs only and KES took no profit. As this exceeded the budget no further harvesting occurred post 31 July 2009.

Some of these costs are being recouped through the two caravan parks, Lakeside and Kimberleyland whom both had weed removed. Lakeside agreed to contribute \$1500 whilst Kimberleyland agreed to pay 50% of the total costs which came to just under \$6500. Both businesses have been invoiced.

It is the aim of KES to be able to deliver this harvesting service free of charge once they have been able to perfect the removal and drying process and the use of the weed for cattle feed. If KES wish to experiment with different removal and drying processes then there will be no costs to SWEK associated with such trials.

Using the figures provided in the close out report from KES the Shire can estimate the cost for removal for a harvest next year.

Cumbungi	\$2.67/m ²
Other weed	\$0.67/m ²

It is estimated that approx 7.6Ha of weed (2.9Ha of cumbungi) is needed to be removed totalling \$130,704 ex GST. This includes a profit margin of 20% or \$21,784. A recommended budget would be \$150,000 ex GST to ensure all costs can be met including water quality sampling. If a larger area is to be cleared then the budget would need to be increased accordingly.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Verbal feed back from the community for the trial has all been positive. No complaints were received and the harvester created a lot of interest from agencies and community. The caravan parks utilised the harvester to their advantage whilst it was here and there has been interest expressed by the Kununurra Race Club, Water Corp, Discovery Caravan Park and Ord Irrigation Cooperative. Community members have commented on how much better the lagoon looks.

COMMENT

The harvester began removing weed on 2 July. The harvester was efficient at the cutting of the weed and the contractor tried to remove as much of the cumbungi rhizomes as they could so that regrowth would be reduced. As suspected by Shire officers the removal process was substantially longer than KES had estimated. This was due mainly to the transport time between the harvest area and the bank where the weed was unloaded. Weed was carted from the bank to the landfill and later taken to the Crossing Falls Road gravel pit. Initially KES took the weed to an area to trial drying methods for stock feed. This drying process was unsuccessful yet KES will continue to work on this as well as the transport from the cut area to bank.

In total approx 5.7Ha of weed was removed which was less than had been expected. 2.4Ha of this total was cumbungi and the remainder of the area being submerged aquatic weeds from the boating channel. The area removed has been plotted onto a map (refer Attachment 2) of the lagoon using the GPS co-ordinates provided from the harvester operator. Details on the trial are attached as well as a close out report from KES (refer Attachment 1).

Regrowth (photos) and nutrient levels (sampling) of the lagoon will be monitored on a quarterly basis.

Results from a water sample taken during the harvest indicate that nutrients were high from an ecological reference point but not in comparison to past levels from historic data. It is expected that over time nutrients will be reduced in the lagoon and that dissolved oxygen will be increased.

Regrowth is already occurring in areas close to the bank. Repeated harvesting of the same area should reduce regrowth over time i.e. three harvests as not all rhizomes can be removed initially.

Environmental Officer Katya Tripp has been visiting the areas harvested on a regular basis and has noticed fish feeding in the now open water and birds diving from the trees to catch insects over the open water. An increase in canoes was also seen immediately after the clearing. This indicates that the balance of open and vegetated areas benefit the animals, the aesthetics and the recreational opportunities' of the lagoon.

ATTACHMENTS

Attachment 1: Kimberley Environmental Solutions Close Out Report
Attachment 2: Map of area harvested during the trial

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council:

1. Advise the Department of Water of the results of and our satisfaction with the trial harvesting/clearing project, and
2. Seek funding opportunities from the State and Commonwealth Governments to undertake further removal of cumbungi and other aquatic weed from Lily Creek Lagoon.

COUNCIL DECISION

Minute No. 8818

Moved:Cr K Wright
Seconded:Cr D Ausburn

That Council:

1. ***Advise the Department of Water of the results of and our satisfaction with the trial harvesting/clearing project, and***

- 2. Seek funding opportunities from the State and Commonwealth Governments to undertake further removal of cumbungi and other aquatic weed from Lily Creek Lagoon.**

CARRIED UNANIMOUSLY: (8/0)

Cr D Ausburn requested that a letter of recognition and thanks to the Environmental Officer Katya Tripp as this is such a huge project.

Cr R Boshammer returned to the room 7.02pm

ATTACHMENT 1

KimberleyEnvironmentalSolutionsP/L
861EightyRoad
Baldivis WA 6171
SWEK
Attention:KatyaTripp
POBox614
Kununurra WA 6743
Subject:

Lily Creek Lagoon Clearing Trial – Closeout Report

Dear Katya

Thank you for your extensive support and for the various meetings with us over the last few weeks. Further to your e-mail dated 30 July, we attach a draft closeout report for your review and comment. In particular, would you please check the results table and see if you generally agree. We can then finalise a proposal for the following season as per your request.

For your information, we are also completing other work in parallel with servicing SWEK. We are in the process of reviewing the onshore operation and hope to make some progress with the technique for drying. We also need to ramp up our discussions with a major customer. Will keep you posted on our progress. Looking forward to hearing from you with any comment that you may have.

Yours faithfully

Len Harris

Chief Executive Officer

Kimberley Environmental Solutions Pty Ltd

**Shire of Wyndham East Kimberley (SWEK)
and
Kimberley Environmental Solutions P/L (KES)
Lily Creek Lagoon Clearing Trial, July 2009
CLOSE OUT REPORT**

Introduction:

This report summarises the work completed in Lily Creek Lagoon in Kununurra in July 2009, for clearing of aquatic weed from the waterway. The report summarises the scope, EHS aspects, area, duration, total cost, unit rates, lessons learnt and the way forward. This report ends at a point of recognising contract closure as previously accepted by SWEK. KES also wish to thank SWEK and Kununurra locals. Please refer to acknowledgements at the end of the report for special thanks to a select group of local businesses.

Scope:

To conduct a trial for clearing of aquatic weeds from the Lily Creek area as per the DEC Clearing Permit and the Heads Of Agreement contract between SWEK and KES.

Environmental impact, Health and Safety:

- n **No reportable safety incidents occurred during the operation.**
- n **Considering the operations were conducted in water with exposure to the elements, no major health issues were experienced. The PPE that was provided was adequate for their comfort to complete the tasks. There was some experience with bites from spiders living in cumbungi, this issue will need to be considered for future work.**
- n **No issues with impact on the lagoon bed or any disturbance of the shore line.**
- n **None of the endangered species were sited. Numerous fresh water crocodiles and tortoises were seen. In some cases wildlife came onto the elevator conveyor during harvesting, however the conveyor was simply reversed and they were returned to the water.**

Area:

- n **Total area available for harvest under the DEC Clearing Permit = 17.88ha**
- n **Actual area cleared = 6ha, as per priorities defined by SWEK.**

Duration:

- n **The harvester was mobilised to Kununurra on 1st July 2009 and commissioning commenced the following day.**
- n **Work to clear Lily Creek was continued up until 31st July 2009.**

Total cost: The final invoice from KES was \$87,500. Note that the funds required to complete the work to the full extent of the Clearing Permit were not sufficient. KES has reduced the profit margin for this contract from a forecast 10% to simply reimbursement of cost only, in an effort to making a contribution

towards maximising the benefit of the clearing trial for the community and to also develop our own learning's for the success of this trial.

Unit rates & tonnage:

The following trial summarises the spread of cost for each weed type, to arrive at a unit cost per square meter.

	Tonnage	Unit cost	Area	Total
Cumbungi	531	\$2.67	24000m2	\$63,875
Ribbon Weed	0			
Milfoil	19	\$0.67	18000m2	\$11,625
Potamageon	20	\$0.67	18000m2	\$12,000
TOTAL	570T		6ha	\$87,500

A key learning from the trial is that the unit rate is heavily dependent on tonnage, rather than per m2 area.

Between 1/07/09 and 31/07/09 a total of 95 truck loads, averaging 6 tonne each, were taken to landfill. This amounts to 570 tonnes of total plant matter. Of this amount 93% was cumbungi = 531 tonnes. The balance of the harvested material was Milfoil and Potamageon with insignificant quantities of Ribbon Weed harvested.

The area harvested was approximately 6 hectares. 40% of the area harvested was cumbungi = 2.4 hectares.

Of the 26 days spent harvesting, 19 days were spent harvesting cumbungi = 73% In the above table, costs have been calculated by allocating the time taken to harvest each particular plant type.

Lessons Learnt:

The purpose of the clearing trial was to help reduce the impact of aquatic weed on the lagoon and to also determine the extent of the logistics required to set up ongoing management of the issue. The following table summarises the invaluable information gained during the trial.

It should be noted that all cumbungi, including the root mass, was removed and the plant was not just cut below the water line as originally planned.

ISSUE	LEARNING & COMMENTARY
Availability of local labour	KES attempted to set up an arrangement with KREAC for sourcing labour and plant hire. However, this initiative didn't eventuate, so KES simply engaged casual labour available in Kununurra at the time. Thanks to Trish and Bryce for their dedicated support to KES for this trial. SWEK have now referred KES onto Wanna Work Labour Hire Solutions for sourcing skilled personnel for any future operations. KES has a good relationship with Richard Beeck and we fully intend to explore Wanna Work as a potential solution to future labour requirements.
Offshore operations	KES are pleased to report that there were no environmental issues with risks such as leaking hydraulic fluids. In general, the harvester was the correct equipment for the operation required and it performed as KES had anticipated.
Machinery wear of harvester	<ul style="list-style-type: none"> n The extent of silting of the cumbungi root matter was dramatically greater than expected. Hence the wear rate of the hardened steel cutters was substantial. This resulted in the cutters needing to be replaced, however the cutters are a consumable item and the total cost of replacement was not excessive. n The harvester also has issues with wear on the tie rods, however KES have developed a modification to this that

	<p>will increase the life of the tie rods by an order of magnitude.</p> <p>n Given that the harvester was mobilised to Kununurra for the first time, commissioning issues were manageable. Minor issues with running machinery were resolved during the operation.</p> <p>n Otherwise the harvester was generally fit for purpose. Some future upgrades to the operator seat, cab and controls will be considered with the equipment manufacturer, but for a short term operation this was adequate.</p>
Onshore operations	Due to issues such as the nature of the silt under the cumbungi, reclaimed aquatic weed was all sent to land fill. In future, KES will further develop the opportunity to process reclaimed plant matter for other uses. The intended process for drying the weed was not adequate to complete baling for cattle feed, however this was not the primary purpose of the trial.
Extent of Clearing	KES preference was to clear all the area available under the clearing permit, within the available budget. However, due to the high density of the weed the price was capped at the budget available from SWEK. Please note that KES wish to have ongoing access to Lily Creek and hope that future operations can quickly be established to reclaim weed for say cattle feed, eventually as a self funded operation.
Future Clearing	While the clearing trial was successful, the aquatic weeds will return and require ongoing clearing. This is as understood prior to commencing the clearing. SWEK has requested a proposal from KES to conduct a similar exercise for the following dry season in 2010. KES anticipate this will be a repeat project of the clearing trial and will prepare a proposal for SWEK as requested.
Community access to waterway	In closing, the key lesson learnt for this clearing trial was that the improvement for the community was successfully achieved. While the operation of the harvester was the primary means of achieving this result, it is the input and direction from SWEK that has driven this project to a successful conclusion for the residents of Kununurra.
Co-funding	KES are informed that KimberleyLand have provided funding to SWEK towards clearing in front of their site. By making funds available this allowed SWEK to prioritise their need for clearing. KES wishes to thank KimberleyLand for their input into the project.

Contract Closure:

KES have previously received an e-mail from Katya Tripp confirming the extent of payment to be made, the extent of the services provided and SWEKs satisfaction with the end result of the trial.

KES accepts this advice from Katya as having satisfied the requirement of the Heads Of Agreement contract for the clearing trial.

KES wish to thank Katya, Peter Stubbs and Alex Douglas for their support. SWEK has proven to be an excellent client for KES.

KES was very pleased to be able to provide the services required for the clearing trial and wish to continue ongoing services for SWEK as requested.

Acknowledgements:

Thanks also to the local residents in Kununurra for their support in servicing KES. In particular, KES wishes to give credit and special thanks to KimberleyLand, Kimberley Waste Management, Guerinoni & Sons and Kimberley Hydraulics. KES wishes to acknowledge the support of the people in these businesses where their help went beyond simply providing a service at a cost and for also making us very welcome to conduct operations in the town.

Yours sincerely,

Len Harris
Chief Executive Officer
Kimberley Environmental Solutions Pty Ltd

ATTACHMENT 2 – MAPPING OF CLEARED/HARVESTED AREAS



12.3.4 EAST KIMBERLEY CDEP REQUEST FOR WAIVER OF WASTE DISPOSAL FEES (8819)

DATE:	15 September 2009
PROPONENT:	East Kimberley Cdep Pty Ltd
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	John Gault, Kununurra Works Manager
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	52.09.07
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the request from East Kimberley CDEP (EKCDEP) to have invoice 15325 (\$546.00) and 14669 (\$378.00) written off and future fees for the disposal of waste at the Kununurra landfill site waived.

BACKGROUND

The Shire received the attached letter from EKCDEP requesting consideration of exemption from paying fees for disposal of waste at the Kununurra Landfill Site. Currently the process at the Landfill site is to record all non domestic waste entering the site and process a monthly invoice.

After further discussions with Jon Vos (CEO EKCDEP) it was ascertained that there is a request to write off invoice 15325 and invoice 14669. Invoice 15325 is for the disposal of 52 cubic meters of waste brought to the landfill site in July 09 and Invoice 14669 is for the disposal of 21 truck tyres disposed of in April.

Note that the tipping sheets are signed by employees of EKCDEP.

STATUTORY IMPLICATIONS

The following sections of the Local Government Act 1995 apply: -

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*

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.*

- (2) *A fee or charge may be imposed for the following —*
- (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
 - (b) *supplying a service or carrying out work at the request of a person;*
 - (c) *subject to section 5.94, providing information from local government records;*
 - (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
 - (e) *supplying goods;*
 - (f) *such other service as may be prescribed.*
- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
- (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*

** Absolute majority required.*

6.17. *Setting the level of fees and charges*

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
- (a) *the cost to the local government of providing the service or goods;*
 - (b) *the importance of the service or goods to the community; and*
 - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
- (a) *under section 5.96;*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
- (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.18. *Effect of other written laws*

- (1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —*
 - (a) *determine an amount that is inconsistent with the amount determined under the other written law; or*
 - (b) *charge a fee or charge in addition to the amount determined by or under the other written law.*
- (2) *A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.*

6.19. *Local government to give notice of fees and charges*

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

POLICY IMPLICATIONS

F22 – Collection of Fees and Charges.
F17 - Sundry Debt Collection

FINANCIAL IMPLICATIONS

Besides the writing off of the amounts in the invoices mentioned here, The Shire would also have to consider the approx \$4000 per annum paid by EKCDEP in waste disposal charges.

STRATEGIC IMPLICATIONS

There are no specific Strategic Implications associated with this report.

COMMENT

EKCDEP is requesting that the Shire consider the cleaning of aboriginal community areas carried out by EKCDEP as a benefit to the broader community. To help assist the EKCDEP to continue cleaning up communities they have requested a waiver from paying fees at the Landfill site. Currently EKCDEP bring on average approximately 30 - 35m³ (\$315.00 - \$367.50) of waste into the landfill site every month.

The Kununurra Landfill Site currently takes in on average 20,000m³ of commercial waste per year. This waste is paid for by all businesses at a standard rate set by Council in its Schedule of Fees and Charges. Ratepayers also pay for the collection of kerbside rubbish through the rates system.

Council will need to consider the precedence set by their decision with other community requests for “free” disposal at the landfill site.

The invoice (14669) submitted for 21 truck tyres to the landfill site may in fact be a genuine mistake on the part of gate attendants and/or the driver of the

EKCDEP vehicle. Looking over previous accounts for EKCDEP it is noted that a minimal number of Car/4wd tyre have come into the site at sporadic intervals.

ATTACHMENTS

Attachment 1 - Letter requesting waiver (EKCDEP) Doc No. 067405

Attachment 2 - Invoice No: 15325 (+ tipping sheet)

Attachment 3 - Invoice No: 14669 (+ tipping sheet)

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That Council:

1. Decline the request from East Kimberley CDEP to waive waste disposal fees.
2. Not write off invoice 15325 in the amount of \$546.00 for the disposal of waste at the Kununurra Landfill Site.
3. Write off invoice 14669 in the amount of \$378.00 as there is a genuine case that the items brought into site may not have been correctly recorded.

