



MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 16 MARCH 2010

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

Shire President Confirmed

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SHIRE OF WYNDHAM-EAST KIMBERLEY

MINUTES

OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 16 MARCH 2010 AT 6:00 PM

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

2. RECORD OF ATTENDANCE

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

GALLERY

Mr P Westerbeek

APOLOGIES

Cr K Wright

LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Cr F Mills

3. DECLARATIONS OF INTEREST

- **Financial Interest**

Cr J Parker declared a Financial Interest in Item 12.2.3 Shares in Cambridge Gulf Limited due to her husband being employed by Cambridge Gulf Limited.

Cr R Addis declared a Financial Interest in Item 12.4.4 Town Planning Scheme No 7 – Amendment 29 – Pindan Avenue, Kununurra due to his employer owning property on Pindan Avenue.

- **Impartiality Interest**

Nil

- **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

COUNCIL DECISION

Minute No: 9059

Moved: Cr D Ausburn

Seconded: Cr J Parker

That a leave of absence is approved for Cr K Wright for the Ordinary Council Meeting to be held on 20 April 2010.

CARRIED UNANIMOUSLY: (6/0)

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON 16 FEBRUARY 2010

RECOMMENDATION

That Council confirm the Minutes of the Ordinary Council Meeting held on 16 February 2010.

COUNCIL DECISION

Minute No: 9060

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

That Council confirm the Minutes of the Ordinary Council Meeting held on 16 February 2010.

CARRIED UNANIMOUSLY: (6/0)

8.2 CONFIRMATION OF SPECIAL COUNCIL MEETING HELD ON 9 MARCH 2010

RECOMMENDATION

That Council confirm the Minutes of the Special Council Meeting held on 9 March 2010.

COUNCIL DECISION

Minute No: 9061

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

That Council confirm the Minutes of the Special Council Meeting held on 9 March 2010.

CARRIED UNANIMOUSLY: (6/0)

**8.3 RE-CONFIRMATION OF COUNCIL MINUTES OF ORDINARY COUNCIL MEETING HELD ON 10 NOVEMBER 2009
ERROR IN MINUTES – TABLES WERE TRANSPPOSED**

RECOMMENDATION

That Council re-confirm Council Decision Minute No 8939 Item 12.4.13 Implementation of the Food Act 2008 and Variation to Health Fees and Charges held at Ordinary Council Meeting on 17 November 2009. The Council decision should read:

COUNCIL DECISION

Minute No. 8939

Moved: Cr K Wright

Seconder: Cr J Moulden

1. That Council advertise in accordance with the *Local Government Act 1995* its intent to remove the following health fees and charges on 31 December 2009:

Application for approval to construct a food premise	100.00
Eating House Licence / annum	200.00
Transfer of Eating Houses Licence	50.00
Temporary Food Stall Permit	
Monthly Licence (minimum)	30.00
Annual Licence	300.00
Itinerant Food Vendor	
Monthly Permit (minimum)	40.00
Annual Permit	400.00

2. That Council advertise in accordance with the *Local Government Act 1995* its intent to impose the following health fees and charges from 1 January 2010:

Notification of Food Business (Food Act 2008 s.107)	
Exempt food business (not-for-profit, community groups & very low risk)	No fee
Registration of Food Business (Food Act 2008 s.110)	
High Risk	200.00
Medium Risk	100.00
Low Risk	50.00
Food Business Annual Surveillance Charge (Food Act 2008 s.140)	
High Risk	300.00
Medium Risk	200.00
Low Risk	100.00

3. That Council amend the delegated authority register to include delegations specific to the introduction and implementation of the *Food Act 2008* as per Attachment 1.

CARRIED UNANIMOUSLY: (7/0)

COUNCIL DECISION

Minute No: 9062

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

That Council re-confirm Council Decision Minute No 8939 Item 12.4.13 Implementation of the Food Act 2008 and Variation to Health Fees and Charges held at Ordinary Council Meeting on 17 November 2009.

CARRIED UNANIMOUSLY: (6/0)

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Deputy Shire President announced he would like support and co-operation from Councillors to formalise the meeting by dealing with the Officers Recommendation as detailed in the Agenda in the first instance. If anyone opposes the Officers Recommendation, further discussion would then take place.

10. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1 MINUTES OF AUDIT COMMITTEE MEETINGS

11.1.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 9 MARCH 2010

RECOMMENDATION

That Council note the unconfirmed Minutes of the Audit Committee held on 9 March 2010.

COUNCIL DECISION

Minute No: 9063

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council note the unconfirmed Minutes of the Audit Committee held on 9 March 2010.

CARRIED UNANIMOUSLY: (6/0)

11.2 MINUTES OF AIRPORT COMMITTEE MEETINGS

Nil

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 MATTERS ARISING FROM AUDIT COMMITTEE MEETING HELD ON 9 MARCH 2010

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.34.04
ASSESSMENT NO:	N/A

PURPOSE

That Council consider the recommendations from Council's Audit Committee.

BACKGROUND

The Audit Committee meets on a bi-monthly basis to fulfil the requirement to provide an independent oversight of the financial systems of the local government on behalf of the Council. These meetings are not open to the public however the agenda and minutes are available.

The Audit 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 – Section 7.1A

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Audit Committee supports Council in providing effective corporate governance by providing an oversight function relating to audit and financial management.

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

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

Audit Committee Item 5.5 Cambridge Gulf Limited Shares has been included in this agenda as item 12.2.3.

ATTACHMENTS

1. CP/MC5 – Elected Members Entitlement
2. CP/MC13 – Public Relations Policy
3. CP/MC14 – Community Recognition
4. CP/MC15 – Councillor Briefing Sessions/Forums
5. Sundry Debtors as at 2 March 2010

VOTING REQUIREMENT

Simple Majority Recommendation

AUDIT COMMITTEE RECOMMENDATION 1

That Council having reviewed and considered the following policies, adopts the policies as attached:

- CP/MC5 – Elected Members Entitlement
- CP/MC13 – Public Relations Policy
- CP/MC14 – Community Recognition
- CP/MC15 – Councillor Briefing Sessions/Forums

AUDIT COMMITTEE RECOMMENDATION 2

That Council acknowledges that the Audit Committee has reviewed the listing of 90 Day Sundry Debtors and reports to Council that the actions being undertaken by the administration in regard to 90 Day Sundry Debtors are sufficient and appropriate and no further actions are recommended at this time.

AUDIT COMMITTEE RECOMMENDATION 3

That Council consider Audit Committee Item 5.3 Debts Currently in Legal Process behind closed doors.

AUDIT COMMITTEE RECOMMENDATION 4

That Council:

- Write off the sundry debtor amount of \$400.00 being debtor 96235 for landfill site fees.
- Write off the sundry debtor amount of \$1,109.92 being debtor 71 for usage of air-start cart at East Kimberley Regional Airport.
- Note the authorisation for write-off by the Chief Executive Officer under the Sundry Debtor Collection Policy F15 of \$40.00 being debtor 96244 for landfill site fees.

AUDIT COMMITTEE RECOMMENDATION 5

That Council consider Audit Committee Item 5.5 Cambridge Gulf Limited Shares.

COUNCIL DECISION

Minute No: 9064

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council move to accept Recommendations 1 – 5.

CARRIED UNANIMOUSLY: (6/0)

**Attachment 1
Proposed Policy CP/MC5 – Elected Members Entitlements**

POLICY No:	CP/MC5
DIVISION:	Members of Council
SUBJECT:	Elected Member Entitlements
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995 Sections 5.98 – 5.102

OBJECTIVE

To establish the Council's policy in regard to expenses incurred by Councillors and other representatives in the course of representing the community in cases other than that determined by the Local Government Act 1995.

POLICY

Meeting Fees

Councillors have a right to receive meeting attendance fees under section 5.98(1) of the Local Government Act 1995.

Council elects to pay an annual allowance to cover attendance at meetings. This fee will be set as part of the annual budget each year.

The Shire President and Deputy Shire President will receive an additional annual allowance, which will be set as part of the annual budget each year.

Telecommunications

For the purposes of Section 5.98(2) (a) of the Local Government Act 1995 and Local Government (Administration) Regulation No.32 and 34A, Council will provide each elected member with an annual Telecommunications Allowance to cover all related telecommunications costs including use of modem, fax, mobile and hard wired telephone and supplies for fax machine.

This allowance will be set as part of the annual budget each year.

Travelling Expenses

All Councillors and Council appointed delegates (who are not Council Members) will be paid the Local Government Officers' Award rate per kilometre for all travelling expenses incurred in attending the following:

- (a) Ordinary and Special Meetings of Council
- (b) Council Briefing Sessions/Forums
- (c) Committee Meetings;
- (d) Annual meeting of electors

- (e) Special meetings of electors
- (f) General meetings of electors
- (g) Officially called civic receptions
- (h) Council inspection tours
- (i) Council authorised meetings with Government agencies
- (j) Other Council called meetings of Councillors and staff
- (k) Where a Council vehicle is not available
- (l) Official meetings as delegates of Council.

The distance is to be calculated on their normal place of abode within the District to the meeting venue. Payment is made on the production of a log in a form to be determined by the Chief Executive Officer. All claims for payment must be received no later than 15 August of the next financial year.

In the event of any dispute arising from a claim, the Chief Executive Officer shall discuss the matter with the Shire President in order to resolve the dispute.

Elected Member Insurance

Council will provide Personal Accident/Travel insurance for Councillors of \$200,000. This will cover Elected Members and their spouses whilst carrying out authorised business of Council or official duties.

Provision of Information Technology

Upon election to office all Councillors will be supplied with a dedicated individual council email address.

Councillors will also receive an Information Technology (IT) allowance, subject to budget considerations and regulations, which will reimburse Councillors the cost of maintaining/upgrading appropriate hardware/software facilities/applications to gain access to this dedicated Council Email address.

When Councillors utilise their dedicated Council email address, though not subject to, guidance should be sourced from the Shire's Information Technology Policy IT 1 Email Facilities, with regards to content and use of the email address.

ADOPTED: 15/08/2002

REVIEWED: 17/05/05, XXX

AMENDED: 17/05/05, XXX

**Attachment 2
Proposed Policy CP/MC13 – Public Relations Policy**

POLICY No:	MC13
DIVISION:	Members of Council
SUBJECT:	Public Relations Policy
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995 Section 2.8 and 5.41

OBJECTIVE:

To establish procedures and protocols for various types of communications by Councillors and staff

POLICY:

Advertising :

All advertisements and public notices must be signed off by the CEO or Executive Manager.

Public Relations:

All Press Releases must be signed off by the CEO or the Shire President.

Councillors shall not make contact with the media regarding Council matters without prior written consent from the Shire President.

Television or Radio Interviews:

All Television or Radio Interviews by Staff must have prior written approval from the CEO.

All Television or Radio Interviews by Councillors must have prior written approval from the Shire President.

Outgoing Correspondence:

All correspondence to State or Federal Parliamentarians by Councillors must be signed by the Shire President.

Correspondence to be personally signed by the Chief Executive Officer:

- (1) Letters which either:
 - (a) Offer an opinion on Council Policy;
 - (b) Give political comment;
 - (c) Seek a meeting or deputation, or

- (d) Make a major commitment, financial or otherwise in terms of Council's resources;

and which are addressed to the following:

- (i) State or Federal Member of Parliament
- (ii) Permanent Secretaries or Directors of the like of State and Federal Departments
- (iii) Mayors/Presidents of other Councils
- (iv) Chief Executive Officers of other Councils
- (v) The Ombudsman
- (vi) Western Australian Municipal Association
- (vii) The Department of Local Government

(2) Letters: -

- (a) of appointment for Council staff
- (b) letters of dismissal in relation to Council staff or contractors working for Council

Correspondence that can be signed by Executive Managers:

- (1) Letters other than those referred to above
- (2) Letters that are of normal operations
- (3) Letters that are the result of a Council decision
- (4) Letters that are permitted by another delegation or Council policy

Staff may sign operational letters with approval of their Executive Manger.

All other correspondence written by staff must be signed by the Manager or Executive Manager of the Department.

Council's standard response time to incoming correspondence is seven (7) days.

Public Meeting:

All Shire based presentations made at a public/ community meetings must be approved by the Executive Manager prior to the meeting.

ADOPTED:
REVIEWED:
AMENDED:

**Attachment 3
Proposed Policy CP/MC14 – Community Recognition**

POLICY No:	MC14
DIVISION:	Members of Council
SUBJECT:	Community Recognition
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995 Section 5.5

OBJECTIVE:

To establish a process to recognise members of the public for their contribution to the Shire of Wyndham East Kimberley Community.

POLICY:

Nominations

All candidates must be nominated for recognition under this policy in writing by no less than two (2) recognised and active community groups, associations or organisations, and with permission of the person being nominated. All applications must include all relevant information necessary for the Community Recognition Review Panel to make an informed decision.

Applications for community recognition can be received at anytime during the year.

Once an application has been received, the community recognition review panel must make a recommendation to Council within two (2) calendar months of receipt of the application.

Each application will be considered behind closed doors.

If the candidate has already received a form of recognition in the current year (for example volunteer of the year) the application will be refused and the nominators will be invited to re-apply in the following year. (The intention of this is to ensure that the prestige of other civic awards are not diminished by this policy)

Community Recognition Review Panel

A Community Recognition Review Panel will be created to review all applications for community recognition and make recommendations to Council regarding the application.

The Community Recognition Review Panel will be made up of Shire President, the Deputy Shire President and one Councillor decided by Council.

When considering whether this form of recognition should be awarded to a candidate, the Community Recognition Review Panel will consider the following:

1. Length of service in a field(s) of activity,
2. Level of commitment to a field(s) of activity;
3. Personal leadership qualities;
4. Benefits to the community of the Shire of Wyndham East Kimberley resulting from the candidate activities; and
5. Specific achievements of the candidate.

