



MINUTES OF ORDINARY MEETING OF COUNCIL

HELD ON 15 DECEMBER 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

TO BE PRESENTED TO THE ORDINARY COUNCIL MEETING
TO BE HELD ON TUESDAY, 15 DECEMBER 2009 AT 6:00 PM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.00pm.

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

Cr F Mills	Shire President
Cr J Moulden	Deputy Shire President
Cr R Addis	Councillor
Cr D Ausburn	Councillor
Cr J McCoy	Councillor
Cr J Parker	Councillor
Cr K Wright	Councillor
Cr K Torres	Councillor
G Gaffney	Chief Executive Officer
A Douglas	Executive Manager Engineering and Regulatory Services
J Ellis	Executive Manager Corporate Services
K Apperley	Executive Manager Community Services
I D'Arcy	Executive Manager Development Services
S Russell	Corporate Support Officer (Minute Taker)
B Weaver	Executive Assistant to the Chief Executive Officer

PUBLIC GALLERY

P Buchanan

APOLOGIES

Nil

LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Nil

3. DECLARATIONS OF INTEREST

- **Financial Interest**

Cr R Addis declared a Financial Interest in Item 12.4.1 Proposed Coolibah subdivision – WAPC Reference 140997 due to his employer being involved in transitional housing.

Cr R Addis also declared a Financial Interest in Item 12.3.4 Kalumburu Road – Proposed Development as he is Director of a tourism business which is a major user of the road.

Cr F Mills declared a Financial Interest in Item 16.2 Application for Funeral Directors Licence – Imelda Agars as he has been involved financially in the past.

- **Impartiality Interest**

Cr K Wright declared an Impartiality Interest in Item 12.4.4 Proposed Wholesale Nursery as he is the occupier of neighbouring property.

- **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 (8969)

COUNCIL DECISION

Minute No 8969

Moved: Cr K Wright

Seconded: Cr D Ausburn

That a leave of absence is approved for Cr J Moulden for the Meeting of 19 January 2010.

CARRIED UNANIMOUSLY: (8/0)

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF SPECIAL MEETING HELD ON 3 NOVEMBER 2009(8970)

RECOMMENDATION

That Council confirm the Minutes of the Special Meeting held on 3 November 2009.

COUNCIL DECISION

Minute No. 8970

Moved: Cr K Wright

Seconded: Cr J Parker

That Council confirm the Minutes of the Special Meeting held on 3 November 2009.

CARRIED UNANIMOUSLY: (8/0)

8.2 CONFIRMATION OF MINUTES FOR ORDINARY COUNCIL MEETING HELD ON 17 NOVEMBER 2009(8971)

RECOMMENDATION

That Council confirm the Minutes of the Ordinary Council Meeting held on 17 November 2009.

COUNCIL DECISION

Minute No. 8971

Moved: Cr K Torres

Seconded: Cr K Wright

That Council confirm the Minutes of the Ordinary Council Meeting held on 17 November 2009.

CARRIED UNANIMOUSLY: (8/0)

8.3 CONFIRMATION OF MINUTES OF THE SPECIAL MEETING HELD ON 1 DECEMBER 2009(8972)

RECOMMENDATION

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

COUNCIL DECISION

Minute No. 8972

Moved: Cr J Parker

Seconded: Cr K Wright

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

CARRIED UNANIMOUSLY :(8/0)

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Cr F Mills received a letter from the Department of Indigenous Affairs to congratulate the Shire of Wyndham East Kimberley on a ground-breaking decision to give preferential treatment to companies that have a good track record in employing Aboriginal people.

The Shire of Wyndham East Kimberley is now the Secretariat for the Kimberley Zone with Cr F Mills as President and Mr G Gaffney as Secretary.

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

The Chief Executive Officer presented an Award from the Australian Defence Force Reserve in recognition of the Shire of Wyndham East Kimberley's continuous support.

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1. MINUTES OF AUDIT COMMITTEE MEETINGS

Nil

11.2. MINUTES OF AIRPORT COMMITTEE MEETINGS

11.2.1 MINUTES OF THE AIRPORT COMMITTEE MEETING HELD ON 10 DECEMBER 2009(8973)

RECOMMENDATION

That Council note the unconfirmed Minutes of the Airport Committee held on 10 December 2009.

COUNCIL DECISION

Minute No. 8973

Moved: Cr J Moulden

Seconded: Cr D Ausburn

That Council note the unconfirmed Minutes of the Airport Committee held on 10 December 2009.

CARRIED UNANIMOUSLY :(8/0)

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 MATTERS ARISING FROM AIRPORT COMMITTEE MEETING HELD ON 10 DECEMBER 2009. (8974)

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	60.14.13
ASSESSMENT NO:	N/A

PURPOSE

To consider recommendations from Council's Airport Committee.

BACKGROUND

The Airport Committee meets on a bi-monthly basis to fulfil and achieve the requirements of the terms of reference of the committee. These meetings are not open to the public, however the agenda and minutes are available.

The Airport Committee has no delegated authority from the Council and as such makes recommendations to Council on issues considered by the Committee.

STATUTORY IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implications of the Airport Committee recommendations have been disclosed in the Airport Committee agenda and minutes.

STRATEGIC IMPLICATIONS

The Airport Committee supports Council in providing effective corporate governance by providing an oversight function relating to airport matters. Airport Services are essential to the economy of the East Kimberley.

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

The officer reports that accompany the Airport Committee resolutions and provide detail of the background and implications of the officer's recommendation have been distributed to Councillors in the agenda and minutes of the Airport Committee. The agenda and minutes of the Airport Committee are available to the public.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

AIRPORT COMMITTEE RECOMMENDATION 1

That the following equipment be purchased as the most advantageous to Council:

1. Supply, delivery and licensing of one HINO 300 Series 716 Crew Cab Tip Truck from WA Hino at a net changeover cost of \$54,867 including GST with the purchase price being \$78,867 and the trade of a 2001 Isuzu 3.5 Crew Cab Tip Truck (IBAX-455) being \$24,000.
2. Supply, delivery and licensing of one John Deere Ride on Mower with Deck from Vanderfield Kununurra at a net changeover cost of \$12,430 including GST with the purchase price being \$21,780 and the trade of a 2002 Ride on Mower with Deck (WY 10434) being \$9,350.

AIRPORT COMMITTEE RECOMMENDATION 2

1. That Councils Airport Committee will meet on the following date and times in 2010:

Tuesday 9 February 2010	4.30pm East Kimberley Regional Airport
Tuesday 13 April 2010	4.30pm Kununurra Council Chambers
Tuesday 8 June 2010	4.30pm Kununurra Council Chambers
Tuesday 10 August 2010	4.30pm Kununurra Council Chambers
Tuesday 12 October 2010	4.30pm East Kimberley Regional Airport
Tuesday 7 December 2010	4.30pm Kununurra Council Chambers
2. That Airport Stakeholder meetings will be held on the following dates in 2010:

Tuesday 13 April 2010	6.00pm East Kimberley Regional Airport
Tuesday 12 October 2010	6.00pm East Kimberley Regional Airport
3. That the meeting times and dates of the Airport Committee and the Airport Stakeholders meeting will be displayed on Councils website.

AIRPORT COMMITTEE RECOMMENDATION 3

1. That the Shire President writes to the Civil Aviation Authority requesting information in regard to the timeframes for assessment of the use of LED and solar lighting on runways.
2. That the Shire President writes to the Australian Airports Association supporting their endeavours to gain approval for the use of LED and solar lighting on runways.

COUNCIL DECISION

Minute No. 8974

Moved: Cr K Wright

Seconded: Cr J Moulden

That Council adopt the recommendations of the Airport Committee Meeting held on 10 December 2009 as follows:

- 1) ***That the following equipment be purchased as the most advantageous to Council:***
 - a) ***Supply, delivery and licensing of one HINO 300 Series 716 Crew Cab Tip Truck from WA Hino at a net changeover cost of \$54,867 including GST with the purchase price being \$78,867 and the trade of a 2001 Isuzu 3.5 Crew Cab Tip Truck (IBAX-455) being \$24,000.***
 - b) ***Supply, delivery and licensing of one John Deere Ride on Mower with Deck from Vanderfield Kununurra at a net changeover cost of \$12,430 including GST with the purchase price being \$21,780 and the trade of a 2002 Ride on Mower with Deck (WY 10434) being \$9,350.***
- 2) ***That Council's Airport Committee will meet on the following dates and times in 2010:***
 - a) ***Tuesday 9 February 2010 4.30pm East Kimberley Regional Airport***
 - Tuesday 13 April 2010 4.30pm Kununurra Council Chambers***
 - Tuesday 8 June 2010 4.30pm Kununurra Council Chambers***
 - Tuesday 10 August 2010 4.30pm Kununurra Council Chambers***
 - Tuesday 12 October 2010 4.30pm East Kimberley Regional Airport***
 - Tuesday 7 December 2010 4.30pm Kununurra Council Chambers***

b) That Airport Stakeholder meetings will be held on the following dates in 2010:

Tuesday 13 April 2010 6.00pm East Kimberley Regional Airport
Tuesday 12 October 2010 6.00pm East Kimberley Regional Airport

c) That the meeting times and dates of the Airport Committee and the Airport Stakeholders meeting will be displayed on Council's website.

3) a) That the Shire President writes to the Civil Aviation Authority requesting information in regard to the timeframes for assessment of the use of LED and solar lighting on runways.

b) That the Shire President writes to the Australian Airports Association supporting their endeavours to gain approval for the use of LED and solar lighting on runways.

CARRIED UNANIMOUSLY: 8/0

12.2. CORPORATE SERVICES

12.2.1 WRITE OFF OUTSTANDING RATES AND PENALTIES (8975)

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Kathy Linthorne, Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.23.03
ASSESSMENT NO:	N/A

PURPOSE

For Council to write off to the value of \$284.20 in outstanding rates and penalties as required by Policy F12 – Rate Collection Policy.

BACKGROUND

On 22 January 2008 Council reviewed and adopted the current F12 Rate Collection Policy.

The objective of this policy is “to establish a uniform approach to the collection of rates and to minimise Council’s outstanding rate debtors.”

This Policy states “That properties with outstanding rates of \$20.00 or less be written off and this write off reported to Council”.

STATUTORY IMPLICATIONS

Local Government Act 1995

6.12 Power to defer, grant discounts, waive or write off debts

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

- (a) when adopting the annual budget, grant* a discount or other incentive for 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.

POLICY IMPLICATIONS

On 22 January 2008 Council reviewed and adopted F12 - Rate Collection Policy.

This Policy states:

- *That properties with outstanding rates of \$20.00 or less be written off and this write off reported to Council.*
- *The Chief Executive Officer be given delegated authority to initiate the necessary action under this policy (with the exception of the sale, or the reverting of property back to the Shire).*

FINANCIAL IMPLICATIONS

Council incurred an expense of \$284.20 as a write off (\$7.43 in ESL penalties is an expense to FESA).

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Nil

COMMENT

A report generated on 8 July 2009 indicated that there was a total of 194 properties with an outstanding balance of \$20.00 or less.

The total value of \$284.20 that has been written off consists of rates of \$22.34, interest of \$252.17, ESL Penalties of \$7.43, Refuse (GST Free) \$2.16 and Excess \$0.10.

The highest value written off against any individual property was \$5.00.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council note that a total value of \$284.20 has been written off in accordance with Policy F12 Rate Collection Policy.

COUNCIL DECISION

Minute No. 8975

Moved: Cr J Moulden

Seconded: Cr D Ausburn

That Council note that a total value of \$284.20 has been written off in accordance with Policy F12 Rate Collection Policy.

CARRIED UNANIMOUSLY: (8/0)

12.2.2 MONTHLY FINANCIAL REPORT (8976)

DATE:	15 December 2009
PROONENT:	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 November 2009

BACKGROUND

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

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governance

Council's financial position and forward planning is sound.

COMMUNITY CONSULTATION

Nil

COMMENT

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

ATTACHMENTS

Monthly Financial Report for November 2009.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Monthly Financial Report for the month of November 2009.

COUNCIL DECISION

Minute No. 8976

Moved: Cr K Wright

Seconded: Cr K Torres

That Council accept the Monthly Financial Report for the month of November 2009.

CARRIED UNANIMOUSLY :(8/0)



Shire of Wyndham East Kimberley

Monthly Financial Report 2009/2010

As at 30 November 2009

Presented to Council 15 December 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 30 November 2009

	YTD Budget		YTD Actual		YTD Variance	
	2009-10		2009-10		2009-10	
	\$	\$	\$	\$	\$	%
Revenues		4,912,173		5,150,572		
General Purpose Funding	1,710,160		1,710,091		(69)	0%
Governance	17,268		31,429		14,161	82%
Law, Order And Public Safety	18,878		23,183		4,305	23%
Health	5,200		6,180		980	19%
Education And Welfare	62,000		50,362		(11,638)	-19%
Housing	59,500		57,377		(2,123)	-4%
Community Amenities	995,694		1,111,570		115,876	12%
Recreation And Culture	324,668		362,796		38,128	12%
Transport	1,641,350		1,696,631		55,281	3%
Economic Services	58,325		82,919		24,594	42%
Other Properties And Services	19,130		18,034		(1,096)	-6%
Expenses		(6,459,589)		(6,393,705)		
General Purpose Funding	(205,675)		(140,628)		65,047	-32%
Governance	(436,408)		(386,506)		49,902	-11%
Law, Order And Public Safety	(168,508)		(201,541)		(33,033)	20%
Health	(126,521)		(110,476)		16,045	-13%
Education And Welfare	(146,204)		(119,646)		26,558	-18%
Housing	(120,755)		(121,763)		(1,008)	1%
Community Amenities	(1,280,475)		(1,150,971)		129,504	-10%
Recreation and Culture	(1,500,044)		(1,427,295)		72,749	-5%
Transport	(2,056,028)		(2,194,385)		(138,357)	7%
Economic Services	(326,770)		(191,155)		135,615	-42%
Other Property and Services	(92,201)		(349,338)		(257,137)	279%
Adjustments for Cash Budget Requirements						
Adjustments and Accruals		647,781		885,689		
<i>(Profit)/Loss on Asset Disposals</i>	(31,731)		1,512		33,243	-105%
<i>Movement in Accruals and Provisions</i>	(224,618)		(224,618)			0%
<i>Depreciation on Assets</i>	904,130		1,108,795		204,665	
Purchase of Non-Current Assets		(5,368,521)		(3,592,113)		
<i>Purchase Land Held for Resale</i>	(42,000)		(41,851)		149	0%
<i>Purchase Land and Buildings</i>	(421,500)		(247,248)		174,252	-41%
<i>Purchase Infrastructure Assets - Roads</i>	(2,616,876)		(1,882,111)		734,765	-28%
<i>Purchase Infrastructure Assets - Parks</i>	(50,000)		(61,314)		(11,314)	23%
<i>Purchase Infrastructure Assets - Footpaths</i>	(78,400)		(22,682)		55,718	-71%
<i>Purchase Infrastructure Assets - Drainage</i>	(79,800)		(50,281)		29,519	-37%
<i>Purchase Infrastructure Assets - Other</i>	(1,712,250)		(1,089,314)		622,936	-36%
<i>Purchase Plant and Equipment</i>	(293,988)		(155,890)		138,098	-47%
<i>Purchase Furniture and Equipment</i>	(73,707)		(41,421)		32,286	-44%
Capital Income		5,952,714		5,666,206		
<i>Grants / Contributions for Development of Assets</i>	5,928,964		5,663,279		(265,685)	-4%
<i>Proceeds from Disposal of Assets</i>	23,750				(23,750)	-100%
<i>Proceeds from Sale of Land Held for Resale</i>			2,927		2,927	
Debentures		(236,064)		(361,063)		
<i>Repayment of Debentures</i>	(927,064)		(927,063)		1	0%
<i>Proceeds from New Debentures</i>	691,000		566,000		(125,000)	-18%
<i>Self-Supporting Loan Principal Income</i>						
Reserves		210,150		215,424		
<i>Transfers to Reserves (Restricted Assets)</i>	(89,850)		(43,099)		46,751	-52%
<i>Transfers from Reserves (Restricted Assets)</i>	300,000		258,523		(41,477)	-14%
<i>Add Estimated Surplus/(Deficit) July 1 B/Fwd</i>	5,526,799	5,526,799	5,526,796	5,526,796	(3)	0%
<i>Less Estimated Surplus/(Deficit) June 30 C/Fwd</i>	10,308,602	10,308,602	12,183,443	12,183,443	1,874,841	18%
Amount Required to be Raised from Rates	5,123,159	5,123,159	5,085,636	5,085,636	(37,523)	-1%

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity For the Period Ended 30 November 2009

	YTD Actual 2009/10	Brought Forward 1 July 2009
Net Current Assets	\$	\$
Composition of Net Current Asset Position		
Current Assets		
Cash - Unrestricted	5,412,357	6,140,740
Cash - Reserves	6,523,281	6,738,705
Cash - Restricted Unspent Grants	5,459,301	-
Investments - Restricted		
Receivables	1,925,751	1,174,211
Self Supporting Loans	-	1,118
Inventories	8,889	6,387
Land Held for Resale	-	-
	19,329,580	14,061,161
<i>Less</i>		
Current Liabilities		
Payables	(622,855)	(1,795,659)
	(622,855)	(1,795,659)
<i>Less</i>		
Restricted Reserves		
Cash	(6,523,281)	(6,738,705)
Investments		
Net Current Asset Position	12,183,443	5,526,796

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity
For the Period Ended 30 November 2009

Explanation of Material Variances

Variances +/- \$50,000

Operating

Recurrent Revenue - Excluding Rates

Community Amenities:

Rubbish disposal and refuse collection revenue is higher than anticipated year to date by combined \$54K. Development application fees received to date have over achieved annual budget of \$26K. Erosion control grant of \$30K has been received that was not in budget.

Transport:

Leases revenue received to date at East Kimberley Regional Airport over achieved by \$53K. Annual budget has been achieved and will be reviewed.

Recurrent Expenditure

General Purpose Funding:

Rating policy and review project expenses forecasted earlier than have been incurred by \$38K. Expectation is that this will be completed by February at latest. Forecasted Emergency Services Levy payment invoice yet to be received for second quarter estimated \$40K.

Community Amenities:

Tip Maintenance expenditure is overspent year to date by \$41K. Litter Collection and Refuse Collection is \$25K and \$84K underspent due to invoices not being received from contractors. This is partially offset by Youth staffing costs being underspent by \$61K compared to year to date budget due to staff vacancies.

Recreation and Culture:

Celeston project delayed to resolve queries unspent \$30K. Ord River Sailing Club project delayed until leases and land tenure finalised, underspent by \$37K.

Transport:

Rural road and Kununurra urban road maintenance variances due to staff being engaged on rural roads as a priority due to the impending wet season, a net impact of \$90K over expenditure as a timing difference. Depreciation expense is \$150K higher than budgeted for transport. The impact of the new depreciation rates needs to be analysed and assessed. Airside operations budget forecast earlier than actual expense due to staff priorities being given to other capital projects, this impacts by \$70K.

Economic Services:

Annual Grants are under expended by \$82K due to timing of distribution compared to budget.

Economic Services Wages and Overheads are under expended by \$37K due to position of Economic Development Manager not being filled.

Other Property and Services:

Public Works Overheads exceeds the recovery of the overheads against jobs by \$168K. This is a timing issue due to the delay in construction projects. Plant Operation expenses exceed recovery by \$45K. This is expected to be a timing issue. Compensation payment Riverfig estimated for payment in December was paid earlier showing year to date overspend of \$45K. This will correct itself in December.

Capital

Adjustments and Accruals

Depreciation expenses exceed year to date budget by \$204K. The impact of the implementation of the new asset capitalisation policy will be reviewed and budgets adjusted accordingly.

Capital Expenditure and Revenue

Purchase Infrastructure Assets (Land and Buildings)

Kununurra Leisure Centre stage upgrade (\$6K) budget forecast earlier than actual expenditure. Project mainly completed, pending purchase of some final equipment and payment of invoices. Pending final quotation for Kununurra Childcare capital improvements \$30K year to date budget estimate. Kununurra administration transportable project works practically completed pending receipt of invoices for payment, budget variation \$47K. Demolition of Koolama structure occurred earlier than budget forecast \$44K. Patient Transfer Facility project tender will be issued in January 2010, current underspend of \$47K. Staff housing expenditure forecasted year to date \$20K delayed whilst housing options under review. Eco Toilet installation at Bastion delayed until early in the new year \$20K.

Purchase Infrastructure Assets (Roads)

Coolibah Drive reconstruction project \$87K over budget due to addition of project management overheads, requires budget amendment. Carlton Hill Road upgrade underspent (\$111K) due to project delays. \$100K year to date budget unspent for Lake Argyle culverts, contract has been awarded. Research Station Road and Cato Court reconstruct year to date budgets of \$349K and \$120K are under expended due to timing of project, now expected in May 2010. Ski Beach Access Road and Packsaddle shoulder projects deferred until the dry season \$120K and \$50K.

Purchase Infrastructure Assets (Footpaths)

Expenditure on lighting for Lakeside Link path delayed whilst investigating options (\$55K)

Purchase Infrastructure Assets (Other)

Wyndham Pool Upgrade initial progress payments smaller than expected. This will correct itself at completion of project expected in December, impact of \$484K. Forecasted expenditure for basketball furniture for Multipurpose Courts yet to occur \$38K. Kununurra Airport car park modifications \$21K less than predicted year to date budget. Town Entry Statements \$45K and East Kimberley Regional Airport hydrology study \$34K invoicing yet to be received.

Purchase Infrastructure Assets (Plant and Equipment)

Airport plant quotations presented to Airport Committee pending Council decision in December \$70K. Awaiting arrival of several vehicles, some replacements have been delayed due to work load (\$66K).

Grants/Contributions to Development of Assets

Wyndham Pool Upgrade income corresponds with progress payments for project and will be completed by December, impact of \$863K on year to date budget. Pending notification from Lotterywest regarding Youth Centre grant funding (\$53K). Aboriginal Roads Federal funding forecasted incorrectly, is received quarterly (\$105K). Roads to Recovery grants based on project timing - cash flow estimates to be revised due to changes in the works program (\$352K). East Kimberley Development Package funding received earlier than estimated in budget \$2.9M. Regional Road Group Grant application not yet lodged pending commitment of works by Main Roads on Weaber Plain Road \$283K. Regional Airports Funding (RADS) tied to expenditure, installment expected in December \$349K. Royalties for Regions funding not yet released \$1.1M offset by East Kimberley Development Package funding received earlier than estimated \$2.9M.

Debentures and Reserves

Full amount forecast in budget for refinancing Childcare loan not required, impact of \$55K. Self supporting loan for Ord River Sports Club \$70K delayed pending negotiations.

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity
Budget to Collect / Spend
as at 30 November 2009

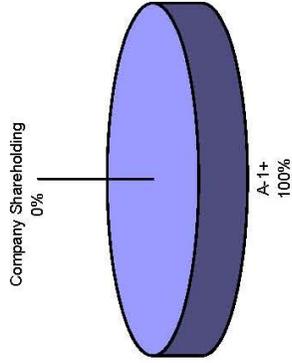
	Amended Adopted		YTD		Budget	
	Budget		Actual		Remaining	
	2009-10		2009-10		2009-10	
	\$	\$	\$	\$	\$	\$
Revenues		10,864,798		5,150,572		5,714,226
General Purpose Funding	3,355,207		1,710,091		1,645,116	
Governance	39,195		31,429		7,766	
Law, Order And Public Safety	49,455		23,183		26,272	
Health	35,500		6,180		29,320	
Education And Welfare	114,000		50,362		63,638	
Housing	301,021		57,377		243,644	
Community Amenities	2,058,040		1,111,570		946,470	
Recreation And Culture	873,766		362,796		510,970	
Transport	3,536,000		1,696,631		1,839,369	
Economic Services	222,800		82,919		139,881	
Other Properties And Services	279,814		18,034		261,780	
Expenses		(16,136,048)		(6,393,705)		(9,742,343)
General Purpose Funding	(467,130)		(140,628)		(326,502)	
Governance	(1,080,832)		(386,506)		(694,326)	
Law, Order And Public Safety	(450,634)		(201,541)		(249,093)	
Health	(316,142)		(110,476)		(205,666)	
Education And Welfare	(377,384)		(119,646)		(257,738)	
Housing	(291,153)		(121,763)		(169,390)	
Community Amenities	(3,435,506)		(1,150,971)		(2,284,535)	
Recreation and Culture	(3,923,499)		(1,427,295)		(2,496,204)	
Transport	(4,869,304)		(2,194,385)		(2,674,919)	
Economic Services	(637,012)		(191,155)		(445,857)	
Other Property and Services	(287,452)		(349,338)		61,886	
Adjustments for Cash Budget Requirements						
Adjustments and Accruals		1,696,628		885,689		810,939
<i>(Profit)/Loss on Asset Disposals</i>	(453,439)		1,512		(454,951)	
<i>Movement in Accruals and Provisions</i>	(20,043)		(224,618)		204,575	
<i>Depreciation on Assets</i>	2,170,110		1,108,795		1,061,315	
Purchase of Non-Current Assets		(23,911,546)		(3,592,113)		(20,319,433)
<i>Purchase Land Held for Resale</i>	(792,000)		(41,851)		(750,149)	
<i>Purchase Land and Buildings</i>	(8,967,253)		(247,248)		(8,720,005)	
<i>Purchase Infrastructure Assets - Roads</i>	(5,137,882)		(1,882,111)		(3,255,771)	
<i>Purchase Infrastructure Assets - Parks</i>	(240,000)		(61,314)		(178,686)	
<i>Purchase Infrastructure Assets - Footpaths</i>	(78,400)		(22,682)		(55,718)	
<i>Purchase Infrastructure Assets - Drainage</i>	(254,800)		(50,281)		(204,519)	
<i>Purchase Infrastructure Assets - Other</i>	(6,798,000)		(1,089,314)		(5,708,686)	
<i>Purchase Plant and Equipment</i>	(1,362,711)		(155,890)		(1,206,821)	
<i>Purchase Furniture and Equipment</i>	(280,500)		(41,421)		(239,079)	
Capital Income		13,904,888		5,666,206		8,238,682
<i>Grants / Contributions for Development of Assets</i>	13,308,388		5,663,279		7,645,109	
<i>Proceeds from Disposal of Assets</i>	500,500				500,500	
<i>Proceeds from Sale of Land Held for Resale</i>	96,000		2,927		93,073	
Debentures		1,765,168		(361,063)		2,126,231
<i>Repayment of Debentures</i>	(1,057,847)		(927,063)		(130,784)	
<i>Proceeds from New Debentures</i>	2,806,000		566,000		2,240,000	
<i>Self-Supporting Loan Principal Income</i>	17,015				17,015	
Reserves		1,653,940		215,424		1,438,516
<i>Transfers to Reserves (Restricted Assets)</i>	(899,680)		(43,099)		(856,581)	
<i>Transfers from Reserves (Restricted Assets)</i>	2,553,620		258,523		2,295,097	
<i>Add Estimated Surplus/(Deficit) July 1 B/Fwd</i>	5,526,799	5,526,799	5,526,796	5,526,796	3	3
<i>Less Estimated Surplus/(Deficit) June 30 C/Fwd</i>	490,705	490,705	12,183,443	12,183,443	(11,692,738)	(11,692,738)
Amount Required to be Raised from Rates		5,126,079		5,085,636		40,443

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

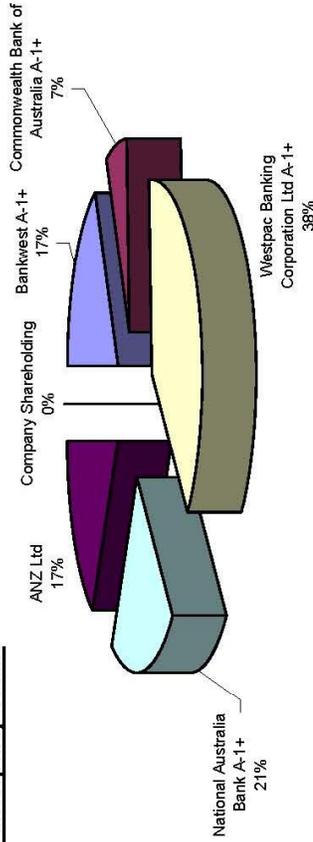
RESULTS AS AT 30 NOVEMBER 2009

INVESTMENT POLICY F17			
"Overall Portfolio Limits"			
S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%
Note: "S & P" relates to Standard & Poors 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	100% max 40% min		
Portfolio % < 1 year	60%		
Portfolio % > 1 year	35%		
Portfolio % > 3 year	25%		
Portfolio % > 5 year	25%		
Individual Investment Maturity Limits			
ADI	5 years		
Non ADI	3 years		
Note: "ADI" relates to an Authorised Deposit Institution (authorised under the Banking Act 1959)			

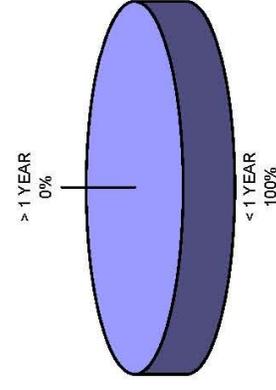
Overall Portfolio



Counterparty Credit



Term to Maturity



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 8812 of 15 September 2009 instructs that status of shares be re-examined in six months time.