COUNCIL DECISION

Moved:Cr K Wright

Seconded:

That Council move the Officers Recommendation with amendment to Point 3 to read not write off 14669.

1. ***Decline the request from East Kimberley CDEP to waive waste disposal fees.***
2. ***Not write off invoice 15325 in the amount of \$546.00 for the disposal of waste at the Kununurra Landfill Site.***
3. ***Write off invoice 14669 in the amount of \$378.00 as there is a genuine case that the items brought into site may not have been correctly recorded.***

LAPSED

Minute No: 8819

Moved:Cr D Ausburn

Seconded:Cr R Boshammer

1. ***Decline the request from East Kimberley CDEP to waive waste disposal fees.***
2. ***Not write off invoice 15325 in the amount of \$546.00 for the disposal of waste at the Kununurra Landfill Site.***
3. ***Write off invoice 14669 in the amount of \$378.00 as there is a genuine case that the items brought into site may not have been correctly recorded.***

CARRIED: (4/4)

Cr F Mills used his casting vote resulting 5/4 for the motion
Against: Cr D Ausburn, Cr P Caley, Cr K Torres and Cr K Wright
For: Cr F Mills, Cr R Addis, Cr R Boshammer, Cr R Boshammer

E.K.C.D.E.P.
East Kimberley CDEP Pty Ltd
 ABN: 40 115 560 207

PO Box 1344, Kununurra WA 6743
 Tel: (08) 9168 3448 Fax: (08) 9168 3447
 Office: Upper Level 116 Coolibah Drive, Kununurra WA 6743
 Email: kuxsitemgr@ekcdep.com.au

28 August 2009

Alex Douglas
 Shire of Wyndham East Kimberley
 115 Coolibah Drive
 Kununurra WA 6743

Item to Council

Doc No.	067405
Date	1 SEP 2009
Officer	<i>XMAS-KWM</i>
Response	
Fw	61.23.04
Cross Ref.	

Dear Alex

Re: Waste Disposal Fees

I write this letter in relation to the Waste Disposal fees which EKCDEP currently pays on behalf of the Kununurra Indigenous communities that make up inner and outer region of Kununurra.

We take great care to ensure the accounts that EKCDEP incur get paid. We have long been a user of the shire waste disposal services and have always regarded it as an excellent organisation and service provider.

Our concerns relate to the fact that EKCDEP has, up till now, incurred costs for waste disposal for Kununurra region and surrounding communities. We understand that the shire waste disposal services to these areas are not rated and therefore shire is not required to attend to these areas. EKCDEP has taken to cleaning the community areas to ensure healthy living areas. Due to the fact that shire services do not enter these particular areas for waste service, we have taken to collecting and attending the rubbish tip.

Our funding till recently had allowed for extra incidentals of which we used to pay the fees for waste disposal. However, our new contract does not provide extra funding. Further to this our contractual services to communities has more than doubled in size. Our funding therefore is stretched and will affect our assistance of rubbish removal for these communities. The health implications could be disastrous, not to mention the visual grief for the local residents.

Our query relates to whether the Shire will consider the waiver of payment for EKCDEP of waste disposal fees for community areas we assist.

If EKCDEP does not continue to collect and deliver the rubbish to the tip, then this will result in a build of uncollected rubbish. We are prepared to continue to provide this extra service for the communities. If the consideration to waiver the fees is too great, perhaps the Shire could agree on a number of visits that can be waived before services start to be charged. Otherwise, we ask that skip bins be provided free of charge.

In light of this argument, we also request the shire consider the waiver of invoice 96465.

I have every faith therefore that the shire will do what they can to assist us in this situation.

Yours sincerely

Rev: Chris Dast

John Vos
 CEO
 EKCDEP Pty Ltd

Attachment 2



SHIRE OF WYNDHAM-EAST KIMBERLEY

Kununurra Office: 115 Coolibah Drive Kununurra
 Wyndham Office: Koolama Street Wyndham
 PO BOX 614 KUNUNURRA WA 6743
 Telephone : (08) 9168 4100 Facsimile: (08) 9168 1798
OFFICE HOURS: 8.00am - 4.00pm Monday to Friday

TAX INVOICE

ABN: 35 647 145 756

DUE: **STRICTLY THIRTY DAYS**

EAST KIMBERLEY CDEP
 PO BOX 1344
 KUNUNURRA WA 6743

DATE 14/08/2009

DEBTOR NUMBER **96465**

Page No. 1

INVOICE NUMBER	DESCRIPTION	AMOUNT
15325	WASTE DISPOSAL JULY 09 52 CUBIC METERS @ \$10.50 1.00 @ \$46.00 ea * Local Govt. Charge \$496.36 GST charge \$49.64	546.00 *
<i>* indicates item includes GST</i>		
TOTAL PAYABLE		\$546.00

REMITTANCE ADVICE

SHIRE OF WYNDHAM-EAST KIMBERLEY

NAME: EAST KIMBERLEY CDEP

DEBTOR NO.: 96465

TOTAL PAYABLE: \$ 546.00

INVOICE NO.: 15325

<p>Pay in Person</p> <p>Present this invoice to the Cashier at the Kununurra or Wyndham offices between 8.00am and 4.00pm Monday to Friday VISACARD, MASTERCARD, EFTPOS, DINERS Cash and/or Cheque can be accepted.</p>	<p>Payment by Mail</p> <p>Detach this remittance advice and send it with your cheque made payable to SHIRE OF WYNDHAM-EAST KIMBERLEY and crossed 'Not Negotiable' Post to: PO Box 614, Kununurra WA 6743 Keep top portion for your records</p>
--	---

Details of our Banking Institution for electronic funds transfer
 Reference Number: 15325
 BSB Number: 306-045
 Account Number: 5356458

KREAC
CDOP

SHIRE OF WYNDHAM - EAST KIMBERLEY

KUNUNURRA WASTE
MANAGEMENT FACILITY

Daily Summary Sheet 2009

Company/Owner Name	Vehicle Type	Rego No	Scrap Metal (no charge)	Inert Waste	Green Waste	Other Rubbish	Fee \$/m ³ /m	Signature	Print Name	Date
KREAC	TIPPER	WVS 4139			2m ³			m. Leung		22-7-09
KREAC	"	"				2m ³		m. Leung		23-7-09
KREAC	"	"				1m ³		m. Leung		23-7-09
KREAC	"	"				1m ³				24-7-09
KREAC	"	"				2m ³		m. Leung		27-7-09
KREAC	"	"				2m ³		m. Leung		27-7-09
KREAC	"	"				1m ³		m. Leung		28-7-09
KREAC	"	"				2m ³		m. Leung		31-7-09
KREAC	"	"				2m ³		m. Leung		31-7-09
KREAC										
KREAC										
KREAC										
KREAC										
KREAC										
KREAC										
KREAC										
TOTALS										



Daily Summary Sheet *30ms*

Company/Owner Name	Vehicle Type	Rego No	Scrap Metal (no charge)	Inert Waste	Green Waste	Other Rubbish	Fee \$/m ³ /m	Signature	Print Name	Date
KREAC	TIPPER	<i>WY 9439</i>				<i>3m³</i>		<i>m Kersey</i>		<i>2-7-09</i>
KREAC	"	"	<i>1m³</i>					<i>m Kersey</i>		<i>2-7-09</i>
KREAC	"	<i>914 659</i>				<i>2m³</i>		<i>m Kersey</i>		<i>2-7-09</i>
KREAC	"	"				<i>2m³</i>		<i>m Kersey</i>		<i>6-7-09</i>
KREAC	"	"			<i>2m³</i>			<i>m Kersey</i>		<i>6-7-09</i>
KREAC	"	"				<i>3m³</i>		<i>m Kersey</i>		<i>7-7-09</i>
KREAC	"	<i>WY 9439</i>				<i>3m³</i>		<i>m Kersey</i>		<i>8-7-09</i>
KREAC	"	"				<i>2m³</i>		<i>m Kersey</i>		<i>8-7-09</i>
KREAC	"	<i>CV 2915</i>			<i>3m³</i>			<i>m Kersey</i>		<i>9-7-09</i>
KREAC	"	<i>1681 820</i>				<i>3m³</i>		<i>m Kersey</i>		<i>10-7-09</i>
KREAC	"	"				<i>3m³</i>		<i>m Kersey</i>		<i>13-7-09</i>
KREAC	"	"				<i>1m³</i>		<i>m Kersey</i>		<i>13-7-09</i>
KREAC	"	"				<i>2m³</i>		<i>m Kersey</i>		<i>16-7-09</i>
KREAC	"	"				<i>2m³</i>		<i>m Kersey</i>		<i>20-7-09</i>
KREAC	"	"			<i>2m³</i>			<i>m Kersey</i>		<i>20-7-09</i>
TOTALS										

Attachment 3



SHIRE OF WYNDHAM-EAST KIMBERLEY

Kununurra Office: 115 Coolibah Drive Kununurra
 Wyndham Office: Koolama Street Wyndham
 PO BOX 614 KUNUNURRA WA 6743
 Telephone : (08) 9168 4100 Facsimile: (08) 9168 1798
 OFFICE HOURS: 8.00am - 4.00pm Monday to Friday

TAX INVOICE

ABN: 35 647 145 756

DUE: **STRICTLY THIRTY DAYS**

EAST KIMBERLEY CDEP
 PO BOX 1344
 KUNUNURRA WA 6743

DATE 24/04/2009
 DEBTOR NUMBER 96465
 Page No. 1

INVOICE NUMBER	DESCRIPTION	AMOUNT
14669	TIPPING FEES MARCH 2009 - TRUCK TYRES 21.00 @ 18.00 ea. * Local Govt. Charge \$343.64 GST charge \$34.36	378.00 *
TOTAL PAYABLE		\$378.00

** indicates item includes GST*



REMITTANCE ADVICE

SHIRE OF WYNDHAM-EAST KIMBERLEY

NAME: EAST KIMBERLEY CDEP
 TOTAL PAYABLE: \$ 378.00

DEBTOR NO.: 96465
 INVOICE NO.: 14669

Pay in Person
 Present this invoice to the Cashier at the Kununurra or Wyndham offices between 8.00am and 4.00pm Monday to Friday. VISACARD, MASTERCARD, EFTPOS, DINERS Cash and/or Cheque can be accepted.

Payment by Mail
 Detach this remittance advice and send it with your cheque made payable to SHIRE OF WYNDHAM-EAST KIMBERLEY and crossed 'Not Negotiable' Post to: PO Box 614, Kununurra WA 6743 Keep top portion for your records *Tick here if receipt returned*

Details of our Banking Institution for electronic funds transfer
 Reference Number: 14669
 BSB Number: 306-045
 Account Number: 5356458

KUNUNURRA WASTE MANAGEMENT FACILITY		SHIRE OF WYNDHAM - EAST KIMBERLEY		KREAC							
Daily Summary Sheet											
MARCH											
Company/Owner Name	Vehicle Type	Rego No	Scrap Metal (no charge)	Inert Waste	Green Waste	Other Rubbish	Fee \$/c/m	Signature	Print Name	Date	
KREAC	TRUCK	23 9434				2M ³		m Leung		5-3-09	
KREAC	"	"				2M ³		m Leung		5-3-09	
KREAC	"	"				2M ³		m Leung		5-3-09	
KREAC	"	"				2M ³		m Leung		09-03-09	
KREAC	"	"				2M ³		m Leung		09-03-09	
KREAC	"	"	21 TRUCK TUBES					m Leung		11-3-09	
KREAC	"	"				1M ³		ENTERED		11-3-09	
KREAC	"	"				2M ³				12-3-09	
KREAC	"	"				2M ³		m Leung		12-3-09	
KREAC	"	"				2M ³		m Leung		17-3-09	
KREAC	"	"				2M ³		m Leung		17-3-09	
KREAC	"	"	2M ³					m Leung		18-3-09	
KREAC	"	"						m Leung		18-3-09	
KREAC	"	"						m Leung		18-3-09	
KREAC	"	"				2M ³		m Leung		23-3-09	
TOTALS											

12.4. DEVELOPMENT

12.4.1 DRAFT SUBDIVISION PLAN - LOT 29799 CHESTNUT DRIVE KUNUNURRA (8820)

DATE:	15 September 2009
PROPONENT:	LandCorp
LOCATION:	Reserve 29799 Chestnut Drive, Kununurra
AUTHOR:	Ian D'arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.04.38
ASSESSMENT NO:	N/A

Cr R Addis left the room at 7.07pm as he declared a Financial Interest in Item 12.4.1.

PURPOSE

For the Council to consider and provide comment on the draft subdivision plan (Option 4) for the Coolibah/Chestnut Drive development.

BACKGROUND

The Council at its 15 April 2008 ordinary meeting, in relation to the above-mentioned site, resolved to:

Minute No. 8163

Moved: Cr K Wright

Seconded: Cr J Buchanan

That point 1 of the motion be amended to read:

- 1. Request the Minister for Planning and Infrastructure to convert the 4.6ha 'unused' portion of Reserve 29799 to freehold title and facilitate its development for residential housing together with suitable allocation for aged care facilities, both in close proximity to key services including schools, childcare, hospital and recreational facilities.*

Carried Unanimously: 9/0

With the announcement of the East Kimberley Funding Package and allocation of 50 million dollars for social housing by the Prime Minister, the Minister for Regional Development and Lands expedited the excision of land from Reserve 29799 and allocated resources through Landcorp to develop the site for medium density residential housing.

Accordingly, the Council in June of this year initiated a Scheme Amendment to rezone the site from 'Parks and Recreation' to 'Town Centre' zone with the inclusion of an additional use of a single house – refer to Attachment 1. The

Amendment was undertaken to facilitate the development of transitional 'Stepping Stone' housing as part of an approach to integrate aboriginal people into main stream work. An explanation of the 'Stepping Stone' model is provided in Figure 1.



Figure 1

The Amendment is presently being advertised for public comment before the proposed change in zoning is again considered by Council in October 2009.

Concurrently, Landcorp has been investigating sustainable housing designs, undertaking site investigations, and working on a subdivision plan to accommodate medium density housing in consideration of social and amenity considerations. This has resulted in a number of draft subdivision layout plans with the latest (Option 4) being submitted to the Shire for preliminary comment – refer to Attachment 2.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This subdivision/development is integral to the delivery of housing in order to meet pressing community demand and accords with the Council's Plan for the Future, which states under Land Release:

"It is important that development of Kununurra (and Wyndham) as a remote regional centre in northern Australia is facilitated through appropriate land release. Growth generated through this leads to improved services for the public (e.g. better education and health services, better air services etc)"

The Plan for the Future also states:

"Reserve 29799 Redevelopment

Strategic Importance

Reserve 29799 is a large parcel of land in the town centre of Kununurra. It has strategic location and sustainability advantages for urban development opportunities."

COMMUNITY CONSULTATION

Community consultation has occurred on two levels in relation to this project being:

- (a) Progress updates through the Ord Community Reference Group; and
- (b) Formal advertising of Town Planning Scheme Amendment No.31

COMMENT

Discussion on the subdivision plan (Option 4) at the 1 September 2009 Council Briefing Session highlighted the concern over the future construction of medium density grouped dwelling developments backing on to the existing Child Care and future Neighbourhood House sites, and the narrow width of some of the internal service roads.

In response it is recommended that Council request Landcorp amend the draft subdivision plan to reflect the layout included as Attachment 3 to this report. This layout provides for an access road to 13 metres wide road reserve along the northern boundary of the Child Care Centre property, together with a 5 metre wide landscape strip.

It is also suggested, given the minimum site area per unit dwelling under the R50 density is 160m² and the average is 180m², that the Council indicate a preference for lots below 450m² be set aside for single houses, while corner lots above 450m² and below 600m² be developed as detached single storey grouped dwelling sites only. This is recommended as it will provide for a variation of housing and ensure all of the residential housing built across the subdivision is not just two and three storey grouped dwelling developments. Should the Council accept this recommendation an additional provision could be applied to the change in zoning to enforce these requirements.

ATTACHMENTS

Attachment 1: Scheme Amendment Map
Attachment 2: Draft Subdivision Plan (Option 4)
Attachment 3: Amended Subdivision Layout

VOTING REQUIREMENT

Single majority

OFFICER'S RECOMMENDATION

That Council request LandCorp amend the draft subdivision plan, labelled Option 4, to reflect the indicative layout included as Attachment 3 to this report and express a preference for lots below 450m² be set aside for single houses, while corner lots above 450m² and below 600m² are developed as detached single storey grouped dwelling sites only.