Presentation of Community Recognition

Presentation of community recognition will be made at an Ordinary Meeting of Council with the Chief Executive Officer arranging a press release regarding the award.

The recipient shall receive a Certificate of Appreciation and gift

The value of the gift awarded will be at the discretion of Council, based on a recommendation from the Community Recognition Review Panel, in consultation with the Chief Executive Officer.

Attachments

1. Nomination Form
2. Criteria to assist with considering a candidate for Community Recognition

ADOPTED: 15/12/2005

REVIEWED:

AMENDED:

SHIRE OF WYNDHAM EAST KIMBERLEY

Nomination for Community Recognition

I hereby nominate _____, of

as a candidate for community recognition by the Shire of Wyndham East Kimberley.

The following Community Groups/Association/Organisations support this nomination;

Community Group/Association/Organisation (1) : _____

President's Signature: _____

Community Group/Association/Organisation (2) : _____

President's Signature: _____

Candidate's Signature; _____

Date _____

Signature _____

SHIRE OF WYNDHAM EAST KIMBERLEY

Criteria to assist with considering a candidate for Community Recognition

Length of service in a field(s) of activity

Level of commitment to a field(s) of activity

Personal leadership qualities

Benefits to the community of the Shire of Wyndham East Kimberley resulting from the Candidate's activities

Specific achievements of the candidate.

Attachment 4
Proposed Policy CP/MC15 – Councillor Briefing Sessions / Forums

POLICY No:	MC15
DIVISION:	Members of Council
SUBJECT:	Councillor Briefing Sessions/Forums
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE:

To establish a process for the operation of elected member Briefing Sessions/Forums to ensure the requirements of accountability, openness and transparency are satisfied.

POLICY:

1. Council holds monthly Briefing Sessions between elected members and staff, on the first Tuesday of each month.
2. Briefing Session are closed to the public, so to as to facilitate full disclosure, and build trust between the elected members and between elected members and staff.
3. The purpose of Briefing Sessions are to:
 - a. Provide an informal exchange of information between elected members and staff on issues.
 - b. enable elected members to receive information in advance of the Council meetings, and thereby to assist elected members make informed decisions related to that information at subsequent Council meetings.
 - c. To enable elected members to inform themselves before having to make decisions on issues.
 - d. To facilitate strategic considerations of issue in advance.
4. Staff will prepare Agenda's for Briefing Sessions and where required produce relevant items for consideration by Council on matters discussed at Briefing Sessions.
5. Elected Members are encouraged to submit agenda items and details related to those items by the agenda submission deadline.
6. The Shire President, Deputy and Chief Executive Officer will jointly review draft Briefing Session Agendas before they are circulated to Councillors and Managers.

7. Where practical, Briefing Session Agendas will be distributed by close of business on the Thursday preceding the meeting day.
8. No delegated authority from Council exists at the Briefing Sessions.
9. Standing Orders of Council do not apply at Briefing Sessions.
10. The Shire President, Deputy President or nominated delegate will chair Briefing Sessions. All discussion and questions are to be directed through the chair.
11. No debate style discussion is to be conducted at Briefing Sessions.
12. No decisions that bind the Local Government, or decisions requiring a decision of Council or, are to be made at Briefing Sessions.
13. Elected members and staff will be respectful of each other and not interrupt the speaker.
14. Elected members and staff will make written declarations of interest in any matters being discussed and the Chief Executive Officer will keep records of these declarations. Where a financial interest is declared, the elected member will depart the forum and not take part in any discussion relating to the matter.

Attachments

Department of Local Government Operational Guidelines Number 5, January 2005, Council Forums.

ADOPTED: 20 May 2008 (Minute No.8224)

REVIEWED:

AMENDED:

Attachment Item 5.2
Sundry Debtors as of 2 March 2010

Debtor Number	90 Days	Balance as at 2 nd March 2010	Debt Collection Status for Debts over 90 Days
132	174.50	585.00	Attempting to locate customer
86140	31.50	31.50	Customer to make payment today
96224	11,000.00	11,000.00	Awaiting instructions from executive managers of how to proceed
83026	21.00	73.50	Attempting to locate customer
98578	39.62	39.62	Obtaining forwarding address.
7	198.00	198.00	Chq to be re-issued.
96340	78,856.49	78,856.49	Final acquittal requires letter of certification from an Engineer - this is being pursued
98110	640.50	766.50	1 st demand letter sent
96468	50.00	210.50	Going to make payment this week
3104	1,176.00	2,356.86	Will make payment next week.
96235	400.00	400.00	Refer agenda item for write-off
80737	199.00	199.00	Message left for customer to make contact.
56	92.40	92.40	Attempting to locate customer
96301	115.00	115.00	Customer going to pay this week
98587	144.50	207.50	Going to pay this week.
126	52.50	52.50	Attempting to locate customer.
96207	21.00	21.00	Customer going to pay this week.
80258	1,088.37	1,901.29	Attempting to speak to customer
82949	1,840.00	2,657.00	Sent through copy of invoices.
80625	21.00	21.00	Sent through copy of invoice.
196	24.00	24.00	Attempting to locate customer.
80165	21,505.55	21,505.55	Paying \$125.00 week as per agreement
71	1,109.92	1109.92	Refer agenda item for write-off
98563	10,800.00	10,800.00	Refer Agenda Item Debts Under Legal Action.
82942	168.00	672.00	Left message to call me back
96280	42.00	42.00	Left message to call me back
96352	650.35	2,688.67	Attempting to get account back into 30 days
81448	546.50	756.50	Attempting to locate customer
4009	220.50	221.10	Attempting to locate customer
82551	1,805.00	1,805.00	Spoke to debtor – waiting for reply to advise payment date.
96375	292.00	292.00	Spoke to debtor – faxed through copies
86188	1,470.00	1,470.00	1 st demand letter sent
	\$134,795.20	\$141,171.40	

12.2 CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to note and accept the Monthly Financial Report for February 2010.

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

No Policy Implications apply in the preparation of the report.

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

No community consultation was required in the preparation of this report.

COMMENT

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

ATTACHMENTS

Monthly Financial Report for February 2010.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accept the Monthly Financial Report for the month of February 2010.

COUNCIL DECISION

Minute No: 9065

Moved: Cr D Ausburn

Seconded: Cr K Torres

That Council accept the Monthly Financial Report for the month of February 2010.

CARRIED UNANIMOUSLY: (6/0)



Shire of Wyndham East Kimberley

Monthly Financial Report 2009/2010

As at 28 February 2010

Presented to Council 16 March 2010

- 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 28 February 2010

	YTD Budget		YTD Actual		YTD Variance	
	2009-10		2009-10		2009-10	
	\$	\$	\$	\$	\$	%
Revenues		7,156,419		7,190,077		
General Purpose Funding	2,505,791		2,602,169		96,378	4%
Governance	29,622		56,894		27,272	92%
Law, Order And Public Safety	29,060		35,200		6,140	21%
Health	8,320		10,474		2,154	26%
Education And Welfare	88,000		73,006		(14,994)	-17%
Housing	95,200		92,849		(2,351)	-2%
Community Amenities	1,157,746		1,231,637		73,891	6%
Recreation And Culture	488,563		452,576		(35,987)	-7%
Transport	2,473,782		2,478,721		4,939	0%
Economic Services	133,320		132,962		(358)	0%
Other Properties And Services	147,015		23,588		(123,427)	-84%
Expenses		(10,861,300)		(10,092,220)		
General Purpose Funding	(312,381)		(312,820)		(439)	0%
Governance	(735,650)		(621,286)		114,364	-16%
Law, Order And Public Safety	(272,882)		(314,972)		(42,090)	15%
Health	(210,674)		(189,450)		21,224	-10%
Education And Welfare	(248,193)		(223,269)		24,924	-10%
Housing	(188,207)		(204,153)		(15,946)	8%
Community Amenities	(2,541,519)		(1,850,471)		691,048	-27%
Recreation and Culture	(2,433,780)		(2,244,275)		189,505	-8%
Transport	(3,263,606)		(3,313,935)		(50,329)	2%
Economic Services	(449,848)		(315,650)		134,198	-30%
Other Property and Services	(204,560)		(501,939)		(297,379)	145%
Adjustments for Cash Budget Requirements						
Adjustments and Accruals		1,090,621		1,481,013		
<i>(Profit)/Loss on Asset Disposals</i>	(131,369)		1,512		132,881	-101%
<i>Movement in Accruals and Provisions</i>	(224,618)		(224,618)			0%
<i>Depreciation on Assets</i>	1,446,608		1,704,119		257,511	
Purchase of Non-Current Assets		(6,898,610)		(5,588,317)		
<i>Purchase Land Held for Resale</i>	(42,000)		(41,851)		149	0%
<i>Purchase Land and Buildings</i>	(1,966,644)		(1,060,108)		906,536	-46%
<i>Purchase Infrastructure Assets - Roads</i>	(1,976,878)		(2,195,640)		(218,762)	11%
<i>Purchase Infrastructure Assets - Parks</i>	(50,000)		(84,006)		(34,006)	68%
<i>Purchase Infrastructure Assets - Footpaths</i>	(78,400)		(32,388)		46,012	-59%
<i>Purchase Infrastructure Assets - Drainage</i>	(115,800)		(92,174)		23,626	-20%
<i>Purchase Infrastructure Assets - Other</i>	(1,945,300)		(1,575,250)		370,050	-19%
<i>Purchase Plant and Equipment</i>	(570,508)		(444,774)		125,734	-22%
<i>Purchase Furniture and Equipment</i>	(153,080)		(62,127)		90,953	-59%
Capital Income		7,836,771		6,891,845		
<i>Grants / Contributions for Development of Assets</i>	7,648,771		6,722,327		(926,444)	-12%
<i>Proceeds from Disposal of Assets</i>	92,000		166,591		74,591	81%
<i>Proceeds from Sale of Land Held for Resale</i>	96,000		2,927		(93,073)	-97%
Debentures		881,352		(429,329)		
<i>Repayment of Debentures</i>	(1,016,663)		(995,329)		21,334	-2%
<i>Proceeds from New Debentures</i>	1,881,000		566,000		(1,315,000)	-70%
<i>Self-Supporting Loan Principal Income</i>	17,015				(17,015)	-100%
Reserves		938,117		123,979		
<i>Transfers to Reserves (Restricted Assets)</i>	(154,403)		(134,544)		19,859	-13%
<i>Transfers from Reserves (Restricted Assets)</i>	1,092,520		258,523		(833,997)	-76%
<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>	10,794,576	10,794,576	10,191,788	10,191,788	(602,788)	-6%
Amount Required to be Raised from Rates	5,124,407	5,124,407	5,087,944	5,087,944	(36,463)	-1%

Shire of Wyndham East Kimberley

**Notes to Statement of Financial Activity
For the Period Ended 28 February 2010**

	YTD Actual 2009/10	Brought Forward 1 July 2009
Net Current Assets	\$	\$
Composition of Net Current Asset Position		
Current Assets		
Cash - Unrestricted	3,467,780	6,140,740
Cash - Reserves	6,614,726	6,738,705
Cash - Restricted Unspent Grants	5,483,425	-
Investments - Restricted		
Receivables	1,756,661	1,174,211
Self Supporting Loans	-	1,118
Inventories	5,090	6,387
Land Held for Resale	-	-
	17,327,682	14,061,161
<i>Less</i>		
Current Liabilities		
Payables	(521,168)	(1,795,659)
	(521,168)	(1,795,659)
<i>Less</i>		
Restricted Reserves		
Cash	(6,614,726)	(6,738,705)
Investments		
Net Current Asset Position	10,191,788	5,526,796

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity
For the Period Ended 28 February 2010

Explanation of Material Variances

Variances +/- \$50,000

Operating

Recurrent Revenue - Excluding Rates

General Purpose Funding:

Higher than expected interest received to date on invested Municipal Funds (\$25K) and Reserve Funds (\$26K) compared to forecast. Budget estimates to be increased at budget review. Interest received on East Kimberley Development Package funds invested that was not included in original budget (\$33K). These funds to be used on package projects.

Community Amenities:

Annual revenue for rubbish collection achieved with budget amendment to occur (\$12K). Rubbish disposal revenue higher than expected year to date (\$55K). Annual budget to be amended. Annual development application fees achieved, and budget to be amended (\$18K). Erosion control and weed control grants (\$37K) received that were not in budget. \$30K of this to be spent next financial year. Youth Services grants underachieved year to date (\$49K). Youth services expenditure tied to external grants.

Other Property and Services:

Profit on sale of assets estimated year to date not achieved (\$116K) due to delay in purchase and disposal of plant.

Recurrent Expenditure

Governance:

Zone project plan submission costs (\$24K) delayed pending commencement of Zone Executive Officer. Governance salaries and wages underexpended due to vacancy in CEO position for period, this is partially offset by higher administrative overheads. Salary and wages expenses in other areas will offset (\$55K). Administration Building loan not yet drawn therefore interest costs forecasted not incurred (\$13K). Conference expenses for members has achieved annual budget earlier than forecast (\$10K).

Community Amenities:

Tip Maintenance expenditure overspent year to date (\$54K) offset by Refuse Collection under spent (\$67K). These are expected to be on track at end of financial year. Town planning consultants expenditure to be journalled to Other Properties & Services Town Planning Scheme Review (\$25). Youth underspend against year to date forecast (\$76K) is tied to grant revenue (including Crime Prevention Initiative). Building and garden maintenance costs for Youth Centre less than year to date forecast (\$10K). Lake Kununurra Project expenditure (\$70K) incorrectly budgeted against recurrent, this is offset by unbudgeted expenditure in capital. This will be corrected at budget review. Weaber Plain Flood Mitigation underspent by \$519K. Cumbungi management overspent by \$12K due to underestimation of costs associated to undertake project.