12.2.3 LIST OF ACCOUNTS PAID UNDER DELEGATION 18 (8977)

DATE:	15 December 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 39292 - 39330 (5 to 26 November 2009)	\$1,026,704.20
Trust cheques 3 – 12 (6 to 30 November 2009)	\$5,590.00
EFT 107581 – EFT 107874 (5 to 26 November 2009)	\$1,533,210.63
EFT 500005 – 500011 (5 to 30 November 2009)	\$41,877.30
Payroll (4 to 18 November 2009)	\$279,891.68
Direct bank debits (1 to 30 November 2009)	\$21,506.55
Total	\$2,908,780.36

COUNCIL DECISION

Minute No. 8977

Moved: Cr K Wright

Seconded: Cr D Ausburn

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

<i>Municipal cheques 39292 - 39330 (5 to 26 November 2009)</i>	<i>\$1,026,704.20</i>
<i>Trust cheques 3 – 12 (6 to 30 November 2009)</i>	<i>\$5,590.00</i>
<i>EFT 107581 – EFT 107874 (5 to 26 November 2009)</i>	<i>\$1,533,210.63</i>
<i>EFT 500005 – 500011 (5 to 30 November 2009)</i>	<i>\$41,877.30</i>
<i>Payroll (4 to 18 November 2009)</i>	<i>\$279,891.68</i>
<i>Direct bank debits (1 to 30 November 2009)</i>	<i>\$21,506.55</i>
<i>Total</i>	<i>\$2,908,780.36</i>

CARRIED UNANIMOUSLY: (8/0)

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

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT107581	5/11/2009	ACCOR ALL SEASONS KUNUNURRA	ACCOMMODATION 5 - 7/10/09 P BREMAN	382.65
EFT107582	5/11/2009	ALLGEAR MOTORCYCLES	BLADES RIDE ON MOWER, B/PUMP HEAD WHIPPER SNIPPER	114.70
EFT107583	5/11/2009	ARGYLE MOTORS	SERVICE WY12646, PARTS BACKHOE, BLADES FOR MOWER	425.71
EFT107584	5/11/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	370.71
EFT107585	5/11/2009	AUSTRALIAN FUEL DISTRIBUTORS	DIESEL TO DEPOT	12,095.02
EFT107586	5/11/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT107587	5/11/2009	AUSTRALIAN TAXATION OFFICE	BAS SEPTEMBER 2009 (PAYG PAYABLE)	64,727.00
EFT107588	5/11/2009	AVP COMMERCIAL POOLS	PROGRESS PAYMENT #2 - WYNDHAM POOL UPGRADE	177,650.00
EFT107589	5/11/2009	BOAB REFRIGERATION AND AIRCON	WYN CHILD CARE FULL CLEAN AND SERVICE OF AIRCON	242.00
EFT107590	5/11/2009	BOSS FLUID POWER	VANILLA WOOD DISINFECTANT, TOILET ROLL	471.44
EFT107591	5/11/2009	BUDGET RENT A CAR	CAR RENTAL - ZONE CONFERENCE IN BROOME	52.84
EFT107592	5/11/2009	CAFE CORPORATE	COFFEE BEANS	290.00
EFT107593	5/11/2009	CENTURION TRANSPORT	FREIGHT OF PARTS	127.97
EFT107594	5/11/2009	COATES HIRE OPERATIONS PTY LTD	DAY HIRE PRESSURE CLEANER TO REMOVE GRAFFITI	70.00
EFT107595	5/11/2009	DERRICK STEENSON	SUPPLY 10MM PLATE AND FABRICATE STORM WATER PIT LID	1,048.30
EFT107596	5/11/2009	E & MJ ROSHER PTY LTD	SEAL AND BEARINGS	174.55
EFT107597	5/11/2009	EAST KIMBERLEY HARDWARE	ITEMS FENCE WORK WYN A/PORT, CEMENT, CONTROLLER	1,206.15
EFT107598	5/11/2009	EAST KIMBERLEY PLUMBING	AIRPORT MANAGERS HOUSE. FIX WATER LEAK UNDER SLAB	706.17
EFT107599	5/11/2009	FARMERS FRUIT & VEG MART	ASSORTED SANDWICHES - WAAMI WORKSHOP 2	150.00
EFT107600	5/11/2009	FIONA KUIPER	TICKET FUNDS COLLECTED KLC PRINCESS BALL X 2	7,400.00
EFT107601	5/11/2009	GAULT, JOHN DOUGLAS	08/09 ANNUAL AIRFARE ALLOWANCE	2,600.00
EFT107602	5/11/2009	GRUNT LABOUR SERVICES PTY LTD	W/E 18/10/09 - LABOUR HIRE LANDFILL SITE	1,198.23
EFT107603	5/11/2009	IBAC PLUMBING PTY LTD	KLC & YC SERVICE AIRCONS, GAS REPAIR 3 EUCALYPTUS	1,786.40
EFT107604	5/11/2009	ICEAGE REFRIGERATION & AIRCON	264A RIVERFIG AVE KUNUNURRA. YEARLY FULL SERVICE	209.00
EFT107605	5/11/2009	IVANHOE VILLAGE CARAVAN RESORT	ACCOMMODATION FROM 1/07/09 - 31/07/09	3,642.93

EFT107606	5/11/2009	J BLACKWOOD & SON LIMITED	CAMELBACKS IVBFB	929.20
EFT107607	5/11/2009	JASON SIGNMAKERS LTD	TRAFFIC CONES WITH REFLECTIVE SLEEVES, SIGNS	1,454.20
EFT107608	5/11/2009	JSW HOLDINGS PTY LTD	GRAVEL/CEMENT KUNUNURRA AIRPORT CAR PARK	2,775.98
EFT107609	5/11/2009	KIMBERLEY HYDRAULICS	HYDRAULIC FITTING FOR HIRED SKID STEER	15.40
EFT107610	5/11/2009	KIMBERLEY MARKETING	REFRESHMENT SUPPLIES FOR COUNCIL MEETINGS	206.56
EFT107611	5/11/2009	KIMBERLEY MOTORS	TOURIST INFORMATION SERVICES AUGUST 09	476.66
EFT107612	5/11/2009	KIMBERLEY TRACTOR SERVICES	REPAIR OIL LEAKS ON 12H GRADER, APPRAISAL CAT LOADER	2,376.00
EFT107613	5/11/2009	KIMBERLEY TREE SERVICES PTY LTD	GRIND STUMPS - CELEBRITY TREE PARK	951.00
EFT107614	5/11/2009	KIMBERLEY WASTE SERVICES	EMPTIED SKIP BIN YOUTH CENTRE - SEPT 09	350.00
EFT107615	5/11/2009	KUNUNURRA LOCK & KEY	REPLACE LOCK AND SUPPLY KEYS FOR NEW CASA OFFICE	195.50
EFT107616	5/11/2009	KUNUNURRA MOBILE WELDING SERVICE	REPAIRS EXTERIOR FENCE – KNX LEISURE CENTRE.	1,089.00
EFT107617	5/11/2009	KUNUNURRA SECURITY SERVICE	SECURITY PATROL KLC SEPT 09	2,033.20
EFT107618	5/11/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT107619	5/11/2009	MEGAN HUNT	CLEANING WYN ADMIN, REC CENTRE AND PRMH	973.50
EFT107620	5/11/2009	MOMAR AUSTRALIA PTY LTD	GRAFFITI REMOVER, BBQ CLEANER, CAR CLEANER	3,496.08
EFT107621	5/11/2009	OFFICE NATIONAL KUNUNURRA	DOCUMENT STAMPS FOR BUILDING LICENCES	385.00
EFT107622	5/11/2009	OLD, GILL	ELECTRICITY SUBSIDY 01/08/09 - 30/09/09	432.53
EFT107623	5/11/2009	ORD RIVER CONTRACTING	HIRE OF 966D LOADER 01/09/09 - 15/09/09	5,436.20
EFT107624	5/11/2009	ORD RIVER ELECTRICS	RIVERFIG UNITS ELECTRIC GATE. 2 X REMOTE CONTROLS	478.50
EFT107625	5/11/2009	PIVOTEL	SATELLITE PHONES CHARGES OCT 09	105.00
EFT107626	5/11/2009	PUMPHOUSE RESTAURANT & BAR	MEALS & REFRESHMENTS CR DINNER PUMP HOUSE	671.20
EFT107627	5/11/2009	RNAS	RNAS MANAGED SERVICES AGREEMENT 19/10/09 - 19/11/09	5,769.27
EFT107628	5/11/2009	RB DESSERT SEED CO	10KG LAWN SEED	253.00
EFT107629	5/11/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	633.81
EFT107630	5/11/2009	SHOAL AIR PTY LTD	AIR CHARTER 2 YOUTH WORKERS KALUMBURU - KNX	2,738.00
EFT107631	5/11/2009	SYNETRIX	MANHATTAN EXTERNAL SATA HDD DOCK, USB/ESATA, 2.5/3.5	99.00
EFT107632	5/11/2009	TELFORD INDUSTRIES	DENSE SODA ASH 25KG	3,641.48
EFT107633	5/11/2009	THINKWATER	BOX (100) RAINBIRD 1800 50MM POP UPS	554.57
EFT107634	5/11/2009	TOLL EXPRESS	FREIGHT FOR OFFICE FURNITURE, SIGNS AND CHLORINE	2,596.66

EFT107635	5/11/2009	TONY'S PLUMBING & EXCAVATION P/L	WYN PORT VANDAL PROOF TAP,SHOWER REPAIR,CISTERN	1,848.40
EFT107636	5/11/2009	TOP END MOTORS	55,000 KM SERVICE WY12352, BATTERY WY11655	747.40
EFT107637	5/11/2009	TOP END TILT TRAY HIRE	TRANSPORT ABANDONED CAR WEABER PLN RD TO DEPOT	121.00
EFT107638	5/11/2009	TOTAL EDEN KP PUMPS	25 X 180 DEG RAINBIRDS	142.06
EFT107639	5/11/2009	TROPICAL PEST CONTROL	WYN CHILD CARE CENTRE. CHECK FOR TERMITE ACTIVITY	2,508.00
EFT107640	5/11/2009	WA LOCAL GOVT ASSOCIATION WALGA	IN HOUSE TRAINING POLICY DEVELOPMENT & PROCEDURE	7,346.90
EFT107641	5/11/2009	WA LOCAL GOVT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	22,479.08
EFT107642	5/11/2009	WANNA WORK LABOUR HIRE SOLUTIONS	C/CRETE, TOOLS, MACHINERY HIRE- UPGRADE OF SKATE PK	26,122.34
EFT107643	5/11/2009	WAYNE RICHARDS & REBECCA MORRALL	REIMBURSE ITEMS PURCHASED MEAL-SUNSET BASKETBALL	123.78
EFT107644	5/11/2009	WESTERN AUST. TREASURY CORP	LOAN NO. 119 INTEREST PAYMENT	24,595.50
EFT107645	5/11/2009	WESTRAC EQUIPMENT PTY LTD	FILTERS TO SERVICE GRADER P305	183.56
EFT107646	5/11/2009	WYNDHAM EXCAVATIONS	LOADER PUSH & SHEET WYN LANDFILL SITE SEPT 2009	2,376.00
EFT107647	5/11/2009	CANCELLED		0.00
EFT107648	6/11/2009	FURNEAUX PRE CAST CONCRETE	PARRY CRK RD CONSTRUCT OF CATTLE GRID SUPERVISION	13,020.86
EFT107649	6/11/2009	WA AQUATIC CLUB PTY LTD	STINGER SMOKED GOGGLES	1,357.38
EFT107650	12/11/2009	ACCOR ALL SEASONS KUNUNURRA	ACCOMMODATION 26 - 27/10/09	141.00
EFT107651	12/11/2009	ARGYLE MOTORS	REPAIR DRIVE ON DECK OF P362	4,263.51
EFT107652	12/11/2009	BG&E PTY LTD	BARRIER ASSESS REPORT BRIDGE 6197 RESEARCH STN RD	7,700.00
EFT107653	12/11/2009	BODAN CONSTRUCTIONS PTY LTD	CLAIM # 2 INSTALL KNX TRANSPORTABLE OFFICE EXT	22,000.00
EFT107654	12/11/2009	BRANKO BP MOTORS	ITEMS FOR MASSEY TRACTOR 1AC1665 WYNDHAM	95.40
EFT107655	12/11/2009	BRUCE HARDING	ELECTRICITY SUBSIDY 01/08/09 - 30/09/09	38.39
EFT107656	12/11/2009	BUSH CAMP SURPLUS STORES	PAIR WORK BOOTS	116.00
EFT107657	12/11/2009	CHEFMASTER AUSTRALIA	BIN LINERS	1,581.75
EFT107658	12/11/2009	CORPORATE EXPRESS	STATIONERY ORDER FOR OCTOBER & PRINTER CARTRIDGES	2,028.15
EFT107659	12/11/2009	DARWIN CENTRAL HOTEL	ACCOMMODATION 26 - 27/10/09	138.40
EFT107660	12/11/2009	DEVITA'S AUTO ELECTRICS	REPAIR AIR CON IN 3.5 TIP TRUCK KUN/AIRPORT P342	411.20
EFT107661	12/11/2009	DRIVECHECK	RECALIBRATION OF BREATH TEST UNIT ALCOLIZER HH2	114.40
EFT107662	12/11/2009	EAST KIMBERLEY HARDWARE	1 BUNDLE FENCE DROPPERS PARRY CREEK GRIDS	182.00
EFT107663	12/11/2009	EAST KIMBERLEY PLUMBING	WHITEGUM TOILETS KNX, CHECK & UNBLOCK MALE URINAL	497.75

EFT107664	12/11/2009	GAULT, JOHN DOUGLAS	ELECTRICITY SUBSIDY 19/08/09 - 16/10/09	417.56
EFT107665	12/11/2009	GRUNT LABOUR SERVICES PTY LTD	EXECUTIVE SUPPORT OFFICER TO COMMUNITY SERVICES.	3,121.83
EFT107666	12/11/2009	GUERINONI & SON	MAINTENANCE GRADING KALUMBURU RD JULY - SEPT 09	103,608.45
EFT107667	12/11/2009	HART SPORT	GET FIT CURVED FOCUS PADS	662.60
EFT107668	12/11/2009	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION P SHERRIFF OCT 09	2,000.00
EFT107669	12/11/2009	JASON SIGNMAKERS LTD	VARIOUS SIGNS, CEMETERY, FIRE STATION, B/RAMP, ETC	430.10
EFT107670	12/11/2009	JH COMPUTER SERVICES	CARTRIDGES FINANCE PRINTER LEXMARK	1,505.00
EFT107671	12/11/2009	JSW HOLDINGS PTY LTD	SUPPLY GRAVEL, TOPSOIL, CONCRETE TO A/PORT	3,067.99
EFT107672	12/11/2009	JUST FRAMED	2 X ARTWORKS FROM JUST FRAMED FAREWELL GIFT	58.00
EFT107673	12/11/2009	JENNIFER NINYETTE	ELECTRICITY SUBSIDY 29/07/09 - 24/09/09	314.46
EFT107674	12/11/2009	K & M ALLCLEAN	CLEANING OCT 09 KNX A/PORT, KLC, ADMIN, ETC	15,402.82
EFT107675	12/11/2009	KIMBERLEY COMMUNICATIONS	KNX, EXALOO MAIN DOOR NOT WORKING CHECK AND FIX	338.00
EFT107676	12/11/2009	KIMBERLEY HYDRAULICS	HYDRAULIC HOSE SKID STEER P469	135.30
EFT107677	12/11/2009	KIMBERLEY KOOL REFRIGERATION	KNX STAFF HOUSES YEARLY FULL SERVICE AIR CONS	1,562.00
EFT107678	12/11/2009	KIMBERLEY MOTORS	DIESEL FUEL FOR GEN SET AT WYNDHAM AIRPORT.	276.73
EFT107679	12/11/2009	KIMBERLEY WASTE SERVICES	SEPTEMBER STREET SWEEPING	11,645.00
EFT107680	12/11/2009	KUNUNURRA DIESEL SERVICES	LABOUR TO FIT BELTS TO PULLEY P305	144.40
EFT107681	12/11/2009	KUNUNURRA MEDICAL	DAMP DRUG TESTING PRE-EMPLOYMENT	48.40
EFT107682	12/11/2009	KUNUNURRA POOLS AND SPAS	5 X 25 KG BAGS BISPHATE, 5 X 10KG C12 DRY	864.00
EFT107683	12/11/2009	KUNUNURRA SECURITY SERVICE	26/08/09 - 08/09/09 - PASSENGER SCREENING	30,168.00
EFT107684	12/11/2009	LANGFORD MACHINERY PTY LTD	REPAIR WORK ON HYD RAMS ON SLASHER KNX A/PORT	731.00
EFT107685	12/11/2009	LENNYS LANDSCAPE	TRIM TREE DANGEROUS BRANCHES WHITEGUM PARK	550.00
EFT107686	12/11/2009	LESTER BLADES	APPOINTMENT OF CEO	8,250.00
EFT107687	12/11/2009	LOCAL HEALTH AUTH ANALYTICAL COM	SAMPLES 2008/09	399.63
EFT107688	12/11/2009	LUBOR HON	ELECTRICITY SUBSIDY 10/10/09 – 19/10/09	25.71
EFT107689	12/11/2009	MCLACHLAN, SHARON	ELECTRICITY SUBSIDY 07/08/09 – 09/10/09	255.70
EFT107690	12/11/2009	MCLEAN ENTERPRISES	EMULSION FOR VARIOUS LOCATIONS	3,364.00
EFT107691	12/11/2009	MEGAN HUNT	CLEANING WYNDHAM ADMIN, REC CENTRE & PRMH	973.50
EFT107692	12/11/2009	OFFICE NATIONAL KUNUNURRA	NEW OFFICE CHAIR FOR CREDITORS/DEBTORS OFFICER	270.00

EFT107693	12/11/2009	ORD VALLEY MUSTER	REGISTRATION FOR SHARING OUR STORIES	220.00
EFT107694	12/11/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	15.00
EFT107695	12/11/2009	ORICA AUSTRALIA PTY LTD	DRUMS CHLORINE GAS	2,979.89
EFT107696	12/11/2009	ORIMATECH	FREIGHT FOR CONTROL BOX FOR POOL CLEANER	165.00
EFT107697	12/11/2009	PARMELIA HILTON	ACCOMMODATION & MEALS CR MILLS & KEN LIDDICOAT	555.00
EFT107698	12/11/2009	SHERIDAN'S FOR BADGES	NAME BADGES	67.63
EFT107699	12/11/2009	SNOWBALL, MIKE	REIMBURSEMENT OF INFRINGEMENT	168.00
EFT107700	12/11/2009	STITCHED UP EMBROIDERY SERVICES	UNIFORMS	1,310.80
EFT107701	12/11/2009	TELFORD INDUSTRIES	CHEM-CHLOR 40KG /SODIUM BISULPHATE 25KG X 8	526.86
EFT107702	12/11/2009	THINKWATER	DRIPPER LINE AND FITTINGS MESSMATE ROUNDABOUT	275.90
EFT107703	12/11/2009	TOP END MOTORS	60,000KM SERVICE P105 & RECTIFICATION OF 4WD ISSUES	1,512.84
EFT107704	12/11/2009	TOP END TILT TRAY HIRE	ABANDONED VEHICLE MANGO ST TO DEPOT	121.00
EFT107705	12/11/2009	TOTAL SAFETY & FIRE SOLUTIONS	2 DOOR LOCKABLE, 5 SHELVES METAL CABINET	280.50
EFT107706	12/11/2009	TRIPP, KATYA MARIE	ELECTRICITY SUBSIDY 18/08/0 TO 15/10/09	169.60
EFT107707	12/11/2009	WAYNE RICHARDS & REBECCA MORRALL	ELECTRICITY SUBSIDY 06/08/09 TO 13/10/09	549.13
EFT107708	12/11/2009	WESTCARE INDUSTRIES	LIBRARY LABELS	18.59
EFT107709	12/11/2009	WYNDHAM EXCAVATIONS	REMOVE TREES, PUMP SHED, FENCE, TRANSPORT TO TIP	5,060.00
EFT107710	19/11/2009	ALL CAST (NT)	2 X GAL GRATES WITH CONCRETE SURROUND	2,294.60
EFT107711	19/11/2009	ALLGEAR MOTORCYCLES	2 X BILLY GOAT VAC UNITS, POLE PRUNER, CHAINSAW	7,256.60
EFT107712	19/11/2009	AUSTRALIAN FUEL DISTRIBUTORS	FUEL - OCT 09	4,771.60
EFT107713	19/11/2009	AUSTRAL MERCANTILE COLLECTIONS P/L	PROFESSIONAL SERVICES	647.10
EFT107714	19/11/2009	AUSTRALIA POST	POSTAGE AND STATIONERY PURCHASES OCTOBER 09	967.06
EFT107715	19/11/2009	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL OCT 09	264.16
EFT107716	19/11/2009	BRANKO BP MOTORS	FUEL VARIOUS PLANT OCTOBER 09	240.43
EFT107717	19/11/2009	BROADCAST AUSTRALIA PTY LTD	SELF HELP POWER RECOVERY MT ALBANY	138.77
EFT107718	19/11/2009	BUSH CAMP SURPLUS STORES	10 YEAR ANNIVERSARY GIFT FOR KEN BOND	100.00
EFT107719	19/11/2009	CIVIC LEGAL	PROFESSIONAL SERVICES	2,439.86
EFT107720	19/11/2009	CROCODILE SIGNS	NEW SECURITY SIGNS BP AREA ON AIRSIDE KNX AIRPORT	316.80
EFT107721	19/11/2009	DOUGLAS ALEXANDER	ELECTRICITY SUBSIDY 25/08/09 – 21/10/09	299.21

EFT107722	19/11/2009	ENVIRONMENTAL HEALTH AUSTRALIA	FOOD SAFE TWIN PACK FOOD SAFETY PLANNING TOOL	256.10
EFT107723	19/11/2009	FRANMOR CONSTRUCTIONS PTY LTD	CALL OUT AFTER BREAK-IN AT KLC	428.60
EFT107724	19/11/2009	FRONTIER POST & NEWS	OCTOBER 09 POSTAGE, NEWSPAPERS AND STATIONERY	42.55
EFT107725	19/11/2009	FUJI XEROX AUSTRALIA P/L	CONTRACT VARIOUS PHOTOCOPIERS ADMIN	2,468.65
EFT107726	19/11/2009	FURNEAUX PRE CAST CONCRETE	PARRY CREEK RD CONSTRUCT CATTLE GRID SUPERVISION	4,720.43
EFT107727	19/11/2009	G & N SMITH T/A ATTEND	STANDARD HHA2050 LITTER PICK UP STICKS	607.86
EFT107728	19/11/2009	GRUNT LABOUR SERVICES PTY LTD	EXECUTIVE SUPPORT OFFICER COMMUNITY	9,001.79
EFT107729	19/11/2009	GUERINONI & SON	GRADER/WATER TRUCK HIRE PARRY'S CRK GRIDS E/WORKS	15,507.80
EFT107730	19/11/2009	GARY GAFFNEY	REIMBURSE COSTS INCURRED EXCESS BAGGAGE	314.90
EFT107731	19/11/2009	IT VISION ITV	UPLOAD PROPERTY INFO TO SYNERGY FOR RATES REVIEW	616.00
EFT107732	19/11/2009	J BLACKWOOD & SON LIMITED	CAMELBACKS IVBFB	432.70
EFT107733	19/11/2009	JAB INDUSTRIES	EXCAVATOR HIRE CLEAN DRAIN ON WEABER PLAINS ROAD	11,173.25
EFT107734	19/11/2009	JACK IN THE BOX	CLAIM # 3 REBRANDING FOR SWEK	8,068.70
EFT107735	19/11/2009	JSW HOLDINGS PTY LTD	HIRE OF TRUCK/SIDE TIPPER FOR CYCLONE CLEAN UP	9,961.60
EFT107736	19/11/2009	JASON CLARKE	08/09 ANNUAL AIRFARE ALLOWANCE	2,600.00
EFT107737	19/11/2009	KIMBERLEY COMMUNICATIONS	MINOR REPAIRS TO SAT DISH AFTER STORM	143.00
EFT107738	19/11/2009	KIMBERLEY ECHOALBANY ADVERTISER	ADVERTISING TOWN PLANNING NOTICES	518.05
EFT107739	19/11/2009	KIMBERLEY MARKETING	FOOD FOR DISCO 9/10/09	135.48
EFT107740	19/11/2009	KIMBERLEY WASTE SERVICES	KUNUNURRA REFUSE COLLECTION SEPT	51,888.13
EFT107741	19/11/2009	KUNUNURRA AMCAL PHARMACY	4 X 2 PACKS LITHIUM CAMERA BATTERIES TP CAMERA	56.44
EFT107742	19/11/2009	KUNUNURRA HOME & GARDEN	20X PHILIPS ENERGY SAVER LIGHT BULBS, SHOVEL	389.90
EFT107743	19/11/2009	KUNUNURRA LOCK & KEY	CHANGING MASTER KEY LOCKS LEISURE CENTRE	2,125.50
EFT107744	19/11/2009	KUNUNURRA MEDICAL	CONSULTATION WORKERS COMPENSATION CLAIM	106.65
EFT107745	19/11/2009	KUNUNURRA REFRIG & AIR CON PTY LTD	SUPPLY & INSTALL AIRCON IN TRANSPORTABLE OFFICE KNX	11,033.00
EFT107746	19/11/2009	KUNUNURRA SECURITY SERVICE	29/07-11/08/09 PASSENGER & CBS SCREENING KNX A/PORT	116,856.00
EFT107747	19/11/2009	LAKESIDE BLINDS & MACHINERY	TO SUPPLY AND INSTALL 4 RHAPSOD VENETIAN BLINDS	492.49
EFT107748	19/11/2009	LANDGATE	GROSS RENTAL VALUATIONS 22/08/09 - 18/09/09	1,809.01
EFT107749	19/11/2009	LW PROPERTY CARE	SEPT - TWICE WEEKLY CLEAN GAS BBQS SWIM BEACH	1,188.00
EFT107750	19/11/2009	MEGAN HUNT	CLEANING WYNDHAM ADMIN, REC CENTRE AND PRMH	1,505.62