COUNCIL DECISION

Minute No. 8820

Moved:Cr P Caley

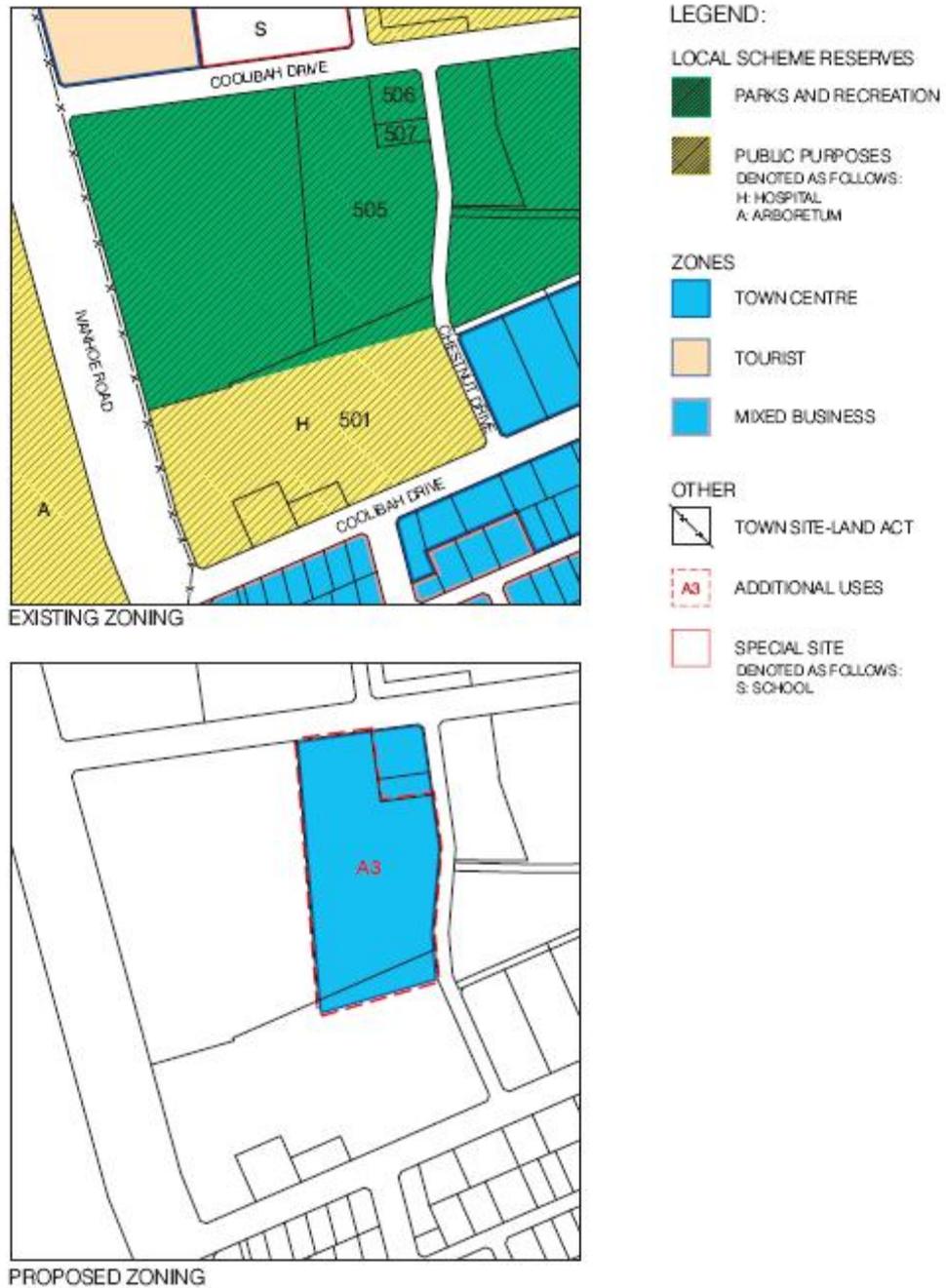
Seconded:Cr R Boshammer

That Council request LandCorp amend the draft subdivision plan, labelled Option 4, to reflect the indicative layout included as Attachment 3 to this report and express a preference for lots below 450m² be set aside for single houses, while corner lots above 450m² and below 600m² are developed as detached single storey grouped dwelling sites only.

CARRIED UNANIMOUSLY: (8/0)

ATTACHMENT 1

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



ATTACHMENT 2



12.4.2 RI-CON CONTRACTORS - LOT 100 RIVERFIG AVENUE - REIMBURSEMENT OF MONEYS (8821)

DATE:	15 September 2009
PROPONENT:	Ri-Con Contractors
LOCATION:	Lot 100 River Fig Avenue, Kununurra
AUTHOR:	Ian D'arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	01.5486.02
ASSESSMENT NO:	A5486

PURPOSE

For Council to consider and determine payment of moneys to Ri-Con Constructions as reimbursement of the costs incurred for the realignment of stormwater drainage on Lot 100 River Fig Avenue Kununurra

BACKGROUND

The Council will recall that in 2007 with the support of the Minister for Planning and Infrastructure a number of public parks were converted to freehold lots in accordance with the recommendation of the Shire Parks Plan 2004. The Council then proceeded to sell the respective land parcels through a private tender process, with Lot 100 River Fig Road in Kununurra being sold to Ri-Con Constructions for a sum of \$990,000 (incl. GST) to be developed to accommodate 11 professional office suites, 8 two bedroom units and 8 two bedroom townhouses.

The funds raised from the sale are held in reserve, for the development of Parks in and around Kununurra, in accordance with the endorsed Parks Plan. A photo showing the location of the property is provided in Figure 1 below.



Figure 1 – Location Plan

At the time of the development approval it was identified by Shire Officers and flagged with the new owner that a stormwater drain was aligned across the property and would need to be relocated to accommodate the proposed development.

This resulted in an email correspondence between the developer and the previous Executive Manager of Town Planning confirming that the works would be performed by a local contractor to be paid by Ri-Con Contractors which would then be reimbursed by the Shire upon receipt of invoice.

A copy of the relevant correspondence, supplied by Ri-Con Construction that relates to this arrangement is provided as Attachment 1.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Should the Council support payment of the invoice from Ri-Con Constructions an amount of \$45,600 (+GST) will be paid from reserve account 6502118 - Parks Reserve, which has a balance of \$681,605.58.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

It is evident, from the discussions with and the information provided by the claimant, that the actions and works performed to realign the stormwater drainage across the property has been undertaken in good faith at the direction by Council officers, with the cost to be borne by the Shire.

On this understanding it is recommended that the Council endorse the payment of moneys as a reimbursement to Ri-Con Constructions for costs incurred in the realignment of the stormwater drainage on Lot 100 River Fig Avenue.

ATTACHMENTS

Attachment 1: Correspondence from Ri-Con Constructions

VOTING REQUIREMENT

Absolute majority

OFFICER'S RECOMMENDATION

That Council endorse the payment of \$45,600 (+GST) to be funded from a transfer from the Parks Reserve as a reimbursement to Ri-Con Constructions for costs that incurred from the realignment of the stormwater drainage on Lot 100 River Fig Avenue Kununurra.

COUNCIL DECISION

Minute No. 8821

Moved:Cr P Caley

Seconded:Cr R Boshammer

That Council endorse the payment of \$45,600 (+GST) to be funded from a transfer from the Parks Reserve as a reimbursement to Ri-Con Constructions for costs that incurred from the realignment of the stormwater drainage on Lot 100 River Fig Avenue Kununurra.

CARRIED UNANIMOUSLY: (8/0)

Ri-Con Contractors Pty Ltd

PO Box 405
 Cooroy QLD 4563
 Ph: 07 5472 0700 Fx: 07 5472 0770
 ABN: 16 098 030 098

Tax Invoice



Shire Of Wyndham East Kimberley
 PO Box 614
 Kununurra WA 6743

Invoice #: 00001276
 Date: 6/11/2008
 Page: 1

Reference: Claim 1	Project: Lot 100 Riverfig Avenue	Total
Relocate Stormwater on Lot 100 Riverfig Avenue Kununurra As Quoted		\$45,600.00



This is a claim under the
 Construction Contracts Act 2004
 (WA)

Subtotal:	\$45,600.00
Freight (ex-GST):	\$0.00
GST:	\$4,560.00
Total (inc-GST):	\$50,160.00
Paid to Date:	\$0.00
Balance Due:	\$50,160.00

Direct Deposit Details
 BSB 014-557
 Account 4868 42354

Payment Due
 20/11/2008

Claims For Full/Partial Credit May Not Be Recognised Unless Made Within 7 Days Of Invoice Date.

Invoice #: 00001276 Amount Due: \$50,160.00



EAST KIMBERLEY PLUMBING

Plumbing, Gas & Mechanical Services
Sewer, Water, Stormwater Construction
Pump Truck, Backhoe, Excavator & Truck Hire
7700A Pty Ltd A.C.N. 009 109 157
A.B.N. 12 000 406 152

PO Box 158
KUNUNURRA WA 6743
Telephone: 08 9482 1224
Facsimile: 08 9189 2442

PAID
- 5 JAN 2008

Statement to:

Ri-Con Contractors Pty Ltd
PO Box 403
Cooroo
CLD 4553

BY: *[Signature]*
December Statement

Date	Customer No.	Page
31/12/08	5142	1

Date	Purchase Order	Invoice No.		Total Value
29/07/08		20098	Invoice	33,072.00
31/12/08		20367	Invoice	17,560.00
29/08/08			Payment	25,002.00
04/12/08			Payment	15,772.00

[Handwritten signature]
 To: Ri-Con Contractors Pty Ltd
 PO Box 403
 Cooroo
 CLD 4553

RECEIVED

URGENT ACTION
THIS ACCOUNT IS OVERDUE
PLEASE PAY AT ONCE

[Handwritten signature]
5-1-08

90 Days & Over \$14,072.00	60 Days \$3,784.00	30 Days \$2.00	Current \$0.00	Total \$17,856.00
-------------------------------	-----------------------	-------------------	-------------------	----------------------

[Scissors icon] Please detach & retain with reference

Customer No: 5142 **Statement Total: \$ 17,856.00**

Please direct all enquiries to the address below

East Kimberley Plumbing
National Australia Bank
ESB: 386-012
A/C: 51770-4430

Or

Send your cheque to: **East Kimberley Plumbing**
PO Box 158
Kununurra WA 6743
RTGS facility also available

For account queries please phone (08) 9482 1224 and ask for Penny

Donna Butcher

From: Jaco Bathe [mailto:jb@ricon.net.au]
Sent: Thursday, 8 January 2009 1:42 PM
To: Donna Butcher
Subject: RE: Kunurra Youth Hostel/ 100 Riverfig Outstanding Payment

We need to pay these invoices.

I was holding out to get paid first by council, it is probably not fair.

From: Donna Butcher [mailto:donna@ricon.net.au]
Sent: Thursday, 8 January 2009 8:22 AM
To: Jaco
Subject: Kunurra Youth Hostel/ 100 Riverfig Outstanding Payment

JACO

MY ACCOUNT RECONCILIATION AGREES WITH SIMON'S FIGURES (SEE BELOW). THE VALUES WE WERE DISCUSSING YESTERDAY WERE EXACT.

DO YOU WANT ME TO ORGANISE PAYMENT, I HAVEN'T CONTACT SIMON YET, I WAS WAITING FOR YOU TO CONFIRM.

CORR. VAC. VALUE	\$50,160.00
VARIATION COSTS	\$ 6,458.00
PAID 28/06/08	\$25,000.00
PAID 04/12/08	\$ 5,700.00
BALANCE OWING	\$17,456.00

DONNA

PS - COME ON GIVE US A SMILE. :)

From: Jaco Bathe [mailto:jb@ricon.net.au]
Sent: Wednesday, 7 January 2009 4:33 PM
To: Simon Smith ; Donna Butcher
Subject: RE: Kunurra Youth Hostel/ 100 Riverfig Outstanding Payment

Hi Simon

Our accounts w/ I send you a reconciliation form tomorrow
You did not fill in the work 3 months ago, that is when you started
I will pay the full variation. Donna will be in contact.

Kind regards

Jaco



EAST KIMBERLEY PLUMBING

Zank Pty Ltd ACR 009 039 132 ABN 17 009 493 132



31st October 2008

**Tax Invoice 20357,
Job No 5142
Purchase No**

RI-Don Contractors Pty Ltd
PO Box 405
Cooroy Qld 4563

**Stormwater Diversion - 100 Riverfig Ave
Hydraulic Services
Claim No 2 - 31st October 2008**

Hydraulic Services as per Schedule No 1	41,800.00	
Variations as per Schedule No 2	5,880.00	2410
	<u>31,480.00</u>	<u>4200</u>
Less Payments Received (Excluding GST) Claim No 1	(22,727.27)	
Less Payments Outstanding (Excluding GST) Claim No 1	(12,792.73)	
Value of This Claim (Exclusive of GST)	<u>15,960.00</u>	1520
Plus GST @ 10%	1,695.00	152
Amount Payable (Including GST)	<u>\$ 17,655.00</u>	<u>1672</u> ✓

PAID DIRECT
4/11/08 @13772

ENTERED

Job No. 5142 Job No. 5142
 Job No. Job No.
 Job No. Job No.
 Job No. Job No.

Plumbing, Gas & Mechanical Services,
Sewer, Water, Stormwater Construction,
Backhoe, Excavator, Truck Hire

1641 Finzellia Way
Kununurra WA 6743
Telephone: (08) 9128 1144 All hours
Facsimile: (08) 9126 2462

All correspondence to:
PO Box 158
Kununurra WA 6743

East Kimberly Plumbing
 Ri-con - Stormwater Diversion, 100 Riverfig Ave
 Hydraulic Services
 Claim No. 1



Period Ending : 31st July 2008

Schedule No. 1 - Contract Works

Description	Value	% Complete	Amount
Supply and install 450mm stormwater pipe and pits	45,600.00	95%	29,340.00
	\$ 45,600.00		\$ 29,340.00

Schedule No. 2 - Contract Variations

Our Ref	Your Ref	Description	Value	% Claimed	Amount
00		Stand down time due to incorrect levels and boundaries	5,880.00	100%	5,880.00
			\$ 5,880.00		\$ 5,880.00

12.4.3 PROPOSED REZONING OF LAND - LOT 100 FARM HILL ROAD KUNUNURRA (8822)

DATE:	15 September 2009
PROPONENT:	N Jones – Whelans Planning Consultants
LOCATION:	Lot 100 Farm Hill Road Kununurra
AUTHOR:	Ian D'arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	01.0054.02
ASSESSMENT NO:	54

PURPOSE

A request for reconsideration of Council's decision to defer a change in zoning of Lot 100 Farm Hill Road Kununurra from 'Conservation' Reserve to 'Special Site – Airport' zone.

BACKGROUND

The Council at its meeting on 18 August 2009 considered a request to initiate an amendment to its Town Planning Scheme No.7 to rezone Lot 100 Farm Hill Road Kununurra from 'Conservation' Reserve to 'Special Site – Airport' zone where it resolved:

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)

A plan of the subject land is provided in Figure 1 and the current zoning map is offered in Figure 2 of this report.

3. Seeking reconsideration from Council to support the rezoning process to run in parallel with amalgamation of the subject land parcels to the point of advertising the Town Planning Scheme Amendment.

A copy of this correspondence is provided as Attachment 1.

STATUTORY IMPLICATIONS

As reported in August 2009 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.

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

As mentioned in the previous report the amalgamation of the subject Lot 100 with the adjoining Lot 286 is integral to the proposed change in zoning for Lot 100 to 'Special Site – Airport'. This is particularly important as the applicant is intending to construct a caretaker's residence that will have a direct relationship to the air strip located on Lot 286, and any separate land tenure of each of the lots could generate amenity and/or conflict issues.

However, with this acknowledged the request from Whelans Planning Consultants to initiate the rezoning process to run concurrently with amalgamation does not appear to present any significant issues of concern at an officer level. This is due to the Council having the ability to withdraw the Amendment should it not be satisfied with the progress on amalgamation.

Therefore, given that the proponent is prepared to accept the financial risk associated with this approach there is no valid reason for the Council to not support the applicant's request to initiate the rezoning process.