Recreation and Culture:

Celeston project delayed (\$30K). Ord River Sailing Club project delayed until leases and land tenure finalised (\$76K). Ord River Sports Club Masterplanning Study underspent (\$30K) against year to date estimated. Skatepark maintenance overspend (\$16K) due to higher than expected costs from contractor, budget to be adjusted at review. Depreciation expenses over whole program higher than estimated (\$60K), budgets to be adjusted at review. Salaries for Wyndham Pool underspent against year to date (\$30K) due to position vacancy and closure, this is offset by salary and wages expenses in other areas. Kununurra Pool operating overspend (\$11K) expected to continue due to increased chemical costs. Annual budget to be amended at review. Wyndham foreshores and boat ramps underspent against year to date (\$20K). Club Development underspent due to vacancy (\$15K). Wyndham Picture Gardens refurbishment project yet to commence construction (\$33K). Parks and Gardens maintenance underspent against year to date forecast (\$44K). Costings being reviewed. Kununurra Oval Lights expenses more than forecasted (\$24), annual budget to be adjusted at review.

Transport:

Rural road and Kununurra urban road maintenance variances due to seasonal priorities, a net impact (\$16K) over expenditure. Executive Manager Engineering and Regulatory Services to review. Depreciation expense over whole program higher than budget (\$222K). This will be corrected at budget review. East Kimberley Regional Airport (\$114K) and Wyndham Airport (\$15K) operational budgets forecast earlier than actual expense due to staff priorities being given to other capital projects, expected to correct over time. Consultancy fees for both Airports underspent against year to date budget (\$37K). Building maintenance at Wyndham Airport delayed pending receipt of quotations (\$16K).

Economic Services:

Annual Grants are under expended (\$48K) due to timing of distribution compared to budget. Second round adopted at November 2009 Council meeting. Economic Services wages and overheads under expended (\$58K) due to position of Economic Development Manager not being filled, this is offset by salary and wages expenses in other areas.

Other Property and Services:

Public Works Overheads exceeds the recovery of the overheads against jobs by \$306K. This is a timing issue due to the delay in construction projects, will be review at budget review.

Capital

Adjustments and Accruals

Depreciation expenses exceed year to date budget by \$257K. The impact of the implementation of the new asset capitalisation policy has been reviewed and budgets will be adjusted accordingly at review. This is offset by year to date profit/loss on disposal of assets not being achieved due to delays in disposing of assets (\$132K).

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 28 February 2010

(Continued)

Capital Expenditure and Revenue

Purchase Infrastructure Assets (Land and Buildings)

Kununurra Leisure Centre stage upgrade budget forecast earlier than actual expenditure (\$30K). Patient Transfer Facility project tender advertised in January 2010, current under spend (\$189K). Staff housing construction invoice posted earlier than forecasted (\$213K) offset against underspend (\$90K) delayed whilst housing options under review. Administration Building (transportable) project overspend (\$15K). Budget to be adjusted at review. Bastion toilet underspend against year to date forecast (\$20K). Waterlily place project delayed pending review of costings and options (\$765K). Airport Terminal Project Management costs yet to be expensed tied to Terminal Upgrade Project (\$39K).

Purchase Infrastructure Assets (Roads)

Coolibah Drive reconstruction project over budget (\$103K) due to addition of project management overheads, requires budget amendment. Carlton Hill Road upgrade over budget (\$95K), expenditure being reviewed incorrect postings. Barding Loop reconstruct over expended to annual budget (\$26K) due to additional area required for cement stabilisation. Budget amendment required.

Purchase Infrastructure Assets (Other)

Lake Kununurra Project expenditure (\$73K) incorrectly budgeted against recurrent, offset by this unbudgeted expenditure in capital. This will be corrected at budget review. Wyndham Pool Upgrade year to date underspent (\$162K) due to earlier forecasting than expenditure. Forecasted expenditure Multipurpose Courts yet to occur (\$38K). Kununurra Airport car park modifications less than predicted year to date budget (\$16K). Street light upgrades underspent (\$35) against year to date forecast, contractor is engaged, pending commencement of works. Wyndham BMX track project delayed (\$10K). Wyndham Jetty and Community/Hostel Oval projects yet to commence (\$95K). Airport Hydrology Study underspent against year to date forecast (\$23K). Town Entry Statements project delayed pending costing and funding review (\$15K). Projects funded under the Regional and Local Community Infrastructure funding delayed pending confirmation of funding approval (\$52K).

Purchase Infrastructure Assets (Plant and Equipment)

East Kimberley Youth Services plant and equipment overspend to annual (\$35K). Fully externally funded. Plant purchases occurring later than forecasted (\$170K)

Purchase Infrastructure Assets (Furniture and Equipment)

Kununurra and Wyndham Youth fitout/set up combined under expend (\$70K) delayed by staff recruitment. Server and Network Upgrades (IT) underexpended against year to date forecast budget (\$13K).

Grants/Contributions to Development of Assets

Wyndham Pool Upgrade income overachieved (\$525K) against year to date forecast. Roads to Recovery grants based on project timing - cash flow estimates to be revised due to changes in the works program (\$704K). Regional Road Group Grant application not yet lodged pending commitment of works by Main Roads on Weaber Plain Road (\$283K). Royalties for Regions funding not yet released (\$1.1M) offset by East Kimberley Development Package funding received earlier than estimated (\$833K). Grants for Celebrity Tree Park toilet and carpark (\$105) received not in budget. Regional and Local Community Infrastructure funding (\$100K) pending approval. Country Housing Authority Grant (\$100K) yet to be claimed for staff housing. Developer contributions for parking received (\$97K) not in budget. Youth Grants not yet received (\$68K) tied to expenditure. Stage upgrade grants pending (\$20K). Grants for Waterlily Place project overachieved against year to date forecast (\$20K). Multipurpose Courts grants forecasted not yet received (\$125K).

Proceeds from Disposal of Assets

Income from sale of grader received earlier than forecast is offset against delays in disposal of other plant giving an net overachievement of budget against year to date (\$75K)

Proceeds from Sale of Land Held for Resale

Land at East Kimberley Regional Airport undergoing subdivision, delaying sale (\$93K).

Debentures and Reserves

Full amount forecast in budget for refinancing Childcare loan not required, impacting loan and reserve transfer (\$55K). Self supporting loan for Ord River Sports Club delayed pending negotiations (\$70K). Loans for administration building land (\$490K) and staff housing (\$700) delayed whilst options under review. Transfers from Reserve funds occurring later than estimated due to ongoing projects (\$833K).

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity
Budget to Collect / Spend
as at 28 February 2010

	Amended Adopted Budget 2009-10		YTD Actual 2009-10		Budget Remaining 2009-10	
	\$	\$	\$	\$	\$	\$
Revenues		10,864,798		7,190,077		3,674,721
General Purpose Funding	3,355,207		2,602,169		753,038	
Governance	39,195		56,894		(17,699)	
Law, Order And Public Safety	49,455		35,200		14,255	
Health	35,500		10,474		25,026	
Education And Welfare	114,000		73,006		40,994	
Housing	301,021		92,849		208,172	
Community Amenities	2,058,040		1,231,637		826,403	
Recreation And Culture	873,766		452,576		421,190	
Transport	3,536,000		2,478,721		1,057,279	
Economic Services	222,800		132,962		89,838	
Other Properties And Services	279,814		23,588		256,226	
Expenses		(16,136,048)		(10,092,220)		(6,043,828)
General Purpose Funding	(467,130)		(312,820)		(154,310)	
Governance	(1,080,832)		(621,286)		(459,546)	
Law, Order And Public Safety	(450,634)		(314,972)		(135,662)	
Health	(316,142)		(189,450)		(126,692)	
Education And Welfare	(377,384)		(223,269)		(154,115)	
Housing	(291,153)		(204,153)		(87,000)	
Community Amenities	(3,435,506)		(1,850,471)		(1,585,035)	
Recreation and Culture	(3,923,499)		(2,244,275)		(1,679,224)	
Transport	(4,869,304)		(3,313,935)		(1,555,369)	
Economic Services	(637,012)		(315,650)		(321,362)	
Other Property and Services	(287,452)		(501,939)		214,487	
Adjustments for Cash Budget Requirements						
Adjustments and Accruals		1,696,628		1,481,013		215,615
<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		1,704,119		465,991	
Purchase of Non-Current Assets		(23,911,546)		(5,588,317)		(18,323,229)
<i>Purchase Land Held for Resale</i>	(792,000)		(41,851)		(750,149)	
<i>Purchase Land and Buildings</i>	(8,967,253)		(1,060,108)		(7,907,145)	
<i>Purchase Infrastructure Assets - Roads</i>	(5,137,882)		(2,195,640)		(2,942,242)	
<i>Purchase Infrastructure Assets - Parks</i>	(240,000)		(84,006)		(155,994)	
<i>Purchase Infrastructure Assets - Footpaths</i>	(78,400)		(32,388)		(46,012)	
<i>Purchase Infrastructure Assets - Drainage</i>	(254,800)		(92,174)		(162,626)	
<i>Purchase Infrastructure Assets - Other</i>	(6,798,000)		(1,575,250)		(5,222,750)	
<i>Purchase Plant and Equipment</i>	(1,362,711)		(444,774)		(917,937)	
<i>Purchase Furniture and Equipment</i>	(280,500)		(62,127)		(218,373)	
Capital Income		13,904,888		6,891,845		7,013,043
<i>Grants / Contributions for Development of Assets</i>	13,308,388		6,722,327		6,586,061	
<i>Proceeds from Disposal of Assets</i>	500,500		166,591		333,909	
<i>Proceeds from Sale of Land Held for Resale</i>	96,000		2,927		93,073	
Debentures		1,765,168		(429,329)		2,194,497
<i>Repayment of Debentures</i>	(1,057,847)		(995,329)		(62,518)	
<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		123,979		1,529,961
<i>Transfers to Reserves (Restricted Assets)</i>	(899,680)		(134,544)		(765,136)	
<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	10,191,788	10,191,788	(9,701,083)	(9,701,083)
Amount Required to be Raised from Rates	5,126,079	5,126,079	5,087,944	5,087,944	38,135	38,135

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

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 & Pours 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	
Portfolio % < 1 year	100% max 40% min
Portfolio % > 1 year	60%
Portfolio % > 3 year	35%
Portfolio % > 5 year	25%
Individual Investment Maturity Limits	
ADI	5 years
Non ADI	3 years

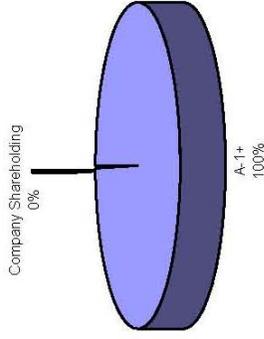
Note: "ADI" relates to an Authorised Deposit Institution (authorised under the Banking Act 1959)

EXPLANATION OF VARIANCES:

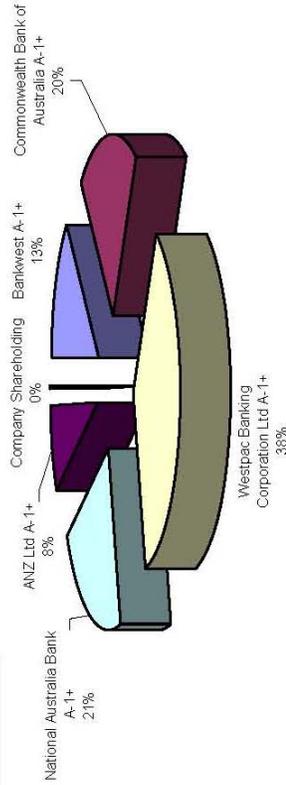
Company shareholding (non S&P rated or ADI) represents less than 1% of investment portfolio. Council minute 8314 of 19 August 2008 provides instruction to sell shareholding. Council minute 8812 of 15 September 2009 instructs that status of shares be re-examined in six months time

RESULTS AS AT 28 FEBRUARY 2010

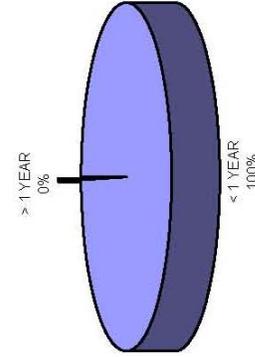
Overall Portfolio



Counterparty Credit



Term to Maturity



12.2.2 LIST OF ACCOUNTS PAID UNDER DELEGATION 18

DATE:	16 March 2010
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:	60.14.02
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 Senior 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

No Community Consultation was required in the preparation of this report.