EFT107751	19/11/2009	MOMAR AUSTRALIA PTY LTD	535GRM AEROSOL BLISTER	2,428.80
EFT107752	19/11/2009	NOMAD CONCRETING	C/CRETE F/PATH - REMOVE & REPLACE KERBS COOLIBAH DR	8,300.00
EFT107753	19/11/2009	ORD RIVER CONTRACTING	CART SHALE FROM WEERO ROAD PIT TO KNX LANDFILL SITE	24,167.00
EFT107754	19/11/2009	ORD VALLEY MUSTER	REGISTRATION FEE ORD VALLEY MUSTER TRIATHLON 2010	220.00
EFT107755	19/11/2009	ORDCO	ROUNDUP	810.70
EFT107756	19/11/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY FOR KNX RECEPTION	15.00
EFT107757	19/11/2009	POWERVAC CLEANING EQUIP&SERVICES	BACKPACK VACUUM FOR THE LEISURE CENTRE	435.30
EFT107758	19/11/2009	ROYAL LIFE SAVING (WA BRANCH)	UNIFORMS LEISURE CENTRE STAFF	726.70
EFT107759	19/11/2009	RPS KOLTASZ SMITH	PREP SCHEME AMENDMENT REZONE LOT 501 WATER LILLY	470.03
EFT107760	19/11/2009	SEARLES MECHANICAL REPAIRS	70,000 SERVICE WY 11630	151.85
EFT107761	19/11/2009	SHELF SUPPLY	110M RING LOCK, 2 X PAIR OF BOOTS, CHICKEN LEG BANDS	635.00
EFT107762	19/11/2009	STANLEY GRADER & CONTRACTING P/L	PROGRESS PAYMENT # 2 T0309/10	114,960.00
EFT107763	19/11/2009	STITCHED UP EMBROIDERY SERVICES	REPLACEMENT UNIFORMS	1,971.30
EFT107764	19/11/2009	TNT AUSTRALIA PTY LIMITED	FREIGHT WATER SAMPLES	554.63
EFT107765	19/11/2009	TOLL EXPRESS	FREIGHT POOL CHEMICALS, ADMIN STATIONERY,SIGNS	3,261.98
EFT107766	19/11/2009	TOP END MOTORS	WY 01 - ASSESS FRONT END NOISE & REPAIR AS REQUIRED	948.49
EFT107767	19/11/2009	TOTAL EDEN KP PUMPS	SLIP FIX, COUPLING AND CLAMP	9.10
EFT107768	19/11/2009	TOTAL SUPPLIES PTY LTD	LEATHER EXECUTIVE CHAIRS FOR KNX COUNCIL CHAMBERS	5,123.25
EFT107769	19/11/2009	TOWNSVILLE TOWING & HEAVY HAULAGE	DEL OF BLDG FROM ATCO TOWNSVILLE - KNX SHIRE OFFICE	36,300.00
EFT107770	19/11/2009	TST ELECTRICAL	REPAIR FRONT MAIN ELECT BOARD. BREAKER TRIPPING	128.00
EFT107771	19/11/2009	TOP CAR	DETAIL 1CQN 641	450.00
EFT107772	19/11/2009	UHY HAINES NORTON (WA) PTY LTD	PROGRESSIVE SERVICES	12,760.00
EFT107773	19/11/2009	W.C. CONVENIENCE MANAGEMENT P/L	ONE EXALOO FRONT FACE PLATE	641.40
EFT107774	19/11/2009	WA LOCAL GOVT ASSOCIATION WALGA	WAAMI WORKSHOP 2.	4,097.50
EFT107775	19/11/2009	WANNA WORK LABOUR HIRE SOLUTIONS	MOWING & GARDEN MTCE PARKS, BRICK PAVE REPAIRS KLC	1,134.00
EFT107776	19/11/2009	WESTRAC EQUIPMENT PTY LTD	FIT TRANS CONTROLLER LOADER P350,GRADER PARTS	2,077.30
EFT107777	26/11/2009	ABC TRANSPORT	FREIGHT FOR OOMBULGURRI CAMPER TRAILER	1,601.60
EFT107778	26/11/2009	ALLGEAR MOTORCYCLES	REPAIRS AND PARTS TO CHAINSAW	320.55
EFT107779	26/11/2009	ARAFURA CATERING EQUIPMENT	YOUTH CENTRE KITCHEN UTENSILS	887.99

EFT107780	26/11/2009	ARGYLE MOTORS	SET (3) BLADES KUBOTA WY 11485	117.81
EFT107781	26/11/2009	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	370.71
EFT107782	26/11/2009	AUST LOCAL GOVT JOB DIRECTORY	ADVERTISEMENT EXECUTIVE SUPPORT OFFICER	792.00
EFT107783	26/11/2009	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT107784	26/11/2009	BEAUREPAIRES (KUNUNURRA)	TYRES WY12324, TRACTOR WY12280, TUBES & FITTINGS	2,207.63
EFT107785	26/11/2009	BGC CONTRACTING PTY LTD	MAINTENANCE GRADE OF MT ELIZABETH STATION	13,744.50
EFT107786	26/11/2009	BOAB CARPENTRY MTCE SERVICE	REPAIR WYN REC CTR. DOOR RETRACTOR ON INTERNAL	93.50
EFT107787	26/11/2009	BRANKO BP MOTORS	REPAIR BRAKES ON BACKHOE P354	3,331.10
EFT107788	26/11/2009	BUDGET RENT A CAR	CAR HIRE BROOME TO ATTEND MEETINGS	121.77
EFT107789	26/11/2009	C & S JOLLY ELECTRICS	ELECTRICAL REPAIRS APRON LIGHTS CIRCUIT KNX AIRPORT	1,280.65
EFT107790	26/11/2009	CABCHARGE	PROJECT MANAGEMENT COURSE ATTENDED	142.18
EFT107791	26/11/2009	CARPET VINYL & TILE CENTRE	PAINT TO COVER GRAFFITI YOUTH CENTRE	129.69
EFT107792	26/11/2009	CENTURION TRANSPORT	FREIGHT CHARGES KNX ADMIN, KLC, ETC	720.02
EFT107793	26/11/2009	CIVIC LEGAL	PROFESSIONAL SERVICES	4,215.09
EFT107794	26/11/2009	COMMANDER AUSTRALIA LIMITED	CALL OUT -VOICEMAIL SYS FAILURE AFTER POWER OUTAGE.	102.30
EFT107795	26/11/2009	DAVEY TYRE AND BATTERY SERVICE	2 X TYRES WY11486,1 TYRE 1CQN641,TYRE REPAIR WY12352	1,384.98
EFT107796	26/11/2009	DEPT OF TREASURY AND FINANCE	LOST AND DAMAGED BOOKS	635.80
EFT107797	26/11/2009	EAST KIMBERLEY HARDWARE	SUPPLY 1 X PALLET OF CEMENT	1,548.95
EFT107798	26/11/2009	EAST KIMBERLEY PLUMBING	REPAIRS CELEB TREE PARK TOILETS & SWIM BEACH	423.06
EFT107799	26/11/2009	EAST KIMBERLEY TROPICAL GARDENS	GOLDEN CANE PALMS	941.00
EFT107800	26/11/2009	ECOSOL WASTEWATER FILTRATION SYS	PART PAYMENT ECOSOL RSF100 S/S INTERNAL COMPONENT	33,000.00
EFT107801	26/11/2009	FARMERS FRUIT & VEG MART	SANDWICHES FOR TRAINING COURSES	350.00
EFT107802	26/11/2009	FEWSTER, KELLY	ELECTRICITY SUBSIDY 16/10/09 - 10/11/09	78.02
EFT107803	26/11/2009	FORTE AIRPORT MANAGEMENT	PAYMENT # 1 KNX AIRPORT TERMINAL EXPANSION	25,487.00
EFT107804	26/11/2009	FRANMOR CONSTRUCTIONS PTY LTD	REPAIR 2 BROKEN WINDOWS CHAMBERS AND CEO'S OFFICE	508.15
EFT107805	26/11/2009	FUJI XEROX AUSTRALIA P/L	PRINTING COSTS FOR PHOTOCOPIER 01/10/09 - 31/10/09	34.26
EFT107806	26/11/2009	GRUNT LABOUR SERVICES PTY LTD	EXECUTIVE SUPPORT OFFICER TO COMMUNITY SERVICES	2,758.13
EFT107807	26/11/2009	GUERINONI & SON	GRADER/WATER TRUCK/LOADER E/WORKS PARRYS CREEK	43,417.00
EFT107808	26/11/2009	GULLIVERS TAVERN	DINNER FOR FOCUS GROUP - BRANDING PROCESS	682.48

EFT107809	26/11/2009	ICEAGE REFRIGERATION & AIRCON	A/PORT MANAGERS HOUSE YEARLY SERVICE AIR CONS	352.00
EFT107810	26/11/2009	INTERCON MILLAR LOGISTICS	CHLORINE CYLINDERS TRANSPORT TO WYN & KNX POOLS	2,319.00
EFT107811	26/11/2009	JAB INDUSTRIES	HIRE OF PLANT/EQUIPMENT FOR PARRY CRK GRID EWORKS	3,102.00
EFT107812	26/11/2009	JASON SIGNMAKERS LTD	SIGNS, WIDTH MARKERS, GRIDS	1,562.00
EFT107813	26/11/2009	JOANNE ELLIS	ELECTRICITY SUBSIDY 18/08/09 - 15/10/09	647.37
EFT107814	26/11/2009	JORRITSMA H & CO	FITTINGS FOR MAMBI LOO	14.30
EFT107815	26/11/2009	JUST FRAMED	2X ART WORK FOR THE VOLUNTEER OF THE YEAR WINNERS	230.00
EFT107816	26/11/2009	K & M ALLCLEAN	EXTRA CLEAN OF KLC - WUNAN ABORIGINAL AWARDS	165.00
EFT107817	26/11/2009	KIMBERCRUST BAKERY	REFUND BUILDING APP # 61001 PAID TWICE IN ERROR	90.00
EFT107818	26/11/2009	KIMBERLEY COMMUNICATIONS	TRAVEL WYN & REPAIR TRIPLE J RADIO NOT TRANSMITTING	951.50
EFT107819	26/11/2009	KIMBERLEY ECHOALBANY ADVERTISER	ADVERTISEMENT PUBLIC NOTICES, JOB VACANCIES	2,209.27
EFT107820	26/11/2009	KIMBERLEY INDUSTRIES METALAND	FLASHING FOR REPAIRS TO PUMP SHED	841.84
EFT107821	26/11/2009	KIMBERLEY KOOL REFRIGERATION	KNX ADMIN, YEARLY FULL SERVICE & CLEAN ALL AIR CONS	942.70
EFT107822	26/11/2009	KIMBERLEY STEEL	CLAIM # 1 FAB GRID SECT PARRY CREEK RD GRIDS,GATES	7,891.40
EFT107823	26/11/2009	KIMBERLEY WASTE SERVICES	SWEEPING OF KNX AIRSIDE	500.00
EFT107824	26/11/2009	KUNUNURRA COURIERS	12 MONTHS WATER COOLER HIRE KNX ADMIN	209.50
EFT107825	26/11/2009	KUNUNURRA DIESEL SERVICES	SERVICE SKID STEER WY13312 & 1DBW619	891.35
EFT107826	26/11/2009	KUNUNURRA HOME & GARDEN	ZENITH DOOR CLOSURE ARRIVALS/TERM GLASS D/DOORS	177.75
EFT107827	26/11/2009	KUNUNURRA LOCK & KEY	8 X LOCKABLE CASH BAGS	425.60
EFT107828	26/11/2009	KUNUNURRA MEDICAL	DAMP DRUG TESTING RANDOM SELECTION	145.20
EFT107829	26/11/2009	KNX PANEL BEATING WORKS WA P/L	INSURANCE EXCESS WY13697	300.00
EFT107830	26/11/2009	KUNUNURRA PEST MANAGEMENT	KUNUNURRA ADMIN, SPRAY FOR ANTS,SPIDER,PEST,ETC	1,100.00
EFT107831	26/11/2009	KUNUNURRA POOLS AND SPAS	SODIUM HYPOCHLORITE	345.00
EFT107832	26/11/2009	KUNUNURRA REFRIG & AIR CON P/L	AIRCON REPAIRED WYN ADMIN	665.50
EFT107833	26/11/2009	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT107834	26/11/2009	LENNYS LANDSCAPE	CUT DOWN, REMOVE & GRIND STUMP AT 9 CASUARINA WAY	4,460.01
EFT107835	26/11/2009	LUBOR HON	ELECTRICITY SUBSIDY 12/08/09 - 09/10/09	260.61
EFT107836	26/11/2009	MCLEAN ENTERPRISES	DRUMS OF CATEMUL EMULSION	1,050.00
EFT107837	26/11/2009	MEGAN HUNT	CLEANING WYNDHAM ADMIN, REC CENTRE AND PRMH	1,947.00

EFT107838	26/11/2009	OFFICE NATIONAL KUNUNURRA	A4 REFLEX PAPER	322.62
EFT107839	26/11/2009	ORD RIVER CONTRACTING	INSTALL CULVERTS AT CROSSOVER LOT 13 WEABER PLAINS	10,651.00
EFT107840	26/11/2009	ORD RIVER ELECTRICS	REPAIR RIVERFIG UNITS ELECTRIC GATE	110.00
EFT107841	26/11/2009	ORDCO	FERTILISER MIX FOR ROTARY CENTENARY PARK	297.00
EFT107842	26/11/2009	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	15.00
EFT107843	26/11/2009	ORICA AUSTRALIA PTY LTD	CHLORINE KLC	455.20
EFT107844	26/11/2009	ORD FUEL SUPPLIES	DIESEL FUEL DELIVERED TO KUNUNURRA AIRPORT DEPOT	4,718.56
EFT107845	26/11/2009	PLANT HIRE SERVICES PTY LTD	E/WORKS & PAVEMENT KNX A/PORT C/PARK, S/TIPPER HIRE	91,531.40
EFT107846	26/11/2009	RNAS	RNAS MANAGED SERVICES AGREEMENT	5,769.27
EFT107847	26/11/2009	RACHEL WORNES	08/09 ANNUAL AIRFARE ALLOWANCE	2,600.00
EFT107848	26/11/2009	RICK SPRY	PHONE REIMBURSEMENT 01/10/09 - 30/10/09	33.25
EFT107849	26/11/2009	SHELF SUPPLY	FENCE REPAIRS WYNDHAM AIRPORT	11,588.00
EFT107850	26/11/2009	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	675.00
EFT107851	26/11/2009	SHOAL AIR PTY LTD	FLY 2 GARNDUWA SPORT DEV. OFFICERS TO OOMBULGURRI	2,450.00
EFT107852	26/11/2009	SNOWBALL, MIKE	08/09 ANNUAL AIRFARE ALLOWANCE	2,631.17
EFT107853	26/11/2009	SONYA MCKAY	UNIFORM ALTERATIONS	40.00
EFT107854	26/11/2009	ST JOHN AMBULANCE AUST (WA) INC	FEE PRESENTATION FIRST AID COURSE - SCHOOL PROGRAM	250.00
EFT107855	26/11/2009	SYNETRIX	HP NOTEBOOKS 6730B 2GB 160GB WITH LAPTOP BAG	7,614.20
EFT107856	26/11/2009	TELFORD INDUSTRIES	40KG DRY CL2	404.25
EFT107857	26/11/2009	THORLEY'S STORE	TRANSPORT & DEL. SHIRE BAG WYN - KNX TWICE DAILY	378.00
EFT107858	26/11/2009	TNT AUSTRALIA PTY LIMITED	FREIGHT FOR SAMPLES	222.81
EFT107859	26/11/2009	TOLL EXPRESS	FREIGHT CHARGES FURNITURE NEW OFFICE, KNX LIBRARY	5,709.68
EFT107860	26/11/2009	TONY'S PLUMBING & EXCAVATION P/L	PLUMBING REPAIRS PRMH & 67 KOOJARA ST WYNDHAM	1,504.25
EFT107861	26/11/2009	TOP END MOTORS	90,000 KM SERVICE 1CQN641	577.14
EFT107862	26/11/2009	TOTAL EDEN KP PUMPS	1 X 8 STN CONTROLLER NICOLSON PARK RETIC	414.35
EFT107863	26/11/2009	TROPICAL PEST CONTROL	KNX AIRPORT MAIN TERMINAL BDG, CHECK FOR TERMITES	132.00
EFT107864	26/11/2009	TST ELECTRICAL	3 EUCALYPTUS CLOSE KNX - VARIOUS MAINTENANCE	2,381.00
EFT107865	26/11/2009	TUCKERBOX/RETRAVISION	CONSUMABLES WCC, KNX ADMIN,A/PORT, PHONE KYC, GIFTS	2,153.06
EFT107866	26/11/2009	URBIS PTY LTD	50% COSTS ACCOMMODATION & FLIGHTS TP CONSULTANTS	820.00

EFT107867	26/11/2009	VANDERFIELD MACHINERY PTY LTD	HARDY 8LT SPRAY PUMP	112.45
EFT107868	26/11/2009	WA LOCAL GOVT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	21,714.12
EFT107869	26/11/2009	WANNA WORK LABOUR HIRE SOLUTIONS	LABOUR CONSTRUCT CATTLE GRIDS PARRY CRK	11,998.00
EFT107870	26/11/2009	W RICHARDS & R MORRALL	REIMBURSE ITEMS PURCHASED SUNSET BASKETBALL MEAL	238.94
EFT107871	26/11/2009	WESTRALIA AIRPORTS CORP PTY LTD,	ASIC CARD PRINTED	50.00
EFT107872	26/11/2009	WHELANS	SURVEY OF D2 DRAIN	3,542.00
EFT107873	26/11/2009	WYNDHAM EXCAVATIONS	CONCRETE FOR VEHICLE WASH DOWN BAY WYN DEPOT	996.00
EFT107874	26/11/2009	WYNDHAM SUPERMARKET	VARIOUS FOOD ITEMS WYN YOUTH CENTRE	392.37
				1,533,210.63

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
39292	5/11/2009	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	168.19
39293	5/11/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	220.93
39294	5/11/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	154.12
39295	5/11/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	170.51
39296	5/11/2009	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75
39297	5/11/2009	HORIZON POWER	ELECTRICITY 57/C RIVERFIG AVE PERIOD 06/10/09 - 20/10/09	54.87
39298	5/11/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	352.75
39299	5/11/2009	MERRILL BOWEY	REFUND OF POOL PASSES (MINUS 20% ADMIN CHARGES)	31.20
39300	5/11/2009	QUADRANT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	113.93
39301	5/11/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	344.39
39302	5/11/2009	SHAY WILSON	REIMBURSE REG FEE TAKEN AFTER THE CLOSING DATE	35.00
39303	5/11/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	173.23
39304	6/11/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	17,777.70
39305	6/11/2009	METRO INN	ACCOMMODATION INJURY MANAGEMENT TRAINING	728.50
39306	12/11/2009	BILLY HYDE MUSIC GROUP	PA SYSTEM FOR THE KLC UPGRADE	11,477.00
39307	12/11/2009	DEPT HEALTH WASTE WATER MGMNT	EFFLUENT DISPOSAL APPLICATION	35.00
39308	12/11/2009	DEPT PLANNING & INFRASTRUCTURE	WY13118 REGO 09/10	301.80
39309	12/11/2009	ORD VALLEY ABORIGINAL HEALTH	RATES REFUND	786.48

39310	12/11/2009	ROBERT JOHN MCFADDEN	RATES REFUND	108.32
39311	12/11/2009	TELSTRA	EXECUTIVES LAND LINE ACCOUNT	42.62
39312	19/11/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	10,618.12
39313	19/11/2009	TELSTRA	LINE RENTAL OCT 2008	209.68
39314	19/11/2009	WATER CORPORATION	FINAL READ 57 C RIVERFIG AVE 24/07/09 - 23/10/09	91.25
39315	25/11/2009	IMELDA AGARS	REFUND EFT ANNUAL UNDERTAKERS LICENCE	275.00
39316	26/11/2009	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	180.85
39317	26/11/2009	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	220.93
39318	26/11/2009	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	84.28
39319	26/11/2009	AVP COMMERCIAL POOLS	PROGRESS PAYMENT # 4 WYN POOL UPGRADE	492,250.00
39320	26/11/2009	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	170.91
39321	26/11/2009	CASH PETTY CASH KNX OFFICE	MATERIALS TO SECURE KLC GOODS FOR SALE	192.95
39322	26/11/2009	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75
39323	26/11/2009	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	11,204.74
39324	26/11/2009	JSW HOLDINGS PTY LTD	PROG PAYMENT # 3 COOLIBAH DR,ROAD BASE TO DEPOT	466,019.13
39325	26/11/2009	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	353.56
39326	26/11/2009	REST SUPER	SUPERANNUATION CONTRIBUTIONS	496.39
39327	26/11/2009	TELSTRA	02/10/09 - 31/10/09 LANDLINE PHONE BILL	8,526.75
39328	26/11/2009	VICSUPER	SUPERANNUATION CONTRIBUTIONS	173.23
39329	26/11/2009	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	259.99
39330	26/11/2009	WATER CORPORATION	REPAIR DAMAGES TO SERVICE PIPE COOLIBAH DRIVE	1,374.40
				1,026,704.20

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
500005	5/11/2009	TRUST DPI CLEARING	TRANSPORT CLEARING	2,259.60
500006	30/10/2009	TRUST DPI CLEARING	TRANSPORT CLEARING	20,570.85
500007	11/11/2009	TRUST DPI CLEARING	TRANSPORT CLEARING	7,302.80
500008	16/11/2009	TRUST DPI CLEARING	TRANSPORT CLEARING	413.45

500009	30/11/2009	CANCELLED		0.00
500010	30/11/2009	TRUST DPI CLEARING	TRANSPORT CLEARING	1,911.00
500011	30/11/2009	TRUST DPI CLEARING	TRANSPORT CLEARING	9,419.60
				41,877.30

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
3	10/11/2009	COLIN WILKINSON DEV. PTY LTD	REFUND FOOTPATH/KERB BOND APPL NUMBER 61315	750.00
4	10/11/2009	DEPT OF REGIONAL DEVELOPMENT	REFUND BOND PETER REID HALL 20/10/09	100.00
5	10/11/2009	MAGLION ENTERPRISES PTY LTD	REFUND FOOTPATH/KERB BOND APPL NUMBER 61053	1,600.00
6	10/11/2009	TURA MUSIC	REFUND BOND PETER REID HALL 14/10/09	1,000.00
7	13/11/2009	KIMBERLEY METALS GROUP PTY LTD	BOND REFUND PETER REID MEMORIAL HALL 29/10/09	100.00
8	13/11/2009	DARREN BRUCE FULCHER	REFUND OF FOOTPATH/KERB BOND APPLN NO 65681	250.00
9	20/11/2009	SAVE THE CHILDREN	REFUND BOND PETER REID MEMORIAL HALL	1,000.00
10	24/11/2009	COLIN WILKINSON DEV. PTY LTD	REFUND FOOTPATH/KERB BOND APPLICATION NO: 64553	250.00
11	26/11/2009	ECOFFICIENT HOMES	REFUND FOOTPATH/KERB BOND BLDG LICENCE 100/2009	270.00
12	30/11/2009	ECOFFICIENT HOMES	REFUND FOOTPATH/KERB BOND APPL NUMBER 66222	270.00
				5,590.00

Date	Name	Details	Amount
04/11/2009	PAYROLL	PAYROLL	143,635.28
18/11/2009	PAYROLL	PAYROLL	136,256.40
Total Payroll Payments			279,891.68

Date	Name	Description	Amount
25/11/2009	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	2,036.66
16/11/2009	DIRECT DEBIT	RENT 4 BOOBIALLA WAY	2,491.67
20/11/2009	DIRECT DEBIT	RENT 20 BARRINGTONIA WAY	2,426.66
Nov-09	DIRECT DEBIT	BANK FEES	231.90
Nov-09	DIRECT DEBIT	BPOINT	221.29

2/11/09	DIRECT DEBIT	VISA PAYMENT	1,563.20
19/11/09	DIRECT DEBIT	MASTERCARD	10,180.12
Nov-09	DIRECT DEBIT	MERCHANT FEE	1,460.85
Nov-09	DIRECT DEBIT	WESTNET P/L	894.20
		Total Direct Debit Payments	<u>21,506.55</u>

12.3. ENGINEERING & REGULATORY SERVICES

12.3.1 ORD RIVER SPORTS CLUB - REPORT ON LEASE NEGOTIATIONS(8978)

DATE:	15 December 2009
PROPONENT:	Ord River Sports Club
LOCATION:	Reserve 33112, Chestnut Drive, Kununurra
AUTHOR:	Alex Douglas, Executive Manager Engineering and Regulatory Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	66.20.37
ASSESSMENT NO:	N/A

PURPOSE

The purpose of this report is to update elected members on the progress on lease negotiations with the Ord River Sports Club Inc.