ATTACHMENTS

Attachment 1 – Letter of request from applicant

VOTING REQUIREMENT

Simple Majority to pass new motion

OFFICER'S RECOMMENDATION

1. That Council agree to the request from the proponent to commence the rezoning of Lots 100 and 286 Farm Hill Road, Kununurra prior to completion of the amalgamation of the two lots; and

2. That Council:
 - a. 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:
 - i. Rezoning Lot 100 Farm Hill Road, Kununurra from 'Conservation' Reserve to 'Special Site – Airport' zone;
 - ii. Amending the Scheme Maps accordingly.
 - b. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation;
 - c. 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];
 - d. Request the consultant to initiate amalgamation of the Lot 100 with the adjoining Lot 286; and
 - e. Upon receipt of the level of assessment from the Environmental Protection Authority, and finalisation of the land amalgamation process, 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; and
 - f. Advise the applicant that while the Scheme Amendment process has been initiated there is no guarantee the Western Australian Planning Commission and the Minister for Planning will grant final approval for the proposed rezoning.

COUNCIL DECISION

Minute No. 8822

Moved:Cr P Caley

Seconded:Cr R Boshammer

- 1. That Council agree to the request from the proponent to commence the rezoning of Lots 100 and 286 Farm Hill Road, Kununurra prior to completion of the amalgamation of the two lots; and**
- 2. That Council:**
 - a. 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:**
 - i. Rezoning Lot 100 Farm Hill Road, Kununurra from 'Conservation' Reserve to 'Special Site - Airport' zone;**
 - ii. Amending the Scheme Maps accordingly.**
 - b. Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation;**
 - c. 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];**
 - d. Request the consultant to initiate amalgamation of the Lot 100 with the adjoining Lot 286; and**
 - e. Upon receipt of the level of assessment from the Environmental Protection Authority, and finalisation of the land amalgamation process, 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; and**
 - f. Advise the applicant that while the Scheme Amendment process has been initiated there is no guarantee the Western Australian Planning Commission and the Minister for Planning will grant final approval for the proposed rezoning.**

CARRIED UNANIMOUSLY: (8/0)

ATTACHMENT 1



Our ref: 13446-02
4 September 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 refer to discussions regarding Council's decision to require the amalgamation of Lot 100 with Lot 286.

We have advised our client that amalgamation is not an unreasonable requirement, and confirm that our client is prepared to amalgamate these two lots.

Our client is, however, concerned that the amendment will not proceed, and in that instance amalgamation may be redundant. To provide our client with surety that the rezoning will proceed it is proposed that an application to amalgamate the lots would be submitted once consent to advertise is granted by the Environmental Protection Authority.

This will provide surety to our client that the rezoning is likely to proceed, as well as to the Shire that the amalgamation will proceed.

We await confirmation that this is acceptable, and will proceed to prepare amendment documents once this confirmation is received.

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:
133 Scarborough Beach Road, Mount Hawthorn WA 6016
PO Box 99, MOUNT HAWTHORN WA 6915
T: 08 9443 1511 F: 08 9444 3901
E: whelans@whelans.com.au W: www.whelans.com.au

PERTH | KALGOORLIE | KARRATHA | BROOME | KUNUNURRA
WHELANS (WA) PTY LTD ACH 074 365 741
ASSOCIATED OFFICES: ADELAIDE | MELBOURNE | SYDNEY | BRISBANE

SURVEYING | MAPPING | TOWN PLANNING

12.4.4 ROAD NAMES - VARIOUS SUBDIVISIONS (8823)

DATE:	15 September 2009
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Various
AUTHOR:	Jennifer Ninnette, Town Planning Officer
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	43.11.03
ASSESSMENT NO:	Various

PURPOSE

For Council to consider the naming of new roads in various subdivisions within the Shire.

BACKGROUND

Council has received a number of requests to approve nominated road names and/or recommend road names for various subdivisions. These subdivisions are:

- Lakeside Stage 5/6
- Valentine Falls Estate
- Subdivision of Lot 605 Mulligans Lagoon Road

Proposed road names are required to be either approved, or alternatives offered by the local government in the first instance, and then referred to the State Geographic Names Committee for endorsement.

To date there is an informal understanding that roads (particularly residential) within the town site should be named after trees and/or vegetation, and roads in Rural Residential/Living areas should be named after birds, and landscape feature names for roads outside of these areas.

Roads within the agriculture areas appear to have been either named after pioneers and/or uses, or to where they lead, for e.g. Stock Route Road and Research Station Road. However it should be noted that there are a couple of roads named after birds, such as Jabiru and Brolga, in areas that are zoned Rural Agricultural 2.

However, there are exceptions to these general guidelines.

Currently the only list of future road names is a list of possible tree names for future Lakeside residential subdivisions, which have yet to be formally adopted by Council.

Landcorp have selected the following list to propose names for Stage 5/6. These names are also shown on the subdivision plan provided as Attachment 1 and 4:

- Setosa Pass
- Zamia Link
- Argentia Avenue
- Tamarind Meander

- Nauclea Way
- Livistona Way (extension of existing street)
- Snappy Gum Crescent
- Gardenia Street (extension of existing street)
- Silverleaf Court
- Gregorii Street

Similarly, the owners of the Valentine Falls Estate have decided to utilise the names of rivers within the region for thematic naming of the roads within the subdivision. The following list affords the selected names, which are also shown on the plan offered as Attachment 2 to this report;

- Valentine Falls Road
- Dunham Crescent
- Salmond Court
- Pentecost Elbow
- Ord View
- Keep Place
- King Close

Additionally, there is a need for a road name to be nominated for the four lot subdivision of Lot 605 Mulligans Lagoon Road. The suggested road name is:

- Goorleng Rest – which is the aboriginal term for tree, with there being a number of Boab trees located in the vicinity.

STATUTORY IMPLICATIONS

Road names require endorsement by the local authority followed by the State Geographic Names Committee which is governed by section 26A of the *Land Administration Act 1997*.

The Geographic Names Committee has produced a document titled Principles, Guidelines and Procedures which provides a guide for nomenclature and road naming. Generally, the document prescribes that names should be sourced from Aboriginal Languages currently or formerly identified with the general area, pioneers of the State or area, citizens who have made a significant community contribution, war casualty lists or thematic names. Unsuitable names are those of given/first name basis, hard to pronounce names, names of living persons, and duplication of names within local governments or adjoining local governments.

The Road Naming Guidelines also state that the naming of private roads is outside the Committee's area of responsibility, and is solely a function of local government.

The procedure for naming new roads states that survey documents require approved road names before the survey can be approved. Largely, the responsibility of naming roads rests with the local government where many authorities maintain lists of preferred names.

POLICY IMPLICATIONS

The Shire currently does not have a formal road naming policy, however it is the officer's recommendation that such a policy be developed and implemented with a reserve list of endorsed names.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

No community consultation is required in regards to the above nominated road names.

However, it is considered appropriate that the implementation of a road naming policy include community consultation that once developed would be offered for comment by the general public.

COMMENT

The names suggested in the Lakeside Stage 5/6 subdivision reflect the practice of Council in naming roads within the Kununurra town site area after vegetation, and are recommended for approval.

The names suggested in the Valentines Falls Estate subdivision will introduce a new road naming thematic and given the size and location of the subdivision, is considered to be appropriate and is also recommended for approval.

In the case of the subdivision of Lot 605 Mulligans Lagoon Road, as this road will only serve four properties and is located in the agricultural area it is considered that a thematic name may not be required, and the use of a generic word is considered appropriate.

Furthermore, as there is expected to be a substantial population growth resulting in a number of subdivisions in the Shire, it is recommended the Council to implement thematic road naming policy/guidelines focused on specific land-use areas of industrial, residential, rural residential and smallholdings, agricultural and remote/pastoral.

ATTACHMENTS

Attachment 1 - Lakeside Stage 5/6 Subdivision & Road Name Plan
Attachment 2 - Valentine Falls Estate Subdivision & Road name Plan
Attachment 3 - Lot 605 Mulligans Lagoon Road Subdivision Plan
Attachment 4 - List of Tree names for road names

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

1. That Council endorse the following road names for the Lakeside Stage 5/6 subdivision and accordingly request approval from the Geographic Names Committee:

- Setosa Pass
- Zamia Link
- Argentia Avenue
- Tamarind Meander
- Nauclea Way
- Livistona Way (extension of existing street)
- Snappy Gum Crescent
- Gardenia Street (extension of existing street)
- Silverleaf Court
- Gregorii Street

As per the plan at Attachment 1.

2. That Council endorse the following road names for the Valentine Falls Estate subdivision and accordingly request approval from the Geographic Names Committee:

- Valentine Falls Drive
- Dunham Crescent
- Salmond Court
- Pentecost Elbow
- Ord View
- Keep Place
- King Close

As per the plan at Attachment 2.

3. That Council select an indigenous or non-indigenous pioneer name for the Lot 605 Mulligans Lagoon Road subdivision and accordingly request approval from the Geographic Names Committee:

- Gooleng Rest

As per the plan at Attachment 3.

4. That Council develop a Road Naming Policy and Reserve list of approved road names, including indigenous or non-indigenous pioneer names for future subdivisions and/or roads to be created for particular areas of land-use within the Shire of Wyndham East Kimberley.

COUNCIL DECISION

Minute No. 8823

Moved:Cr K Wright

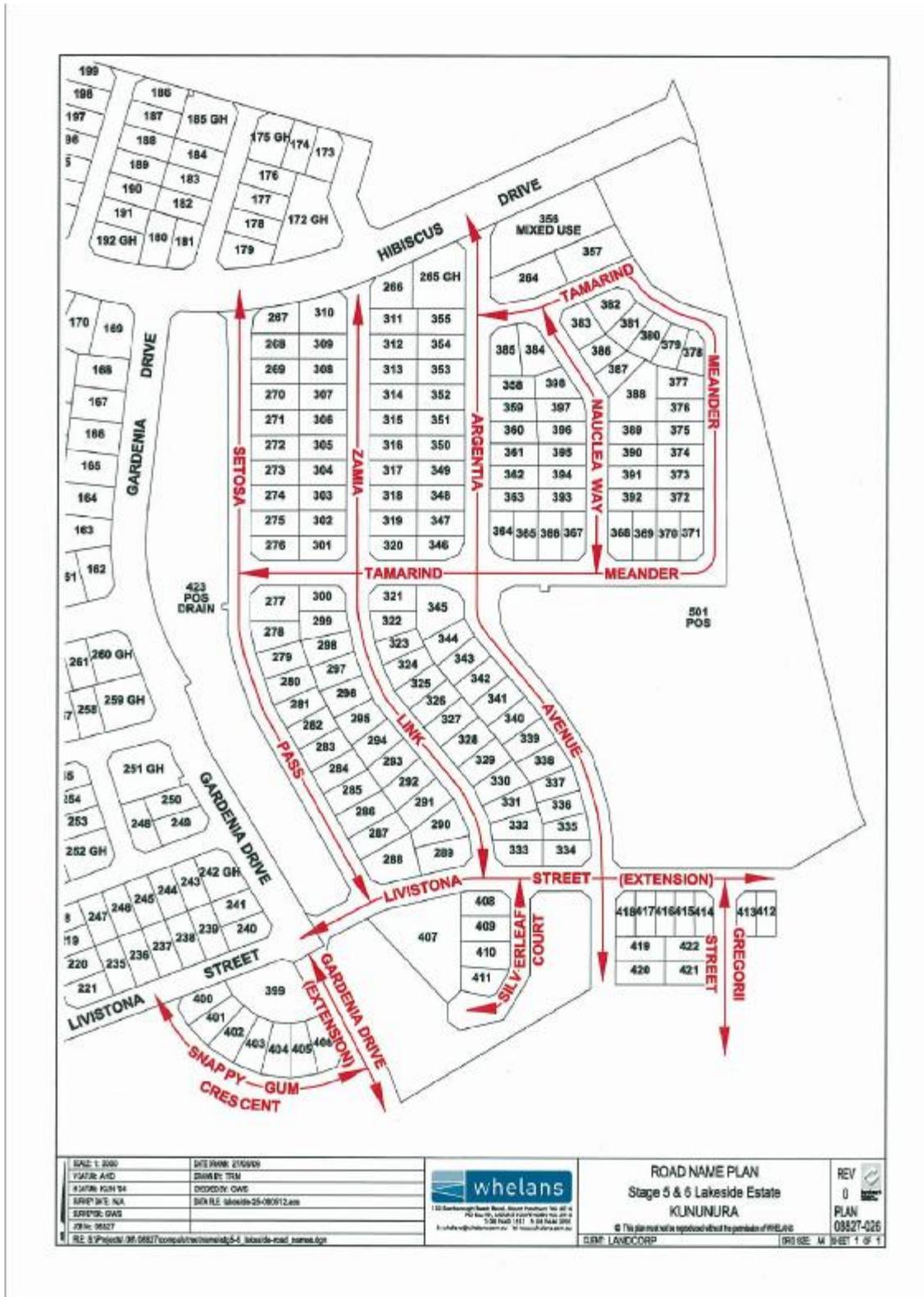
Seconded:Cr K Torres

That Council defer consideration of this report to the Ordinary Council Meeting to be held on 20 October 2009 so as to present an alternative choice of pioneer names.

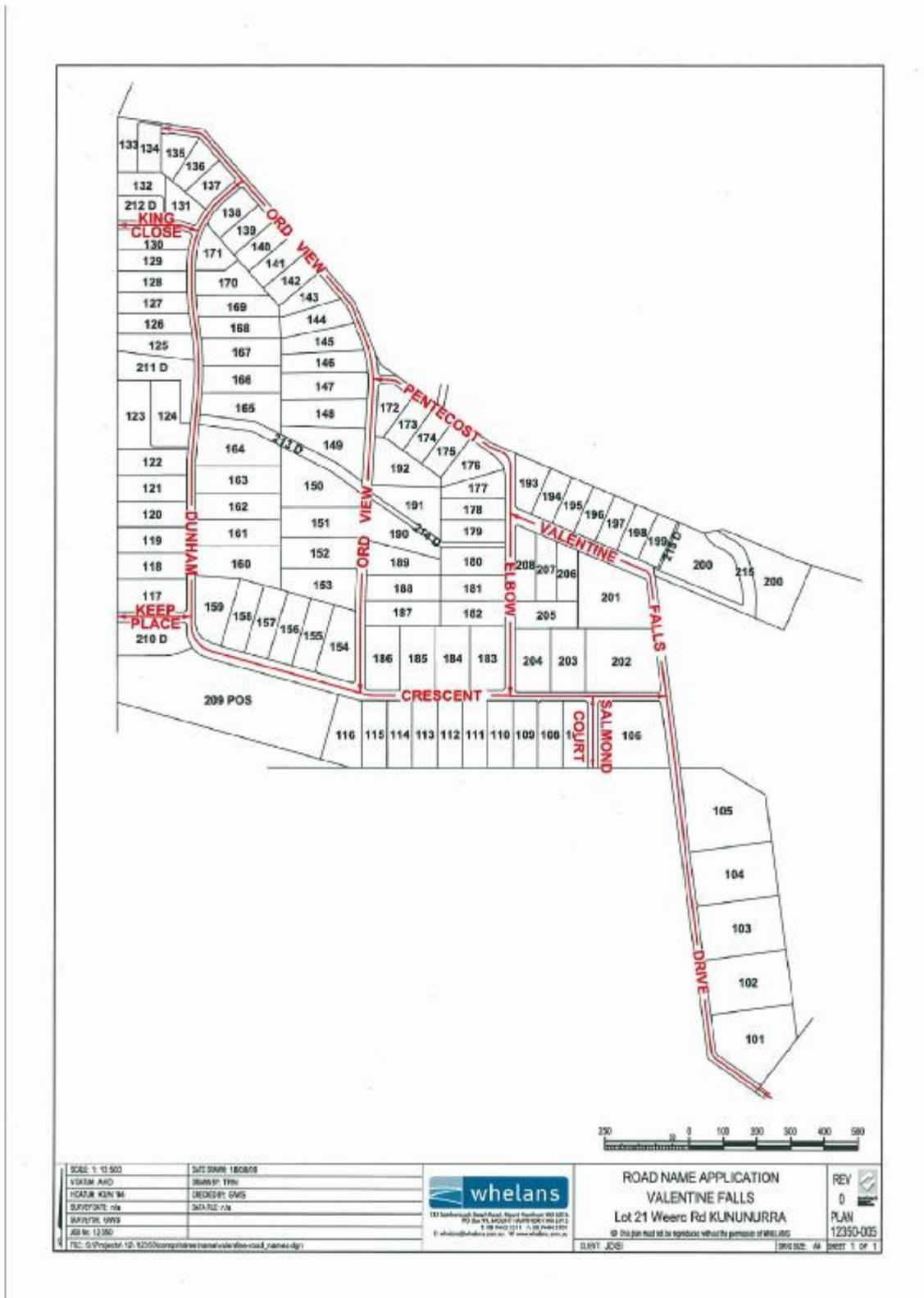
CARRIED: (7/1)

For: Cr F Mills, Cr R Addis, Cr R Boshammer, Cr D Ausburn, Cr K Wright, Cr K Torres and Cr P Caley.
Against: Cr J Moulden.