COMMENT

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

ATTACHMENTS

List of Accounts Paid Under Delegation 18

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

Municipal cheques 39414 – 39457 (4 to 25 February 2010)	\$375,132.37
Trust cheques 21 – 24 (1 to 10 February 2010)	\$1,120.00
Municipal EFT108361 – EFT 108606 (1 to 25 February 2010)	\$1,139,156.33
Trust EFT500017 – EFT 500021 (8 to 26 February 2010)	\$12,677.05
Payroll (4 to 24 February 2010)	\$259,975.29
Direct bank debits (February 2010)	\$23,167.50
Total	\$1,811.228.54

COUNCIL DECISION

Minute No: 9066

Moved: Cr R Addis

Seconded: Cr J Parker

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

<i>Municipal cheques 39414 – 39457 (4 to 25 February 2010)</i>	<i>\$375,132.37</i>
<i>Trust cheques 21 – 24 (1 to 10 February 2010)</i>	<i>\$1,120.00</i>
<i>Municipal EFT108361 – EFT 108606 (1 to 25 February 2010)</i>	<i>\$1,139,156.33</i>
<i>Trust EFT500017 – EFT 500021 (8 to 26 February 2010)</i>	<i>\$12,677.05</i>
<i>Payroll (4 to 24 February 2010)</i>	<i>\$259,975.29</i>
<i>Direct bank debits (February 2010)</i>	<i>\$23,167.50</i>
<i>Total</i>	<i>\$1,811.228.54</i>

CARRIED UNANIMOUSLY: (6/0)

List of Accounts Paid Under Delegation 18

List of Accounts Submitted to Council 16 March 2010

EFT	Date	Name	Description	Amount
EFT108361	1/02/2010	NPM GROUP PTY LTD	PROGRESS PAYMENT # 2 STAFF HOUSES	193,395.35
EFT108362	4/02/2010	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	370.71
EFT108363	4/02/2010	AUSTRALIAN FUEL DISTRIBUTORS	FUEL DEC 09	1,862.31
EFT108364	4/02/2010	AUST LOCAL GOVT JOB DIRECTORY	ADVERTISING WORKS SUPERVISOR	792.00
EFT108365	4/02/2010	AUSTRALIAN PUMP INDUSTRIES	GRAFFITI TRAILER	20,625.00
EFT108366	4/02/2010	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT108367	4/02/2010	AVG (AU/NZ) PTY LTD	RENEWAL AVG LICENCES 3 YEARS	2,287.92
EFT108368	4/02/2010	ALL STATES TRAINING	TRAINING - OUTDOOR WORKFORCE	7,958.50
EFT108369	4/02/2010	ALLGEAR M/CYCLES & SMALL ENGINES	SERVICE BLOWER	170.75
EFT108370	4/02/2010	ARGYLE MOTORS	CARGO COVER FOR TRAY P341, FUEL CAP P212	878.41
EFT108371	4/02/2010	BERM BACKHOE HIRE	TENDER T07 0708 - SLASHING	12,584.00
EFT108372	4/02/2010	BLUE DAVIDSON SIGNS	SIGNS FOR LEISURE CENTRE	484.00
EFT108373	4/02/2010	BODAN CONSTRUCTIONS PTY LTD	VARIATIONS ON NEW OFFICE EXTENSION	8,611.77
EFT108374	4/02/2010	BRUCE HARDING	08/09 ANNUAL AIRFARE ALLOWANCE	2,600.00
EFT108375	4/02/2010	BILL BUTLER PAINTING & DECORATING	INTERNAL PAINTING OF 28 EUGENIA ST	9,211.40
EFT108376	4/02/2010	CHRISTINE ANN MCLACHLAN	KUNUNURRA LIBRARY STOCK	24.98
EFT108377	4/02/2010	COMM & PROTECTIVE SOLUTIONS	INSTALL & CONFIGURE NEW PHONE SYS - YOUTH CENTRE	6,245.80
EFT108378	4/02/2010	DEPT OF TREASURY AND FINANCE	LOST/DAMAGED BOOK CHARGE	13.80
EFT108379	4/02/2010	DAVEY TYRE & BATTERY SERVICE	RIGHT REAR TYRE ON P201	284.59
EFT108380	4/02/2010	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KNX AIRPORT	267.90
EFT108381	4/02/2010	FISCHER, CYNTHIA	CONTRACT CLEANING FOR JANUARY 2010 WYNDHAM	3,642.37
EFT108382	4/02/2010	FUJI XEROX AUSTRALIA P/L	01/12/09 - 31/12/09 PRINTER WYNDHAM CHILDCARE	176.65
EFT108383	4/02/2010	FURNEAUX PRE CAST CONCRETE	PROJECT SUPERVISION	1,401.40
EFT108384	4/02/2010	GUERINONI & SON	OVERPAYMENT OF RATES	6,220.91

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EFT108385	4/02/2010	GARY GAFFNEY	REIMBURSEMENT OF FOOD PURCHASE	77.87
EFT108386	4/02/2010	HART SPORT	GYM EQUIP - GYM BALLS, MEDICINE BALLS, SCALES ETC	2,123.90
EFT108387	4/02/2010	IAN DEMPSEY	FUEL COSTS CLAIMED 21/12/09 - 04/01/10	702.34
EFT108388	4/02/2010	JSW HOLDINGS PTY LTD	SUPPLY AND DELIVER CONCRETE	286.00
EFT108389	4/02/2010	JAB INDUSTRIES	SUPPLY & DEL SAND STOCKPILE AT DEPOT	399.30
EFT108390	4/02/2010	K & M ALLCLEAN	CLEANING OF VARIOUS LOCATIONS JAN 10 - KUNUNURRA	14,950.72
EFT108391	4/02/2010	KIMBERLEY MARKETING	PURCHASE OF ICE CREAMS FOR SALE - KLC	1,234.68
EFT108392	4/02/2010	KIMBERLEY WASTE SERVICES	KUNUNURRA REFUSE COLLECTION DEC 09	60,784.93
EFT108393	4/02/2010	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE SUPPLIES	283.75
EFT108394	4/02/2010	KUNUNURRA LOCK & KEY	REPAIR/REPLACE LOCKS- YOUTH CENTRE, CHILD CARE	508.50
EFT108395	4/02/2010	KUNUNURRA SECURITY SERVICE	CASH ESCORTS KUNUNURRA TO WYNDHAM	311.00
EFT108396	4/02/2010	KIMBERLEY PUMPING SERVICE	REPAIRED PUMP NO1 KNX SWIMMING POOL	953.70
EFT108397	4/02/2010	KROLL ONTRACK	MAILBOX LICENCE INCREASE	99.00
EFT108398	4/02/2010	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT108399	4/02/2010	LGMA 2010 YEAR OF WOMEN	BRONZE PARTNERSHIP - YEAR OF WOMEN IN LOCAL GOV	500.00
EFT108400	4/02/2010	MEGAN HUNT	CLEANING OF 11 KWINANA STREET WYNDHAM	532.13
EFT108401	4/02/2010	ORD RIVER ELECTRICS	REPAIR AND REPLACE HAILDE LAMPS ON KNX OVAL	22,328.93
EFT108402	4/02/2010	ORICA AUSTRALIA PTY LTD	CHLORINE	314.06
EFT108403	4/02/2010	PIVOTEL	SATELLITE PHONE CHARGES - JAN 2010	105.19
EFT108404	4/02/2010	RED ELEVEN RED 11 PTY LTD	LAPTOP AND DESKTOP UPGRADES	5,111.22
EFT108405	4/02/2010	SETON AUSTRALIA PTY LTD	GYM EQUIPMENT	279.47
EFT108406	4/02/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	850.00
EFT108407	4/02/2010	TIVELLA PTY LTD	BINDING OF COUNCIL MINUTES	418.00
EFT108408	4/02/2010	TNT AUSTRALIA PTY LIMITED	FREIGHT FOR WATER SAMPLES	90.34
EFT108409	4/02/2010	TOLL EXPRESS	FREIGHT WYN POOL UPGRADE, KNX ADMIN, KLC, DEPOT	2,085.80
EFT108410	4/02/2010	TONY'S PLUMBING & EXCAVATION P/L	REPLACE TAP, BONAPARTE TOILETS FIX LEAK WYN DEPOT	561.55
EFT108411	4/02/2010	TOP END MOTORS	SERVICE OF P314, P213, P104 AND P303	2,582.07
EFT108412	4/02/2010	TST ELECTRICAL	REPAIR LIGHT KNX ADMIN, EXHAUST FAN & R/HOOD KLC	975.00
EFT108413	4/02/2010	TUCKERBOX/RETRAVISION	CONSUMABLES AND VARIOUS ITEMS	1,251.52

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EFT108414	4/02/2010	WA LOCAL GOVT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	21,703.49
EFT108415	4/02/2010	WANNA WORK LABOUR HIRE	MOWING, SPRAYING & WEEDING PINDAN & ROTARY PARKS	1,210.00
EFT108416	4/02/2010	WYNDHAM EXCAVATIONS	CONCRETE FOR CIVIC WAY, LOADER HIRE LANDFILL WYN	1,848.00
EFT108417	11/02/2010	ANIMAL CARE & EQUIPMENT SERVICES	LARGE DANGEROUS DOG COLLAR	216.40
EFT108418	11/02/2010	ANL LIGHTING	5 LTR NO MORE GRAFFITI, BOX OF 25 FLURO TUBES	347.37
EFT108419	11/02/2010	ARAFURA CATERING EQUIPMENT	KITCHENWARE AND COOKING MATERIALS YOUTH CENTRE	1,733.02
EFT108420	11/02/2010	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	370.71
EFT108421	11/02/2010	AUST GOVT NAT. MEASUREMENT INST	BORE WATER ANALYSIS FOR LICENCE CONDITIONS	275.00
EFT108422	11/02/2010	AUSTRALIAN BUILDING CODES BOARD	BCA GUIDE AND COPY OF BCA VOL 1 AND 2	510.00
EFT108423	11/02/2010	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT108424	11/02/2010	AUSTRALIAN TAXATION OFFICE	BAS DECEMBER 2009	43,724.00
EFT108425	11/02/2010	ALLGEAR M/CYCLES & SMALL ENGINES	HONDA MOWER, BLADES AND WIPPER SNIPPER CORD	2,098.40
EFT108426	11/02/2010	ARGYLE MOTORS	SERVICE & MATS & REPLACE BOLT WATER TANK - P471	480.40
EFT108427	11/02/2010	AUTO ONE KUNUNURRA	LIGHT, GLOBE AND PLUG FAULTY HEADLIGHT - P204	41.00
EFT108428	11/02/2010	BODAN CONSTRUCTIONS PTY LTD	MEETING ROOM BI FOLD DOOR & WORK AT WYN PRMH	792.00
EFT108429	11/02/2010	BUSH CAMP SURPLUS STORES	PPE ITEMS	567.75
EFT108430	11/02/2010	BEAUREPAIRES FOR TYRES	BACK TYRE KUBOTA TRACTOR KUN/AIRPORT – P355	255.50
EFT108431	11/02/2010	CANNON HYGIENE AUSTRALIA PTY LTD	ANNUAL CHARGES FOR SANITARY UNITS	3,710.46
EFT108432	11/02/2010	COMFORT HOTEL PERTH CITY	ACCOMMODATION 26 - 28/01/10	420.00
EFT108433	11/02/2010	CROCODILE SIGNS	SIGN FOR MAMBI ISLAND	22.00
EFT108434	11/02/2010	DEPT OF TREASURY AND FINANCE	LOST/DAMAGED BOOKS KUNUNURRA LIBRARY	226.60
EFT108435	11/02/2010	DERRICK STEENSON	MAINTENANCE REPAIRS TO WYNDHAM PONTOON JETTY	924.00
EFT108436	11/02/2010	EAST KIMBERLEY HARDWARE	PALLET CEMENT, GRINDER AND VARIOUS OTHER ITEMS	1,888.05
EFT108437	11/02/2010	FLAMETREE NURSERY	PLANTS FOR KNX AIRPORT AND WYN POOL	372.00
EFT108438	11/02/2010	FRONTIER POST & NEWS	JAN 10 POSTAGE - WYNDHAM	28.40
EFT108439	11/02/2010	GRANT THOMAS SECURITY CONTROL	SECURITY AT LEISURE CENTRE 29/01/2010	816.75
EFT108440	11/02/2010	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION 29/12/09 - 12/01/10	740.00
EFT108441	11/02/2010	HOOCHERY	HEALTH AUTHORITY SAMPLING SCHEME - ORD RIVER RUM	35.50
EFT108442	11/02/2010	HOMESAT TV EAST KIMBERLEY	REPAIRS TO ARIAL 57/264 RIVERFIG AVE KUNUNURRA.	97.35

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EFT108443	11/02/2010	IMAGE PRINTING	SWEK LETTERHEADS	715.00
EFT108444	11/02/2010	ICE AGE REFRIGERATION & AIRCON	KUNUNURRA ADMIN, SPLIT AC IN SERVER ROOM REPAIRED	154.00
EFT108445	11/02/2010	INSTITUTE OF P/WORKS ENGINEERING	ANNUAL MEMBERSHIP 01/01/10 - 31/12/10	715.00
EFT108446	11/02/2010	J BLACKWOOD & SON LIMITED	GREASE CARTRIDGES	159.59
EFT108447	11/02/2010	JORRITSMA H & CO	FITTINGS FOR DRAIN BLOCKAGE WYNDHAM POOL	86.00
EFT108448	11/02/2010	JAB INDUSTRIES	PLANT HIRE TO REALIGN DRAIN	4,383.50
EFT108449	11/02/2010	K & M ALLCLEAN	CLEANING OF YOUTH CENTRE JANUARY 2010	834.00
EFT108450	11/02/2010	KIMBERLEY MARKETING	PURCHASE OF ICE CREAMS FOR SALE LEISURE CENTRE	1,500.75
EFT108451	11/02/2010	KIMBERLEY TREE SERVICES PTY LTD	CUT DOWN TREE AND REMOVE RIVERFIG AV UNITS	1,215.00
EFT108452	11/02/2010	KUNUNURRA BETTA ELECTRICAL & GAS	RANGE HOOD - 6 EUGENIA ST KUNUNURRA	117.95
EFT108453	11/02/2010	KUNUNURRA HOME & GARDEN	AIR COMPRESSOR	924.54
EFT108454	11/02/2010	KUNUNURRA RURAL TRADERS	ANNUAL TEST & TAG FIRE EXTINGUISHERS	4,318.12
EFT108455	11/02/2010	KUNUNURRA SECURITY SERVICE	KNX AIRPORT BAGGAGE & SCREENING	42,957.00
EFT108456	11/02/2010	KIMBERLEY KOOL REFRIG & AIRCON	REPLACE FAULTY SENSOR IN ICE MACHINE	330.00
EFT108457	11/02/2010	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT108458	11/02/2010	MEGAN HUNT	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	1,975.88
EFT108459	11/02/2010	OFFICE NATIONAL KUNUNURRA	STATIONERY	137.60
EFT108460	11/02/2010	ORD RIVER ELECTRICS	INSTALL POLE, METER BOX - RETIC CONTROL CASUARINA	10,625.82
EFT108461	11/02/2010	ORD RIVER MEAT SUPPLY	AUSTRALIA DAY BREAKFAST	156.21
EFT108462	11/02/2010	ORDCO	15LT FERTILISER SPREADER	60.50
EFT108463	11/02/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	30.00
EFT108464	11/02/2010	PROCUT GARDEN MAINTENANCE	GARDEN MTCE AT KUNUNURRA AIRPORT	231.00
EFT108465	11/02/2010	RIVERFARM REPAIRS AND FABRICATION	WELD ALL MUDGUARDS P367	187.50
EFT108466	11/02/2010	ROYAL LIFE SAVING (WA BRANCH)	AQUAPAK RLSSA AND SWIM SCHOOL CERTIFICATES	289.20
EFT108467	11/02/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	1,125.00
EFT108468	11/02/2010	SYNETRIX	DIGITAL EXTERNAL HARD DRIVE	181.50
EFT108469	11/02/2010	THINKWATER	GEAR DRIVE POP UP SPRINKLERS X 20	540.00
EFT108470	11/02/2010	THORLEY'S STORE	TRANSPORT & DELIVERY OF SHIRE BAG WYN – KNX	360.00
EFT108471	11/02/2010	TNT AUSTRALIA PTY LIMITED	FREIGHT FOR WATER SAMPLES	134.59