BACKGROUND

There have been several reports presented to Council on the matter of the lease negotiations with the Club.

At the Ordinary Council Meeting held 15 September 2009, Council resolved the following:

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, and*
- 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: (8/0)

STATUTORY IMPLICATIONS

Lease of land where the Shire has the Management Order are to comply with various provisions within the Local Government Act 1995 and the Land Administration Act 1997.

The provisions of the Management Order will establish provisions for power to lease and where granted the maximum period and purpose of the leases. All leases and sub-leases require the prior approval of the Minister for Lands.

POLICY IMPLICATIONS

There are no specific policy implications associated with this report.

FINANCIAL IMPLICATIONS

There are no new financial implications associated with the Officer Recommendation that have not previously been dealt with by Council.

STRATEGIC IMPLICATIONS

The Sports Club is located on a recreation reserve precinct which is being assessed for its broader use by the community in to the future. The entering in to a lease is a significant decision which will have a bearing on how the users of the precinct will interact in to the future.

COMMUNITY CONSULTATION

No community consultation has taken place in the preparation of this report.

The intent to enter in to a private treaty lease with the Ord River Sports Club Inc. will require advertising in accordance with the provisions of the Local Government Act 1995.

COMMENT

The Executive Manager Engineering and Regulatory Services and the Community Development Officer attended a meeting of the Club on Sunday 23 November 2009. The meeting did not attract sufficient members to satisfy the requirements for their Annual General Meeting however it allowed members to discuss the Council's proposal from the 15 September meeting.

The Acting Club President has written to the Shire proposing an alternate arrangement to the participation of one elected member from both Council and MG Corporation. The proposal takes the approach that the Club establish a sub-

committee to which the two elected members would be appointed. It is understood that the intent of this is to avoid the amendment to the Club's constitution.

A review of the constitution suggests that their proposal will also require an amendment to limit the voting rights of the appointees because the Club requires that the appointees are members of the Club which provides the right to vote and hold office.

The view of Shire Officers is that the Club membership had agreed to the requirements as set out by the Council earlier this year and incorporated in to the Council Resolution from the 15 September Council Meeting.

The members required that a point of negotiation be the transfer of the land vesting and the ownership of the building. The report presented to Council at the 15 September Meeting outlined the merits of this request and concluded with the Council Resolution declining the change in vesting, but offering a compensation clause for the building value at the expiration of a 21 year lease (if a new lease was not offered or taken up).

ATTACHMENTS

Attachment 1: Correspondence from Ord River Sports Club Inc dated 10 March 2009
Attachment 2: Correspondence from Ord River Sports Club Inc dated 25 November 2009

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That the Ord River Sports Club Inc. be advised that the proposal as outlined to the Club from the 15 September Council Meeting remains unchanged.

COUNCIL DECISION

Minute No.8978

Moved: Cr J Parker
Seconded: Cr K Wright

That the Ord River Sports Club Inc. be advised that the proposal as outlined to the Club from the 15 September Council Meeting remains unchanged.

CARRIED UNANIMOUSLY: (8/0)

ATTACHMENT 1: CORRESPONDENCE FROM ORD RIVER SPORTS CLUB INC DATED 10 MARCH 2009

Doc No.	065231
Date	10 MAR 2009
Officer	CEO
Response	
File	66.20.37
Cross Ref.	



Ord River Sports Club Inc

Po Box 54
Kununurra WA 6743

Ph: 08 91 691 778
Fax: 08 91 692 743

10 MARCH 09

CEO
SWEK

CC: Shire President

Dear Mr Stubbs,

LOAN AND LEASE

A Special General Meeting of the Ord River Sports Club Inc (the Club) was held on the 8th March. 48 financial members were present.

In consideration for the approval of a two year lease extension and approval of a 24 month, \$70,000 self funded loan, the membership resolved to:

1. Accept one Shire of Wyndham East Kimberley (The Shire) ex officio Councillor and one ex officio MG Corp representative to be appointed to the committee of the Club for a

two year trial period. These two representatives are to be financial members of the Club and can only hold ex officio positions on the Club Committee.

2. The Club agrees to enter into a master planning exercise for the future of the Club site.

3. The Club agree to re-structure the Committee and Club Constitution to accommodate the appointed positions.

4. The Shire enter into meaningful negotiations with the Club to successfully handover the vesting of the land and the Club infrastructure to the Club, at the end of the two year lease extension.

Moved: Gary Bishop

Seconded: Wayne Tucker

Voting: Unanimous

The Club takes responsibility for servicing the loan.

A rapid response to this letter would be appreciated, so the Club can move forward, commence normal trading, carry out maintenance, accept memberships and employ staff.

If you have any queries, please contact me on 0428567611.

Thank you in anticipation.



Gary Bishop
President, Ord River Sports Club Inc

ATTACHMENT 2: CORRESPONDENCE FROM ORD RIVER SPORTS CLUB INC DATED 25 NOVEMBER 2009

EMAIL

Doc No.	068453
Date	1 DEC 2009
Office	CEO - vmeff
Response	
File	GO.20.37
Cross Ref	



Ord River Sports Club Inc

Po Box 54
Kununurra WA 6743

Ph: 08 91 691 778
Fax: 08 91 692 743

SWEK
PO Box 614
Kununurra
6743

Attention: Alex Douglas
CC: Cr Keith Wright

Dear Alex,

LEASE CONDITIONS

Firstly, let me apologise for some of the unnecessary comments made at the recent attempted AGM last Sunday. As you must realise by now, there is a lot of ill feelings toward Council at the moment because of the demands made on the Club. Some people let their frustrations out in a less than amicable manner at times.

Thank you for the letter dated 16 September 09 in relation to the subject heading. We were hoping to have a resolution to present to you after the AGM, yet as history shows, it is unlikely to get a quorum on a weekend.

As was discussed at the meeting, maybe the easiest way to resolve the issue of the appointment of the Councillor and MG Corp person, is for the Committee to create an advisory sub-committee under the constraints of the current constitution, as their involvement will be in an

advisory capacity. This will alleviate the need to change the Constitution and the like.

I really think we are beating our heads against the wall otherwise, because it took some convincing for the membership to accept those conditions in March, when there was a 2 year lease and a \$70,000 loan attached. Without the carrot so to speak, this issue could drag on for ages through the amendment process imposed by the Constitution.

If you have any other suggestions, I will welcome them with open arms.

Could you please advise me as soon as possible if this sub-committee suggestion is acceptable, as there is another AGM on the 29th and I need to put the suggestion to the Committee before hand, so we can get some closure on this drawn out issue.

Thank you in anticipation.

Leigh Pedler

Acting President ORSC
25 November 2009

12.3.2 NAMING OF LOCAL PARK - PORTION OF WYNDHAM RECREATION RESERVE (8979)

DATE:	15 December 2009
PROPONENT:	Save The Children
LOCATION:	Portion Of Reserve 26907
AUTHOR:	Alex Douglas, Executive Manager Engineering and Regulatory Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	30.09.04
ASSESSMENT NO:	N/A

PURPOSE

The purpose of this report is to agree to a proposal naming of portion of Reserve 26907 as 'Wongalong Gra' (Arrawadi language group meaning "children ground").

BACKGROUND

The south east corner of the Wyndham Recreation Centre grounds and precinct (Reserve 26907), bordered by Koolama St and Civic Way, has been progressively developed by a series of grants and Council funds to provide a small skate park, undercover playground, and the relocation and refurbishment of the snake sculpture (previously located on the Wyndham School grounds). The refurbishment of the snake sculpture and part of the playground development were undertaken by Save the Children Youth Development Program in collaboration with the Shire. A further grant application has been made by the Council for a small BMX track.

Cr Parker approached one of the Arrawadi Traditional Owners for a suitable name for the portion of the Reserve and the name 'Wongalong Gra' was proposed given its meaning of "children ground".

An opening ceremony involving a number of the funding agencies and community members was held performed on 3 December 2009.

STATUTORY IMPLICATIONS

The naming of public places requires the consent of the Geographic Names Committee.

POLICY IMPLICATIONS

There are no specific policies applicable.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The development of the playground and associated improvements to the Wyndham Recreation precinct have involved various community members, Shire staff and community groups such as Save the Children, so it is consistent to involve the community in the naming of the park.

COMMUNITY CONSULTATION

There has been no external community consultation undertaken in the preparation of this report. However, Cr Parker approached one of the Arrawadi Traditional Owners for a suitable name for the portion of the Reserve and the name 'Wongalong Gra' was proposed given its meaning of "children ground".

COMMENT

The naming of public places and in particular reserves or portions of reserves under the Shire's management should generally avoid the use of names of living persons, names which may cause broad community concern and names which may present difficulty in pronunciation. The Geographic Names Committee are the approving agency and proposed names require an explanation/background to the name.

The name proposed is considered to satisfy the listed criteria.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council agree to the naming of the south-east portion of Reserve 26907 as Wongalong Gra, meaning "children ground" in the local Arrawadi language group, and that the name be submitted to the Geographic Names Committee for approval.

COUNCIL DECISION

Minute No. 8979

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

That Council agree to the naming of the south-east portion of Reserve 26907 as Wongalong Gra, meaning "children ground" in the local Arrawadi language group, and that the name be submitted to the Geographic Names Committee for approval.

CARRIED UNANIMOUSLY: (8/0)

12.3.3 FISH FARM ROAD - PROPOSED DEDICATION (8980)

DATE:	15 December 2009
PROPONENT:	Department Of Regional Development And Lands
LOCATION:	King Loc. 785, Reserve 46265
AUTHOR:	Alex Douglas, Executive Manager Engineering and Development Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Development Services
FILE NO:	21.10.220
ASSESSMENT NO:	N/A

PURPOSE

The purpose of this report is to consider a request from State Land Services for Council to accept the dedication of that portion of Fish Farm Road contained within Access Reserve 46265.

BACKGROUND

State Land Services wrote to Council in early March 2007 advising of works undertaken on road improvements to the road, and seeking Council's acceptance of a previous undertaking to accept the road dedication. The correspondence was not referred to Council, and the State Land Services have sought consideration of the request.

At the Ordinary Council Meeting held on 17 August 2000, Council considered a request from the Department of Land Administration to accept dedication of the road and the Council resolved:

Minute No 3576

That the Department of Land Administration be advised that Council does not wish to accept care control and management of King Location 785 as a Reserve for the purpose of "Accessway", however if the road is improved to a standard in accordance with Council Policy, Council will accept the dedication of the entire length of Fish Farm Road and that King Location 785 be vested as a road reserve.

STATUTORY IMPLICATIONS

s56, Land Administration Act 1997 applies: -

- 56. Dedication of roads
- (1) If in the district of a local government —
 - (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;

(b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —

(i) the holder of the freehold in that land applies to the local government, requesting it to do so; or

(ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;

or

(c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

(2) If a local government resolves to make a request under subsection (1), it must —

(a) in accordance with the regulations prepare and deliver the request to the Minister; and

(b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.

(3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —

(a) subject to subsection (5), by order grant the request;

(b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or

(c) refuse the request.

(4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

(5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —

(a) unallocated Crown land or, in the case of a private road, alienated land; and

(b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.

- (6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

POLICY IMPLICATIONS

The Council Policy regarding access roads to aboriginal communities is E7 and is provided as Attachment 3.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

Key Result Area 1 – Infrastructure is relevant to the dedication of a portion of Fish Farm Road:

“To develop and maintain the Shire’s Infrastructure and assets to a high standard:

- Sustainable asset management for infrastructure under the Shire’s control,
- Road network that is safe and meets its functional requirements”.

COMMUNITY CONSULTATION

No consultation has taken place in the preparation of this report.

COMMENT

The dedication of the unsealed portion of the road has been the subject of intermittent discussion for nearly ten years.

A reserve was created to provide access to a number of reserves but namely the Mud Springs community. The Access Reserve also provides access to one rateable property.

Council considered a request for dedication of the road in 2000, and an extract from the Minutes of the 17 August Council Meeting are included as an Attachment.

The State Land Services seek a response to the Council resolution (Minute # 3576) following improvement works that were undertaken in late 2006 that included installation of culverts at a creek crossing and gravel sheeting of sections of the road.

In considering the request it noted that Council Policy E7 – Aboriginal Community Access Roads was adopted by Council in 2004, which is within the time frame of the Council resolution and the work being undertaken by the ICC and the subsequent letter from the State Land Services.

In reviewing the alignment of the road within Reserve 46265 it is evident that the built road is constructed within the boundaries of the access reserve up to the eastern boundary of King Loc. 729 (and 718). Beyond that eastern boundary the road progressively deviates in alignment and the balance of the built road is outside of the reserve boundary.

There is a reasonable obligation on Council to accept the portion of road that provides access to the rateable lots (King Loc. 729 and 718) however the road beyond the eastern boundary of these lots should comply with the criteria of Council Policy E7. There is no evidence that the roads fulfils all the criteria and together with the built road not being constructed within the intended dedicated road reserve it is not reasonable for Council to favourably consider the State Land Services request.

ATTACHMENTS

Attachment 1: Plan of Reserve 46265

Attachment 2: Extract of Minutes from 17 August 2000

Attachment 3: Council Policy E7 Aboriginal Community Access Roads

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council not accept the dedication of Access Reserve 46265 at this time on the basis that:

1. the road does not meet all criteria required in accordance with Council Policy E7, and
2. the built road beyond the eastern boundaries of King Loc. 729 and 718 is not constructed within the intended dedicated road reserve.

COUNCIL DECISION

Moved: Cr J Moulden

Seconded: Cr D Ausburn

That Council not accept the dedication of Access Reserve 46265 at this time on the basis that:

- 1. the road does not meet all criteria required in accordance with Council Policy E7, and***
- 2. the built road beyond the eastern boundaries of King Loc. 729 and 718 is not constructed within the intended dedicated road reserve,***

Cr K Wright moved an amendment to the motion so as to add a dot point 3 which reads:

“Council advise, in conjunction with State Land Services, that it will look forward to reconsidering when certain road standards are met including realignment of the road within the reserve”.

With the consent of the Mover and Seconder the words ” Council advise, in conjunction with State Land Services, that it will look forward to reconsidering when certain road standards are met including realignment of the road within the reserve”, as a dot point 3 were added which became the substantive motion.

Minute No.8980

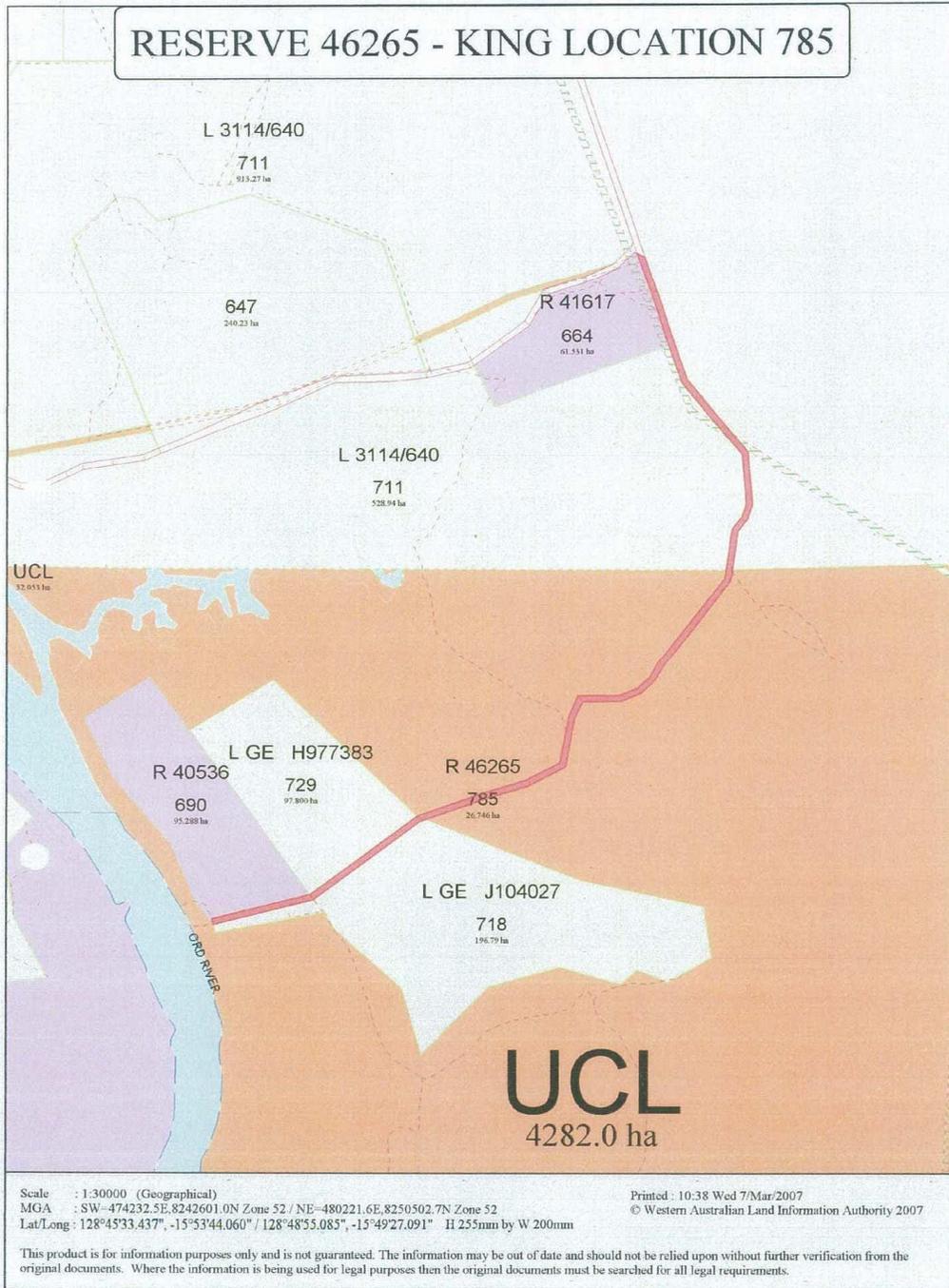
That Council not accept the dedication of Access Reserve 46265 at this time on the basis that:

- 1. the road does not meet all criteria required in accordance with Council Policy E7, and***
- 2. the built road beyond the eastern boundaries of King Loc. 729 and 718 is not constructed within the intended dedicated road reserve, and***
- 3. Council advise, in conjunction with State Land Services, that it will look forward to reconsidering when certain road standards are met including realignment of the road within the reserve***

CARRIED UNANIMOUSLY: (8/0)

NOTE: The decision of Council differs from the Officer’s Recommendation as elected members considered that State Land Services should be aware that Council is prepared to reconsider the request.

ATTACHMENT 1: FISH FARM ROAD AND ACCESS RESERVE 46265



ATTACHMENT 2: EXTRACT FROM 17 AUGUST 2000 COUNCIL MEETING MINUTES

ITEM NO:	A:ES08/03
DATE:	17 AUGUST 2000
SUBJECT:	Vesting of King Location 785 as Reserve for the purpose of "Access" (Fish Farm Road)
PROPONENT:	Department of Land Administration
LOCATION:	Crossing Falls
ATLAS REFERENCE	Map 47 G1
REPORTING OFFICER:	Ian Barker
ENABLING LEGISLATION:	N/A
COUNCIL POLICY:	E7 - Aboriginal Community Access Roads
FILE NUMBER:	ABA6,WRK3/3

BACKGROUND

At its meeting of 19th March 1992, Council resolved not to accept the dedication of the portion of Fish Farm Road shown on the attached plan as King Location 785, as its condition would leave Council with an on-going maintenance liability that it was unable to fund. This section of Fish Farm Road serves as access to the Aboriginal Community of Mud Springs in locations 690, and private landowners in locations 729 and 718.

REPORT

The Department of Land Administration has now requested that Council consider accepting vesting of the road as a Reserve for the purpose of an "Accessway". Whilst not an adopted road in a dedicated road reserve, the Reserve will serve the same purpose, however Council will have "care control and management" of the Reserve and as such will again incur an ongoing maintenance liability.

The Community of Mud Springs still requires an access and the objective of Council's policy E7, (attached) is

"To set appropriate requirements for the acceptance by the Council of responsibility for the management and maintenance of Aboriginal community access roads."

The policy states that Council will place Aboriginal community access roads on its local road inventory provided that the road is in an appropriate location, constructed to an appropriate standard and is open and available for full public use.

It is therefore considered that, provided that the condition of the access road and any floodways are improved to an acceptable standard, then Council should accept responsibility for the road. Two options then remain, either accept adoption of the road in a designated road reserve or accept care, control and maintenance of the road in a Reserve for the purpose of "Accessway". A road constructed in a road reserve would infer a better standard of

maintenance, but would also allow its' inclusion in Council's road inventory and hence would be included in the calculations when the road grant is determined. A road constructed in a Reserve for the purpose of an Accessway infers a lower standard of maintenance, however this would have to be funded entirely from Council's own resources.

Provided that the road is upgraded to an acceptable standard, then only regular maintenance grading of the road would be required at an estimated cost of \$10,000 per year.

OFFICER RECOMMENDATION

That the Department of Land Administration be advised that Council does not wish to accept care control and management of King Location 785 as a Reserve for the purpose of "Accessway", however if the road is improved to a standard acceptable to Director of Engineering Services, then Council will accept the dedication of the entire length of Fish Farm Road and that King Location 785 be vested as a road reserve.

MINUTE NO 3576

Moved Cr Thorley/Lefmann

That the Department of Land Administration be advised that Council does not wish to accept care control and management of King Location 785 as a Reserve for the purpose of "Accessway", however if the road is improved to a standard in accordance with Council Policy, Council will accept the dedication of the entire length of Fish Farm Road and that King Location 785 be vested as a road reserve.

CARRIED

ATTACHMENT 3: COUNCIL POLICY E7 – ABORIGINAL COMMUNITY ACCESS ROADS



Shire of Wyndham East Kimberley **Council Policy Manual** **E7**

POLICY No:	E7
DIVISION:	Engineering
SUBJECT:	Aboriginal Community Access Roads
REPORTING OFFICER:	Executive Manager Engineering and Development Services
ENABLING LEGISLATION:	N/A

OBJECTIVE:

To set appropriate requirements for the acceptance by the Council of responsibility for the management and maintenance of Aboriginal community access roads.

POLICY:

The Council will place Aboriginal community access roads on its local road inventory and accept responsibility for the management and maintenance of such roads conditional upon the following conditions being met:-

1. The Council has been consulted in the community planning stage with regard newly established communities and has approved the proposed road access, or
2. The Council has approved of the location and alignment of the road access with regard existing established communities, and
3. The road has been constructed to a standard and condition satisfactory to the Council having regard to community population, access requirements and traffic volumes, and
4. The road serves a broad public access function and is open and available for full public use.

ADOPTED: 20 July 2004

REVIEWED:

AMENDED:

12.3.4 KALUMBURU ROAD - PROPOSED DEDICATION (8981)(8982)

DATE:	15 December 2009
PROPONENT:	Department Of Regional Development And Lands
LOCATION:	Kalumburu Road
AUTHOR:	Alex Douglas, Executive Manager Engineering and Regulatory Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	21.10.014
ASSESSMENT NO:	N/A

Cr R Addis left the room at 6.18pm due to a Declaration of Financial Interest as he is Director of a tourism business which is a major user of the road.

COUNCIL DECISION

Minute No.8981

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

That Council allow Cr R Addis to return to the meeting to take part in the debate and vote.

CARRIED UNANIMOUSLY: (7/0)

Cr R Addis returned to the room at 6.19pm.

PURPOSE

The purpose of this report is to consider a request from State Land Services for Council to accept the dedication of the (Gibb River) Kalumburu Rd by the creation of a road reserve from the intersection of the Gibb River-Wyndham Road to the boundary of the Kalumburu Aboriginal Reserve.

BACKGROUND

Over the past two years the State Land Services has written to the Shire seeking comment on the dedication of the Kalumburu Rd as a Public Access Route or alternately a Public Road.

Until recently the understanding had been that the Shire would be required to fund or assist in funding the survey of the road for either purpose. State Land Services have advised that the survey can be undertaken from aerial photography and the centreline of the existing road, and will be at the cost of the State Government.

The advice from State Land Services is that the road has no legal status in the context of the Land Administration Act 1997, although it continues to provide access to four existing pastoral properties, the Kalumburu Aboriginal Community, several aboriginal community outstations and reserves, and the Mitchell Falls.

STATUTORY IMPLICATIONS

s56, Land Administration Act 1997 applies: -

56. Dedication of roads
- (1) If in the district of a local government —
- (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;
- (b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —
- (i) the holder of the freehold in that land applies to the local government, requesting it to do so; or
- (ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;
- or
- (d) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,
- and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.
- (2) If a local government resolves to make a request under subsection (1), it must —
- (a) in accordance with the regulations prepare and deliver the request to the Minister; and
- (b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.
- (3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —
- (a) subject to subsection (5), by order grant the request;
- (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
- (c) refuse the request.
- (4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the

Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

- (5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —
- (a) unallocated Crown land or, in the case of a private road, alienated land; and
- (b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.
- (6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

POLICY IMPLICATIONS

Council Policy E7 – Aboriginal Community Access Roads applies and is provided as Attachment 2.

FINANCIAL IMPLICATIONS

The implications for the Shire are in relation to future management issues such as weed control. Grader Grass has been identified as a problem along the Gibb River Road as well as the Kalumburu Road. Compared to the current cost of road maintenance – in excess of \$180,000 per annum (contracted maintenance grading) the anticipated cost if a weed control strategy is developed would be minimal.

For improvement projects the Shire receives approximately \$340,000 per annum and also attracts Roads to Recovery funding. To increase the effectiveness of the funding, the recent and future approach to the improvement works has been to combine two financial years of funding by commencing work in May of alternate years and continuing across the financial year to complete the works around August/September depending on the inclusion of Roads to Recovery funding.

STRATEGIC IMPLICATIONS

Key Result Area 1 – Infrastructure is relevant to the dedication of the dedication of the (Gibb River-) Kalumburu Rd

“To develop and maintain the Shire’s Infrastructure and assets to a high standard:

- Sustainable asset management for infrastructure under the Shire’s control,
- Road network that is safe and meets its functional requirements”.

COMMUNITY CONSULTATION

No community consultation has taken place in the preparation of this report. The Lessees of the Drysdale River Station pastoral lease have previously written to the State Land Services seeking a number of boundary changes to protect essential infrastructure (homestead airstrip).