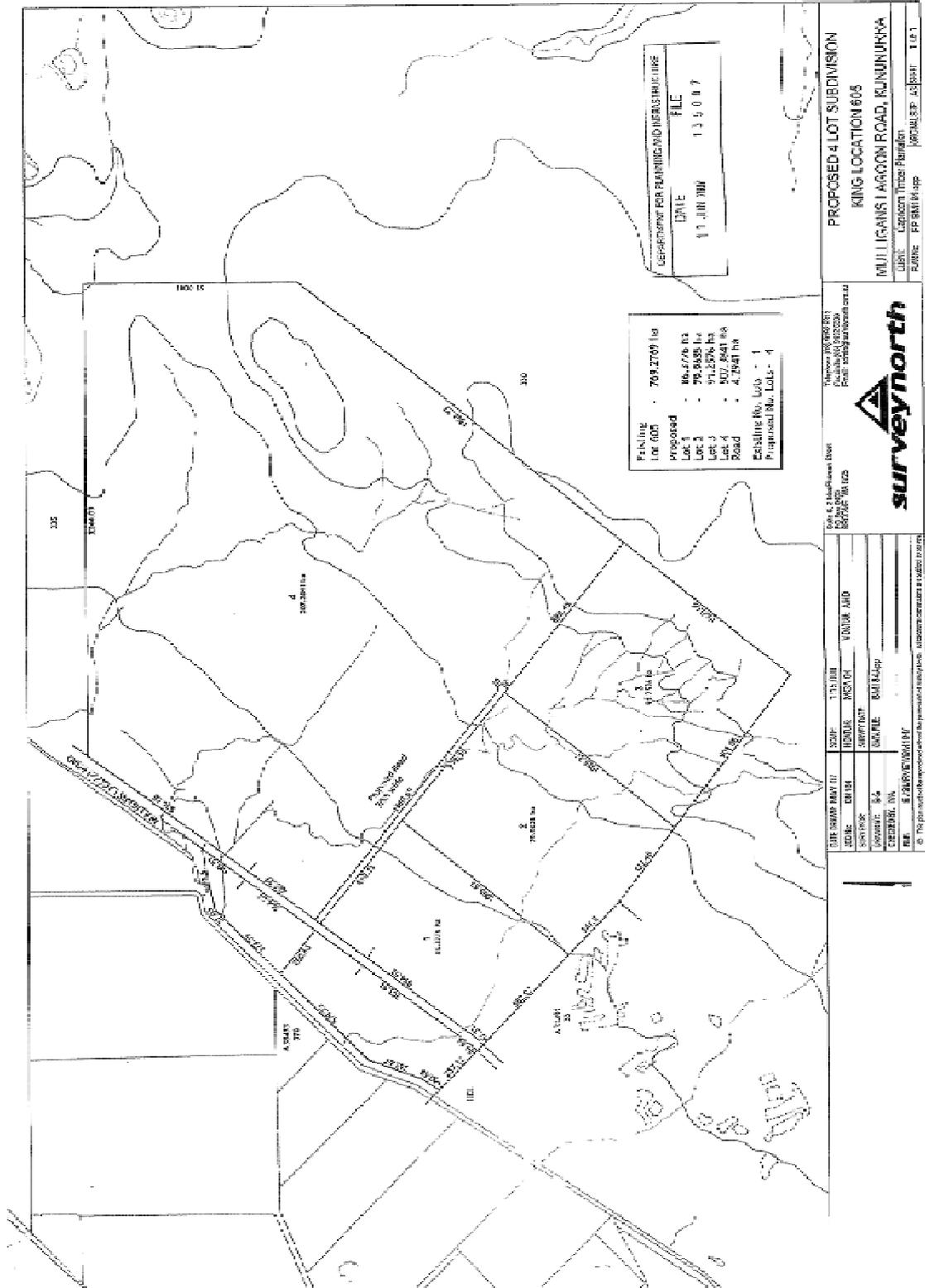
ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4

TREE NAMES FOR ROAD NAMES

Adopted for Stage 4

Proposed Road Name	Scientific Name	Common name
Whitewood	Atalaya variifolia	Wingleaf Whitewood
Ghost Gum		
Love Grass		
Emu Apple		
Livistona		

Names for Future Stages [scientific and common name]

Proposed Road Name	Scientific Name	Common name
Corymbia	Corymbia [species name]	
Phoenicia	Grevillea pteridifolia	Silky Grevillea
Silverleaf	Corymbia collina	Silverleaf Bloodwood
Aspera	Eucalyptus aspera	Brittle Range Gum
Setosa	Corymbia setosa	Roughleaf Bloodwood
Collina	Corymbia collina	Silverleaf Bloodwood
Adansonia	Adansonia gregorii	Boab
Gregorii	Adansonia gregorii	Boab
Cycad	Cycas lane-poolei	Cycad
Zamia	Cycas lane-poolei	Zamia Palm
Snappy Gum	Eucalyptus brevifolia	Snappy Gum
Tea Tree	Melaleuca minutiflora	Tea Tree
Lirata	Eucalyptus lirata	Kimberley Yellowjacket
Suberosa	Acacia suberosa	Corkybark Wattle
Bella	Corymbia Bella	Kununurra White Gum
Callitris	Callitris Intratropica	Cyprus Pine
Argentia	Melaleuca Argentia	Silver leafed paperbark
Tamarind	Tamarindus indica	Tamarind
Pantoleuca	Eucalyptus pantoleuca	
Murruya	Murraya paniculata	Orange jessamine
Nauclea	Nauclea orientalis	Leichardt Pine
Templetonia	Templetonia hookeri	
Ficus	Ficus platypoda	Rock Fig
Jasminum		Native Jasmine

12.4.5 EXTENSION OF NON-CONFORMING USE - WYNDHAM BAKERY (8824)

DATE:	15 September 2009
PROPONENT:	B & A Horn
LOCATION:	Lot 987 Great Northern Highway, Wyndham
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	01.1894.02
ASSESSMENT NO:	A1894

Cr D Ausburn declared a Financial Interest in this Item and left the room at 7.23pm.

PURPOSE

For Council to consider an application for planning consent for the extension of non-conforming use rights to allow an upgrade and extension of an existing café (bakery).

BACKGROUND

The proposed site contains the Wyndham Bakery which has been operating as an eating house for many years under various guises and pre-dates to the Wyndham Town Planning Scheme.

The bakery has recently been sold, and the new owners intend to expand the eating house operation and have submitted a planning application to upgrade and renovate the existing building by way of:

- New signage for proposed Five Rivers Café;
- Painting building, retiling, replacing floor coverings and old doors etc;
- Provision of a paved alfresco seating area;
- Constructing an ablution block for use by patrons;
- Construction of a car park within the property boundary;

Only external renovations and the new development require planning approval, however internal renovations will require a building licence and approval from Council's Environmental Health Officers.

The applicant's written proposal for the development is shown at Attachment 1.

SITE AND SURROUNDS

The site is located on the southern side of the Great Northern Highway within the Three Mile Precinct as shown in Figure 1.



Figure 1

The adjoining lots on the southern side of the Great Northern Highway are relatively underutilised; with a vacant property located on the eastern side, and the lot to the west being utilised for temporary accommodation.

Lots to the north of the Great Northern Highway are zoned 'Residential R15'.

STRATEGIC IMPLICATIONS

The Kununurra –Wyndham Area Development Strategy (KWADS) recommends that the heritage and identity of the town centre of Wyndham should be promoted through improvement programs that focus on urban design, heritage and both commercial and community infrastructure.

KWADS also identifies a key objective to promote the sustainable growth of a diversity of tourism attractions at appropriate locations within the area and ensure that supporting infrastructure is provided.

The Shire of Wyndham East Kimberley Local Planning Strategy identifies that planning for tourist and commercial development within the Wyndham townsite should be flexible to accommodate opportunities that satisfy objectives for the area.

It is considered that the existing café is an important part of the heritage and identity of the Wyndham town centre and the proposed renewal of the site will enhance the streetscape and amenity, as will continue to perform a beneficial tourist, community and economic function.

STATUTORY IMPLICATIONS

The land is presently zoned 'Industrial' under the Shire Town Planning Scheme No.6 where a restaurant or eating house use is not permitted in this zone. However, given the bakery was established prior to gazettal of the Scheme on the 24th January 1994 and operated on a continuous basis since this time the existing use is deemed to have non-conforming use rights pursuant to Clause 4.1 of the Scheme. Accordingly, Clause 4.2 advocates the erection, alteration or extension of a building used in conjunction with a non-conforming use requires the prior Planning Consent of Council.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The applicant has paid the application fee of \$100.

COMMUNITY CONSULTATION

The application is not required to be advertised.

CONCLUSION/COMMENT

Notwithstanding the current operation is deemed a non-conforming use, the existing bakery is an iconic part of the community performing an important tourist and economic function. Additionally, it is considered that the proposed upgrade will value add to the existing service provided and will enhance the streetscape and amenity of the area.

Therefore, it is recommended that the application be approved subject to a number of conditions relating to vehicle access and car parking onsite, stormwater management, landscaping, alfresco dining, and external presentation.

ATTACHMENTS

Attachment 1: Applicant's written proposal

Attachment 2: Site Plan

Attachment 3: Front/Side Elevation

Attachment 4: Ablution Plan

VOTING REQUIREMENT

Simple majority.

OFFICER'S RECOMMENDATION

That Council grant planning consent for the extension of non-conforming use rights (café extension) on Lot 987 Great Northern Hwy, Wyndham subject to the following conditions:

1. All development shall be in accordance with the attached approved plan(s) dated 15th September 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. The alfresco seating area shall be limited to a maximum of 40 people shall not interfere with the pedestrian movement on the existing footpath.
3. The alfresco area shall be evenly paved including access between the footpath and proposed ablutions.
4. The alfresco seating area and ablutions shall be provided with adequate lighting to the satisfaction of the local government.
5. A landscaping plan shall be submitted prior to or at the time of application for a building licence with all land indicated as landscaped area on those 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.
6. The provision of ten (10) car parking bays constructed to a minimum all weather seal coat standard to be maintained to the satisfaction of the local government.
7. The area set aside for the parking of vehicles, together with the associated access (including street crossover) as delineated on the endorsed plan shall:
 - (a) be provided and completed to the approval of the local government prior to the commencement of the use hereby permitted;
 - (b) thereafter be maintained to the approved standard of the local government;
 - (c) be made available for such use at all times and not used for any other purpose unless specifically approved;
 - (d) be properly formed to such levels that it can be used in accordance with the plan;
 - (e) be drained and sealed with an all weather seal coat to the approval of the local government;
 - (f) have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan;
 - (g) be sufficient sign posted as customer parking to the satisfaction of the local government;
 - (h) be designed in accordance with AS2890.
8. The approved extensions and renovations shall be constructed of materials consistent in texture and colour/s with the existing building to the satisfaction of the local government.
9. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall should be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. 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.

COUNCIL DECISION

Minute No. 8824

Moved:Cr R Boshammer

Seconded:Cr P Caley

That Council grant planning consent for the extension of non-conforming use rights (café extension) on Lot 987 Great Northern Hwy, Wyndham subject to the following conditions:

- 1. All development shall be in accordance with the attached approved plan(s) dated 15th September 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. The alfresco seating area shall be limited to a maximum of 40 people shall not interfere with the pedestrian movement on the existing footpath.**
- 3. The alfresco area shall be evenly paved including access between the footpath and proposed ablutions.**
- 4. The alfresco seating area and ablutions shall be provided with adequate lighting to the satisfaction of the local government.**
- 5. A landscaping plan shall be submitted prior to or at the time of application for a building licence with all land indicated as landscaped area on those 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.**
- 6. The provision of ten (10) car parking bays constructed to a minimum all weather seal coat standard to be maintained to the satisfaction of the local government.**
- 7. The area set aside for the parking of vehicles, together with the associated access (including street crossover) as delineated on the endorsed plan shall:
 - (a) be provided and completed to the approval of the local government prior to the commencement of the use hereby permitted;**
 - (b) thereafter be maintained to the approved standard of the local government;**
 - (c) be made available for such use at all times and not used for any other purpose unless specifically approved;****

- (d) be properly formed to such levels that it can be used in accordance with the plan;
 - (e) be drained and sealed with an all weather seal coat to the approval of the local government;
 - (f) have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan;
 - (g) be sufficient sign posted as customer parking to the satisfaction of the local government;
 - (h) be designed in accordance with AS2890.
8. The approved extensions and renovations shall be constructed of materials consistent in texture and colour/s with the existing building to the satisfaction of the local government.
9. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall should be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. 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.

CARRIED: (7/0)

Cr Ausburn returned to the room 7.30pm.

ATTACHMENT 1

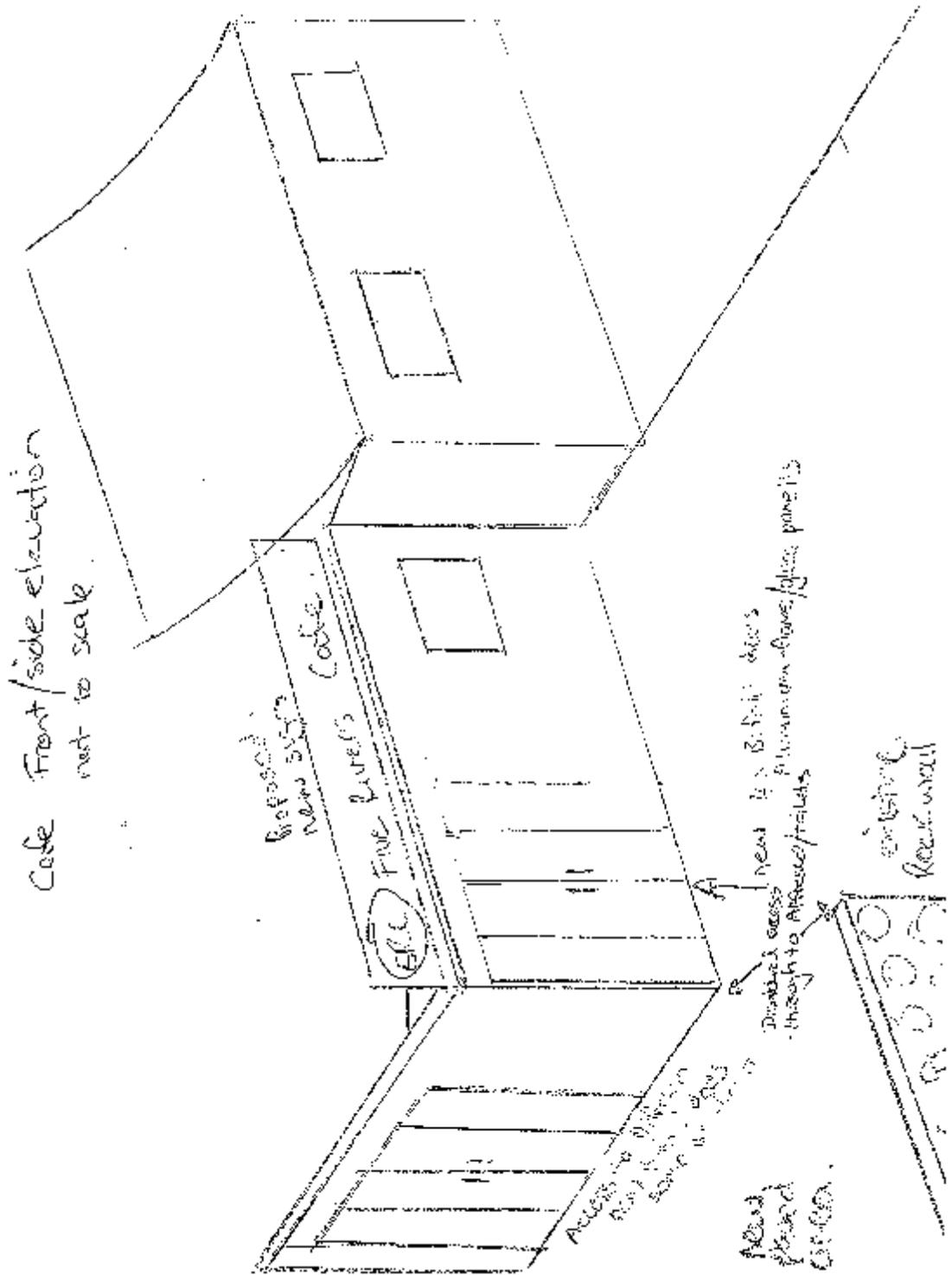
Our proposal for the existing business is:

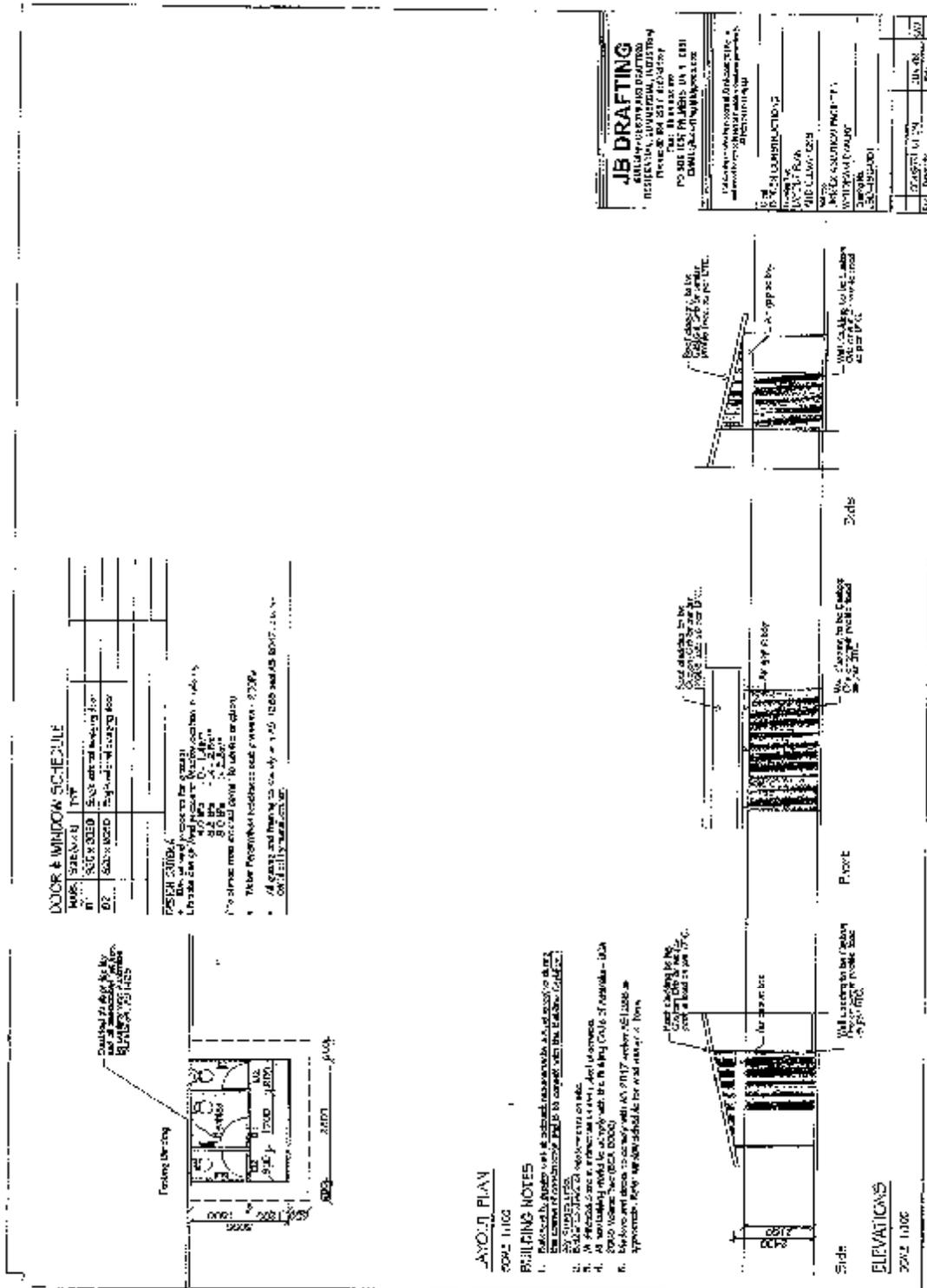
1. To replace signage with new sign (as per picture) 4.8m x 0.6m sign located on the roof.



2. Renovate building eg. Paint and replace old doors, retile, floor coverings etc (there will be no change to building structure or front elevations)
3. Expand and refurbish eating area to include outside alfresco area – this will simply be a paved area to provide seating for approximately 30 people. A new colour-bond fence will be erected to separate the alfresco area from the existing caretaker's house. This fence will be 1.8m high and will not be visible from the road as it is behind the existing front stone fence and garden. It will comply with cyclone ratings.
4. Because of the extra seating capacity we have been advised to expand the current ablution block to cater for these customers, this will be done in the place of the current toilet facilities and will have disabled access and be accessible via the paved alfresco area which will be built to one level (no steps)
5. We believe there is sufficient parking to cater for extra clients but as people like parking at the door we propose to open a section of our vacant property to provide extra car parks close to the café.

ATTACHMENT 3





JB DRAFTING
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.8888
 FAX: 303.733.8889
 WWW.JBDRAFTING.COM

PROJECT: 04-2017-00000000
 DATE: 08/20/09
 DRAWN BY: JBD
 CHECKED BY: JBD
 PROJECT NO: 04-2017-00000000

DATE: 08/20/09
 DRAWN BY: JBD
 CHECKED BY: JBD
 PROJECT NO: 04-2017-00000000

DATE: 08/20/09
 DRAWN BY: JBD
 CHECKED BY: JBD
 PROJECT NO: 04-2017-00000000

12.5. COMMUNITY SERVICES

12.5.1 WYNDHAM PICTURE GARDENS UPGRADE (8825)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Lot 1134 And 1322 Civic Way Wyndham
AUTHOR:	Karyn Apperley, Executive Manager Community Services
REPORTING OFFICER:	Karyn Apperley, Executive Manager Community Services
FILE NO:	30.09.06
ASSESSMENT NO:	N/A

PURPOSE

For Council to determine the tender evaluation criteria for the proposed Wyndham Picture Gardens Upgrade.

BACKGROUND

The Wyndham Picture Gardens is located on land owned by Wyndham Gardens Incorporated. Due to aged infrastructure, the Picture Gardens has not regularly operated for 3-4 years. The upgrade of the infrastructure at the Wyndham Picture Gardens to include a new kiosk, projection room and ablutions has been identified by Council as a project under the East Kimberley Development Package.

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

The total available project budget is \$300,000 grant funds and the proposed scope of works has been determined in consultation with Wyndham Gardens Incorporated and the Shire's Building Surveyor.

As with other East Kimberley Development Package projects, the project budget includes a 5% project management fee (in this case \$15,000) to offset increased

project management costs being incurred by the Shire. A total of \$285,000 is available for the building infrastructure upgrades.

In addition, the Shire will contribute \$5,000 in-kind for staff time associated with other project tasks and Wyndham Gardens Incorporated has committed 100 hours of volunteer labour, valued at \$2,000 in-kind.

To ensure that potential tenderers do not 'price up' to the available grant funds, consideration of optional works within the project scope will be included in the request for tender documents.

The Wyndham Gardens Incorporated will continue to manage the community facility and meet all recurrent costs and maintenance costs from revenue generated through movie screenings and other activities at the facility.

STRATEGIC IMPLICATIONS

The Shire's Strategic Plan identifies the objectives of providing
Community and cultural development;
A range of quality public facilities that meet a diversity of interests;
Equitable access to quality recreational facilities and service.

COMMUNITY CONSULTATION

Wyndham Gardens Incorporated is a committee of community representatives. This project has been developed in consultation with this committee. Prior consultation regarding various infrastructure upgrade requirements has occurred with Shire staff over the past few years. The community will remain well informed about this project through media releases in the *Bastion*, the local Wyndham community newsletter.

COMMENT

This project will involve the construction of new building for the Wyndham Picture Gardens facility. It will involve the demolition of currently depleted infrastructure, construction of a new kiosk, a projection room, and new ablutions.

The upgrade of the infrastructure at the Wyndham Picture Gardens to include a new kiosk, projection room and ablutions will enable the Picture Gardens to commence operating again and will be a benefit to the residents of Wyndham as well as visitors.

The project is proposed to occur during the 2010 dry season which is approximately May to August. This timeframe will ensure minimal climatic impact on construction of the new building facilities and enable the successful tenderer to secure the necessary materials.

Project Milestones	Anticipated Completion Date
Commencement Date (on signing of Funding Agreement)	September 2009
Tender Documents Prepared	September 2009
Tender Advertised	3 October 2009
Tender Closes	30 October 2009
Tender Awarded	17 November 2009

Site Works and Building Foundations/Slab	30 April 2010
Building and Associated Infrastructure Erected	30 June 2010
Building Fit out	31 July 2010
Project Completion Report to Commonwealth Government	31 August 2010

Due to the time required to compile tender documents, conduct the tender, consider and award the tender, and commence works, it is considered prudent to begin this process as close to the signing of the project funding agreement as possible.

Tender documents will be prepared by the Community Support Officer, as project manager, in consultation with Wyndham Gardens Incorporated Committee.

The proposed tender selection criteria has been previously utilised by Council for tenders for the Design and Construction of the Wyndham Pool Upgrade, the Design and Construction of the Kununurra Multipurpose Courts and the Checked Baggage Screening Unit at the East Kimberley Regional Airport.

To assist in achieving the best possible tender outcome and ongoing project management, inclusion on the Tender Review Panel of a Wyndham Gardens Incorporated representative, a Councillor representative in addition to the Community Support Officer (as Project Manager) and Executive Manager Community Services is proposed.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

1. That Council issue tender T06 09/10 for the Upgrade of Wyndham Picture Gardens Infrastructure.
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) Compliance with Specifications contained in request.
 - b) Compliance with Conditions of Tendering contained in request.
 - c) Compliance with Quality Assurance requirements in request.
 - d) Compliance with Start Date and Project Timeline.
 - e) Compliance with and completion of Price Schedule.
 - 2.2 Qualitative Criteria (used to Rank Tenders)
 - a) Relevant Experience - 60%
 - b) Ability to meet Project Timeline - 40%
 - 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. 8825

Moved:Cr P Caley

Seconded:Cr K Torres

1. ***That Council issue tender T06 09/10 for the Upgrade of Wyndham Picture Gardens Infrastructure.***
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) ***Compliance with Specifications contained in request.***
 - b) ***Compliance with Conditions of Tendering contained in request.***
 - c) ***Compliance with Quality Assurance requirements in request.***
 - d) ***Compliance with Start Date and Project Timeline.***
 - e) ***Compliance with and completion of Price Schedule.***
 - 2.2 ***Qualitative Criteria (used to Rank Tenders)***
 - a) ***Relevant Experience - 60%***
 - b) ***Ability to meet Project Timeline - 40%***
 - 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)

12.6. CHIEF EXECUTIVE OFFICER

12.6.1 DELEGATED AUTHORITY (8826)

DATE:	15 September 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 August 2009 to 31 August 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 August 2009 to 31 August 2009.

COUNCIL DECISION

Minute No. 8826

Moved:Cr P Caley

Seconded:Cr K Torres

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

CARRIED UNANIMOUSLY: (8/0)

Attachment: Delegated Authority Report

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

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
111/2009	17/02/2009	3/08/2009	GHEA	Boab Carpentry	lot 817 Gt Northern Highway	Verandah addition	New	\$17,215.00	5 months. No engineering details provided
112/2009	2/07/2009	4/08/2009	R.B Dessert	R.B Dessert	Loc 243 Weaber Plain Rd	Storage shed	New	\$90,000.00	planning approval required.
044/2009	30/01/2009	4/08/2009	Robert Spalding	Robert Spalding	Lot 1530 Poincettia Way	Extension to storage shed	New	\$17,000.00	7 months. App. Did not provide FESA assessment
113/2009	16/07/2009	4/08/2009	Philipp Mumenthaler	Darren Fulcher	Lot 1194 (15) Rivergum Avenue Kununurra	Class 7b/8 Commercial storage & Production - without ablution facilities, internal wall framing and air-conditioning	New	\$100,000.00	14/15 days
114/2009	2/07/2009	13/08/2009	C & S Jolly	Maglion Enterprises	Lot 249 Gardenia close	Class 1a dwelling with attached class 10a vdh and carport	New	\$451,111.00	30/15 engineering and Energy Efficiency not compliant
115/2009	10/07/2009	4/08/2009	Phillip Flick	Phillip Flick	Loc 452 Crossing Falls Road Kununurra	Class 10A - Non-habitable lean to extension to existing shed & Class 10A Non-habitable boat shed (without air conditioning and without ablution)	New	\$30,000.00	17/15 days - staff annual leave & planning approval

116/ 2009	7/07/2009	6-Aug	M Harris	Maglion Enterprises	Lot 223 Ghost gum	Class 1a dwelling with attached class 10a vhd and carport	New	\$391,112.00	21/15 engineering not provided
117/ 2009	28/07/2009	5/08/2009	L & J Rays	L & J Rays	Lot 59 (3) Dentata Street Kununurra	Class 10B - Front fence	New	\$5,500.00	5/15 days
118/ 2009	5/08/2009	5/08/2009	Shire of Wyndham East Kimberley	Moscow Circus Australia	Lot 77 Coolibah Drive Kununurra	Special Building Licence - Temporary Class 9b structure - valid until 12/08/09	New	\$0.00	1/15 days
119/ 2009	20/07/2009	5/08/2009	M Lisinski	M Lisinski	Lot 1114 Dulverton St Wyndham	Class 10A - separate carport	New	\$7,500.00	13/15 days
120/ 2009	5/08/2009	6/08/2009	Commonwealth Australia	The Bridge Network	Lot 1711 Mt Albany Rd Wyndham	Class 10b satellite dish	New	\$20,000.00	
121/ 2009	16/06/2009	5/08/2009	Department of Child Protection	Kununurra Maintenance Services	Lot 1037 (13) Greybox Crescent Kununurra	Class 10A - patio extension to existing residential building	New	\$3,850.00	36/15 days - insufficient information supplied by builder
122/ 2009	15/07/2009	6/08/2009	Aboriginal Lands Trust	Kimberley Green Construction	Lot 113 Kulumburu Bvd Kulumburu	class 10a Tropical roof over Transportable	New	\$50,000.00	16/15
123/ 2009	16/07/2009	6/08/2009	Luke Donovan	Luke Donovan	Lot 100 (31) Teal Road	Class 10A, Non habitable shed-no commercial use	New	\$17,000.00	15/15
124/ 2009	29/07/2009	10/08/2009	Quentin Parker	Quentin Parker	Lot 51 Jabiru Road Kununurra	Class 1A dwelling with attached class 10a verandah	New	\$22,000.00	8/15 days

125/ 2009	4/08/2009	17/08/2009	D & F Bohn	glendale homes	Lot 194 Quondong St	Class 1A dwelling with attached class 10a verandah & carport	New	\$322,785.00	Sep-15
126/ 2009	12/08/2009	17/08/2009	Keith Black	Keith Black	Lot 132 Rosewood Avenue Kununurra	Class 10A garage & Class 10B front fence	New	\$8,000.00	3/15 days
127/ 2009	5/08/2009	15/08/2009	Alex Roberston	Gary Holben	Lot 232 Ghost Gum Street Kununurra	Class 1A single dwelling with attached Class 10A open carport	New	\$420,000.00	\$0.67
128/ 2009	17/08/2009	25/02/2009	Fraulke Bolten	Fraulke Bolten	lot 238 Weaber plains rd	Class 1A single dwelling with attached Class 10A open carport	New	\$98,000.00	5 months insufficient information supplied by builder/fabricator
129/ 2009	19/06/2009	17/08/2009	Andrew & Eve Field	Andrew & Eve Field	Strata Unit 28 Lot 1374 (28/1) Erythrina Street Kununurra	Class 10A carport extension	New	\$5,000.00	40/15 days - insufficient information supplied by builder
130/ 2009	7/07/2009	17/08/2009	A & W Lovelock	Maglion Enterprises	Lot 104 Bullrun Road Kununurra	Class 1A - single dwelling with attached Class 10A verandahs & carport	New	\$405,000.00	25/15 days - insufficient information supplied by builder
131/ 2009	22/07/2009	17/08/2009	S Yogarajan	Colin Wilkinson Developments	Lot 243 Emu Apple St	Class 1A - single dwelling with attached Class 10A verandahs & carport	New	\$380,000.00	17/15 days -
132/ 2009	13/07/2009	18/08/2009	RJ Johnston	Colin Wilkinson Developments	Unit 12 Lot 2420 Casuarina way	Class 1A - single dwelling with attached Class 10A carport	New	\$405,675.00	24/15 days