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EFT108472	11/02/2010	TOLL EXPRESS	FREIGHT KNX LIBRARY, KNX ADMIN, KLC AND DEPOT	1,023.97
EFT108473	11/02/2010	VANDERFIELD MACHINERY PTY LTD	SET OF JD MOWER BLADES, BOLTS AND NUTS	177.81
EFT108474	11/02/2010	WA LOCAL GOVERNMENT ASSOC	SUBSCRIPTIONS AND MEMBERSHIPS	112.02
EFT108475	11/02/2010	WA LOCAL GOVT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	18,705.27
EFT108476	11/02/2010	WYNDHAM EXCAVATIONS	LOADER HIRE WYNDHAM LANDFILL SITE - JANUARY 2010	2,376.00
EFT108477	11/02/2010	YAKKA PTY LTD	UNIFORM SAMPLES FOR TESTING	317.90
EFT108478	18/02/2010	AIRPORT LIGHTING SPECIALISTS	COMMUNICATIONS UPGRADE AT WYN AIRPORT	5,845.40
EFT108479	18/02/2010	AUSTRALIAN FUEL DISTRIBUTORS	FUEL - JANUARY 2010	1,906.61
EFT108480	18/02/2010	AUSTRALIA POST,	POSTAGE JAN 10	501.17
EFT108481	18/02/2010	ALLGEAR M/CYCLES & SMALL ENGINES	WHIPPER SNIPPER HEAD	45.45
EFT108482	18/02/2010	ARGYLE MOTORS	SERVICE P106	318.25
EFT108483	18/02/2010	BILL BUTLER PAINTING & DECORATING	REPAIR/PAINT WATER DAMAGED AREAS KNX AIRPORT	1,650.00
EFT108484	18/02/2010	BRANKO BP MOTORS	P357 REAR WINDOW , BATTERY P330, REPAIRS P331	1,127.00
EFT108485	18/02/2010	CIVIC LEGAL	PROFESSIONAL FEES	636.35
EFT108486	18/02/2010	COOLIBAH PLUMBING AND GAS	SERVICE ATU SEPTIC SYSTEM CELEBRITY PK TOILETS	551.00
EFT108487	18/02/2010	CORPORATE EXPRESS	STATIONERY	1,050.51
EFT108488	18/02/2010	DARWIN AIRPORT INN	ACCOMMODATION 28/01/2010 - 29/01/2010	219.50
EFT108489	18/02/2010	EAST KIMBERLEY GLASS	EWIN CENTRE REPLACE WINDOW AFTER BREAK IN	420.00
EFT108490	18/02/2010	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS	41.45
EFT108491	18/02/2010	FUJI XEROX AUSTRALIA P/L	ENGINEERING PRINTING CHARGES 01/12/09 - 31/12/09	1,788.45
EFT108492	18/02/2010	GRAB A BARGAIN VARIETY STORE	ITEMS FOR WYN REC CENTRE YOUTH BALL	499.15
EFT108493	18/02/2010	ICE AGE REFRIG & AIRCONDITIONING	16 HIBISCUS ST KUNUNURRA, INSTALL AIR CON	3,240.00
EFT108494	18/02/2010	J BLACKWOOD & SON LIMITED	PPE ITEMS	53.12
EFT108495	18/02/2010	JASON SIGNMAKERS LTD	SIGNS FOR LEISURE CENTRE	733.15
EFT108496	18/02/2010	JK & JN MCMAHON	BOND & RENT PLUM COURT	5,200.00
EFT108497	18/02/2010	JSW HOLDINGS PTY LTD	WATER TRUCK AT LANDFILL SITE	308.00
EFT108498	18/02/2010	KIMBERLEY INDUSTRIES METALAND	MATERIALS FOR FRAME FOR CROCODILE WARNING SIGNS	232.10
EFT108499	18/02/2010	KIMBERLEY MARKETING	DRY ICE - MOSQUITO TRAPPING	99.00
EFT108500	18/02/2010	KIMBERLEY MOTORS	WYNDHAM TOURIST INFORMATION SERVICES AND FUEL	3,079.69

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EFT108501	18/02/2010	KIMBERLEY SOCIETY INC.	SUBSCRIPTION 'BOAB BULLETIN' 2010M WYN LIBRARY	50.00
EFT108502	18/02/2010	KINGS CROWN INSTRU. & ELECTRICAL	BASKETBALL COURT LIGHTING OOMBURGURRI COMMUNITY	2,131.00
EFT108503	18/02/2010	KUNUNURRA HOME & GARDEN	SHELF AND BRACKET KIT FOR LEISURE CENTRE KITCHEN	37.60
EFT108504	18/02/2010	KUNUNURRA REFRIG & AIR CON P/L	SERVICING OF KNX AIRPORT TERMINAL AIRCON UNITS	379.50
EFT108505	18/02/2010	LANDGATE	GROSS RENTAL VALUATIONS 14/11/2009 - 11/12/2009	776.06
EFT108506	18/02/2010	NORDIG EARTHMOVING	SLASHER HIRE FIREBREAKS	1,650.00
EFT108507	18/02/2010	ORD RIVER CONTRACTING	LOADER HIRE & EXCAVATOR HIRE VARIOUS SITES	25,868.70
EFT108508	18/02/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KUNUNURRA OFFICE	15.00
EFT108509	18/02/2010	ORICA AUSTRALIA PTY LTD	POOL CHEMICAL CYLINDERS - KLC AND WYN EFFLUENT	1,306.80
EFT108510	18/02/2010	ORIMATECH	AQUA PRINCE POOL VAC & LEAF BAG WYNDHAM POOL	8,657.00
EFT108511	18/02/2010	ORD FUEL SUPPLIES	DIESEL FOR DEPOT	9,671.77
EFT108512	18/02/2010	ROYAL LIFE SAVING (WA BRANCH)	VARIOUS SIGNS FOR WYN POOL	469.40
EFT108513	18/02/2010	SEARLES MECHANICAL REPAIRS	BATTERY CHARGER FOR KNX DEPOT	178.50
EFT108514	18/02/2010	SLINGAIR PTY LTD	CHECK LIGHTING UPGRADE WYNDHAM AIRPORT AT NIGHT	537.00
EFT108515	18/02/2010	SPEEDO AUSTRALIA PTY LTD	PURCHASE OF CONSUMABLES FOR SALE	460.90
EFT108516	18/02/2010	TELFORD INDUSTRIES	CHLORINE – KLC	808.50
EFT108517	18/02/2010	THINKWATER	GEAR DRIVE POP UP SPRINKLERS	792.00
EFT108518	18/02/2010	TNT AUSTRALIA PTY LIMITED	FREIGHT FOR WATER SAMPLES	616.57
EFT108519	18/02/2010	TONY'S PLUMBING & EXCAVATION P/L	MINI EXCAVATOR TO DIG RETIC TRENCHES WYN POOL	2,090.00
EFT108520	18/02/2010	TOP END MOTORS	SERVICE P215 AND P303	1,131.40
EFT108521	18/02/2010	TST ELECTRICAL	MTCE REPAIRS KLC, WHITEGUM PK CONDUIT, 16 HIBISCUS	2,229.57
EFT108522	18/02/2010	TOP END BUILDING COMPANY	BUILDING MODIFICATION WORKS EWIN CENTRE	28,809.00
EFT108523	18/02/2010	WA AQUATIC CLUB PTY LTD	PURCHASED ITEMS FOR SALE - KLC	1,505.59
EFT108524	18/02/2010	WA LOCAL GOVERNMENT ASSOC	ADVERTISEMENT WEST AUSTRALIAN 16/01/2010	1,428.93
EFT108525	18/02/2010	W RICHARDS & R MORRALL	REIMBURSEMENT OF MEALS WHILST AT TRAINING	113.15
EFT108526	18/02/2010	WESTERN AUST. TREASURY CORP	LOAN 113 INTEREST PAYMENT	112,109.60
EFT108527	18/02/2010	WESTRAC EQUIPMENT PTY LTD	PARTS FOR LOADER MAJOR SERVICE P474	3,274.17
EFT108528	18/02/2010	WESTRALIA AIRPORTS CORP PTY LTD,	ASIC CARDS PRINTING	300.00
EFT108529	18/02/2010	WHELANS	SUBDIVISION FEES LOT 181VICTORIA HIGHWAY	3,896.81

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EFT108530	18/02/2010	YAKKA PTY LTD	WORK SHIRT	26.14
EFT108531	22/02/2010	NPM GROUP PTY LTD TRADING	PROGRESS PAYMENT # 3 STAFF HOUSES	112,943.79
EFT108532	25/02/2010	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	370.71
EFT108533	25/02/2010	AUST GOVT NAT. MEASUREMENT INST	WATER SAMPLES FOR LILY CREEK LAGOON	275.00
EFT108534	25/02/2010	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	189.00
EFT108535	25/02/2010	ALLGEAR M/CYCLES & SMALL ENGINES	BUMPER HEADS FOR WHIPPER SNIPERS	110.95
EFT108536	25/02/2010	ARGYLE ENGINEERING	BUILD UP SKIDS ON SLASHER P401	591.99
EFT108537	25/02/2010	ARGYLE MOTORS	SERVICE P201, STARTER MOTOR P362	735.30
EFT108538	25/02/2010	BODAN CONSTRUCTIONS PTY LTD	REPAIR DOOR OFF HINGES, REPAIR WYN OFFICE A/CON	330.00
EFT108539	25/02/2010	BORDERS AUSTRALIA PTY LTD	BOOK STOCK FOR LIBRARY	1,468.74
EFT108540	25/02/2010	BOSS FLUID POWER	CLEANING ITEMS/ DEODORISER/ TOILET PAPER	3,526.44
EFT108541	25/02/2010	BRIDGESTONE AUSTRALIA LTD	REPLACEMENT TYRE P326, P331	301.64
EFT108542	25/02/2010	BUDGET RENT A CAR	HIRE VEHICLE 01/02/2010 - 03/02/2010	94.38
EFT108543	25/02/2010	BUSH CAMP SURPLUS STORES	PPE ITEMS KUNUNURRA AIRPORT	538.50
EFT108544	25/02/2010	BEAUREPAIRES FOR TYRES	WHEEL ALIGNMENT WY1	26.40
EFT108545	25/02/2010	BRANKO BP MOTORS	MISC ITEMS FOR JANUARY 2010	386.90
EFT108546	25/02/2010	CABCHARGE	TAXI FARES - STAFF TRAINING/CONFERENCES	188.76
EFT108547	25/02/2010	CHEFMASTER AUSTRALIA	240L BIN LINERS IN BULK	1,710.00
EFT108548	25/02/2010	CORPORATE EXPRESS	DESK CHAIRS - KLC	497.20
EFT108549	25/02/2010	CRIPPS, KELLY	STAFF BOARDING PAYMENT 15/02/10 - 29/02/10	300.00
EFT108550	25/02/2010	CREATING COMMUNITIES	SPORT AND RECREATIONAL MASTER PLAN PHASE 1	8,538.75
EFT108551	25/02/2010	DAVEY TYRE & BATTERY SERVICE	TYRES P303, P104, P313 - PUNCTURE P312	2,027.79
EFT108552	25/02/2010	DELISH'US	LUNCH DCU SPECIAL MEETING 15/02/10	250.00
EFT108553	25/02/2010	EAST KIMBERLEY PLUMBING	FIX WATER LEAK WHITE GUM PARK	289.08
EFT108554	25/02/2010	FUJI XEROX AUSTRALIA P/L	KNX DEPOT PRINTING CHARGES 01/01/2010 - 31/01/2010	1,077.95
EFT108555	25/02/2010	FRANMOR CONSTRUCTIONS PTY LTD	DOOR REFUSE SITE, WINDOW ENG DEPT, DOOR 6 EUGENIA	2,565.44
EFT108556	25/02/2010	GOODYEAR DUNLOP DISTRIBUTORS	TYRES P354 AND P331	1,105.62
EFT108557	25/02/2010	GUERINONI & SON	CONCRETE MESSMATE WAY	2,207.70
EFT108558	25/02/2010	GULLIVERS TAVERN	DINNER COUNCIL MEETING 19/01/2010	240.00