COMMENT

In the light of ongoing funding deficiencies from the State and Federal Governments the Shire wrote to the State Government in December 2007 advising that in the absence of additional funding the Shire requested that the State Government take responsibility for the road. The request was declined after an assessment of the criteria (set by the State) as to whether the road served a purpose of State significance.

The dedication of the road is now considered appropriate with various reasons, namely:

1. acknowledgement of historical actions,
2. legal enforcement of road closures,
3. provision for land titles to be created,
4. rectification of issues of tenure of the stock routes through which the road traverses.

The intent with regard to a preferred road reserve width is to request a 100 metre wide road reserve (50 metres either side of centreline) except where the road has existing fencing such as at the Drysdale River Station Homestead (across the western side airstrip to the Drysdale River crossing, the Doongan Station Homestead (eastern end of the airstrip) and at the Theda Station Homestead (southern end of the airstrip). At these locations the road reserve would be reduced on that side to reflect the actual distance (between 5 and 30 metres from the edge of the table drain or road formation).

The third map (included as an attachment) shows a proposal to resolve an access issue to the Marunbanpiddie reserve which is located north of the Doongan Station Homestead turnoff. The owners of the Station have denied access to the reserve and the State Land Services requested that the Shire accept the existing access track as a Public Access Route, thereby providing public access to a recreational or tourist location. Verbal advice to State Land Services is that there is no broad community benefit in this proposal for the Shire to accept as the tourist operation is currently for specific bus/tour operators.

Whilst the sole funding for improvements to the road are from the State and Federal Governments the Shire has undertaken maintenance grading of the road for many years and the continuation of the situation that has now been outlined seems to serve no purpose in for the broader community interest.

A question raised has been the issue of the dedication on the road and the possible impact on the aboriginal access road funding. It has yet to be clarified but has been made a criteria for acceptance of the dedication.

ATTACHMENTS

Attachment 1: Alignment of Kalumburu Road

Attachment 2: Council Policy E7 – Aboriginal Community Access Roads

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council advise State Land Services that it is prepared to accept dedication of the (Gibb River) Kalumburu Rd from the junction of the Gibb River – Wyndham Road to the Kalumburu Aboriginal Community subject to:

1. there being no adverse effect on the aboriginal access road status of the road for funding purposes, and
2. maintaining a 100 metre wide road reserve except where a reduced width on one side of the road centreline is required to reflect existing fence lines protecting critical infrastructure such as homestead airstrips.

COUNCIL DECISION

Minute No. 8982

Moved: Cr K Wright

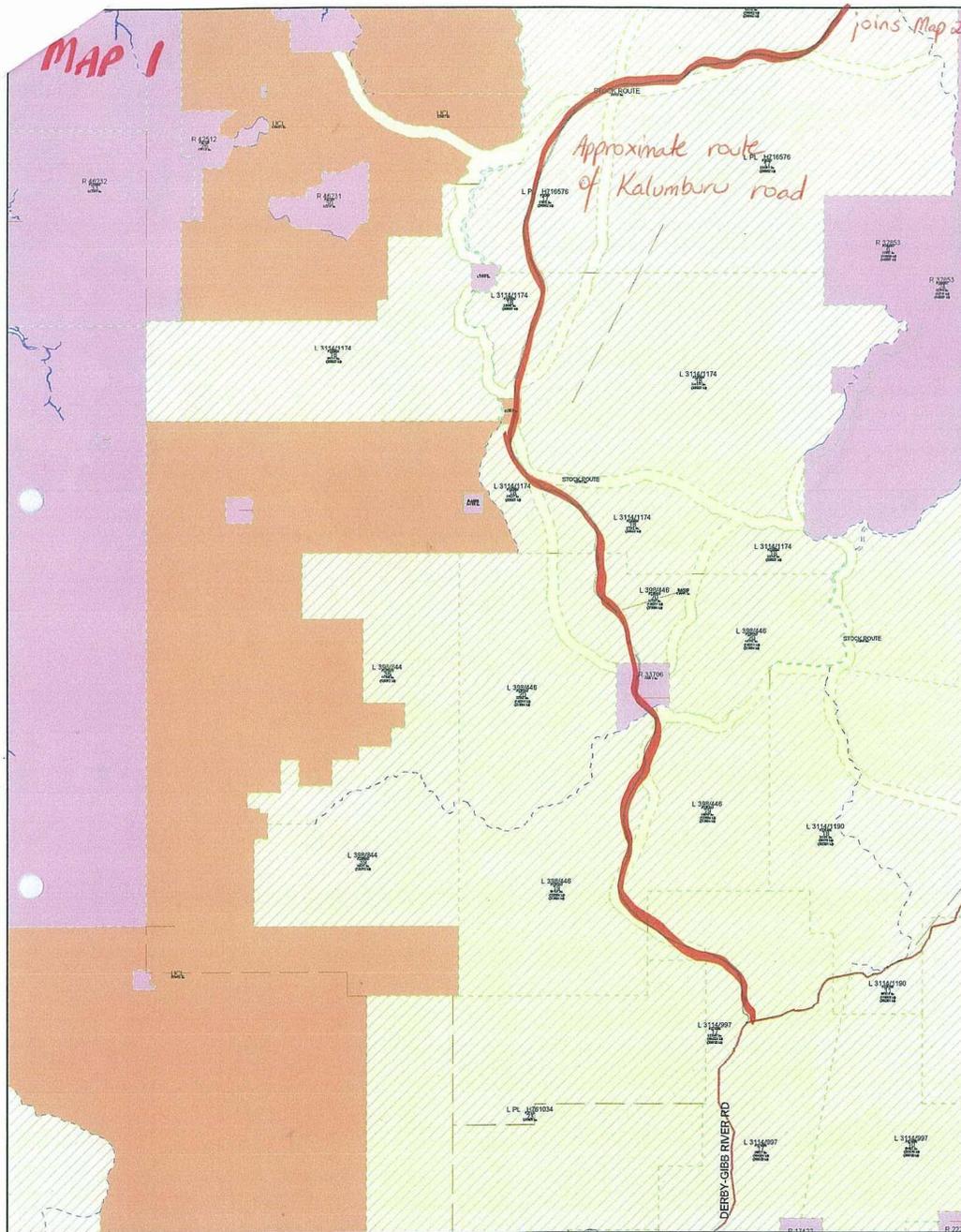
Seconded: Cr K Torres

That Council advise State Land Services that it is prepared to accept dedication of the (Gibb River) Kalumburu Rd from the junction of the Gibb River – Wyndham Road to the Kalumburu Aboriginal Community subject to:

- 1. there being no adverse effect on the aboriginal access road status of the road for funding purposes, and***
- 2. maintaining a 100 metre wide road reserve except where a reduced width on one side of the road centreline is required to reflect existing fence lines protecting critical infrastructure such as homestead airstrips.***

CARRIED UNANIMOUSLY: (8/0)

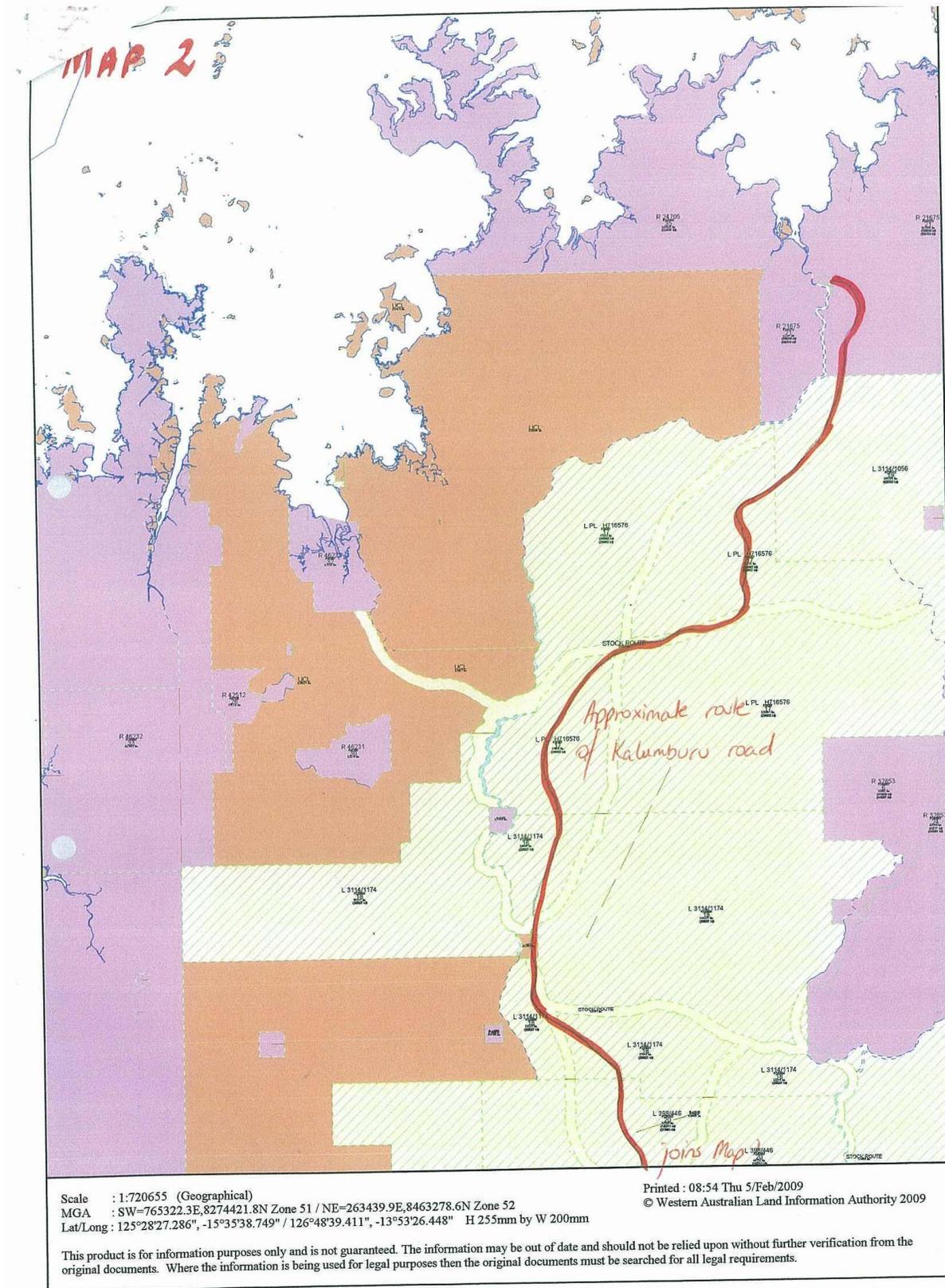
ATTACHMENT 1: KALUMBURU RD ALIGNMENT



Scale : 1:720713 (Geographical)
 MGA : SW=765548.3E,8183660.6N Zone 51 / NE=266160.3E,8373303.2N Zone 52
 Lat/Long : 125°29'11.321", -16°24'49.743" / 126°49'41.934", -14°42'13.882" H 255mm by W 200mm

Printed : 08:51 Thu 5/Feb/2009
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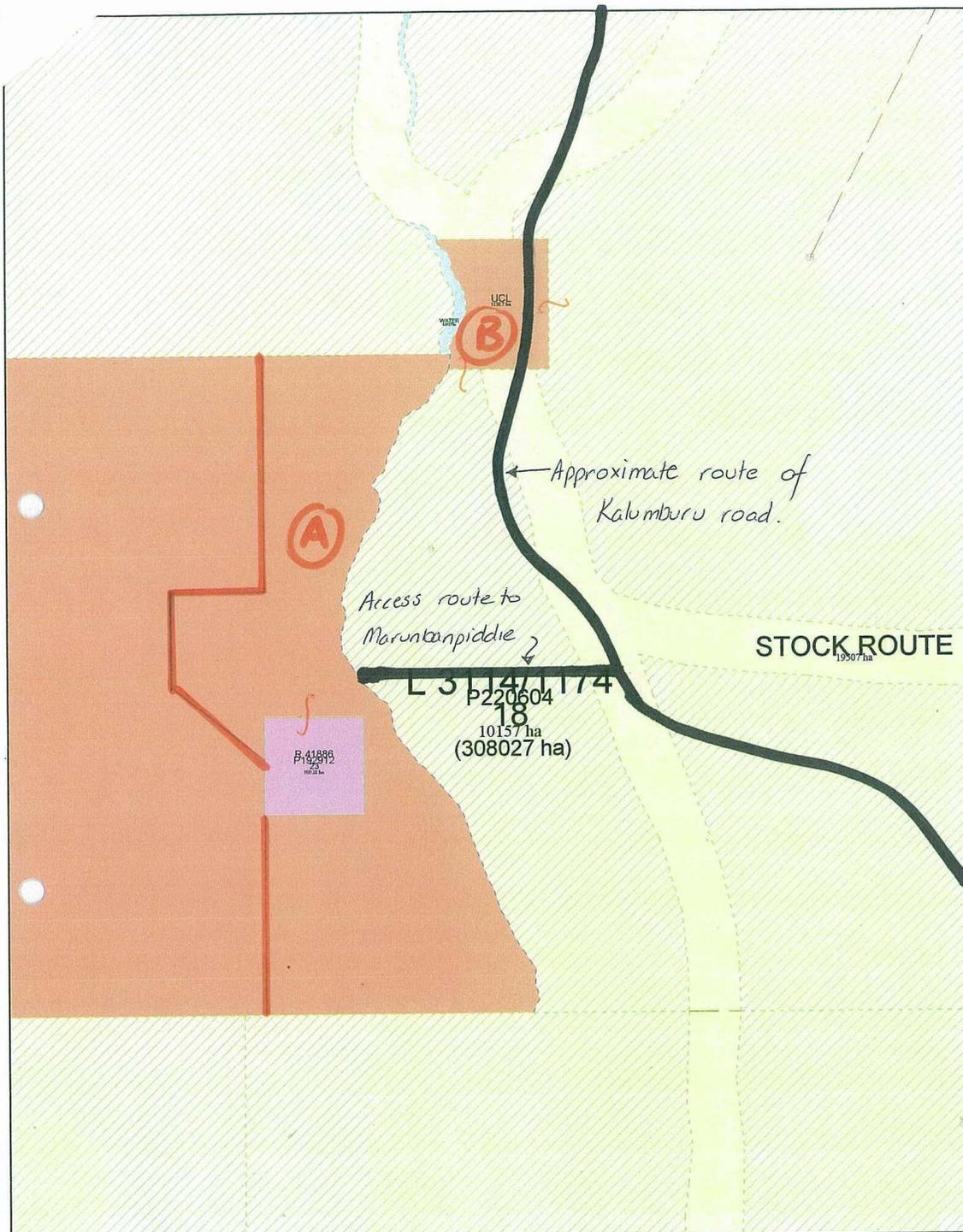
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Scale : 1:720655 (Geographical)
 MGA : SW=765322.3E,8274421.8N Zone 51 / NE=263439.9E,8463278.6N Zone 52
 Lat/Long : 125°28'27.286" , -15°35'38.749" / 126°48'39.411" , -13°53'26.448" H 255mm by W 200mm

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Scale : 1:143984 (Geographical)
 MGA : SW=183700.3E,8281410.5N Zone 52 / NE=212013.0E,8319615.0N Zone 52
 Lat/Long : 126°03'06.058", -15°31'30.493" / 126°19'11.232", -15°11'00.530" H 255mm by W 200mm

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ATTACHMENT 2: COUNCIL POLICY E7 – ABORIGINAL COMMUNITY ACCESS ROADS



Shire of Wyndham East Kimberley
Council Policy Manual
E7

POLICY No:	E7
DIVISION:	Engineering
SUBJECT:	Aboriginal Community Access Roads
REPORTING OFFICER:	Executive Manager Engineering and Development Services
ENABLING LEGISLATION:	N/A

OBJECTIVE:

To set appropriate requirements for the acceptance by the Council of responsibility for the management and maintenance of Aboriginal community access roads.

POLICY:

The Council will place Aboriginal community access roads on its local road inventory and accept responsibility for the management and maintenance of such roads conditional upon the following conditions being met:-

1. The Council has been consulted in the community planning stage with regard newly established communities and has approved the proposed road access, or
2. The Council has approved of the location and alignment of the road access with regard existing established communities, and
3. The road has been constructed to a standard and condition satisfactory to the Council having regard to community population, access requirements and traffic volumes, and
4. The road serves a broad public access function and is open and available for full public use.

ADOPTED: 20 July 2004

REVIEWED:

AMENDED:

12.4. DEVELOPMENT SERVICES

12.4.1 PROPOSED COOLIBAH SUBDIVISION - WAPC REFERENCE 140997(8983) (8984) (8985) (8986) (8987) (8988)

DATE:	15 December 2009
PROPONENT:	Whelans, Landcorp
LOCATION:	Lot 505, 508 And Portion Of Lot 501 Coolibah And 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 6.22pm due to a Declaration of Financial Interest as his employer is involved in transitional housing.

COUNCIL DECISION

Minute No.8983

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

That Council allow Cr R Addis to return to the meeting to take part in the debate and vote.

CARRIED UNANIMOUSLY: (7/0)

Cr R Addis returned to the room at 6.24pm.

PURPOSE

For the Council to consider and provide comment on the draft subdivision plan for the Coolibah/Chestnut development in consideration of provision of transitional and other housing needs and recent representations on age care housing.

BACKGROUND

The Council on 16 May 2006 resolved to support a land exchange, detailed as follows:

MINUTE NO 7436

*Moved: Cr K Wright
Seconded: Cr B Barnes*

That Council advise the Department for Planning & Infrastructure to effect the three way land swap between the Shire, FESA and the Department of Health, as per the plan in this report, subject to the following conditions:

1. FESA and the Department of Health shall be responsible for all costs associated with the land swap.

The land transfer is as follows:

- *6500 m2 Reserve 29799 being excised by Council and transferred to the Department of Health; and*
- *4900 m2 of Reserve 29387 being excised from the Department of Health and transferred to FESA; and*
- *All of Lot 987, 988 and 989 being transferred from FESA and SES to the Shire of Wyndham East Kimberley.*

CARRIED UNANIMOUSLY (6-0)

The following Figure 1 provides an understanding of subject land involved in the land exchange.



Figure 1 – Land parcels the subject of exchange

In the officers report for this proposal the following statement was provided:

“Importantly, the land swap will also result in additional aged care facilities, as well as a new Home And Community Care facility close to the existing hospital.”

Some two years on the Council at its 15 April 2008 ordinary meeting resolved in relation to the Coolibah/Chestnut site 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 with some mixed use (commercial) development.

The Council in June of this year initiated a Scheme Amendment (No.31) to rezone the site from ‘Parks and Recreation’ to ‘Town Centre’ zone with the inclusion of an additional use of a single house. The Amendment was undertaken to facilitate the development of the subdivision and accommodate transitional ‘Stepping Stone’ housing as part of an approach to integrate aboriginal people into main stream work.

The Council at the 15th September 2009 ordinary meeting then considered a draft subdivision plan for the proposed development and provided feed back to Landcorp on amending the plan to provide wider road reserves within the development, reduce the density of housing adjoining the child care and neighbourhood house sites and set aside lots around 450m² for single houses, while corner lots above 450m² and below 600m² should be developed as detached single storey grouped dwelling sites only.

Taking on broad the Council’s suggestions the subdivision plan was amended and has recently been lodged with the Western Australian Planning Commission (WAPC) for approval – refer to subdivision application provided as Attachment 1 to this report.

Prior to the lodgement of the formal subdivision application, the Council at the 20th October ordinary meeting considered Scheme Amendment 31 inclusive of submissions received from public advertising. Specifically, two of the submissions expressed concern that the formal documentation and supporting reports prepared by officers on the Amendment failed to provide previous reference to the provision of aged housing within the subdivision. Notwithstanding the validity of these concerns, the officer’s report:

1. questioned the relevancy of these submissions in relation to the proposed change in the land-use zoning as the scheme amendment process it is not the appropriate vehicle for the provision of age care accommodation;
2. acknowledged the 'Town Centre' zone when approved will support all forms of aged person's accommodation through a development application process; and
3. recommended the provision of aged care accommodation be referred to the Department of Housing, Department of Health and Landcorp for their consideration and action.

Subsequently, Mrs Pat Buchanan has approached Councillors and staff expressing concern over the lack of identified land for future age care facilities when previous resolutions of Council had sought to do so within the recently created Lot 505. To this end, Mrs Buchanan submitted a paper presented to the Council at the 20th October 2009 meeting that detailed the historical background and her rationale behind the need for 2 hectares of land to be set aside in perpetuity within the 'Coolibah/Chestnut' subdivision to cater for a range of age care facilities in the future.

The following Figure 2 provides an indicative understanding of the subdivision location highlighted by a red dash line and the 2 hectares of land as referred to by Mrs Buchanan outlined by a yellow dotted line.



Figure 2 – Location Plan

Notably, Mrs Buchanan provided a number of references in support of her position, listed as follows, and has recently lobbied for the Council's support and influence to have the draft subdivision plan, as shown in Attachment 1, amended to quarantine the 2 hectares of land adjacent to the Kununurra Hospital for future age care facilities:

- Kununurra Aged Care Committee Needs Analysis Report (October 2000)
- Council of the SWEK – Minute 7436 (May 2006)

- Council of the SWEK – Minutes 8164 (April '08) and preamble to Minute 8820.(Sept '09)
- SWEK Plan for the Future, '08-'10 – p69 under Reserve 29799 Redevelopment
- Regional Hotspots Land Supply Update Nov 2008, p8.- prepared by DPI with Landcorp for WAPC
- Enquiry by Design Report, October 2009. (personal communication, URBIS)

The Council in acknowledging Mrs Buchanan's position deferred consideration of the matter at the 20 October 2009 meeting in favour of receiving a deputation from LandCorp and Mrs Buchanan at the 1 December 2009 Briefing Session.

With the Council in receipt of formal correspondence from the WAPC seeking comment of the subdivision plan, this report has been resubmitted for Council's consideration on endorsing of the plan subject to conditions and the provision of land for future aged care facilities.

STATUTORY IMPLICATIONS

Refer to Comment Section

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Under the current draft subdivision plan there are no perceived financial implications for the Council other than continued allocation of staff time to work with Landcorp and Department of Housing in delivering transitional and other forms of housing within the East Kimberley Funding Package.

With respect to future aged care facilities, should the Council endorse the staff recommendation, funding will need to be considered in the 2010/2011 municipal budget for the acquisition of some or all of the proposed lots 2 to 5. At this stage property prices has not been established.

STRATEGIC IMPLICATIONS

Refer to Comment Section.

COMMUNITY CONSULTATION

There have been a number of methods engaged in the delivery of consultation on the Coolibah/Chestnut project, listed below:

1. Direct discussions by LandCorp representatives with key stakeholders;
2. Public presentation of information through the Ord Expansion Information Sessions
3. Formal advertising of Amendment 31.

COMMENT

As advocated by Mrs Buchanan is it important the Council plan to meet the future needs of the community by way of providing for aged care facilities to accommodate long term residents. Clearly the Council, through identification in the Strategic Plan, Future Plan and Local Planning Strategy, is mindful of this need and accordingly has supported a change in zoning for the Coolibah/Chestnut site to 'Town Centre' zone. Under this zoning aged care development can be approved at the Council's discretion through the development application process.

Additionally, as part of the strategic planning currently being undertaken through the Enquiry by Design and Town Planning Scheme Review processes further investigation and consideration on identifying suitable location/s and area of land for age care facilities can be pursued.

However, such actions should not impede the provision of much needed residential land to cater for housing need and current demand for a range of tenancies. It is evident all three tiers of government have acknowledged the provision of housing as a priority for the district and has pro-actively sought to 'fast track' the planning and development processes to establish the Coolibah/Chestnut site for this purpose. This has proved to be at considerable cost and effort to meet the required timelines for delivery of the East Kimberley Funding package. On this understanding it is recommended the Council:

1. Inform the WAPC that it supports the proposed subdivision of Lots 505, 508 and Portion of Lot 501 Coolibah and Chestnut Drive Kununurra subject to a range of conditions as outlined in the officer's recommendation;
2. Lodge an expression of interest with LandCorp to acquire some or all of lots 2 to 5 as shown on the subdivision plan at construction cost for the future provision of aged care facilities;
3. Engage in discussions with the Department of Health and Department of Housing to review the 2000 Needs Analysis Study in order to formally qualify immediate and projected long term demand for age care needs in the Shire;
4. Investigate potential sites for future health and age care facilities in the longer term based on a projected needs analysis.

On the matter of transitional housing staff has met with LandCorp and Department of Housing representatives to further progress the ratio of transitional to other housing in the Coolibah/Chestnut estate as part of the East Kimberley package. Through these discussions the current position is:

- (a) The Department is seeking 30% (or 40 residential dwelling units) within the Coolibah/Chestnut estate;
- (b) LandCorp has expressed concern that this ratio may be too high and has taken the view that 20% (or 25 residential units) of transitional housing would be more appropriate;
- (c) Staff in principle has supported LandCorp's position based on a conservative approach to ensuring a high standard of residential amenity

is achieved. This also applies to the placement of transitional housing units to be dispersed through-out the subdivision to promote greater social integration and normality of housing tenure.

In October individual Councillors were consulted on this matter via email with the majority expressing a lower ratio of around 10%, or 12 residential units would be acceptable. However at the 3rd November 2009 Briefing Session it was broadly accepted that this is not realistic given the demographics and high percentage of aboriginal population in the East Kimberley. To this end, some clear direction is required from Council as to its final position on this matter.

ATTACHMENTS

Attachment 1: Proposed Subdivision Plan

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council:

1. Advise the WAPC that it supports the proposed subdivision of Lots 505, 508 and Portion of Lot 501 Coolibah and Chestnut Drive Kununurra and request the following conditions be applied to the subdivision approval.
 - a) Those lots not forming an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period agreed by the WAPC.
 - b) A detailed plan demonstrating dual use path/cycle ways/footpath design to the specifications of the local government is to be submitted prior the commencement of site works.
 - c) Dual use paths/cycle ways/footpaths are to be constructed at the subdividers cost.
 - d) 10% of the gross subdividable area, in a position to be agreed between the subdivider and the Local Government, being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.
 - e) The land being graded and stabilised.

- f) The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost.
- g) Measures being taken to the satisfaction of the Western Australian Planning Commission to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site work.
- h) Solid fencing to be erected the western and southern boundaries of the Child Care Centre and Neighbourhood House Centre sites fronting Chestnut Avenue.
- i) Street corners with the subdivision to be truncated to the standard truncation of 8.49 metres.
- j) Arrangements being made with the local government for the upgrading and/or construction of Chestnut Avenue and Coolibah Drive.
- k) Drainage easements as may be required by the local government for the drainage infrastructure being shown on the Deposited Plan as such ad granted free of cost and vested in the local government 167 of the Planning and Development Act, 2005.
- l) The subdivider providing a written undertaking to ensure that prospective purchasers of the lots created will be advised of those provisions of the local government's Town Planning Scheme No.7 which relate to the use and management of the land.