133/ 2009	27/07/2009	18/08/2009	Ngnowar Aerwhan corporation.	Ngnowar Aerwhan corporation.	lot 1370 Gt Northern highway	class 10a Tropical roof over Transportable buildings	New	\$150,000.00	15/15 Days
134/ 2009	7/08/2009	24/08/2009	Jeff Smith	Jeff Smith	Lot 202 Flametree St Kununurra	Class 1A - single dwelling with attached Class 10A carport	New	\$350,000.00	10/15 Days EE done by BWH to confirm rating
135/ 2009	31/07/2009	19/08/2009	A Parore	Franmor Construction	Lot 1724 Plum Ct	class 10b wall	New	\$5,000.00	12/15 Days
136/ 2009	20/08/2009	21/08/2009	Kimberleyland Holiday Park	Kimberleyland Holiday Park	Lot 1519 Victoria Highway Kununurra	Class 10A - Non habitable carport extension to existing Class 10A shed	Add	\$30,000.00	1/15 Days
137/ 2009	11/08/2009	24/08/2009	BP Australia Pty Ltd (Air BP)	ZD Constructions	Lot 181 Victoria Highway Kununurra	Class 5 Office & Class 10A & 10B shelters & fuel plant	New	\$55,000.00	10/15 Days
138/ 2008	17/08/2009	25/08/2009	Kimberley Green Construction	KGC Enterprises	Lot 227 ghost Gum St Kununurra	Class 1A - single dwelling with attached Class 10a carport & vdh	New	\$300,000.00	8/15 Days
139/ 2009	17/08/2009	27/08/2009	Kimberley Green Construction	KGC Enterprises	Lot 245 Emu Apple St Kununurra	Class 1A - single dwelling with attached Class 10a carport & vdh	New	\$300,000.00	8/15 Days
140/ 2009	17/08/2009	27/08/2009	Kimberley Green Construction	KGC Enterprises	Lot 231 Ghost Gum St Kununurra	Class 1A - single dwelling with attached Class 10a carport & vdh	New	\$300,000.00	8/15 Days

141/ 2009	4/08/2009	28/08/2009	Ben Marr	Ben Marr	lot 181 corkwood	Class 1A - single dwelling with attached Class 10a carport & vdh	New	\$288,000.00	17/15 days engineering not provided.
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142/ 2009	21/08/2009	31/08/2009	department of housing	CWD	Lot 242 Emu Apple Kununurra	Class 1A - single dwelling with attached Class 10a carport & vdh	New	\$690,159.00	6/15 Days
143/ 2009	27/08/2009	31/08/2009	Shire of Wyndham - East Kimberley	Shire of Wyndham - East Kimberley	Lot 181 (Part Loc 327) Victoria Highway Kununurra	Class 10A - Shade structure	New	\$5,000.00	2/15 Days
								\$5,739,907.00	

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

Licence No.	Date	Assess No.	Lot No.	Street Address	Applicant Name	Type	Fee	Receipt No	Planning Approval / Delegation
012/2009	07/08/09	#2860	RES	Junction of Messmate Way & Victoria Highway AND junction of Drovers Road & Victoria Highway	Kununurra Race Club	Temporary Portable signs x 2	Nil	N/A	N/A exempt sign
013/2009	31/08/09	#2148	2446	Coolibah Drive, Kununurra	"The Mad Itch"	Temporary Banner Sign	Nil	N/A	N/A exempt sign
014/2009	31/08/09	#2148	2446	Coolibah Drive, Kununurra	Apex Club of Kununurra "Barra Bash"	Temporary Banner Sign	Nil	N/A	N/A exempt sign

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

Licence Number	Date	Assess No	Property Address	Premises	Owner	Builder/ Contractor	Contact Details	Comments (Asbestos)
011/2009	4/08/2009	464	Lot 1214 (21A & 21B) Delamere Street Wyndham	2 x Class 1A dwelling unit buildings & Class 10A garage outbuilding	Department of Housing & Works	Franmor Constructions	PO Box 702 Kununurra	Timber frame - asbestos clad
012/2009	13/08/2009	1141	Lot 961 (16) Bandicoot Drive Kununurra	1 x brick shed, 1 x steel framed shed, 1 x steel carport	Kimberley Land Holdings Pty Ltd	Thoroughbred Constructions Pty Ltd	PO Box 89 Gisbourne VIC 3437	Class 10A structures
013/2009	18/08/2009	630	Lot 3001 Lake Argyle Road, Lake Argyle	1 x dwelling (to be relocated) House 8	Lake Argyle Pty Ltd	Lake Argyle Pty Ltd	PO BOX 616 KUNUNURRA	Timber frame - asbestos clad
014/2009	25/08/2009	630	Lot 3001 Lake Argyle Road, Lake Argyle	1 x dwelling (to be relocated) House 9	Lake Argyle Pty Ltd	Lake Argyle Pty Ltd	PO BOX 616 KUNUNURRA	Timber frame - asbestos clad
015/2009	31/08/2009	630	Lot 3001 Lake Argyle Road, Lake Argyle	1 x dwelling (to be relocated) House 10	Lake Argyle Pty Ltd	Lake Argyle Pty Ltd	PO BOX 616 KUNUNURRA	Timber frame - asbestos clad
016/2009	31/08/2009	1524	Lot 1009 (2) Sorghum Place Kununurra	Class 1A dwelling & Class 10A shed	MA & VL Tierney	Maglion Enterprises	PO BOX 5150 TORQUAY QLD 4655	Asbestos composite panel
017/2009	31/08/2009	2235	Loc 203 Research Station Road Kununurra	Class 5 - office building	Department of Agriculture and Food	P & C Welding & Construction (WAD 219)	PO Box 685 Howard Springs NT 0835	Class 5 - two storey office building

TOWN PLANNING DELEGATED AUTHORITY APPROVALS – 1 to 31 August 2009

Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Assess't Number	Approval Date	Comment
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
59/09	P	22-Jun-09	Brendan Fenech	D J Schubert & L A Schubert	Lot 103 Bullrun Rd, Kununurra	Change of Use	6996	14-Aug-09	Approved by Ian D'Arcy
71/09	P	22-Jul-09	C A Jolly and S Dansic	Maglion Enterprises	Lot 249 Gardenia Drive, Knx	New 4 b/room 2 storey house built up to boundary	7041	14-Aug-09	Approved by Ian D'Arcy
74/09	P	23-Jul-09	Kimberley Land Holiday Park	Kimberley Land Holiday Park	Lot 1519 Duncan Highway, Kununurra	Proposed Shed attached to existing open roof	1091	14-Aug-09	Approved by Ian D'Arcy
94/08	P	5-Dec-08	BP AUSTRALIA PTY LTD	SWEK	Part Lot 181 Victoria Hiway, Airport	Installation of Refuelling Facility at Knx Airport	2211	17-Aug-09	Approved by Ian D'Arcy
57/09	P	17-Jun-09	Bothkamp Australia P/L	Bothkamp Australia P/L	Lot 1095 Messmate Way, Knx	12 Units - 2 Storey - 3 Bedroom 2 bathroom	1559	18-Aug-09	Approved by Ian D'Arcy
65/09	P	8-Jul-09	Scribe Design Group	GECKO Property Developments	Lot 251 Gardenia Drive, Knx	Group Housing 5 Units	7043	21-Aug-09	Approved by Ian D'Arcy

COMMUNITY IN-KIND REQUESTS DELEGATED AUTHORITY APPROVALS - 1 to 31 August 2009

Approval Date	Organisation	Request Details	In-Kind Value
19/08/09	Wunan	Contribution towards hire of KLC Hall for EK Aboriginal Achievement Awards.	\$500
26/08/09	Garnduwa – Kununurra	Hire of KLC Hall for Deadly Divas Day – educational event.	\$367.50

COMMUNITY QUICK GRANTS DELEGATED AUTHORITY APPROVALS - 1 to 31 August 2009

Approval Date	Organisation	Purpose of Quick Grant	Total Project Cost	Amount Requested	Amount Approved
10/08/09	Kununurra District High School	Tournament of Minds	\$22416	\$500	\$500

12.6.2 USE OF COMMON SEAL (8804)

DATE:	15 September 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

For Council to receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from the period 12 August to 7 September 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
02/09/09	Design Construction and Upgrade Wyndham Memorial Pool	Megan Alchin
04/09/09	Service Specifications East Kimberley Youth Service for Young People at Risk	Karyn Apperley
07/09/09	TPS No. 7 Amendment No. 28	Ian D'Arcy
07/09/09	TPS No. 7 Amendment No. 29	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 12 August to 7 September 2009.

COUNCIL DECISION

Minute No. 8804

Moved:Cr R Boshammer

Seconded:Cr J Moulden

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 12 August to 7 September 2009.

CARRIED UNANIMOUSLY: (8/0)

12.6.3 REQUEST FOR ALTERNATE MATERIALS FOR NEW ROUNABOUT LAKESIDE STAGE 5 (8804) (8805)

DATE:	15 September 2009
PROPONENT:	Silpro (Wa) Pty Ltd
LOCATION:	Hibiscus Drive, Kununurra
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.

A report was deferred at the Ordinary Council Meeting held on 18 August 2009 by Council to enable a presentation to be made at the 15 September meeting by Landcorp representatives.

Minute No. 8787

*Moved:Cr R Boshammer
Seconded:Cr D Ausburn*

That Council refer the item to the Ordinary Council Meeting of Council to be held on 15 September 2009.

CARRIED: (7/1)

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

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. 8804

Moved:Cr K Wright

Seconded:Cr D Ausburn

That Council consider Item 12.6.3 Request for Alternate Materials for new roundabout Lakeside Stage 5 before Item 12.1.

CARRIED UNANIMOUSLY: (8/0)

Minute No: 8805

Moved:Cr K Wright

Seconded:Cr D Ausburn

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.

CARRIED: (6/2)

For: Cr F Mills, Cr R Addis, Cr D Ausburn, Cr R Boshammer, Cr K Torres and Cr K Wright.

Against: Cr P Caley and Cr J Moulden.



Your Ref:
Our Ref: Stage5 Roundabout Lakeside Knox
Enquiries: W Silich

Mr Alex Douglas
Executive Manager Engineering and Regulatory Services
Shire of Wyndham East Kimberley
PO Box 814
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 its 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.

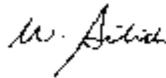
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Essentially, LandCorp is so concerned about the potential failure of a concrete roundabout that it will not accept any responsibility for maintenance of the roundabout even within the normal 12 month defects liability period associated with the contract 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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ATTACHMENT 2

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7th Floor, Council Centre
283 Adelaide Terrace
PO Box 6514
Perth WA 6001 Australia

Tel: +61 8 9268 4400
Fax: +61 8 9268 4488
Web: www.skmconsulting.com



Ms Wayne Silich
LandCorp
Level 3 Westfarmers House
40 The Esplanade
Perth WA 6000

21st July 2009

L15 pba SKM 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 Kimberley'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 be 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 than in Broome as follows:

Sinclair Knight Merz Pty Limited ABN 37 051 024 036
Offices located 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 Beccombe 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 Flinders 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: polver@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 Westfarmers 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 10:57 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 where brickpaved thresholds 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 important 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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12.6.4 CONSIDERATION OF AN EXTRAORDINARY ELECTION (8828) (8829)

DATE:	15 September 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:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the vacancy created by the resignation of Councillor Paul Caley that is to take effect from 1 October 2009.

BACKGROUND

The resignation of Cr Paul Caley takes effect from 1 October 2009 and if the vacancy created is to be filled an extraordinary election will need to be called.

STATUTORY IMPLICATIONS

With respect to the extraordinary election, the following applies: -

LOCAL GOVERNMENT ACT 1995 - SECT 4.9

4.9 . Election day for extraordinary election

- (1) Any poll needed for an extraordinary election is to be held on a day decided on and fixed —
 - (a) by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or
 - (b) by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).
- (2) The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.
- (3) If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to —
 - (a) fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with; and
 - (b) advise the CEO of the day fixed.

With respect to the change in the number of elected members, the following applies: -

LOCAL GOVERNMENT ACT 1995

2.18. Fixing and changing the number of councillors

- (1) When a local government is newly established the Governor, by order made on the recommendation of the Minister, is to —
 - (a) specify the number of offices of councillor on the council of the local government; and
 - (b) if the district is to have a ward system, specify the numbers of offices of councillor for the wards.
- (2) When an order is made under section 2.2 discontinuing a ward system for a district, the number of offices of councillor on the council remains unchanged unless the order specifies otherwise.
- (3) The Governor, on the recommendation of the Minister, may make an order —
 - (a) changing the number of offices of councillor on a council;
 - (b) specifying or changing the number of offices of councillor for a ward; or
 - (c) as to a combination of those matters.
- (4) The Minister can only make a recommendation under subsection (1) or (3) if the Advisory Board has recommended under Schedule 2.2 that the order in question should be made.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Extraordinary Election

Costs are dependent on the number of polling offices operated for the election and the timing of the election which has implications for electoral allowances for staff required to conduct and work on Election Day.

In recent election elections polling booths have been conducted at Oombulgurri, Kalumburu, Wyndham and Kununurra.

This necessitates a plane charter to Oombulgurri and Kalumburu at an estimated cost \$4,000.

Mandatory advertising costs associated with the election are estimated at around \$3,000.

Typically salary costs to conduct an election are around \$5,000.

Reduced number of elected members

The average cost per elected member is minimal relative to the total budget. The amount will vary dependent on the sitting fees, other entitlements and attendance at conferences and training seminars. The amount would not exceed \$20,000 per annum.

STRATEGIC IMPLICATIONS

Local Government is the first tier of Government and Council is the governing body. The election of Councillors and participation of the public in that process is fundamental to the democratic principles in Australia.

In the current climate set by the State Government with respect to local government reform it is appropriate that Council consider the option of reducing the number of elected members to 8. The Government is proposing that local government set the number of elected members between 6 and 9 councillors.

COMMUNITY CONSULTATION

Nil in terms of the Council decision. Public are advised of the election through the required advertising processes and participate through the election itself.

There is no clear process for the Council to initiate a reduction of the number of elected members. The Local Government Advisory Board or Minister may request a period of public consultation.

COMMENT

An extraordinary election was held in November 2008 to deal with the vacancies created by the resignations of the then Shire President Michele Pucci, and Councillor John Buchanan. The election was held on a Friday to minimise the cost of the election process which includes significant staffing levels on the day.

The proposal to consider a reduction from 9 to 8 councillors is presented to enable discussion in view of the State Government's local government reform strategy. Whilst the Shire and Kununurra in particular is experiencing a growth in population the total population will still be small to medium in comparison with the anticipated amalgamated councils that result out of the current reform strategy.

The following table provides a summary of the present mix of elected members and representation levels.

Elected Members (EM's)	No. of Councils	Combined Population	Average Population per EM
6	5	5,431	217
7	30	46,222	220
8	16	64,092	501
9	44	306,683	774
10	11	173,531	1576
11	13	238,304	1666
12	6	234,542	3258
13	11	535,986	3748
14	2	291,315	10,404
15	1	124,887	8326

The Shire of Wyndham East Kimberley's estimated representation ratio is 860 head of population per elected member. 8 elected members would have a ratio of approximately 970.

A doubling of the current population which would be concentrated in and around Kununurra and Wyndham would yield a ratio of around 1900 head of population per elected member.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. make application to the Local Government Advisory Board to seek a reduction of offices of Councillors from 9 to 8, and
2. advise the Minister for Local Government and the Electoral Commissioner that the vacancy created by the resignation of Cr Paul Caley is requested to remain vacant until a response from the Local Government Advisory Board is received.