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EFT108559	25/02/2010	HOTEL KUNUNURRA	ACCOMMODATION AND MEALS 12-13/02/10	328.00
EFT108560	25/02/2010	ICE AGE REFRIGERATION & AIRCON	AIR CON 28 EUGENIA ST KNX, AIR CON REPAIRS WYN REC	2,002.50
EFT108561	25/02/2010	INFOMATICS PTY LTD	SCANNING OF AIRPORT PLANS	56.05
EFT108562	25/02/2010	J BLACKWOOD & SON LIMITED	GREASE GUNS	148.28
EFT108563	25/02/2010	JABIRU PAINTING PTY LTD	REAPPLICATION OF ANTI GRAFFITI COATING - EWIN CENTRE	1,650.00
EFT108564	25/02/2010	JACK IN THE BOX	CLAIM # 5 REBRANDING FOR SWEK	3,177.90
EFT108565	25/02/2010	JOANNE MORGAN	RECRUITMENT EXPENSES	927.54
EFT108566	25/02/2010	KIMBERLEY ECHOALBANY ADVERTISER	ADVERTISING	2,252.55
EFT108567	25/02/2010	KIMBERLEY WASTE SERVICES	KUNUNURRA REFUSE COLLECTION JAN 10	63,290.09
EFT108568	25/02/2010	KUNUNURRA BETTA ELECTRICAL & GAS	MOBILE PHONE COVERS	39.98
EFT108569	25/02/2010	KNX COUNTRY CLUB RESORT	ACCOMMODATION 29/01/2010 - 31/01/2010	590.90
EFT108570	25/02/2010	KUNUNURRA LOCK & KEY	CASH BAGS, KEYS CUT, LOCKS	1,063.30
EFT108571	25/02/2010	KUNUNURRA MAINTENANCE SERVICE	REPAIRS TO BATHROOM 3 EUCALYPTUS KNX	423.50
EFT108572	25/02/2010	KUNX REFRIGERATION & AIR CON P/L	AIRCON REPAIRS WYN COUNCIL CHAMBERS AND PRMH	1,587.46
EFT108573	25/02/2010	KUNUNURRA SECURITY SERVICE	AIRPORT BAGGAGE & SCREENING	38,171.00
EFT108574	25/02/2010	KIMBERLEY COMMUNICATIONS	SUPPLY & FIT NEW ANTENNA P204	186.00
EFT108575	25/02/2010	KUNUNURRA COURIERS	NEVERFAIL SPRING WATER KNX OFFICE & AIRPORT	37.00
EFT108576	25/02/2010	L.G.R.C.E.U	PAYROLL DEDUCTIONS	15.30
EFT108577	25/02/2010	LANDGATE	SUBDIVISION LOT 181 LODGEMENT FEE	334.00
EFT108578	25/02/2010	LGIS LIABILITY	INSURANCE EXCESS	1,000.00
EFT108579	25/02/2010	LOCK, STOCK & FARRELL LOCKSMITH	24 X MASTER PADLOCKS	903.60
EFT108580	25/02/2010	LW PROPERTY CARE	CLEANING OF BBQ'S AT SWIM BEACH	660.00
EFT108581	25/02/2010	MEGAN HUNT	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	3,698.97
EFT108582	25/02/2010	MCLEAN ENTERPRISES PTY LTD	FREIGHT FOR KITCHENWARE - YOUTH CENTRE	44.00
EFT108583	25/02/2010	MILLWOOD OUTDOOR FURNITURE	FURNITURE FOR YOUTH CENTRE	2,415.00
EFT108584	25/02/2010	NICOLE SIEMON AND ASSOCIATES	CLAIM # 1 CONSULTANT ENVIRON IMPACT ASSESSMENT	2,970.00
EFT108585	25/02/2010	OFFICE NATIONAL KUNUNURRA	STATIONERY	649.60
EFT108586	25/02/2010	ORD RIVER ELECTRICS	OVERDUE CHARGES FOR INVOICE 26863	20.00
EFT108587	25/02/2010	ORD RIVER TRENCHING	TRENCHER HIRE TELEPHONE CONNECTION TO TIP	3,500.00

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EFT108588	25/02/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY - KUNUNURRA OFFICE	15.00
EFT108589	25/02/2010	RAPISCAN SYSTEMS AUSTRALIA P/L	TEST PIECE FOR CBS & SENSOR MATRIX KNX AIRPORT	2,843.50
EFT108590	25/02/2010	SETON AUSTRALIA PTY LTD	ANTI SLIP FLOOR COATING – KLC	371.87
EFT108591	25/02/2010	SHERIDAN'S FOR BADGES	NAME BADGES FOR VARIOUS STAFF	67.63
EFT108592	25/02/2010	SHIRE OF DERBYWEST KIMBERLEY	REIMBURSEMENT LOCAL GOVT WEEK KIMBERLEY DINNER	146.50
EFT108593	25/02/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	580.00
EFT108594	25/02/2010	STITCHED UP EMBROIDERY SERVICES	POLO SHIRTS FOR BOOT CAMP - KLC	805.00
EFT108595	25/02/2010	THINKWATER	PVC GLUE	13.78
EFT108596	25/02/2010	TNT AUSTRALIA PTY LIMITED	FREIGHT FOR WATER SAMPLES	85.58
EFT108597	25/02/2010	TOLL EXPRESS	FREIGHT KNX ADMIN, KLC, KNX LIBRARY, YOUTH CENTRE	2,364.98
EFT108598	25/02/2010	TONI JARVIS	STAFF BOARDING PAYMENT	300.00
EFT108599	25/02/2010	TOTAL EDEN KP PUMPS	CHLORINE FOR KLC	1,069.84
EFT108600	25/02/2010	TST ELECTRICAL	REPAIR SWIMBEACH TOILETS PUMP CIRCUIT BREAKER	429.00
EFT108601	25/02/2010	TUCKERBOX/RETRAVISION	CONSUMABLES AND VARIOUS ITEMS	1,390.46
EFT108602	25/02/2010	URBIS PTY LTD	LOCAL PLANNING SCHEME STAGE 1 PREP OF SCHEME	6,322.37
EFT108603	25/02/2010	WA LOCAL GOVT ASSOCIATION WALGA	LOCAL GOVERNMENT DIRECTORIES	525.70
EFT108604	25/02/2010	WA LOCAL GOVT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	21,125.91
EFT108605	25/02/2010	WA TELECENTRE KUNUNURRA	HIRE PROJECTOR FOR HEALTH WAY SEMINAR 27/01/2010	70.00
EFT108606	25/02/2010	WYNDHAM SUPERMARKET	WYNDHAM POOL OPENING, SCHOOL HOLIDAY PROGRAMS	900.19
Total EFT Payments (Municipal Account)				<u>1,139,156.33</u>

CHQ	Date	Name	Description	Amount
39414	4/02/2010	ASGARD SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	220.71
39415	4/02/2010	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	165.91
39416	4/02/2010	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	170.10
39417	4/02/2010	ALICE TIPPETTS	CROSSOVER SUBSIDY	701.25
39418	4/02/2010	PETTY CASH KNX DEPOT	VARIOUS ITEMS	89.25
39419	4/02/2010	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75

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39420	4/02/2010	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	15,233.39
39421	4/02/2010	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	350.38
39422	4/02/2010	PRO AUDIO SUPPLIES	DISCO/AUDIO LIGHTING EQUIPMENT - YOUTH CENTRE	8,260.00
39423	4/02/2010	REST SUPER	SUPERANNUATION CONTRIBUTIONS	557.95
39424	4/02/2010	SHIRE OF BROOME	REGIONAL LIBRARY TRAINING FOR LIBRARY STAFF	250.00
39425	4/02/2010	VICSUPER	SUPERANNUATION CONTRIBUTIONS	50.88
39426	4/02/2010	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	866.60
39427	4/02/2010	WATER CORPORATION	WATER CHARGES VARIOUS LOCATIONS	403.35
39428	11/02/2010	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	132.72
39429	11/02/2010	AVP COMMERCIAL POOLS	PROGRESS CLAIM # 5 WYNDHAM POOL UPGRADE	295,625.00
39430	11/02/2010	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	146.79
39431	11/02/2010	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	456.74
39432	11/02/2010	HORIZON POWER	VARIOUS LOCATIONS	14,258.42
39433	11/02/2010	HOTEL IBIS DARLING HARBOUR	ACCOMMODATION 22 - 27/11/09	770.00
39434	11/02/2010	JOHN MCNIVAN	OVERPAYMENT OF RATES	767.13
39435	11/02/2010	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	310.84
39436	11/02/2010	PREMIER AWARDS PTY LTD	PLAQUE FOR WYNDHAM POOL OPENING	550.00
39437	11/02/2010	REST SUPER	SUPERANNUATION CONTRIBUTIONS	407.14
39438	11/02/2010	REGIONAL POWER CORPORATION	OVERPAYMENT OF RATES	1,152.78
39439	11/02/2010	STANBRIDGES HOBBY SHOP	MINI MOTOR FOR MOSQUITO TRAPS	12.80
39440	11/02/2010	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	693.29
39441	11/02/2010	WYNDHAM HISTORICAL SOCIETY INC	WYNDHAM LIBRARY BOOKS	30.30
39442	18/02/2010	AUSTCOMMUNICATIONS AUTHORITY	RADIO LICENCE RENEWAL 09/10 KUN/WYN AIRPORT	219.00
39443	18/02/2010	AUSTRALIAN TAX COLLEGE	TRAINING GST FOR GOVERNMENT & HASSLE FREE FBT	1,450.80
39444	18/02/2010	FOSSEYS AUSTRALIA P/L	VARIOUS GAMES AND CONSOLE FOR YOUTH CENTRE	1,546.85
39445	18/02/2010	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	12,149.60
39446	18/02/2010	TELSTRA	MOBILE PHONE CHARGES JANUARY 2010	1,311.68
39447	25/02/2010	AUSBURN, DI	REIMBURSEMENT FOR AUSTRALIA DAY ITEMS	198.25
39448	25/02/2010	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	143.23

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39449	25/02/2010	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	183.49
39450	25/02/2010	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75
39451	25/02/2010	HORIZON POWER	ELECTRICITY CHARGES VARIOUS LOCATIONS	8,281.40
39452	25/02/2010	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	353.14
39453	25/02/2010	REST SUPER	SUPERANNUATION CONTRIBUTIONS	586.02
39454	25/02/2010	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	80.47
39455	25/02/2010	TELSTRA	LANDLINE CHARGES FOR JAN 2010	3,596.67
39456	25/02/2010	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	1,026.55
39457	25/02/2010	WESTERN AUST. PLANNING COMM.	SUBDIVISION LOT 181 FINAL CLEARANCE FEES	446.00
Total Cheque Payments (Municipal Account)				<u>375,132.37</u>

EFT	Date	Name	Description	Amount
500017	8/02/2010	TRUST DPI CLEARING	TRANSPORT CLEARING 4/2/10	3,506.40
500018	12/02/2010	TRUST DPI CLEARING	TRANSPORT CLEARING 9/2/10	2,091.00
500019	23/02/2010	TRUST DPI CLEARING	TRANSPORT CLEARING 18/2/10	5,356.85
500020	24/02/2010	TRUST DPI CLEARING	TRANSPORT CLEARING 19/2/10	1,373.95
500021	26/02/2010	TRUST DPI CLEARING	TRANSPORT CLEARING 23/2/10	348.85
Total EFT Payments (Trust Account)				<u>12,677.05</u>

CHQ	Date	Name	Description	Amount
21	1/02/2010	GLENDALE HOMES PTY LTD	REFUND FOOTPATH/KERB BOND	270.00
22	1/02/2010	TANUI WANO	REFUND FOOTPATH/KERB BOND	250.00
23	10/02/2010	C SHARPE	REFUND FOOTPATH/KERB BOND	250.00
24	10/02/2010	TERRY O'GRADY	REFUND FOOTPATH/KERB BOND	350.00
Total Cheque Payments (Trust Account)				<u>1,120.00</u>

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Date	Name	Description	Amount
04/02/2010	PAYROLL	ONE OFF PAY	3,637.65
10/02/2010	PAYROLL	PAYROLL	114,321.95
16/02/2010	PAYROLL	ONE OFF PAY	410.90
19/02/2010	PAYROLL	ONE OFF PAY	1,989.98
24/02/2010	PAYROLL	PAYROLL	139,614.81
Total Payroll Payments (Municipal Account)			<u>259,975.29</u>

Date	Name	Description	Amount
25/02/2010	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	2,036.66
15/02/2010	DIRECT DEBIT	RENT 4 BOOBIALLA WAY	2,491.67
22/02/2010	DIRECT DEBIT	RENT 20 BARRINGTONIA WAY	2,426.66
Feb-10	DIRECT DEBIT	BANK FEES	211.80
Feb-10	DIRECT DEBIT	BPOINT	43.82
2/02/2010	DIRECT DEBIT	VISA PAYMENT	1,280.42
18/02/2010	DIRECT DEBIT	MASTERCARD	12,958.66
Feb-10	DIRECT DEBIT	MERCHANT FEE	718.57
Feb-10	DIRECT DEBIT	WESTNET P/L	999.24
Total Direct Debit Payments (Municipal Account)			<u>23,167.50</u>

12.2.3 SHARES IN CAMBRIDGE GULF LIMITED

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.35.07
ASSESSMENT NO:	N/A

Cr J Parker left the room at 6.08pm as she had declared a Financial Interest in Item 12.2.3 Shares in Cambridge Gulf Limited.

PURPOSE

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

BACKGROUND

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

Minute No. 8314

Moved: Cr J Moulden

Seconded: Cr K Wright

That Council:

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

Carried Unanimously 6/0

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

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

Minute No: 8471

Moved: Cr J Moulden

Seconded: Cr R Addis

That Council having considered the offer received from Cuckoona Park Superannuation Fund to purchase 4,061

shares in Cambridge Gulf Limited for \$3.50 per share makes a counter offer to sell the shares at a value of \$5.00 per share with the offer expiring at 4.00pm on Monday 12 January 2009.