2. Advise Applicant:

- a) In relation to Condition No. 5, the Commission hereby approves a cash in lieu contribution in accordance with Section 153 of the Planning and Development Act 2005.
- b) In relation to Condition No 8:
 - i) All trees and shrubs must be retained, with the following exceptions:
 - Any trees or shrubs on the same alignment as a boundary, except front boundaries;
 - Any tree or shrub located within a proposed carriageway, footpath or on the same alignment as services or infrastructure;
 - Any tree or shrub as approved by the Shire of Wyndham East Kimberley.
 - ii) All Boab trees that cannot be retained on site as per the above must be relocated to a site as directed by the Shire of Wyndham East Kimberley.
 - iii)

3. Lodge an expression of interest with LandCorp to potentially acquire some or all of lots 2 to 6 and 9 to 12 as shown on the subdivision plan at 'construction cost' for the future provision of aged care accommodation;
4. Lodge an expression of interest with LandCorp to potentially acquire lot 44 as shown on the subdivision plan at 'construction cost' for the future staff housing;
5. Engage in discussions with the Department of Health and Department of Housing to review the 2000 Needs Analysis Study in order to formally qualify immediate and projected long term demand for age care needs in the Shire;
6. Investigate through the Kununurra Enquiry By Design process, the Kununurra Sports Master Planning exercise and the Shire Town Planning Scheme Review potential sites for future health and age care facilities in the longer term based on a projected needs analysis, as advocated in recommendation 3 above.
7. Inform Landcorp and Department of Housing that it supports a ratio of 20% of transitional housing dispersed through-out the subdivision to promote a greater level of social integration and normality of housing tenure.
8. Inform Mrs Pat Buchanan of the Council's decision in relation to this matter.

COUNCIL DECISION

Minute No.8984

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

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

CARRIED UNANIMOUSLY: (8/0)

Standing Order 7.5 was suspended at 6.25pm

COUNCIL DECISION

Minute No. 8985

Moved: Cr J Parker
Seconded: Cr K Wright

That Council resume Standing Order 7.5.

CARRIED UNANIMOUSLY: (8/0)

Standing Order 7.5 resumed at 6.45pm.

COUNCIL DECISION

Minute No. 8986

Moved: Cr K Wright
Seconded: Cr D Ausburn

That Council:

1. *Advise the WAPC that it supports the proposed subdivision of Lots 505, 508 and Portion of Lot 501 Coolibah and Chestnut Drive Kununurra and request the following conditions be applied to the subdivision approval;*
 - a) *Those lots not forming an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period agreed by the WAPC.*
 - b) *A detailed plan demonstrating dual use path/cycle ways/footpath design to the specifications of the local government is to be submitted prior the commencement of site works.*
 - c) *Dual use paths/cycle ways/footpaths are to be constructed at the subdividers cost.*
 - d) *10% of the gross subdividable area, in a position to be agreed between the subdivider and the Local Government, being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under section 20A of the Town*

Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.

- e) *The land being graded and stabilised.*
- f) *The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost.*
- g) *Measures being taken to the satisfaction of the Western Australian Planning Commission to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site work.*
- h) *Solid fencing to be erected the western and southern boundaries of the Child Care Centre and Neighbourhood House Centre sites fronting Chestnut Avenue.*
- i) *Street corners with the subdivision to be truncated to the standard truncation of 8.49 metres.*
- j) *Arrangements being made with the local government for the upgrading and/or construction of Chestnut Avenue and Coolibah Drive.*
- k) *Drainage easements as may be required by the local government for the drainage infrastructure being shown on the Deposited Plan as such ad granted free of cost and vested in the local government under section 167 of the Planning and Development Act, 2005.*
- l) *The subdivider providing a written undertaking to ensure that prospective purchasers of the lots created will be advised of those provisions of the local government's Town Planning Scheme No.7 which relate to the use and management of the land.*

2. Advise Applicant:

- a) *In relation to Condition No. 1(d), the Commission hereby approves a cash in lieu contribution in accordance with Section 153 of the Planning and Development Act 2005.*
- b) *In relation to Condition No 1(g):*
 - i) *All trees and shrubs must be retained, with the following exceptions:*
 - *Any trees or shrubs on the same alignment as a boundary, except front boundaries;*

- *Any tree or shrub located within a proposed carriageway, footpath or on the same alignment as services or infrastructure;*
- *Any tree or shrub as approved by the Shire of Wyndham East Kimberley;*
- *where the fill requirements for the land renders the retention of vegetation impractical.*

ii) All Boab trees that cannot be retained on site as per the above must be relocated to a site as directed by the Shire of Wyndham East Kimberley.

- 3. Lodge an expression of interest with LandCorp to potentially acquire some or all of lots 2 to 6 and 9 to 12 as shown on the subdivision plan at 'construction cost' for the future provision of aged care accommodation;*
- 4. Lodge an expression of interest with LandCorp to potentially acquire lot 44 as shown on the subdivision plan at 'construction cost' for the future staff housing;*
- 5. Engage in discussions with the Department of Health and Department of Housing to review the 2000 Needs Analysis Study in order to formally qualify immediate and projected long term demand for age care needs in the Shire;*
- 6. Investigate through the Kununurra Enquiry By Design process, the Kununurra Sports Master Planning exercise and the Shire Town Planning Scheme Review potential sites for future health and age care facilities in the longer term based on a projected needs analysis, as advocated in recommendation 3 above.*
- 7. Inform Landcorp and Department of Housing that it supports a ratio of 20% of transitional housing dispersed through-out the subdivision to promote a greater level of social integration and normality of housing tenure.*
- 8. Inform Mrs Pat Buchanan of the Council's decision in relation to this matter.*

CARRIED: (5/4)

The Shire President used his casting vote to carry the motion.

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

NOTE: The decision of Council differs from the Officer's Recommendation as elected members considered that additional land should be sought.

Cr K Torres left the room at 7.06pm.

COUNCIL DECISION

Minute No.8987

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

That Council adjourn for 5 minutes.

CARRIED UNANIMOUSLY: (7/0)

The meeting was adjourned at 7.07pm.

Cr K Torres returned to the room at 7.08pm.

COUNCIL DECISION

Minute No.8988

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

That Council resume the meeting.

CARRIED UNANIMOUSLY: (8/0)

Meeting resumed at 7.09pm.

ATTACHMENT: 1



Our Ref : 140997
 Previous Ref :
 Your Ref :
 Enquiries : Peter Wood (Ph 9264 7784)

Doc No.	068417
Date	27 NOV 2009
Officer	KMPED
Response	
File	43-04-23
Cross Ref.	

23 November 2009

Chief Executive Officer
 Shire Of Wyndham-East Kimberley
 P O Box 614
 KUNUNURRA WA 6743

Application No : 140997 - Lot 505 Coolibah Drive, Kununurra

The Western Australian Planning Commission has received an application for planning approval as detailed below. Plans and documentation relating to the proposal are attached. The Commission intends to determine this application within 90 days from the date of lodgement.

Please provide any information, comment or recommended conditions pertinent to this application by the 4th January 2010 being 42 days from the date of this letter. The Commission will not determine the application until the expiry of this time unless all responses have been received from referral agencies.

If your response cannot be provided within that period, please provide an interim reply advising of the reasons for the delay and the date by which a completed response will be made. No response to this request may be taken as an indication that there is no comment to offer.

This proposal has also been referred to the following organisations for their comments:
 Horizon Power, Water Corporation, Telstra, Dept Of Environment & Conservation, Health Dept Of WA and LG As Above.

Please quote the above reference on all correspondence relating to this application.

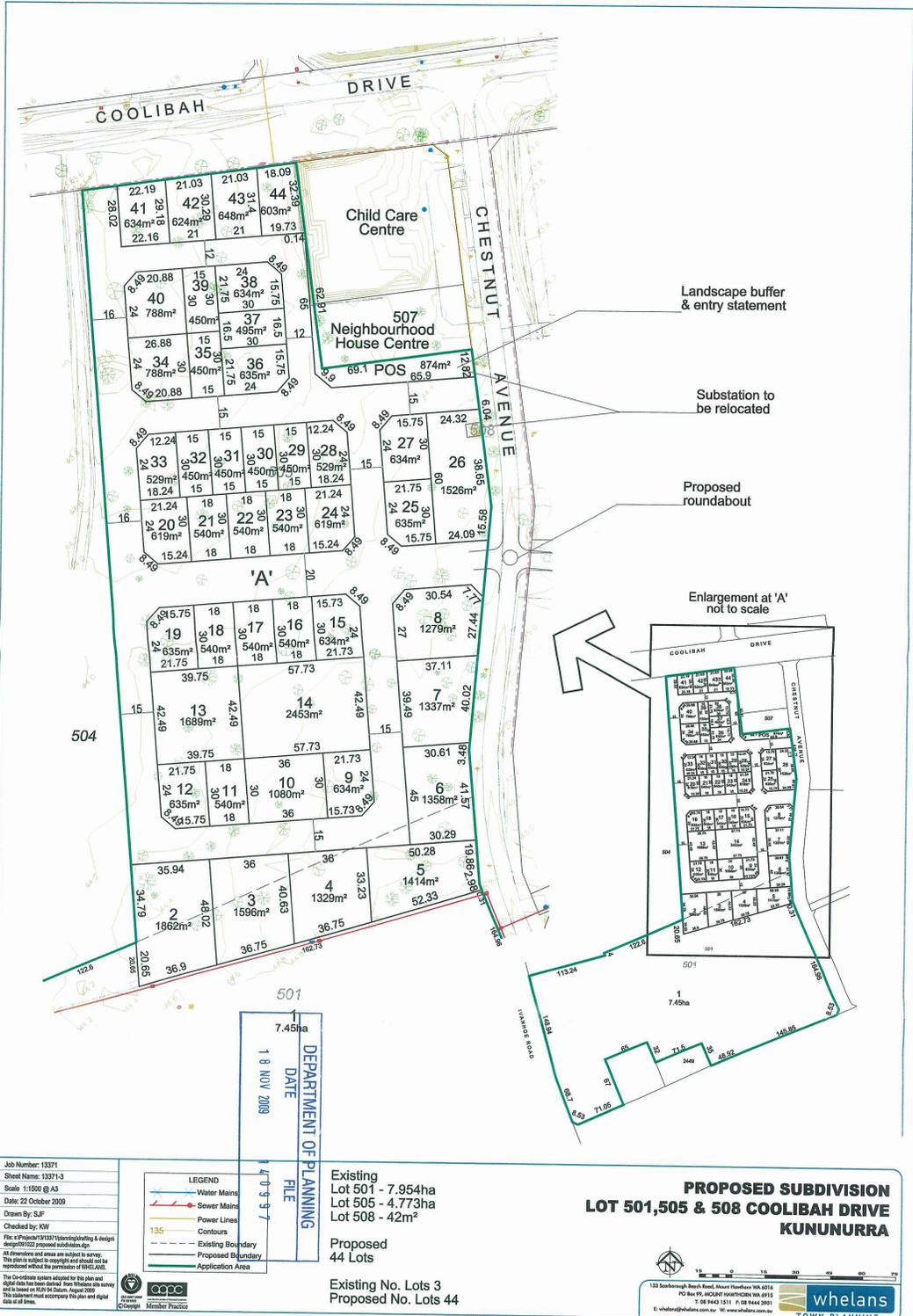
Yours faithfully

Tony Evans
 Secretary
 Western Australian Planning Commission

APPLICATION DETAILS

Application Type	Subdivision	Application No	140997
Applicant(s)	Whelans (Wa)		
Owner(s)	Department Of Regional Development And Lands , Department Of Health		
Locality	Lot 505 Coolibah Drive, Kununurra		
Lot No(s)	501,505,508	Purpose	Residential
Location		Local Gov. Zoning	Public Purposes,Parks And Recreation
Volume/Folio No.	Lr3156/763,Lr3147/775,Lr3156/766	Local Government	As Above
Plan/Diagram No.	61898,P056658/501,P061898/505	Tax Sheet	Ord 23.17
Centroid Coordinates	471443mE 8256038mN		
Other Factors	, WASTEWATER TREATMENT PLANT		

Albert Facey House, 469 Wellington Street (cnr Forrest Place) Perth, Western Australia 6000
 Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infofile: 1800 626 477
 e-mail: corporate@wapc.wa.gov.au; web address: <http://www.planning.wa.gov.au>
 ABN 35 482 341 493



12.4.2 FINAL ADOPTION OF POLICIES DC 1, LPP 6 AND LPP 7 (8989)

DATE:	15 December 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 consider final adoption of Local Planning Policies DC1 and LPP 6 and 7 in accordance with the Shire of Wyndham - East Kimberley's Town Planning Scheme No.6 and No.7.

BACKGROUND

The Council at its ordinary meetings in August and October 2009 continued a review of its Development Control Policies where it resolved to advertise the following draft Policies seeking public comment in accordance with the requirements of the Town Planning Schemes No.6 and No.7:

- DC 1 - Lodgement of Development Applications (draft)
- LPP 6 - Caretakers Dwellings in Light Industrial Areas (draft)
- LPP 7 - Relocated and Transportable Buildings (draft)

All three advertised policies are provided as Attachments 1 – 3 respectively.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Refer to Comment Section

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMUNITY CONSULTATION

As mentioned above the respective policies were advertised seeking public comment for a period of 21 days in accordance with Section 3.3 of Town Planning Scheme No.6 and Section 12.6 of Town Planning Scheme No.7. There were no submissions received.

COMMENT

There are no recommended modifications to draft policies DC 1 to LPP 6 and 7.

ATTACHMENTS

Attachment 1: draft DC 1 - Lodgement of Development Applications (draft)
Attachment 2: draft LPP 6 - Caretakers Dwellings in Light Industrial Areas (draft)
Attachment 3: draft LPP 7 - Relocated and Transportable Buildings (draft)

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to Clause 3.3.2 (b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.6 and Clause 12.6.1(b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.7 finally adopt the following Policies DC1, LPP 6, LPP7, and proceed to publish a notice for all of the Policies (as shown in Attachment 1 – 3) to this effect in the local newspaper.

COUNCIL DECISION

Moved: Cr R Addis

Seconded: Cr D Ausburn

That Council:

- 1. Pursuant to Clause 3.3.2 (b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.6 and Clause 12.6.1(b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.7 finally adopt the following Policies DC1, LPP 6, LPP7, and proceed to publish a notice for all of the Policies (as shown in Attachment 1 – 3) to this effect in the local newspaper.***

Cr K Wright moved an amendment to the motion adding the words “subject to the application form shown in Appendix B in Policy DC 1 being amended such that the requirement for Water Corporation Approvals only being required where Water Corporation Services are available”.

With the consent of the Mover and Seconder the words “subject to the application form shown in Appendix B in Policy DC 1 being amended such that the requirement for Water Corporation Approvals only being required where Water Corporation Services are available” were added to the original motion which became the substantive motion.

Minute No: 8989

That Council:

- 1. Pursuant to Clause 3.3.2 (b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.6 and Clause 12.6.1(b) of the Shire of Wyndham - East Kimberley Town Planning Scheme No.7 finally adopt the following Policies DC1, LPP 6, LPP7, and proceed to publish a notice for all of the Policies (as shown in Attachment 1 – 3) to this effect in the local newspaper. Subject to the application form shown in Appendix B in Policy DC 1 being amended such that the requirement for Water Corporation Approvals only being required where Water Corporation Services are available.***

CARRIED UNANIMOUSLY: (8/0)

NOTE: The Council decision differs from the Officer’s Recommendation as elected members were concerned that unnecessary applications would be required and would penalise property owners unnecessarily.

ATTACHMENT 1

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 delegation	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:
AMENDED:
REVIEWED:

Appendix A

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 PLAN (scale of not less than 1:500) To include location and area for landscaping to be shown.		
* SCHEDULE OF MATERIALS/COLOURS To include the type of external wall and roof claddings and relevant colours.		
* STORMWATER MANAGEMENT PLAN (scale of not less than 1:500) To include method of disposal, network of drainage and connection point into Local Government system.		

- Note:*
1. * means optional for single house, two grouped houses (duplex) and outbuildings other than where specific design guidelines or Town Planning Scheme provisions and development standards are applied;
 2. Incomplete applications will generally not be accepted.

Appendix B

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 copies)		
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: 1. * means optional for single house and outbuilding developments;*

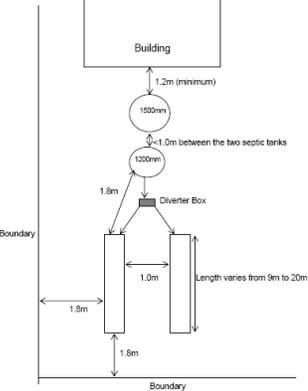
2. Incomplete applications will generally not be accepted.

Appendix C

Health Application Check List

(Please read thoroughly)

Every development application for Health approval or a licence, such as an on site effluent disposal system, shall be accompanied by the following minimum information:

MINIMUM INFORMATION	PROVIDED (Applicant to Tick)	CHECKED (Officer to Tick)
<p>COMPLETED APPLICATION FORM Completion of application form for on-site effluent disposal apparatus including signatures</p>		
<p>SITE PLAN (scale of 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; set backs from boundaries, bores, and structures position of effluent disposal apparatus (ie septic tanks and leach drains); details of plumbing fixtures that connect into system; Type of leach drain/disposal to be used (manufacturer details); alignment of sewer plumbing, existing and proposed vehicle access; location and layout of car parking spaces, where applicable. See diagram below</p> 		
<p>FLOOR PLAN (Scale not less than 1:100 – 3 copies)</p>		
<p>PAYMENT OF FEE (\$208)</p>		

Note: 1. Incomplete applications will generally not be accepted.

ATTACHMENT 2

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

OBJECTIVES:

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

POLICY:

1.0 Introduction

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

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

2.0 Definitions

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

3.0 Policy Statements

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

- 3.9 The applicant for a caretaker's dwelling is to submit with an application for planning consent a Statutory Declaration that clearly acknowledges the potential for high levels of nuisance (ie noise, dust, traffic, and hours of operation) that can emanate from an industrial activity that may have an adverse effect on the residential habitation of a caretaker's dwelling.
- 3.10 This applicant is to place a notification on the Certificate of Title for the subject property that affords notice to any prospective purchaser and heir or successor of the Title in regards to Statement 2.9, above.
- 3.11 The Local Government will not support a survey strata subdivision that involves a caretaker's dwelling unless a viable industrial business is established on the same strata lot – refer to Figure 1.

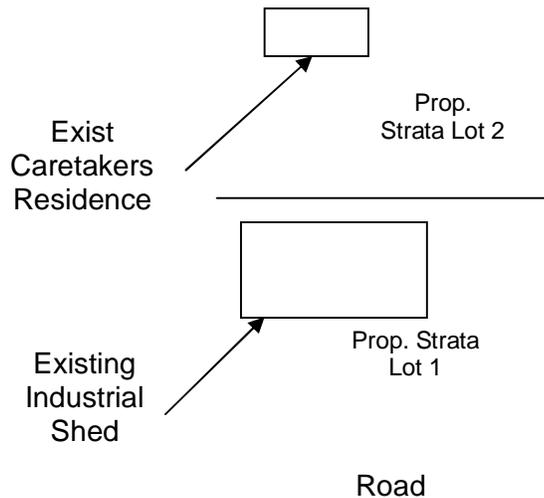


Figure 1 – Proposed Survey Strata Subdivision – **not supported**

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

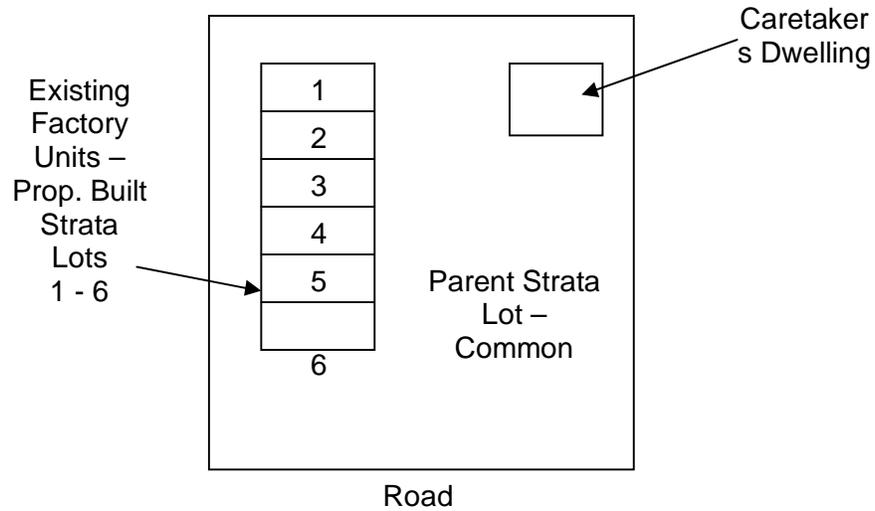


Figure 2 – Proposed Built Strata Subdivision – **only one caretaker's dwelling**

REFERENCE:

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

ADOPTED:
AMENDED:
REVIEWED:

ATTACHMENT 3

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

OBJECTIVE:

This policy is intended to:

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

POLICY:

1.0 Introduction

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

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

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

2.0 Definitions

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

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

3.0 Policy Statements

3.1 An application for transportable building shall be accompanied by a relevant building licence application inclusive of site plan, floor plan, elevations, working drawings and specification, engineering certification, and energy efficiency assessment.

3.2 The application for a Relocated Building (previously used) shall be accompanied by:

- a) A floor plan of the re-located building drawn to scale of no less than 1:100;
- b) A series of photographs of each elevation of the relocated building prior to it being dismantled showing its standard of presentation;
- c) A site plan of the property where the building is being relocated too showing the proposed location of the relocated building (and effluent disposal system if applicable) in relation to boundary setbacks, natural features, and existing buildings;
- d) A detail report on the structural integrity of the relocated building prepared by a certified Building Surveyor or practicing structural engineer;
- e) An energy efficient assessment should the intended use of the building be for residential habitation;
- f) A written submission from the proponent detailing the proposed works to be undertaken to the relocated building to improve its visual presentation and ensure it complies with the relevant building and health standards as required under the *Building Code of Australia* and the *Health Act 1911*.

3.3 The Local Government may not support the placement of a transportable or relocated building on a particular property should there be concern regarding design and aesthetic presentation of the building that could have an adverse affect on the quality of housing stock in a specific area or locality.

3.4 A relocated or transportable building shall not be sited on a property within the Shire without planning consent and a building licence being first obtained from the Local Government.

3.5 Any dwelling containing or suspected of containing asbestos must be considered by Shire’s Environmental Health Department prior to relocation. If asbestos is determined as present, it shall be removed prior to the

building it being transported in the Shire. Any removal of asbestos must comply with WorkSafe WA Asbestos Handling Guidelines.

- 3.6 The Local Government at its discretion may impose conditions requiring the relocated building to be re-roofed, re-clad and/or re-painted within a specified time frame to ensure the building presentation is of an acceptable standard to the Council.
- 3.7 The Local Government at its discretion may impose a bond or bank guarantee to a minimum value of \$7,500 to ensure that any condition on the approval is observed and met to the satisfaction of the Local Government.

ADOPTED:
AMENDED:
REVIEWED:

12.4.3 PROPOSED ROAD CLOSURE - PORTION OF OLD DARWIN ROAD, KUNUNURRA(8990)

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Old Darwin Road Kununurra
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	21.10.064
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the closure of a portion of Old Darwin Road for amalgamation with adjoining Lots 1 and 2 Old Darwin Road Kununurra and King Location 448.

BACKGROUND

The Shire received correspondence from the Department of Planning and Infrastructure (now Department of Regional Development and Lands) requesting comment on a proposal to close a portion of the Old Darwin Road reserve for amalgamation into Lot 2 Old Darwin Road. A copy of this correspondence is shown at Attachment 1.

In consultation with the Engineering Branch it was determined that the subject portion of road reserve is not required for Shire purposes, and given the existing encroachment from Lot 1 Old Darwin Road and substantial width of the road reserve (formerly a highway) it is considered appropriate to close a greater section of the road reserve.

Accordingly, comment was provided in October 2009 stating that the Shire has no objection to the closure of portion of the Old Darwin Road Reserve, however considers it consistent to close a larger portion of the road reserve, for subsequent amalgamation of the land with adjoining Lots 1 and 2 (Diagram 87117), and King Location 448 (Reserve 31780). A copy of this correspondence and plan are shown at Attachment 2.

Councils' consent is being sought to advertise the proposed road closure, as well as a resolution to close the road subject to no objections being received during the submission period.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

The proposed road closure will be required to be advertised in a local newspaper for a period of 35 days in line with requirements of the *Land Administration Act 1997* (LAA), and notification letters would also be sent to service agencies and adjoining landowners seeking their comment.

COMMENT

Shire Officers have determined that the majority of the road reserve is redundant, as the current width of this section of Old Darwin Road (formerly a highway) is approximately 140 metres wide.

Given this, and the existing encroachment, it is considered appropriate for the road closure to be supported.

It is estimated that the portion proposed to be closed is approximately 50 metres in width, for amalgamation with adjoining Lots 1 and 2 Old Darwin Road and King Location 448.

Lot 1 and 2 Old Darwin Road are owned in freehold title and Reserve 31780 is for the purpose of Conservation and Recreation, and is under the care, control and management of the Shire of Wyndham East Kimberley.

ATTACHMENTS

Attachment 1: Letter from Department for Planning and Infrastructure
Attachment 2: Recommended Road Closure Plan

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council:

1. Advertise the proposed road closure.
2. Resolve to close a portion of Old Darwin Road subject to no objections being received during the advertising period.
3. Following completion of the advertising period, request the Department for Regional Development and Lands to close a portion of Old Darwin Road, as shown at Attachment 2, for amalgamation with adjoining Lots 1 and 2 (Diagram 87117) and King Location 448.