COUNCIL DECISION

Minute No. 8828

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

That Council, after due consideration of elected member numbers and the geographical size of the electorate, consider that nine elected members services the community more adequately than eight and Council proceed to an extraordinary election to be held on a Friday.

LOST: (4/4)

For: Cr J Moulden, Cr K Torres, Cr P Caley and Cr K Wright
Against: Cr R Addis, Cr F Mills, Cr R Boshammer and Cr D Ausburn.
Cr F Mills used his casting vote against the motion resulting in 4/5

Minute No: 8829

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

That the Item be deferred to the Ordinary Council Meeting to be held on 20 October 2009.

CARRIED: (5/3)

For: Cr R Addis, Cr K Wright, Cr J Moulden Cr K Torres and Cr P Caley,
Against: Cr F Mills, Cr R Boshammer and Cr D Ausburn.

12.7. ELECTED MEMBER REPORTS

Cr D Ausburn

<i>Date</i>	<i>Meeting/Event</i>
18.08.09	Long Tan Day Service
25.08.09	National Landfill Conference - Hobart
8.09.09	Audit Committee Meeting
12.09.09	CEO Interview/Recruitment

Cr D Ausburn also tabled a report from the Landfill Conference.

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. 8830

Moved:Cr K Wright

Seconded:Cr K Torres

That Council consider Item 16.2 Consideration of Lease Conditions for Ord River Sports Club and 16.3 Appointment of Chief Executive Officer as a matter of urgency Behind Closed Doors.

CARRIED UNANIMOUSLY: (8/0)

Minute No: 8831

Moved:Cr D Ausburn

Seconded:Cr K Torres

That Council consider Item 16.1 Proposed Worker Accomodaton for Ord Expansion and East Kimberley Development Package Projects, 16.2 Consideration of Lease Conditions for Ord River Sports Club and Item16.3 Appointment of Chief Executive Officer Behind Closed Doors.

CARRIED UNANIMOUSLY: (8/0)

Minute No: 8832

Moved: Cr D Ausburn

Seconded: Cr K Wright

That Council permit Mr David Saunders, Chief Executive Officer of MG Corporation, to stay Behind Closed Doors to be involved in discussions in Item 16.1.

CARRIED UNANIMOUSLY: (8/0)

16. MATTERS BEHIND CLOSED DOORS

16.1 PROPOSED WORKER ACCOMMODATION FOR ORD EXPANSION AND EAST KIMBERLEY DEVELOPMENT PACKAGE PROJECTS (8830) (8831) (8832) (8833) (8834)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Kununurra
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	66.13.06
ASSESSMENT NO:	N/A

This item will be discussed Behind Closed Doors under Section 5.23 (2) (a), (b) and (c) as this is a matter that affects

(a) as the name of the business/persons relating to item 16.1 needs to be openly discussed throughout this item.

Cr R Boshammer left the room at 7.59 as he declared a Financial Interest in Item 16.1.

Cr R Addis left the room at 7.59pm as he declared a Impartiality Interest in Item 16.1.

PURPOSE

The purpose of this report is to enable discussion on the options for the provision of worker accommodation in or near Kununurra for the civil works associated with the Ord Expansion project and the other Commonwealth funded East Kimberley Development Package projects.

The report is considered appropriate to be considered Behind Closed Doors as the matter will involve the discussion and disclosure of commercially-in-confidence business information. As such the Local Government Act 1995 S5.23 (2) (c) applies.

Minute No: 8833

Moved:Cr D Ausburn

Seconded:Cr P Caley

That Councillor Addis be permitted to participate in the debate and vote on the matter as the nature of the interest declared was considered trivial in the context of the deliberations..

CARRIED: (5/1)

For: Cr D Ausburn, Cr P Caley, Cr F Mills, Cr J Moulden and Cr K Torres

Against: Cr K Wright

Minute No: 8834

Moved:Cr P Caley

Seconded:Cr K Wright

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

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 suspended at 8.10pm.

Minute No: 8835

Moved:Cr K Wright

Seconded:Cr P Caley

That Council resume Standing Order 7.5.

CARRIED UNANIMOUSLY: (7/0)

Standing Order 7.5 resumed at 8.15pm.

Minute No: 8836

Moved:Cr K Wright

Seconded:Cr P Caley

That Council in accordance with the Local Government Act 1995, S5.42 delegate authority to the Shire President, Cr D Ausburn and Acting Chief Executive Officer to participate in negotiations with MG Corporation in respect of the development of a workers accommodation village based on the following guidelines:

- 1. That any financial contribution towards the development of a workers accommodation village must be considered by Council;***
- 2. That any land use changes requiring amendments to the Town Planning Scheme must be considered by Council;***
- 3. A workers accommodation village is required to minimise impact on tourist accommodation capacity during the tourist season;***
- 4. A workers accommodation village imposes minimal impact on adjoining properties and neighbours for both the short and long term use/s;***
- 5. The headworks or servicing of the site or sites does not unduly impact on the cost of developing the new infrastructure projects i.e. unnecessary funds are not diverted from the primary project in providing workers accommodation;***
- 6. A workers accommodation village provides a functional redundant use or uses for the long term benefit of the community where practical and cost effective; and***
- 7. Management of the redundant use/s may include the Shire of Wyndham East Kimberley where practical and cost effective.***

The Acting Chief Executive Officer tabled two Additional recommendations that then became the Officer's Recommendation.

1. That Council seek the approval of the MG Corporation as co-lessees of the preferred site to jointly write to the Minister for Lands advising : -

- (a) that LandCorp be encouraged to initiate the construction of a workers camp utilising funds from the Ord Irrigation Expansion Project as this is seen as the most practical means of achieving the required timelines, and**
- (b) that the construction of the camp be developed in cooperation with the co-lessees such that an agreed redundant use or uses can be realised, and**
- (c) that subject to the camp being developed in cooperation with the co-lessees a purchase arrangement by the co-lessees be negotiated for the end the required life of the facility (anticipated by end of 2012) to enable the facility to be used for its intended or future uses for the betterment of the Kununurra community.**

2. That the co-lessees engage a consultant to assist with the development of redundant use options and business planning.

CARRIED UNANIMOUSLY: (7/0)

Council Resolution differs from the Officers Recommendation as the Deputy Shire President, Cr R Addis, declared an Impartiality interest at the meeting and withdrew from the negotiations.

Cr R Boshammer returned to the room at 8.40pm.
Mr David Saunders left the room at 8.40pm.

ATTACHMENT 1 – EXTRACT FROM THE ABORIGINAL DEVELOPMENT PACKAGE

33. The parties agree that the ADP will recognise the connection between suitable accommodation for Mirluwung Gajerrong employees and the achievement of sustainable employment outcomes by the employees. Accordingly, the State will use its best endeavours to ensure that in respect of the Ord Irrigation Expansion Project accommodation is made available for MG people if the construction project has a work camp associated with it.
34. The State agrees that where ADP initiatives are managed by the MG Corporation in the form of contracts, funds or programmes, up to 10% of the amount budgeted for that initiative may be used by the MG Corporation for the administration of that initiative.
35. The State agrees in principle that a staff member of the MG Corporation will be invited to attend and participate in project management meetings associated with the Ord Irrigation Expansion Project. It is anticipated that meetings will be at the following levels:
 - (a) high level project management level;
 - (b) local office level; and
 - (c) operational (contract management) level.

Strategic Investments

36. The State will provide funding to the Department of Water to enable the effective implementation of the Mirluwung Gajerrong Working on Country Project for Reserve 31165, provided that the MG Corporation's application for funding from the Commonwealth's Working on Country program entitled "Rangers for Reserve 31165 (Jointly Managed with the Department of Water)" is approved by the Commonwealth.

Workcamp

37. The Parties acknowledge that the early siting and establishment of a workcamp will be a significant part of ensuring that workforce accommodation issues related to the Ord East Kimberley Development project are managed. In addition the parties acknowledge the potential for the site to be developed further as a multi-purpose tourism accommodation site.
38. The Parties acknowledge that there are a range of development models for providing workcamp facilities, including MG Corporation and the Shire of Wyndham East Kimberley entering commercial partnership arrangements to provide facilities.
39. Subject to paragraph 40 of this Schedule, the State agrees to enter good faith negotiations with MG Corporation and the Shire of Wyndham East Kimberley in respect of the establishment of the workcamp facilities and potential later use of the site as a multi-purpose tourist accommodation site:

- (a) the State will agree to release a 13 hectare portion of Lot 2484 Victoria Highway, Kununurra as shown on the attached plan DP 40679. Portion to be agreed;
 - (b) the land will be jointly leased in a proposed partnership between MG Corporation and the Shire of Wyndham East Kimberley from the Department of Regional Development and Lands and at no lease rental cost to the MG Corporation. The long term lease rental to the MG Corporation will be reviewed as part of the negotiations for the overall development of the site.
 - (c) the land will be used for the purpose of establishing multi-purpose workcamp facilities and will be designed with redundant use criteria, including options for multi-purpose accommodation and tourism and/or caravan park;
 - (d) the partnership will have the power to sub-lease the land for uses consistent with the purpose of workcamp facilities; and
 - (e) development costs and all development approvals associated with the lot, will be the responsibility of the MG Corporation, the Shire of Wyndham East Kimberley and/or any other commercial partnerships that they lawfully establish over all or part of the subject land.
40. The MG Corporation acknowledges that any final arrangement in relation to the establishment of the workcamp facilities and future use as a potential multi purpose tourism accommodation site will be subject to the discretion of the Minister for Lands under the *Land Administration Act 1997*.

ATTACHMENT 2 – EXTRACT FROM THE EOI FOR THE ORD IRRIGATION AREA EXPANSION PROJECT

Part 3 - The RFP will require Respondents to make commitments and to demonstrate how they intend to engage with and promote the employment of MG people, MG businesses and local business. The RFP will establish targets for indigenous employment and MG business opportunities and will require the Respondent to describe how and when they will fulfil the relevant objectives of the ADP and to nominate the individuals and any businesses they propose to use to achieve their stated goals. Assessment of the Part 3 submissions to the RFP will be on the basis of the commitments made by the Respondent and will require an interview process.

The composition of the Contract for the Phase 1 and 2 works is yet to be finalised but one option is to have Phases 1 and 2 as Separable Portions.

4.6 Workers Accommodation

With the \$195M Australian Government East Kimberley Development Package (EKDP) works occurring concurrently with the State Government's \$220M Ord Irrigation Area Expansion Project (OIAEP) during 2010 and 2011, it is predicted there will be a significant shortage of worker accommodation in Kununurra especially during the dry seasons which coincide with the peak tourism period.

LandCorp, in conjunction with the Shire of Wyndham/East Kimberley (SWEK) and MG Corporation, is currently investigating the opportunities associated with workers accommodation having a redundant use after the completion of the EKDP and OIAEP. The ADP contemplates an arrangement whereby SWEK and MG Corporation jointly lease land near to the Kununurra townsite that could be used as the site of a temporary workers accommodation camp. This camp may have a redundant use as a multi-purpose tourism accommodation site which could be the basis of ongoing business opportunities for both MG Corporation and SWEK. This proposal appears to have merit and could provide establishment and ongoing employment for indigenous people and a source of ongoing income for MG Corporation and SWEK.

Preliminary discussions with Building Management and Works and the Department for Housing indicate a willingness to investigate a workers accommodation village to jointly cater for workers on both the EKDP and the OIAEP projects. It is envisaged that a camp accommodating up to 200 workers will be required during the dry seasons of 2010 and 2011.

One site under consideration is located on the north side of Victoria Highway approximately 1 km east of the intersection of Weaber Plains Road and Victoria Highway. Refer to the ADP Heads of Agreement. The use of this site, or any other site under consideration, for temporary workers accommodation is subject to approval from SWEK.

Notwithstanding the necessary approval processes the establishment of a workers accommodation camp with a redundant use at a suitable site near to Kununurra is a matter LandCorp is keen to pursue.

As the Contractor for the OIAEP will be the main occupier of a workers accommodation camp, LandCorp is contemplating the establishment of a camp in the Phase 1 scope of works which would be designed with a redundant use in mind. The site layout and services (ie power, water, sewer, comms etc) could be masterplanned and established to suit a future use. The Contractor could place its workers accommodation units on the site and remove when the OIAEP is complete.

allowing for MG Corporation and SWEK to relatively easily develop the site in accordance with planning approvals and as demand dictates.

LandCorp notes however that the suitability of this concept and the logistics involved with multiple contractors using a common camp is problematic. Respondents to the EOI are required to provide advice in their EOI submission on their preferences for a workers accommodation camp site (ie close to Kununuma or close to the works site at Weaber Plains) and what opportunities exist for the camp site to cater for other Contractors and what model of delivery would be recommended. At this time LandCorp is not contemplating establishing or managing the workers accommodation camp itself ie it is LandCorps expectation that the Contractor would be responsible to establish and manage the camp albeit this role may be subcontracted to others.

4.7 Environmental Requirements

LandCorp is currently preparing Environmental Management Plans that are required under the approval of the OIAEP by the Minister for the Environment.

The relevant environmental requirements relating to the construction works will be consolidated into a Construction Environmental Management Plan (CEMP) which will be issued to the Contractor. The Contractor will be required to report on performance against the CEMP requirements and will be audited to ensure compliance.

16.2 CONSIDERATION OF LEASE CONDITIONS FOR ORD RIVER SPORTS CLUB (8836) (8837) (8838)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Reserve 33112, Chestnut Drive, Kununurra
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	66.20.37
ASSESSMENT NO:	N/A

This item is to be considered Behind Closed Doors in accordance with the provisions of the Local Government Act 1995, S5.23 (2) (d) as it will discuss legal advice obtained by the local government.

PURPOSE

The purpose of this report is for Council to consider a request from the Club for a 21 year lease in lieu of the current offer of a two year lease.

COUNCIL DECISION

Minute No. 8837

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

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

CARRIED UNANIMOUSLY: (8/0)

Standing Order 7.5 suspended at 8.32pm.

Minute No: 8838

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

That Council resume Standing Order 7.5.

CARRIED UNANIMOUSLY: (8/0)

Standing Order 7.5 resumed at 8.35pm.

Minute No: 8839

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

1. That Council advise the Ord River Sports Club Incorporated:-

- a) ***the Council will not support the transfer of the Management Order or the free holding of any portion of Reserve 33112, and***
- b) ***agreement to a 21 year lease will only be possible upon completion of the Master Planning Exercise, and the amendment of the Constitution for the addition of a Councillor of the Shire of Wyndham East Kimberley and a member of the Board of the MG Corporation***
- c) ***the ORSC Incorporated will be accepted as a tenant at will during the period from the expiration of the previous lease (April 2009) until the signing of a new lease anticipated by December 2010, and***
- d) ***the 21 year lease will include compensation to the ORSC Incorporated for the improvements made based on a methodology to be agreed so as to value the improvements at the expiration of the lease period***

2. That Council authorise the Acting Chief Executive Officer and Cr Keith Wright to undertake negotiations of a draft lease based on the provisions set out in recommendation 1.

CARRIED UNANIMOUSLY: (7/0)

Council Resolution differs from the Officers Recommendation due to tense of 1(b) was not consistent with Councillors view.

16.3 APPOINTMENT OF CHIEF EXECUTIVE OFFICER (8839)

DATE:	15 September 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Kununurra
AUTHOR:	Alex Douglas, Acting Chief Executive Officer
REPORTING OFFICER:	Alex Douglas, Acting Chief Executive Officer
FILE NO:	63.02.04
ASSESSMENT NO:	N/A

This item is to be considered Behind Closed Doors in accordance with the provisions of the Local Government Act 1995, S5.23 (2) (a) as the discussion may include the details of conditions of employment of an employee.

PURPOSE

The purpose of this report is to members of the Chief Executive Officer Review Committee, in conjunction with the selected employment agency Lester Blades, to negotiate a contract with a preferred candidate for the position of Chief Executive Officer.

COUNCIL DECISION

Minute No. 8840

***Moved:Cr K Wright
Seconded:Cr K Torres***

That the Chief Executive Officer Review Committee be authorised to negotiate a draft contract and conditions of employment with the preferred candidate and that a report from the Review Committee be submitted at either the next Ordinary Meeting or Special Meeting as deemed appropriate.

CARRIED UNANIMOUSLY: (8/0)

COUNCIL DECISION

Minute No. 8841

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

That Council come from 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 9.12pm.

In closing the meeting the Shire President extended best wishes to Councillor Caley and his family in their move from Wyndham and thanked him for his efforts on behalf of Council.