CARRIED: (4/2)

*Cr K Wright requested the votes be recorded
Crs J Moulden, R Addis, F Mills and D Ausburn voted for the motion
Crs K Wright and K Torres voted against the motion*

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

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

Minute No. 8588

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

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

CARRIED UNANIMOUSLY: (6/0)

In accordance with the above resolution, the status of the shares was then re-examined at the Ordinary Meeting of Council on 15 September 2009, during which Council resolved:

Minute No. 8812

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

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

CARRIED UNANIMOUSLY: (7/0)

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Council received the Cambridge Gulf Limited 2009 Annual Report in November 2009. The report noted that a fully franked dividend of 15 cents per share, including both the interim and final dividend for the year. The net gain to Council from these dividends was \$609.15 for the 2008/2009 financial year.

Proceeds from sale of shares were not included in the 2009/10 Budget.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Community consultation is not required with regard to this item.

COMMENT

In December 2009, another shareholder placed an advertisement in the Kimberley Echo regarding the sale of 71,579 Cambridge Gulf Shares for a value of \$3.40 per Share. A representative of this shareholder was contacted in February 2010 and advised Shire Officers that they have been unable to sell all of their shares at this time.

The Secretary of Cambridge Gulf Limited suggested that if Council is interested in disposing of the shares, our details can be listed with Cambridge Gulf Limited. In the event that a prospective purchaser of the shares contacts them then they are able to give the Shire's details for pursuit of the purchase.

Should a potential purchaser come forward with an offer that is considered reasonable, an item to Council recommending the sale of the shares will be presented.

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

The Audit Committee referred this item to Council due to a committee member declaring an interest in the item and if the member left the room there would not have been a quorum to consider the item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- a) **confirms their intention to dispose of the 4,061 Cambridge Gulf Limited Shares by listing the Shares details with Cambridge Gulf Limited for the purposes of disposal of the shares, with the disposal requiring a decision of Council; and**
- b) **review the status of the shares in twelve months if the shares are still held by Council at this time.**

COUNCIL DECISION

Minute No: 9067

Moved: Cr R Addis

Seconded: Cr K Torres

That Council:

- a) ***confirms their intention to dispose of the 4,061 Cambridge Gulf Limited Shares by listing the Shares details with Cambridge Gulf Limited for the purposes of disposal of the shares, with the disposal requiring a decision of Council; and***
- b) ***review the status of the shares in twelve months if the shares are still held by Council at this time.***

CARRIED UNANIMOUSLY: (5/0)

Cr J Parker returned to the room at 6.09pm and was advised of the outcome.

12.3 ENGINEERING & REGULATORY SERVICES

No reports from Engineering & Regulatory Services

12.4 DEVELOPMENT

12.4.1 PROPOSED ROAD CLOSURE - UNNAMED ROAD, KUNUNURRA

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Farm Hill Road, Kununurra
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	01.0054.02
ASSESSMENT NO:	A54

PURPOSE

For Council to consider the closure of an unconstructed and unnamed road reserve located off Farm Hill Road, Kununurra to enable reservation of the land for the purpose of 'Conservation'.

BACKGROUND

The Shire received correspondence from the Department of Planning and Infrastructure (now Department of Regional Development and Lands) requesting the Council to begin the road closure process as per section 58 of the *Land Administration Act 1997*. A copy of this correspondence is shown in Attachment 1.

The intent is for the unconstructed and unnamed road reserve to be amalgamated with adjoining unallocated Crown land (UCL) to enable reservation of the land for the purpose of 'Conservation' under the care, control and management of the Department of Environment and Conservation.

The unconstructed and unnamed road reserve is shown on the plan in Attachment 2. The proposed 'Conservation' reserve is shown on the plan in Attachment 3.

Accordingly, 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, as required under the *Land Administration Act 1997*.

STATUTORY IMPLICATIONS

In order to effect the road closure, it is a requirement under Section 58 of 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.

The land is reserved as Conservation/Environmental Protection under the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs and therefore, the proposed reservation of the land is in keeping with the Scheme.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil. The State, as 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*. Notification letters will be sent to service agencies and adjoining landowners seeking their comment.

COMMENT

The unnamed road reserve was created as part of a proposed subdivision for the purpose of Rural Industry, however, release of the land has proved unsuccessful due to the unsuitability of the land for development and as such, the road has not been constructed.

The road reserve and surrounding land remains as one of the few uncleared areas within the Ord River Irrigation Area and is considered to have conservation value as a wildlife 'corridor' for fauna migration through the valley and as remnant bushland habitat.

Given the intention to reserve the land for the purpose of 'Conservation', with the management order to be issued to the Department of Environment and Conservation, it is considered appropriate for the road closure to be supported.

To enable the proposed reservation to occur, the formal road closure process must first be instigated as required under section 58 of the *Land Administration Act 1997*. This requires Council to advertise and pass a resolution for the proposed road closure.

ATTACHMENTS

Attachment 1: Letter from Department for Planning and Infrastructure
Attachment 2: Road Closure Plan
Attachment 3: Conservation Reserve Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Advertise the proposed road closure in accordance with section 58 of the *Land Administration Act 1997*.**
- 2. Resolve to close the unnamed road reserve, as shown coloured blue on the plan in attachment 2, subject to no objections being received during the advertising period in accordance with section 58 of the *Land Administration Act 1997*.**
- 3. Following completion of the advertising period, advise the Department for Regional Development and Lands to close the unnamed road reserve, as shown coloured blue on the plan in attachment 2, for amalgamation with adjoining unallocated Crown land.**

COUNCIL DECISION

Minute No: 9068

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council:

- 1. Advertise the proposed road closure in accordance with section 58 of the *Land Administration Act 1997*.**
- 2. Resolve to close the unnamed road reserve, as shown coloured blue on the plan in attachment 2, subject to no objections being received during the advertising period in accordance with section 58 of the *Land Administration Act 1997*.**
- 3. Following completion of the advertising period, advise the Department for Regional Development and Lands to close the unnamed road reserve, as shown coloured blue on the plan in attachment 2, for amalgamation with adjoining unallocated Crown land.**

CARRIED UNANIMOUSLY: (6/0)

Attachment 1: Letter from Department for Planning and Infrastructure



Government of **Western Australia**
Department of Regional Development and Lands

Lands Division

Doc No.	069065
Date	28 JAN 2010
Officer	KIMTED TPO
Response	
File	01-0054-02
Cross Ref.	

Your ref: 6615-01.0054.02: TP1437
Our ref: 00715-1986/03 Prompt Job No. 091208
Enquiries: Leanne Shaw Ph: (08) 9347 5083
Fax: (08) 9347 5001
leanne.shaw@lands.rdl.wa.gov.au

21 January 2010

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

Attention: Town Planning Officer

Dear Sir or Madam:

PROPOSED CLOSURE OF ROAD AS SHOWN ON DEPOSITED PLAN 172185 – FARM HILL ROAD, KUNUNURRA.

I refer to your letter dated 22nd October 2009 in which the Shire of Wyndham-East Kimberley advised that it had no objections to the proposed closure of road reserve as shown on Deposited Plan 172185.

The Department of Regional Development and Lands (RDL) wishes to advise that it is proposed that the road reserve to be closed is to be included into the proposed "Conservation" reserve as shown hachured red on the attached sketch.

Council is respectfully requested to begin the road closure process as per section 58 of the *Land Administration Act 1997*.

Please contact me on the numbers listed above if you have any questions.

Yours sincerely

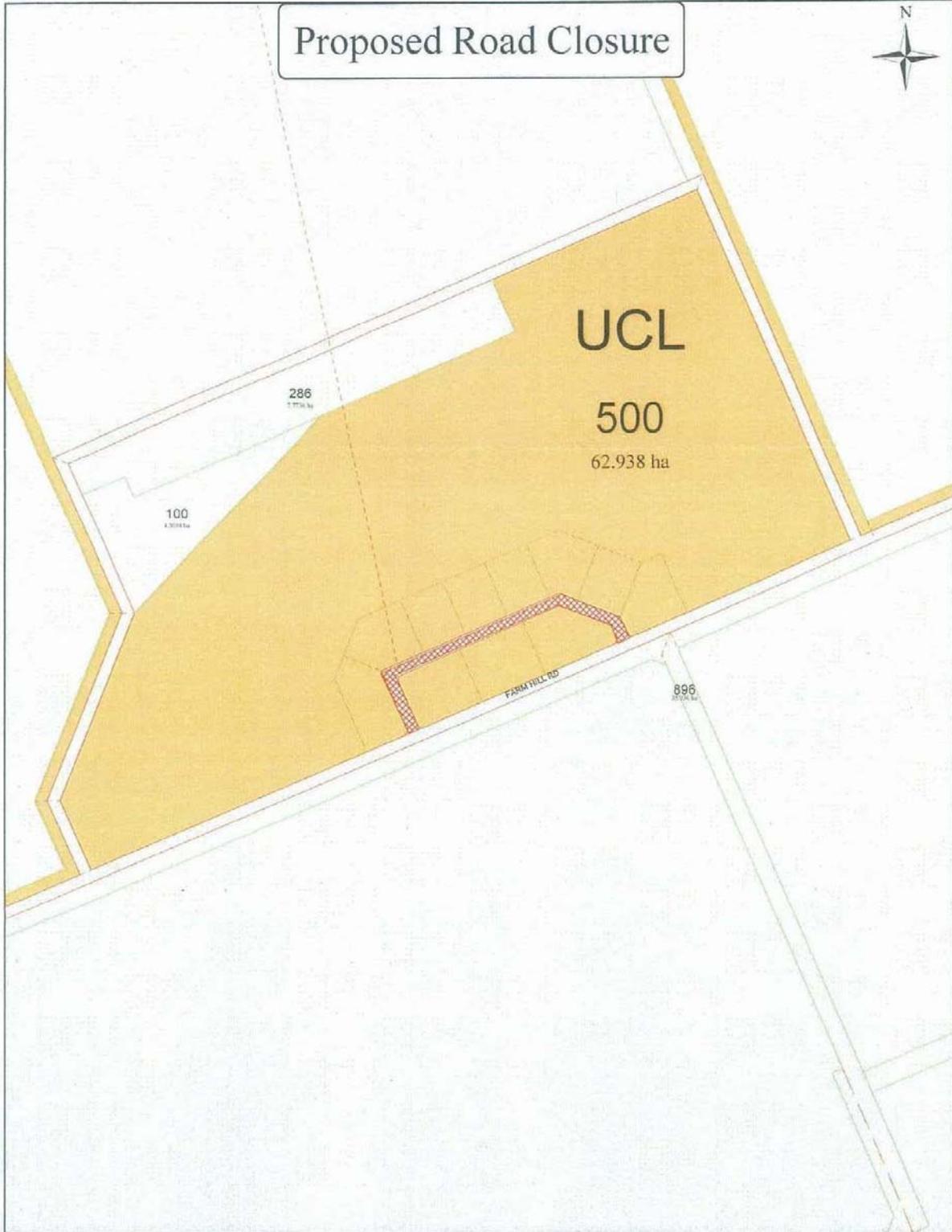
Leanne Shaw
A/Senior State Land Officer
State Lands – Kimberley/Pilbara
Lands Division

Att.

1208lms04.doc

1 Midland Square, Midland, Western Australia 6056
Postal Address: PO Box 1575, Midland, Western Australia 6936
Tel: (08) 9347 5000 www.rdl.wa.gov.au ABN 28 807 221 246

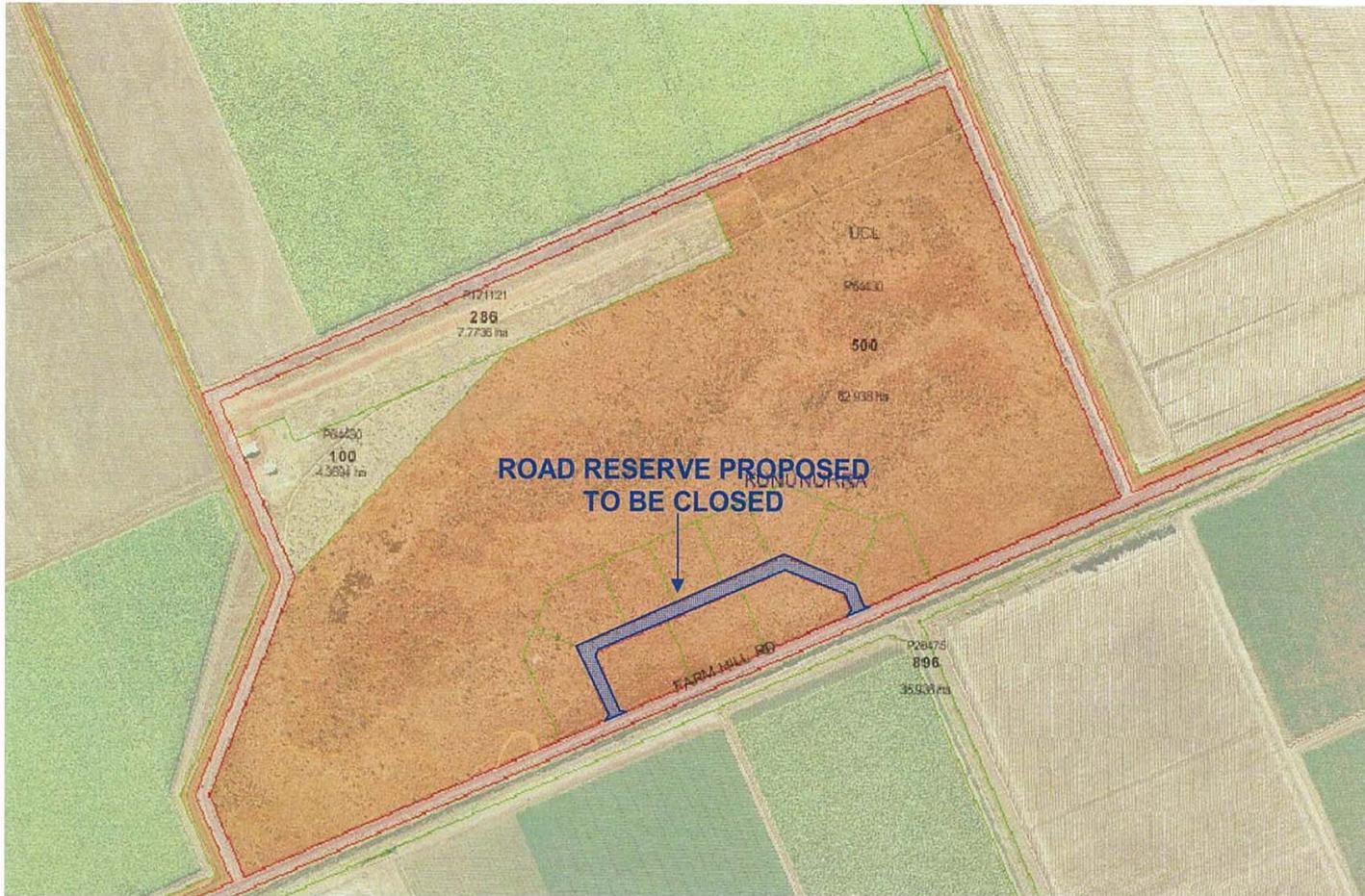
Proposed Road Closure



Scale : 1:8000 (MGA)
MGA : SW=471361.07,8271750,548 Zone 52 / NE=473020 041,8273712.197 Zone 52
Lat/Long : -15°37'55.249", 128°43'58.115" / -15°36'51.470", 128°44'53.912" H 263mm by W 201mm