COUNCIL DECISION

Minute No. 8990

Moved: Cr J Moulden

Seconded: Cr K Wright

That Council:

1. ***Advertise the proposed road closure.***
2. ***Resolve to close a portion of Old Darwin Road subject to no objections being received during the advertising period.***
3. ***Following completion of the advertising period, request the Department for Regional Development and Lands to close a portion of Old Darwin Road, as shown at Attachment 2, for amalgamation with adjoining Lots 1 and 2 (Diagram 87117) and King Location 448.***

CARRIED UNANIMOUSLY: (8/0)

ATTACHMENT 1



Department for Planning and Infrastructure
Government of Western Australia
State Land Services - Kimberley Regional Office

Your ref:
Our ref: 00070-2009-01 Job No 091052, 090369
Enquiries: Salvin Loge
Ph: (08) 9168 0602 Fax: (08) 9168 0600
Email: salvin.loge@dpi.wa.gov.au

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

Doc Ref:	066137
Date:	26 MAY 2009
Officer:	TPO
Response:	
Case:	01_3021.02
Ref:	

Dear Peter,

AMALGAMATION OF PORTION OF OLD DARWIN ROAD RESERVE AND PORTION LOT 711 INTO LOT 2 ON DIAGRAM 87117, KUNUNURRA

The Department for Planning and Infrastructure (DPI) has received a request to purchase and amalgamate the above-mentioned portion of road reserve and portion of lot 711 into Lot 2 Old Darwin Road (shown highlighted red on the enclosed tenure map).

The amalgamation of portion lot 711 into Lot 2 is to allow driveway access to the client's property. And the amalgamation of Old Darwin Road Reserve into Lot 2 is for re-alignment of the Northern Boundary of Lot 2 with Egret Close Road. Lot 2 has an area of 136.89 ha and is zoned "Rural Agriculture 1". Enclosed is an aerial depicting encroachments.

The DPI has advised the client that he will need to request the Shire of Wyndham East Kimberley for the road closer of the relevant portion of the road reserve.

The DPI would appreciate your agency's earliest comments/advice on this proposal.

If you require further information, or wish to discuss this matter please do not hesitate to contact this office on 9168 0602.

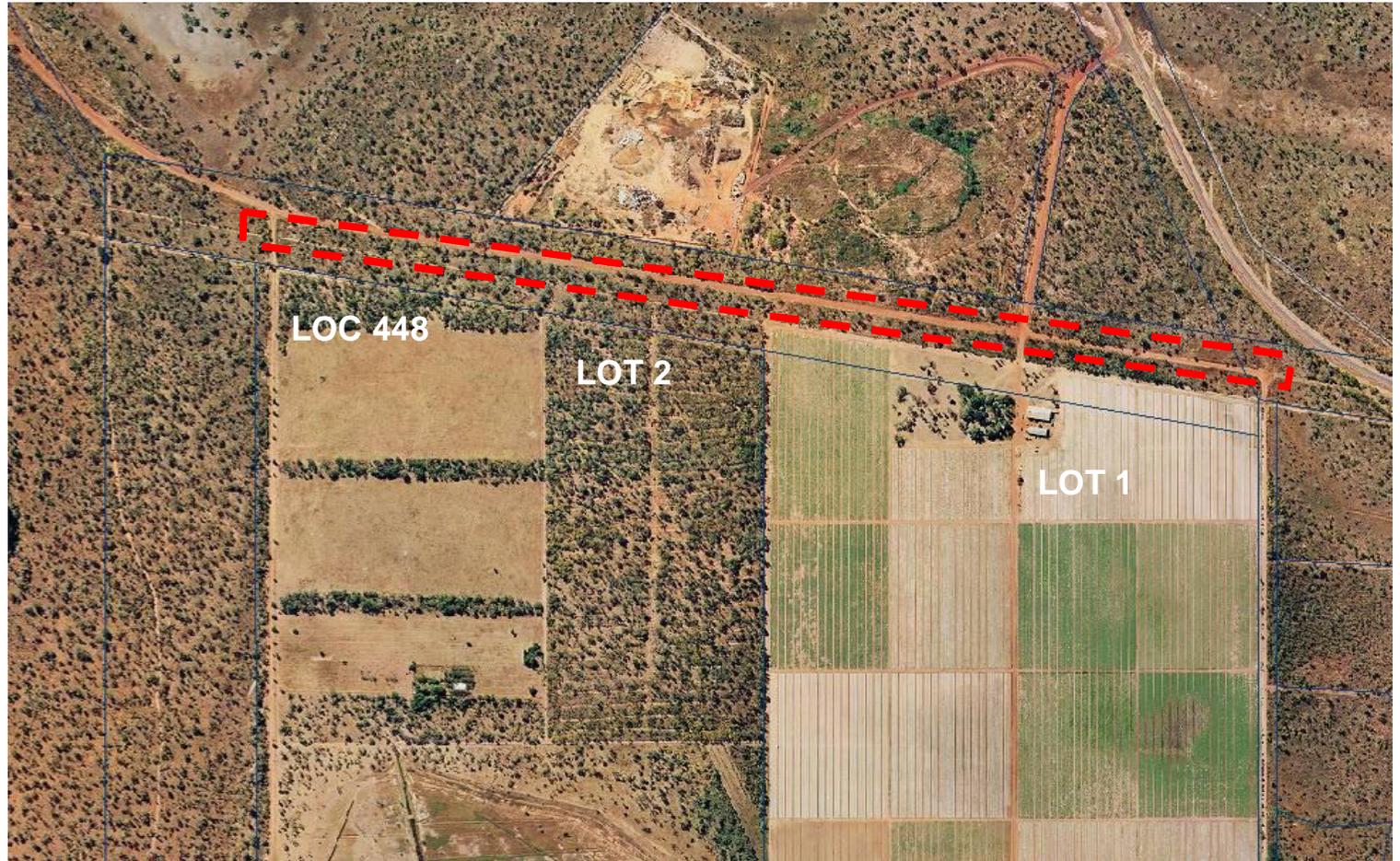
Yours faithfully

Salvin Loge
ASSISTANT STATE LAND OFFICER
KIMBERLEY/PILBARA REGION
STATE LAND SERVICES

21 May 2009

Cnr Bandicoot Drive and Messmate Way, Kununurra, Western Australia 6743
Postal Address: PO Box 630, Kununurra, Western Australia 6743
Tel: (08) 9168 0602 www.dpi.wa.gov.au ABN 40 996 710 314

ATTACHMENT 2



Portion of road reserve recommended to be closed

12.4.4 PROPOSED WHOLESALE NURSERY - LOT 104 BULL RUN ROAD, KUNUNURRA (8991) (8992)

DATE:	15 December 2009
PROPONENT:	AS&BW Lovelock
LOCATION:	Lot 104 Bull Run Road, Kununurra
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	01.6997.02
ASSESSMENT NO:	A6997

Cr K Wright left the room at 7.16pm due to a Declaration of Impartiality Interest as he is the occupier of neighbouring property.

COUNCIL DECISION

Minute No.8991

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council allow Cr K Wright to return to the meeting to take part in the debate and vote.

CARRIED UNANIMOUSLY: (7/0)

Cr K Wright returned to the room at 7.17pm.

PURPOSE

For Council to consider an application for the development of a wholesale nursery on Lot 104 Bull Run Road, Kununurra.

BACKGROUND

The Shire has received a development application from the owners of Lot 104 Bull Run Road, Kununurra for the development of a shade house.

The shade house is proposed to be 35 metres in length, 10 metres in width and 2 meters in height, and is intended to be used to cultivate mango seedlings. Copies of the submitted plans are shown at Attachments 1 & 2.

The proponent has advised that the proposed nursery will initially grow 5000 - 6000 mango seedlings as a trial to be sold wholesale to a local client, and if viable, it is intended to expand in commercial operation that may involve sale of trees/plants to supply a broader client base via orders.

SITE AND SURROUNDS

The subject site is one of six lots located on Bull Run Road in Kununurra, and has an area of 6743m². The site includes an existing shed and a transportable building utilised as a 'temporary' residence while the owners construct a rammed earth dwelling on site.

The subject land is surrounded by lots which have been developed for light industry, service industry and transport depot. Specifically, the lot to the north is also developed for the purpose of a 'wholesale nursery'.

It is also noted that a fuel depot is located to the south in close proximity to the subject site.

The following aerial photo – Figure 1 - provides an understanding of Lot 104.



Figure 1 – Location Plan

STRATEGIC IMPLICATIONS

The Local Planning Strategy identifies land uses consistent with the 'Composite Industry' zoning to include transport depot, light industry, cottage industry or service industry.

The LPS also outlines that industrial development should be located according to level of impact on the residential amenity, and further states that the 'Composite Industry' zone in Bull Run Road enclave should allow for small scale cottage industries and a residential component.

STATUTORY IMPLICATIONS

The site is zoned 'Composite Industry' in the Town Planning Scheme No. 7 – Kununurra and Environs, while a 'Nursery – Plant' use is an 'AA' (discretionary) level of permissibility.

Notably the key objective of the 'Composite Industry' zone as detailed in the Town Planning Scheme is to provide for the establishment of minor industrial pursuits and single residential development on the same property, which does not adversely impact on adjoining properties.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The \$100 application fee has been paid.

COMMUNITY CONSULTATION

With the proposed plant nursery being listed as a discretionary approval of Council ('AA') within the 'Composite Industry' zone does not need to be advertised.

CONCLUSION/COMMENT

It is considered that the proposed wholesale nursery is consistent with the objectives of the zone in that it can operate compatibly with residential living with minimal impact on adjoining residential uses, and is essentially a single person operation that is not reliant on attracting passing trade or customers.

Therefore, on this basis, it is recommended that Council grant conditional approval that addresses the objectives of the 'Composite Industry' zone.

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: Elevation

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

1. That Council approve the application for the use of Wholesale Plant Nursery, including development of a Shade House, on the Lot 104 Bull Run Road Kununurra subject to the following conditions being applied:
 - a) All development shall be in accordance with the attached approved plan(s) dated 15 December 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.

- b) The approved use is limited to the propagation of whole plants and/or trees for wholesale purposes only, and as such no retail sale of plants/trees is to occur at the property.
- c) 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 the existing road drainage 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.
- d) The provision of three (3) car parking bays constructed to a minimum compact gravel standard to be maintained to the satisfaction of the local government.
- e) All vehicles associated with the business activity shall be parked on the property.
- f) The wholesale nursery operation shall be limited to the employment of immediate family members plus one other person, unless otherwise approved by the local government.

COUNCIL DECISION

Minute No. 8992

Moved: Cr J Parker

Seconded: Cr D Ausburn

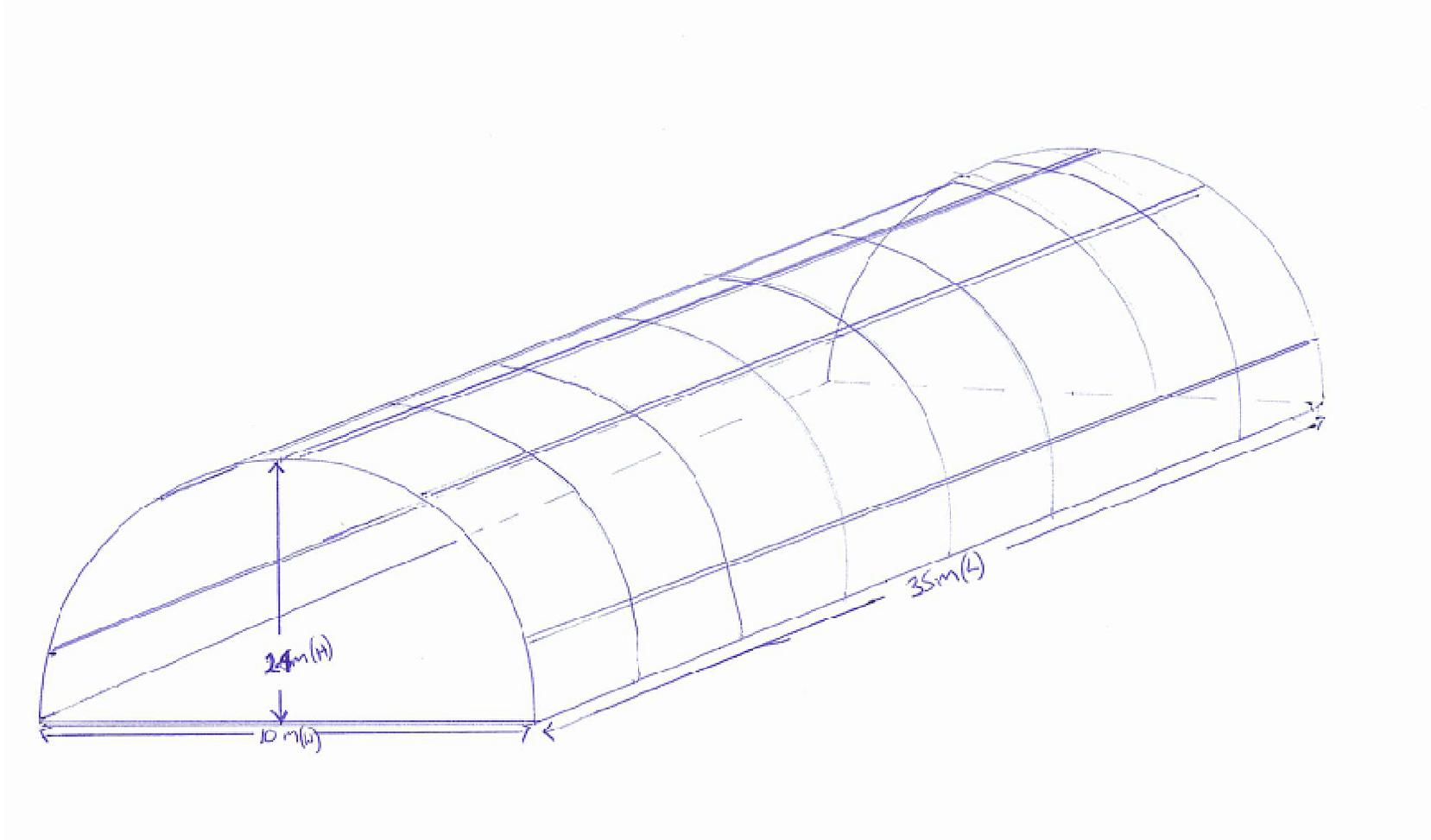
1. That Council approve the application for the use of Wholesale Plan Nursery, including development of a Shade House, on the Lot 104 Bull Run Road Kununurra subject to the following conditions being applied:

- a) All development shall be in accordance with the attached approved plan(s) dated 15 December 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.***
- b) The approved use is limited to the propagation of whole plants and/or trees for wholesale purposes only, and as such no retail sale of plants/trees is to occur at the property.***

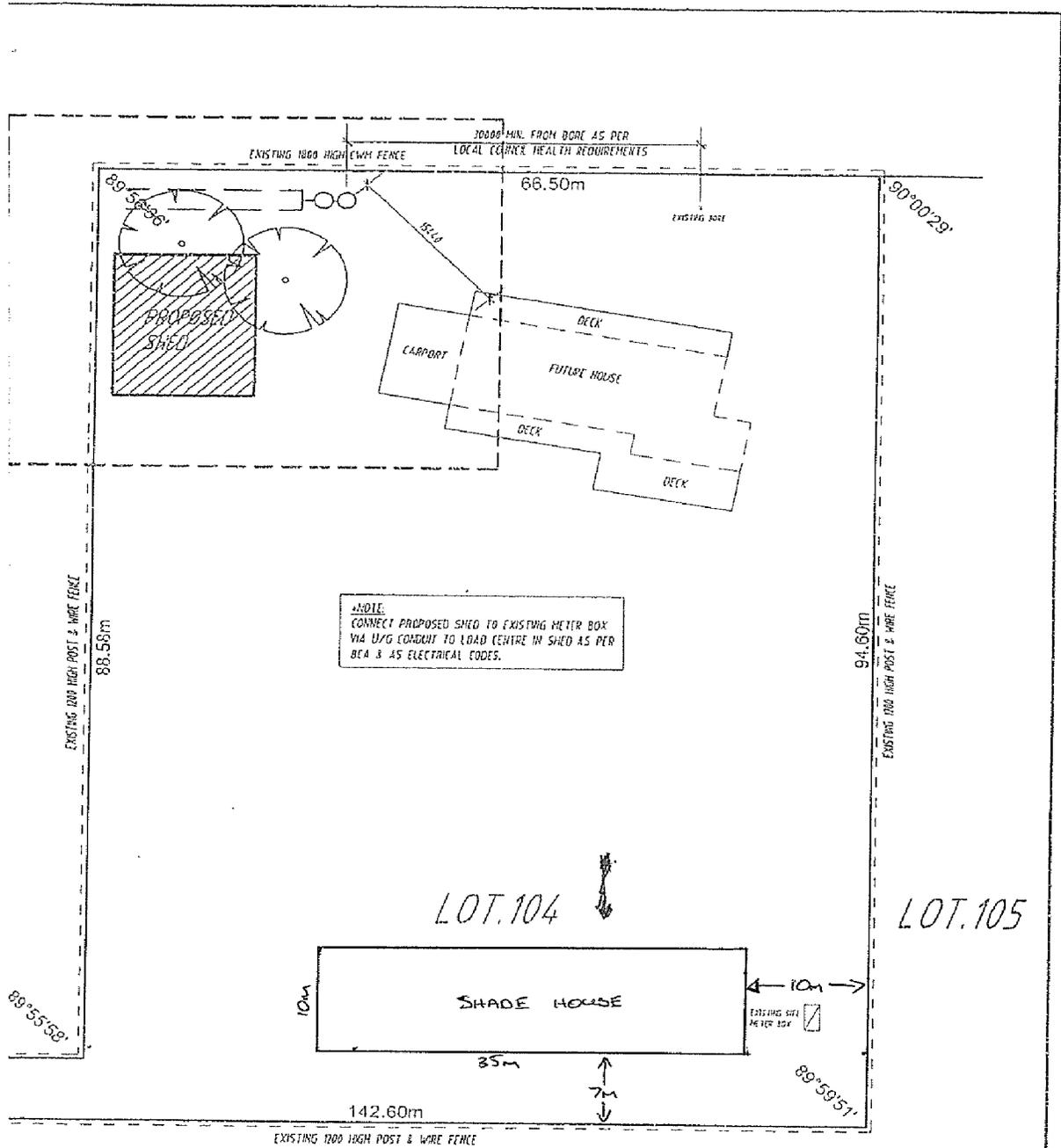
- c) No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into the existing road drainage system or disposed of onsite. Stormwater shall not be permitted to pond 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.***
- d) The provision of three (3) car parking bays constructed to a minimum compact gravel standard to be maintained to the satisfaction of the local government.***
- e) All vehicles associated with the business activity shall be parked on the property.***
- f) The wholesale nursery operation shall be limited to the employment of immediate family members plus one other person, unless otherwise approved by the local government.***

CARRIED UNANIMOUSLY: (8/0)

ATTACHMENT 1: ELEVATION WHOLESALER NURSERY



ATTACHMENT 2: SITE PLAN BULL RUN RD



AN SCALE - 1:500

Project - Description PROPOSED SHED Lot.104 Bull Run Road Kununurra, WA. 6743	Views 	Drawn	BAM	Date	Nov 2008	Drawing no. 08/0014
		Checked	MT	Scale	As Shown	
		Job No.	-	Sheet No	1 of 1	

12.4.5 PROPOSED LIGHT INDUSTRY - LOT 26 IVANHOE ROAD, KUNUNURRA (8993)

DATE:	15 December 2009
PROPONENT:	CE Bailey, SG Allan, Michelson Family Trust
LOCATION:	Lot 26 Ivanhoe Road, Kununurra
AUTHOR:	Jennifer Ninnette, Town Planning Officer
REPORTING OFFICER:	Ian D'arcy, Executive Manager Development Services
FILE NO:	01.7121.02
ASSESSMENT NO:	A7121

PURPOSE

For Council to consider an application for the use and development of a light industry on Lot 26 Ivanhoe Road, Kununurra.

BACKGROUND

The Shire has received a development application from the owners of Lot 26 Ivanhoe Road, Kununurra. The proposal involves the construction of a storage shed and caretakers dwelling as part of a staged light industry development located at the rear of the property.

The front of the property is to be developed at a later stage for lease to a tenant for rural industry purposes.

The proposed storage shed is to be 30 metres in length, 15 metres in width and 5 meters in height, while the proposed caretakers' residence is to consist of two bedrooms, two bathrooms, study, living, dining room and kitchen. External storage is also to be provided, along with verandahs shading two sides of the residence.

The proponents have advised the shed will initially be utilised for the storage of building materials and machinery, including reticulation products and a mini-excavator, to be used for various construction projects in the region.

Copies of the submitted plans are shown at Attachment 1.

SITE AND SURROUNDS

The subject site is one of seven 'Rural Industry' zoned lots located on the western side of Ivanhoe Road in Kununurra that has an area of 1.12 hectares. To the north of lot 26 is the Toll transport depot, with another lot to the south utilised for rural industry.

Land on the opposite side of Ivanhoe Road are zoned Rural Agriculture 1 and utilised for agricultural purposes.



Figure 1 – Location Plan

STATUTORY IMPLICATIONS

The site is zoned 'Rural Industry' in the Town Planning Scheme No. 7 – Kununurra and Environs. Further, 'Light Industry' is a use class that requires the discretionary approval of Council ('AA') within this zone.

The objective of the 'Rural Industry' zone is to create opportunities within the agricultural area for the establishment of industries related to agricultural pursuits and primary production. While the proposed storage of equipment and building materials is not specifically related to agricultural pursuits or primary production, arguably the proposal broadly relates to the expected growth in development and construction projects tied to agricultural activity in the region, and therefore should receive positive consideration.

POLICY IMPLICATIONS

Council has a Local Planning Policy (LPP No.6) in relation to caretaker's dwellings in light industrial areas. Although the subject land is zoned for rural industrial purposes, it is considered appropriate to adhere to the intent of this policy to ensure that the proposed development will not impede on the future development of the remainder of this property or surrounding 'Rural Industry' zoned land.

Upon assessment the location, design and floor area of the caretaker's dwelling complies with the Policy requirements.

FINANCIAL IMPLICATIONS

The \$400 application fee has been paid.

STRATEGIC IMPLICATIONS

There are no apparent strategic implications in relation to this proposal.

COMMUNITY CONSULTATION

Lot 26 is zoned Rural Industry, and light industry is a use which requires discretionary approval of Council ('AA') within this zone, and therefore does not need to be advertised.

Furthermore, there is no perceived need for consultation to be undertaken in relation to this application.

COMMENT

As the principal use of the shed relates to storage of machinery, equipment and materials that will broadly relate to agricultural pursuits or primary production, it is viewed that there will be no adverse impact on future rural industrial pursuits on either the subject land or neighbouring properties.

The applicant has provided written advice stating that the caretakers' residence is incidental to the development and necessary for security purposes during construction, and, due to the substantial size of the second stage of development, to afford the future lessees peace of mind by installing a caretaker onsite.

Accordingly, it is recommended that the application for the development of a shed for storage and workshop purposes and caretakers' residence on Lot 26 Ivanhoe Road Kununurra be approved subject to conditions.

ATTACHMENTS

Attachment 1: Site Plan/Elevation

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council:

1. Approve the application for the use of Light Industry and development of a Storage/Workshop Shed on the Lot 26 Ivanhoe Road, Kununurra subject to the following conditions being applied:
 - a) All development shall be in accordance with the attached approved plan(s) dated 15th December 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.
 - b) The shed shall be setback a minimum distance of 3 metres from the side boundary, or otherwise fire protection measures will need to be implemented.
 - c) The provision of five (5) car parking bays for the industrial component of the development, constructed to a minimum compact gravel standard to be maintained to the satisfaction of the local government. In this regard the

applicant is required to submit a plan prior to or at the time of obtaining a building licence outlining the location of the required car parking on-site.

- d) The area set aside for the parking of vehicles, together with the associated access (including street crossover) shall:
 - i) be provided and completed to the approval of the local government prior to the commencement of the use hereby permitted;
 - ii) thereafter be maintained to the approval of the local government;
 - iii) be made available for such use at all times and not used for any other purpose unless specifically approved;
 - iv) be properly formed to such levels that it can be used in accordance with the plan;
 - v) be drained and sealed with an all weather seal coat to the approval of the local government;
 - vi) have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan;
 - vii) be designed in accordance with AS2890.
- e) A landscaping plan shall be submitted with the building licence with all land indicated as landscaped area being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.
- f) All fencing shall be detailed and included in the building licence application. All fencing along all boundaries adjacent to the caretakers dwelling shall be constructed of solid materials to provide privacy to the occupants of the caretakers dwelling.
- g) A Statutory Declaration shall be submitted that clearly acknowledges the potential for high levels of nuisance (ie noise, dust, traffic, and hours of operation) that can emanate from an industrial activity that may have an adverse effect on the residential habitation of a caretaker's dwelling.
- h) The use of the caretakers' residence for any purpose other than the use explicitly permitted by this approval is prohibited, and any change of use of the building, shall be subject to further local government consent.
- i) The use of the shed has been approved for storage and workshop purposes, and any change of use of the shed shall be subject to further application being lodged with the local government.
- j) 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. 8993

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

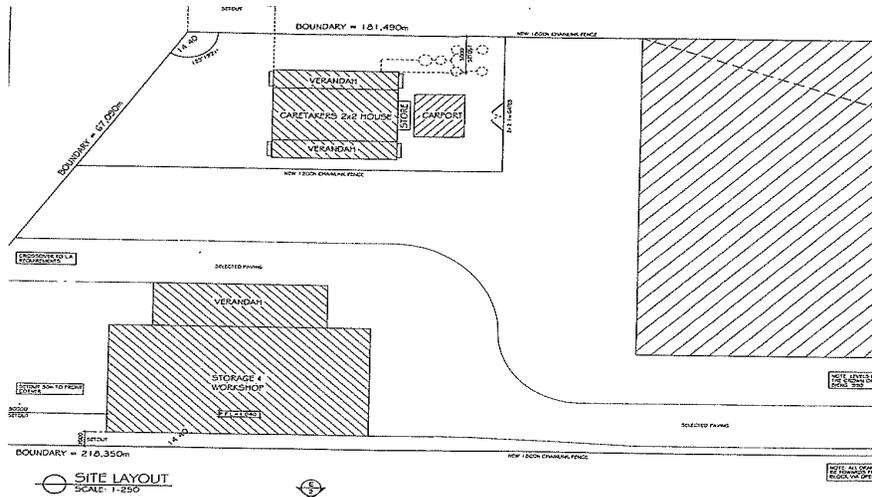
That Council:

1. **Approve the application for the use of Light Industry and development of a Storage/Workshop Shed on the Lot 26 Ivanhoe Road, Kununurra subject to the following conditions being applied:**
 - a) **All development shall be in accordance with the attached approved plan(s) dated 15th December 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.**
 - b) **The shed shall be setback a minimum distance of 3 metres from the side boundary, or otherwise fire protection measures will need to be implemented.**
 - c) **The provision of five (5) car parking bays for the industrial component of the development, constructed to a minimum compact gravel standard to be maintained to the satisfaction of the local government. In this regard the applicant is required to submit a plan prior to or at the time of obtaining a building licence outlining the location of the required car parking on-site.**
 - d) **The area set aside for the parking of vehicles, together with the associated access (including street crossover) shall:**
 - i) **be provided and completed to the approval of the local government prior to the commencement of the use hereby permitted;**
 - ii) **thereafter be maintained to the approval of the local government;**
 - iii) **be made available for such use at all times and not used for any other purpose unless specifically approved;**
 - iv) **be properly formed to such levels that it can be used in accordance with the plan;**
 - v) **be drained and sealed with an all weather seal coat to the approval of the local government;**
 - vi) **have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan;**
 - vii) **be designed in accordance with AS2890.**
 - e) **A landscaping plan shall be submitted with the building licence with all land indicated as landscaped area being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.**

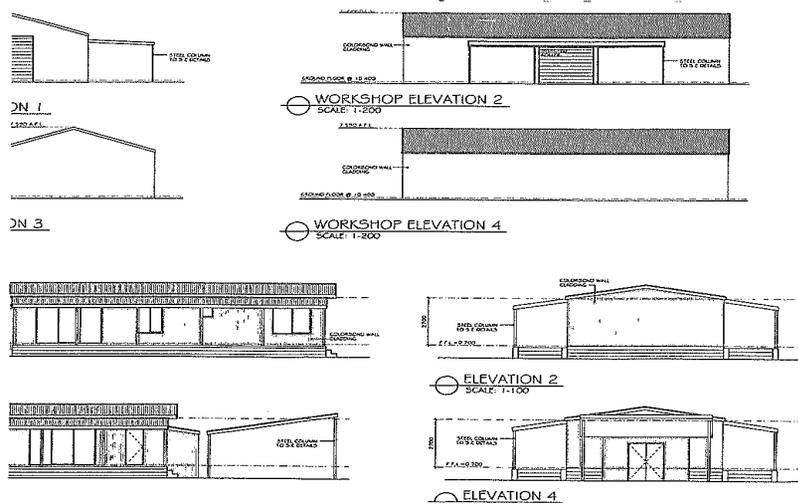
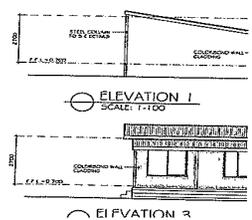
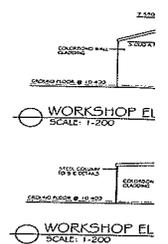
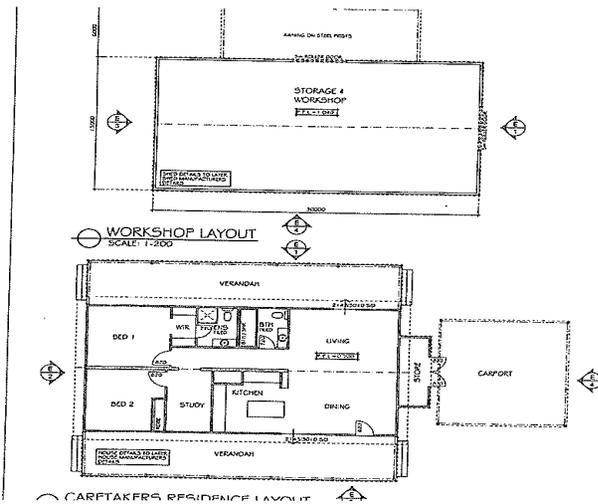
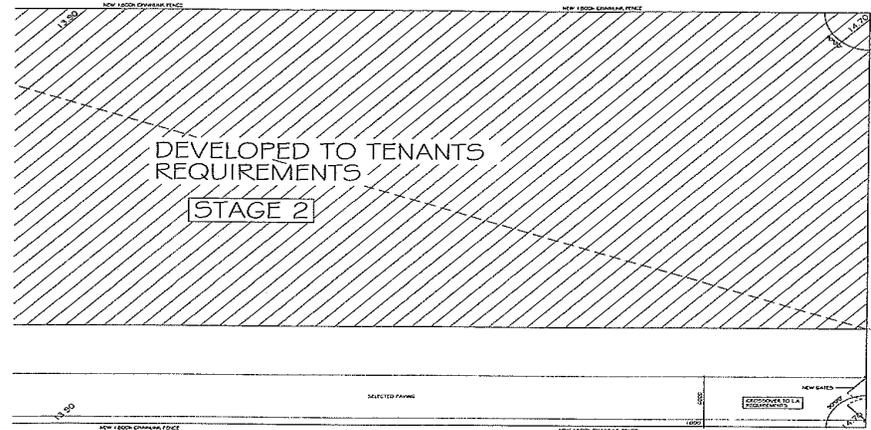
- f) All fencing shall be detailed and included in the building licence application. All fencing along all boundaries adjacent to the caretakers dwelling shall be constructed of solid materials to provide privacy to the occupants of the caretakers dwelling.**
- g) A Statutory Declaration shall be submitted that clearly acknowledges the potential for high levels of nuisance (ie noise, dust, traffic, and hours of operation) that can emanate from an industrial activity that may have an adverse effect on the residential habitation of a caretaker's dwelling.**
- h) The use of the caretakers' residence for any purpose other than the use explicitly permitted by this approval is prohibited, and any change of use of the building, shall be subject to further local government consent.**
- i) The use of the shed has been approved for storage and workshop purposes, and any change of use of the shed shall be subject to further application being lodged with the local government.**
- j) 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 UNANIMOUSLY: (8/0)

ATTACHMENT 1



SITE LAYOUT
SCALE: 1:250



PLANNING APPROVAL
MANDURAH
 R.I.U. R.C.D. 2009

12.5. COMMUNITY SERVICES

12.5.1 LAKE ARGYLE SWIM 2010 (8994)

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Lake Argyle
AUTHOR:	Wayne Richards, Manager Recreation and Leisure
REPORTING OFFICER:	Karyn Apperley, Executive Manager Community Services
FILE NO:	30.14.30
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider auspice and management of the 2010 Lake Argyle Swim.

BACKGROUND

The "Lake Argyle Swim" is an event that has generated a significant amount of interest both locally and nationally despite a relatively chequered record in its brief history.

An overview of the history of the swim:

- 2006 – 6 swimmers from Balmoral to raise money for RFDS
- 2007 – 60 swimmers - organised by Jim Hughes and KCCI
- 2008 – Rescheduled to September – Event cancelled
- 2009 – Scheduled for May/June. Official event cancelled but social swim was organised instead (2 individuals and 5 teams)

The proposed date for the event is 2 May 2010.

This event is considered a regionally significant event that has the potential to generate international recognition and create interest in the area.

The Kununurra Chamber of Commerce and Industry and Ord Valley Events were both approached in the first instance to take the lead role for the 2010 event. Both declined, citing the unavailability of staff to oversee the event as not having a direct staff member involved meant that neither body would be able to influence the committee or event to ensure its success. The Shire of Wyndham East Kimberley is in the position to provide the expertise and staff resources to run the event successfully.

STATUTORY IMPLICATIONS

There are no specific statutory implications with this report, however risk management including OHS and event management considerations apply.

POLICY IMPLICATIONS

There are no specific policy implications with this report.

FINANCIAL IMPLICATIONS

An estimated 240 hours of staff resources over the next six months will be required to manage the event. This equates to approximately \$7500 of in kind contribution. Existing staff resources within the Recreation Services section are available.

STRATEGIC IMPLICATIONS

Key Result Area 1 – Community includes the objective ‘Equitable access to quality recreational facilities and services.’

COMMUNITY CONSULTATION

Members of the 2010 Lake Argyle Swim Organisational Committee requested seeking Council as the auspice body.

COMMENT

The major barrier to the successful running of the event over the past two years and again for 2010, has been the lack of a governing body willing to oversee the organisation of the event. Without an auspice body, external funding could not be sought and insurance and sponsorship would be difficult to secure, ultimately leading to the event being scaled back or cancelled completely.

As an event, the 2010 Lake Argyle Swim presents a unique opportunity. The location is well suited to long distance swimming with warm water and relatively calm conditions. The spectacular landscape, adventurous nature and historical elements of the event have the potential to attract Australia wide and possibly worldwide interest. The history of the region will be acknowledged in race briefings and with an approach to the Durack family to name the premier event prize the “Patsy Durack Trophy”.

The event budget has been structured so that the majority of funding will come from sponsorship and external grant funding rather than participant fees. This allows shortfalls to be identified well before the event allowing the event to be altered if necessary. Budgets have been drafted to identify possible scenarios including lower than anticipated participation and/or grant funding as well as higher than anticipated participation. In all scenarios, the event will still cover all costs as it is the level of service/event scope that will differ.

This event is considered consistent with the Shire’s Recreation Services core service provision. An event that is accessible to all, promotes healthy activity, will attract positive media attention and economic benefits to the Shire through tourism.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council auspice and event manage the 2010 Lake Argyle Swim.

COUNCIL DECISION

Moved:Cr K Torres

Seconded:Cr D Ausburn

That Council auspice and event manage the 2010 Lake Argyle Swim.

Cr Wright moved an amendment which did not recieve a seconder.

With the consent of the Mover and Seconder the words 'and, in conjunction with the Durack family, work towards awarding the Patsy Durack trophy at the Lake Argyle Swim event' were added which became the substantive motion.

Minute No: 8894

Moved:Cr K Torres

Seconded:Cr D Ausburn

That Council auspice and event manage the 2010 Lake Argyle Swim and, in conjunction with the Durack family, work towards awarding the Patsy Durack trophy at the Lake Argyle Swim event.

CARRIED: (6/2)

*For: Cr F Mills, Cr J McCoy, Cr D Ausburn, Cr K Wright, Cr J Parker and Cr K Torres
Against: Cr R Addis and Cr J Moulden.*

NOTE: The Council decision differs from the Officer's Recommendation as elected members felt that recognition of the original event would be appropriate.

12.5.2 EXTENSION OF CHILDREN'S SERVICES TRAINING SUBSIDY (8995)

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Karyn Apperley, Executive Manager Community Services
REPORTING OFFICER:	Karyn Apperley, Executive Manager Community Services
FILE NO:	31.03.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider an extension of the Children Services Training Subsidy to 30 June 2010.

BACKGROUND

In response to identified needs and concerns regarding the availability of child care in Kununurra, Council made a number of resolutions at its Ordinary Council meeting of 17 November 2008 including;

*Minute No: 8455
Moved: Cr R Boshammer
Seconded: Cr R Addis*

That Council offer to partner with the business community through the Kununurra Chamber of Commerce and Industry to promote entry of people into Child Care Training via TAFE to assist and meet the growing childcare needs by offering a \$1,000 subsidy for up to 15 new people to complete Certificate 3 Children's Services training in Kununurra with the following conditions:

- 1. That the offer expires 20 December 2009.*
- 2. That the offer be matched by the KCCI other businesses or persons.*
- 3. That any staff accepting the offer, accept a written agreement that 50% of the total subsidy will be repaid if they chose not too work in childcare in the East Kimberley for 2 years.*

CARRIED: (7/1)

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications with an extension of the training subsidy to 30 June 2010 as the anticipated expenditure is included in the 2009/10 budget allocation of \$10,000 for the Family Day Care Incentive Package (extended to 30 June 2010 by Council resolution at the 17 November 2009 Ordinary Meeting). Given the take up of either the Family Day Care Incentive Package or the Children's Services Training Subsidy to the fully approved level of 5 and 15 respectively is highly unlikely based on nil take up of either incentive to date, an extension of 6 months for both subsidies is considered within budgeted resources. In addition, extension of either subsidy will be limited to the available allocation of \$10,000 included in the 2009/10 adopted budget for child care subsidy support.

STRATEGIC IMPLICATIONS

Key Result Area 2: Quality child care facilities and services.

COMMUNITY CONSULTATION

The adopted model was developed with input from the Ewin Centre Committee, State Government and some businesses. The Kununurra Chamber of Commerce has provided an email response on 11 November 2008 stating that; "The KCCI supports any efforts to increase child care capacity, and will participate wherever we are able".

COMMENT

Council's decision on 17 November 2008 reflects its ongoing commitment to support the Kununurra community address the current skills shortage for qualified child care workers, recently exacerbated by regulatory changes that now require all staff with child contact to obtain at least a Certificate 3 in Children's Services. For example, the Kununurra Child Care Centre, completed by Council in July 2007, has a building design capacity for a greater number of children than the Ewin Centre Children's Services Inc. It has been able to obtain a licence to operate and cater for larger numbers of children, but has not done so largely due to staffing shortages. In the past few months, the number of places for under 2 years olds has been reduced by 4 to 8 places due to shortages in qualified staff.

To date, no one has taken up the training subsidy offer. With the start of the New Year, Kimberley TAFE is planning to run a number of Community Services courses, including Certificate 3 in Children's Services. The beginning of Semester 1, 2010 provides a further opportunity for the Shire's child care training subsidy to be promoted through the TAFE and their enrolment processes. The extension of the training subsidy provides another avenue to improve child care availability in Kununurra.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

The Council extend the closing date for the submission period from 20 December 2009 to 30 June 2010 for the Children's Services Training Subsidy on the basis that it is expected to increase the opportunity of applications for the subsidy of \$1,000 per student within budgeted resources and assist to address the chronic shortage of child care staff in the Shire.

COUNCIL DECISION

Minute No.8995

Moved: Cr D Ausburn

Seconded: Cr J Moulden

The Council extend the closing date for the submission period from 20 December 2009 to 30 June 2010 for the Children's Services Training Subsidy on the basis that it is expected to increase the opportunity of applications for the subsidy of \$1,000 per student within budgeted resources and assist to address the chronic shortage of child care staff in the Shire.

CARRIED UNANIMOUSLY: (8/0)

12.6. CHIEF EXECUTIVE OFFICER

12.6.1 USE OF COMMON SEAL (8996)

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.14.02
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 6 November 2009 to 7 December 2009.

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
30/11/09	Town Planning Scheme No. 7, Amendment No. 32 (x3 copies)	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 6 November 2009 to 7 December 2009.

COUNCIL DECISION

Minute No. 8996

Moved: Cr R Addis

Seconded: Cr J Parker

That Council receive the report on the application of the Shire of Wyndham East Kimberley Common Seal from 6 November 2009 to 7 December 2009.

CARRIED UNANIMOUSLY: (8/0)

12.6.2 DELEGATED AUTHORITY REPORT (8997)

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Support Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

To report to Council on the use of Delegated Authority by Officers for the period 1 November 2009 to 30 November 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 November 2009 to 30 November 2009.

COUNCIL DECISION

Minute No. 8997

Moved: Cr K Torres

Seconded: Cr J Moulden

That Council receive the Delegated Authority Report for the period 1 November 2009 to 30 November 2009.

CARRIED UNANIMOUSLY :(8/0)

ATTACHMENT: DELEGATED AUTHORITY REPORT

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 November 2009

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	EST. VALUE	COMMENT / PROCESSING TIME WORKING DAYS –
182/2009	12/08/2009	12/11/2009	R B Dessert	R B Dessert	Lot 300 (KL 243F) Weaber Plain Road Kununurra	Class 7B/8 Commercial Storage & Production	\$100,000.00	
183/2009	26/10/2009	5/11/2009	The Roman Catholic Bishop of Broome (St Josephs School Kununurra)	PJ & T Ellis Builders Pty Ltd	Lot 970 Coolibah Drive Kununurra	Class 10A Ablution addition & refurbishment & Class 10A Bus Garage	\$127,000.00	8/15 days
184/2009	1/09/2009	30/11/2009	Ian Smaller	Ian Smaller	Lot 144 Whimbrel Rd	class 1a Dwelling and class 10a Carport and Vdh	\$400,000.00	65/15 insufficient information supplied by builder
185/2009	27/10/2009	11/11/2009	Green Country Holdings Pty Ltd	Green Country Holdings Pty Ltd	Lot 102 Bullrun Road Kununurra	Class 10A - non-habitable garage/store shed - no ablution & enclosed on 3 sides only.	\$19,999.00	11/15 days - Planning Approval required
186/2009	10/11/2009	11/11/2009	Shannon & Tony Tuohey	Shannon & Tony Tuohey	Lot 1232 (1/11) Koolparn Court Kununurra	Class 1A Addition to existing dwelling - external staircase	\$3,000.00	1/15 days
187/2009	22/10/2009	13/11/2009	Craig Jolly	Adrian Roxburgh	Lot 249 Gardenia Drive	Class 10b pool and shade sails.	\$32,000.00	14/15 Days
188/2009	12/11/2009	12/11/2009	Jason & Lisa Clark	Jason & Lisa Clark	Lot 727 (6) Silverbox Avenue Kununurra	Class 10B Shade sails (2 off)	\$4,000.00	1/15 days
189/2009	20/10/2009	17/11/2009	R & D Finckh	R & D Finckh	Lot 1215 (22) Bloodwood Drive Kununurra	Class 6/ 7B/8 Extension to existing Commercial Retail, Storage &	\$75,000.00	20/15 days - insufficient information

						Production		supplied by builder
190/2009	2/11/2009	Not released - pending documentation	El Jay Investment Holdings Pty Ltd	Nimble Homes Pty Ltd				
191/2009	19/10/2009	Not released - pending documentation	Bothkamp Australia Pty Ltd	Colin Wilkinson Developments Pty Ltd				
192/2009	15/01/2008	18/11/2009	Lyma Pty Ltd	Ed Duff Contracting	Lot 2 (2254F) Konkerberry Drive Kununurra	Class 7B/8 Commercial Storage & Production	\$77,000.00	Over 15 days - application required further information & misfiled
193/2009	8/08/2008	18/11/2009	Plant Hire Services	Plant Hire Services	Lot 2204 Stockman Road Kununurra	Class 1A x 2 relocated dwellings, Class 5 offices & Class 7A Wash down bay	\$40,000.00	Over 15 days - application required further information
194/2009	8/10/2009	18/11/2009	Lyma Pty Ltd	Ed Duff Contracting	Lot 2 (2254F) Konkerberry Drive Kununurra	Class 7A Commercial Car Park	\$40,000.00	29/15 days - PA & further information required
195/2009	2/11/2009	24/11/2009	Dept Housing	Maglion Enterprise	Lot 220 Ghost Gum St Knx	Class 1 a dwelling with attached class10a verandah and Carport	\$354,926.00	15/15/ days
196/2009	2/11/2009	24/11/2009	Dept Housing	Maglion Enterprise	Lot 236 Livistona St Knx	Class 1 a dwelling with attached class10a verandah and Carport	\$354,926.00	15/15/ days
197/2009	2/11/2009	24/11/2009	Dept Housing	Maglion Enterprise	Lot 238 Livistona St Knx	Class 1 a dwelling with attached class10a verandah and Carport	\$354,926.00	15/15/ days
198/2008	16/11/2009	26/11/2009	Brett Cooper	Darren Fulcher	Lot 230 Ghost Gum	Class 1 a dwelling with attached class10a verandah and Carport	\$2,279.11	9/15 Days
199/2009	9/11/2009	30/11/2009	Mirima language centre	KGC enterprises	Lot 2229 Spear Grass	Class 5 Office and Meeting room	\$637,976.00	15/15 Days

200/2009	3/11/2009	Pending last information	Janbar Pty Ltd	Owner builder	lot 1481 Gt North Highway Wyndham	Super market additions and refurb.		23 so Far
201/2009	16/11/2009	30/11/2009	Scott Harvey	Scott Harvey	Lot 111 Salacca Loop	class 8 Shed	\$120,000.00	Over 15 days - application required further information (now split into two apps.)
							\$2,643,032.11	

THERE WERE NO SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 November 2009

DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 November 2009

Licence Number	Date	Assess No	Property Address	Premises	Owner	Builder / Contractor	Contact Details	Comments (Asbestos)
020/2009	12/11/2009	2198	Lot 829 Koolama St	2 storey dwelling	SWEK	Noosa Demolition (WAD226)	39 Eumundi Road Noosaville 4566 QLD	Timber frame-asbestos clad

TOWN PLANNING DELEGATED AUTHORITY APPROVALS - NOVEMBER 2009

Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Assess't Number	Approval Date	Comment
101/09	P	8-Oct-09	Glenn and Di Ausburn	Glenn Ausburn	Lot 2 Konkerberry Drive	Loading bay extension	3103	03-Nov-09	Approved by Ian D'Arcy
107/09	P	27-Oct-09	Keith Wright	Green Country Holdings	Lot 102? Bull Run Road	Storage shed/garage	76	09-Nov-09	Approved by Ian D'Arcy
104/09	P	15-Oct-09	St. John's Ambulance KNX	St. John's Ambulance	Lot 2449 Coolibah Drive	Erect two new signs	5475	10-Nov-09	Approved by Ian D'Arcy
96/09	P	21-Sep-09	Hodgkinson Architechs	UCA Assembly Limited	Lot 501 Coolibah Drive, Kununurra	Day Care facility for Health and Community Care	1665	12-Nov-09	Approved by Ian D'Arcy
96/09	P	21-Sep-09	Hodgkinson Architechs	UCA Assembly Limited	Lot 501 Coolibah Drive, Kununurra	Day Care facility for Health and Community Care	1665	12-Nov-09	Approved by Ian D'Arcy
103/09	P	14-Oct-09	Tropo Architechs	East Kimberley Medical Service	Lot ? Ironwood Drive	New Medical centre	1127	12-Nov-09	Approved by Ian D'Arcy
95/09	P	23-Sep-09	Scribe Design Group	CWD	Lot 102 Salacca Loop, Kununurra	Office/Shop/Workshop accomodation	7097	13-Nov-09	Approved by Ian D'Arcy
95/09	P	23-Sep-09	Scribe Design Group	CWD	Lot 102 Salacca Loop, Kununurra	Office/Shop/Workshop accomodation	7097	13-Nov-09	Approved by Ian D'Arcy
99/09	P	29-Sep-09	Brett Hall	Brett Hall	Lot 25 Curlew Close	Verandah Addition to dwelling	6885	13-Nov-09	Approved by Ian D'Arcy

106/09	P	23-Oct-09	Jason Lerch	Jason Lerch	LOC259 Weaber Plains Road	Machinery storage shed	34	13-Nov-09	Approved by Ian D'Arcy
90/09	P	7-Sep-09	Ord River House P/L	Ord River House P/L	Lot 2451, Konkerberry Drive	2 Storey building for shops/offices and residence	1818	19-11-09	Carparking in road reserve ongoing. Revised plans for Stage 1 (single office building) submitted on Mon 16 November 2009 and amended on 18 November to address issues raised. Approval garbted for 1 x Commercial Office ONLY by Ian D'Arcy on 19 November 2009.

COMMUNITY IN-KIND REQUESTS DELEGATED AUTHORITY APPROVALS – December 2009

Approval Date	Organisation	Request Details	In-Kind Value
30/11/09	Kimberley community Legal Service	Post Mock Trial Debrief & Lunch at Youth Centre 3/12/2009	\$70.00

12.7. ELECTED MEMBER REPORTS

Cr D Ausburn

Date	Meeting
21 November 2009	Kimberley Fine Diamonds
28 November 2009	Kimberley Visitors Centre Tourism Evening
1 December 2009	Liquor Accord - Pumphouse

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

Nil

COUNCIL DECISION

Minute No. 8998

Moved: Cr J Parker

Seconded: Cr K Torres

That Council move to Behind Closed Doors to consider Items 16.1 and 16.2.

CARRIED UNANIMOUSLY: (8/0)

Council moved to Behind Closed Doors at 7.29pm

16. MATTERS BEHIND CLOSED DOORS

**16.1 KUNUNURRA AGRICULTURAL SOCIETY INC - LEASE OF EX
KUNUNURRA RIDING CLUB RESERVE (8999)**

DATE:	15 December 2009
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Portion Of Reserve 29799
AUTHOR:	Alex Douglas, Executive Manager Engineering and Regulatory Services
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	66.20.08
ASSESSMENT NO:	N/A

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

a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

OFFICER'S RECOMMENDATION

That Council:

1. approve the amendment of the Kununurra Agricultural Society Inc. lease of Portion of Reserve 29799 to include the area of the Reserve previously leased to the Kununurra Riding Club Inc. by way of exchange of letters, subject to the approval of the Minister for Lands; and
2. authorise the Shire President, Deputy Shire President and the Chief Executive Officer to enter in to negotiations with the Kununurra Agricultural Society Inc. in relation to options for the current lease and report to Council no later than February 2010.

COUNCIL DECISION

Minute No. 8999

Moved: Cr J Parker

Seconded: Cr J Moulden

That Council:

- 1. approve the amendment of the Kununurra Agricultural Society Inc. lease of Portion of Reserve 29799 to include the area of the Reserve previously leased to the Kununurra Riding Club Inc. by way of exchange of letters, subject to the approval of the Minister for Lands, and;***
- 2. authorise the Shire President, Deputy Shire President and the Chief Executive Officer to enter in to negotiations with the Kununurra Agricultural Society Inc. in relation to options for the current lease and report to Council no later than February 2010.***

CARRIED UNANIMOUSLY: (8/0)

**16.2 APPLICATION FOR FUNERAL DIRECTORS LICENCE -
IMELDA AGARS (9000) (9001)**

DATE:	15 December 2009
PROPONENT:	Poomundi Enterprises Pty Ltd
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	John Gault, Works Manager Kununurra
REPORTING OFFICER:	Alex Douglas, Executive Manager Engineering and Regulatory Services
FILE NO:	33.14.20
ASSESSMENT NO:	N/A

Cr F Mills left the room at 7.30pm due to a Declaration of Financial Interest as he has been financially involved with the applicant in the past.

Cr J Moulden took the position of Acting Presiding Member at 7.31pm.

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

a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

OFFICERS RECOMMENDATION

That Council, in respect of Imelda Charlotte Agars application for a Funeral Directors Licence:

1. not grant a licence at this time, and
2. advise Ms Agars that a copy of her public liability insurance information needs to be presented to the Shire before an application for funeral directing will be reconsidered.

COUNCIL DECISION

Minute No. 9000

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

That Council, in respect of Imelda Charlotte Agars application for a Funeral Directors Licence:

- 1. not grant a licence at this time, and***
- 2. advise Ms Agars that a copy of her public liability insurance information needs to be presented to the Shire before an application for funeral directing will be reconsidered.***

CARRIED: (7/0)

Cr F Mills returned to the room at 7.33pm and resumed the position of Presiding Member.

COUNCIL DECISION

Minute No. 9001

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

That Council come out of from Behind Closed Doors.

CARRIED UNANIMOUSLY: (8/0)

Council came out of from Behind Closed Doors at 7.34pm.

17. CLOSURE

The Shire President wished Councillors and Staff a Merry Christmas and thanked the Councillors for their efforts during the year.

With all matters of business complete the Shire President declared the meeting closed at 7.34 pm.