Printed : 13:30 Thu 21/Jan/2010
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ATTACHMENT 2 — ROAD CLOSURE PLAN



ATTACHMENT 3 — PROPOSED CONSERVATION RESERVE

12.4.2 SHIRE HOUSES - BOOBIALLA WAY, KUNUNURRA

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	23 and 29 Booiballa Way, Kununurra
AUTHOR:	Ian D'Arcy, Executive Manager Development Services
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	43.04.37
ASSESSMENT NO:	N/A

PURPOSE

For the Council to consider the deferment of selling Shire houses in Boobialla Way, Kununurra.

BACKGROUND

As the Council would be aware, two new transportable houses are currently being constructed and are scheduled to be placed on Shire properties in Lakeside in early March for completion in April of this year.

The initial intent in building these houses was to replace aging housing stock in Boobialla Way, Kununurra that is used for staff accommodation. In line with this approach market appraisals on the sale of the existing houses in Boobialla Way have recently been obtained from the local real estate agents outlined below:

Shire House	First National Real Estate	East Kimberley Real Estate
23 Boobialla Way	\$445,000 - \$460,000 (\$13,350 - \$13,800 fee)	\$429,000 - \$439,000 (\$13,213 - \$13,521 fee)
29 Boobialla Way	\$430,000 - \$445,000 (\$12,900 - \$13,350 fee)	\$424,000 - \$434,000 (\$13,059 - \$13,367 fee)

The Council now needs to determine whether it wishes to progress with the sale of the Boobialla Way houses as programmed in the current budget, and if so, through which agency and by what method of sale. In accordance with the Local Government Act, the Council may sell each of the respective houses in Boobialla Way by auction, private treaty or tender.

A copy of the respective market appraisals can be provided to Councillors on request.

The figure below illustrates the location of the subject houses:



Figure 1 – Location Plan



Figure 2 – 23 Boobiella Way



Figure 3 – 29 Boobiella Way

STATUTORY IMPLICATIONS

Should the Council proceed to sell the respective houses in Boobiulla Way, it may do so by way of auction, private treaty or tender pursuant to Section 3.58 (2) and (3) of the *Local Government Act, 1995*.

Section 6.20 of the *Local Government Act 1995* confers the powers for a Local Government to borrow money. The proposal to borrow must be included in the annual budget or is subject to one month's public notice. An absolute majority decision of Council is required in relation to borrowings.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The current budget advocates a borrowing of \$700,000 over two years (interest only) with a further \$100,000 being secured through a country housing grant.

Accordingly, the following table summarises the loan from WA Treasury Corporation:

Amount	Period	Interest Rate	Total Repaid
\$700,000	2 years (Interest Only)	5.1400% p.a. (Semi Annual Compounding)	\$773,360.00

Should a grant not be secured for \$100,000, and in acknowledging the real costs for the houses is expected to be \$880,000 (Inc GST), then the loan amount will need to be adjusted to reflect this figure resulting in the repayments being marginally higher.

STRATEGIC IMPLICATIONS

With an increase in demand for staff housing and diminishing market for rental properties that is forcing an increase in weekly rental charges, it is apparent the Council is at a point where it needs to re-access its position on the sale of 23 and 29 Boobiulla Way and give consideration to the future demand to accommodate staff. Whilst increasing the amount of grouped dwelling units to be sold to derive a profit, this will assist in funding the construction of a new administration building.

COMMUNITY CONSULTATION

A form of community consultation will be initiated as part of the sale process as the Council is required to advertise the disposal of a public asset, should the Council proceed to dispose of one or both houses.

COMMENT

While both houses are aged and ideally should be sold to off set the recent construction of two new staff houses in Lakeside, there is a genuine need to retain these houses to accommodate immediate staff housing needs.

With an increase in demand for staff housing and diminishing market for rental properties that is forcing an increase in weekly rental charges, it is suggested the Council re-access its position on selling the two houses in Boobiella Way through a possible deferment of 18 months pending the construction of new units in Water Lily Place.

Furthermore, it is expected that some improvements will need to be undertaken on the Boobiella Way houses to ensure they present to an acceptable standard for staff use.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council

- 1. Defer the sale of houses (number 23 and number 29) in Boobiella Way, Kununurra pending completion of new residential units on Lot 501 Water Lily, Kununurra; and**
- 2. Approve the borrowing of a maximum of \$880,000 being an interest only loan for a period of 2 years for staff housing, subject to the proposal to borrow being advertised through local public notice for a period of one month.**

COUNCIL DECISION

Minute No: 9069

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council

- 1. Defer the sale of houses (number 23 and number 29) in Boobiella Way, Kununurra pending completion of new residential units on Lot 501 Water Lily, Kununurra; and***
- 2. Approve the borrowing of a maximum of \$880,000 being an interest only loan for a period of 2 years for staff housing, subject to the proposal to borrow being advertised through local public notice for a period of one month.***

CARRIED UNANIMOUSLY: (6/0)

12.4.3 TERMS OF REFERENCE - LAKE KUNUNURRA TECHNICAL WORKING GROUP

DATE:	16 March 2010
PROONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Lake Kununurra, Kununurra.
AUTHOR:	Katya Tripp, Environmental Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	01.2860.08, 43.03.03
ASSESSMENT NO:	A2860

PURPOSE

For council to adopt the attached terms of reference of the Technical Working Group to undertake a review of the Lake Kununurra Foreshore Plan.

BACKGROUND

The Lake Kununurra Foreshore Plan (the Foreshore Plan) was developed by a community driven Foreshore Group and written in 2006. The Foreshore Plan was endorsed by Council at the Ordinary Council Meeting on 17 October, 2006.

With some three years having passed, the need to undertake a review of the document has arisen in light of increasing development and recreational use pressures associated with the foreshore and adjacent lake area. In response, the Council at the Ordinary Council Meeting on 16 February, 2010 meeting resolved to:

Minute No. 9035

Moved: Cr K Wright

Seconded: Cr J Moulden

That Council:

1. *Supports the formation of a technical working group to review the Foreshore Plan, focussing on the following:*
 - *development of a plan for the water that complements the overall land use plan;*
 - *identification of one or more site options for a communal 'service site' for the refuelling and sullage removal of commercial vessels;*
 - *identification of options for stage 2 of a commercial boating facility; and*
 - *management of aquatic vegetation within the lagoon.*
2. *Agrees that membership of this group is to consist of representatives from:*

Council, Council administration, Department of Water, Department of Conservation and Land Management, Water

Corporation, MG Corporation, Ord Land and Water, Department of Transport, Department of Regional Development and Lands, and Tourism WA.

With letters of invitation to be distributed before a Terms of Reference has been finalised.

Carried Unanimously (7/0)

In consideration of the above motion, Officers have prepared a Draft Terms of Reference to guide the Technical Working Group. The Draft Terms of Reference and council representatives for the group were considered at the 2 March 2010 Briefing Session where two Councillors were nominated as the elected representatives for this Group.

Additionally, invitations to listed Departments/Organisations requesting a representative to join the Technical Working Group have been sent.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Terms of Reference will guide the Technical Working Group's agenda and discussion at meetings.

COMMUNITY CONSULTATION

A period of public comment will be required once the foreshore review has been completed by the Technical Working Group. It is suggested this period be a minimum of 30 days to receive comment and constructive input from the broader community.

COMMENT

This report merely seeks a formal resolution from Council endorsing the Terms of Reference and formalising the Council representatives.

ATTACHMENTS

Attachment 1: Draft Terms of Reference for Technical Working Group.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1 Adopt the Terms of Reference for the Lake Kununurra Technical Working Group as provided in Attachment 1; and**
- 2 Endorse Cr John Moulden (Chairman) and Cr Ralph Addis as the Council representatives on the Technical Working Group.**

COUNCIL DECISION

Minute No: 9070

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council:

- 1 Adopt the Terms of Reference for the Lake Kununurra Technical Working Group as provided in Attachment 1; and***
- 2 Endorse Cr John Moulden (Chairman) and Cr Ralph Addis as the Council representatives on the Technical Working Group.***

CARRIED UNANIMOUSLY: (6/0)

Attachment 1 - Draft Terms of Reference for Technical Working Group

Lake Kununurra Technical Working Group TERMS OF REFERENCE (March 2010)

1. NAME

The Technical Working Group is to be known as the "Lake Kununurra Technical Working Group".

2. PURPOSE

The main purpose of the Technical Working Group is to review the current Lake Kununurra Foreshore Plan (2006) over a six (6) month period to ensure that it caters to the future growth and development within the region.

In particular, the Technical Working Group is to focus on the following objectives:

- a) Review, and if necessary, modify the foreshore land use and land purpose as presented in the Lake Kununurra Foreshore Plan;
- b) For the area covered by the Lake Kununurra Foreshore Plan and with assistance from the Department of Transport, develop of an aquatic use plan that complements the above overall land use plan;
- c) Develop a management strategy/program for control of aquatic vegetation within Lily Creek Lagoon;
- d) Assist in community and stakeholder consultation and advertising once Council has adopted the draft reviewed Foreshore Management Plan incorporating an aquatic use plan; and
- e) Any other activities as given or approved by Council.

In addressing the above objectives, the group is to consider:

- Identification of one or more site options for a communal 'service site' for the refuelling and sullage removal of commercial vessels;
- Identification of options for development of stage 2 of a commercial boating facility;
- Identification of appropriate water access and areas of use for various commercial and recreational craft where there may be perceived areas of conflict in the future;
- Any current management activities of concern;

- The Lake Kununurra and Lily Creek Lagoon Vegetation Management Plan;
- Other land, owners, managers or vestees and their responsibilities; and
- Current and potential development applications that apply to the plan area.

In general, the group should aim for a review outcome that fosters:

Ecologically sustainable management and development of the foreshore and its waters whilst ensuring continued economic opportunity, public amenity, recreation and access.

3. MEMBERSHIP

The group shall consist of the following:

- Cr John Moulden, Shire of Wyndham East Kimberley (Chair);
- Cr Ralph Addis, Shire of Wyndham East Kimberley;
- Executive Manager Development Services, Shire of Wyndham East Kimberley (XMDS);
- Environmental Projects Officer, Shire of Wyndham East Kimberley (EPO);
- Planning Officer, Shire of Wyndham East Kimberley (PO);
- Department of Water;
- Water Corporation;
- Department of Tourism WA;
- Department of Environment & Conservation;
- MG Corporation;
- Department of Transport;
- Ord Land and Water; and
- Department for Regional Development & Lands.

The Chair reserves the right to co-opt representatives from other agencies or organisations as required.

4. MEETINGS

- a) Meetings of the Technical Working Group shall be held monthly in order to progress the review in a timely manner. The first meeting shall involve an inspection of the area followed by an overview of current circumstances.
- b) Meetings are usually held at the Shire's Kununurra Council Chambers but the Technical Working Group may by agreement, decide to hold a particular meeting at another location. Telephone hook up may be necessary in some instances.
- c) Special meetings of the Technical Working Group may be convened by the Presiding member or Council. Notice of meetings will be no less than seven days with an agenda being provided.

- d) Administrative support for the Technical Working Group shall be provided by the Shire of Wyndham East Kimberley.

5. QUORUM

The quorum for meetings of the Technical Working Group shall be at least half of the members plus one.

6. MEETING RULES

a) *Meeting Procedure:*

Procedures for meetings shall follow standard protocols except that in the event of a dispute, Council's Local-laws relating to Standing Orders shall apply.

b) *Invitees:*

The Chair of the Technical Working Group may invite individuals or representatives from organisations to provide advice to the Technical Working Group on matters being considered by the Technical Working Group.

c) *Public Attendance:*

The Technical Working Group will not have the power to make decisions on behalf of the Council. The meetings will not be open to members of the public.

d) *Minutes:*

- i. Minutes shall be distributed to all members of the Technical Working Group; and
- ii. Minutes are to be accepted as true and correct at the beginning of every meeting by the attending members.

12.4.4 TOWN PLANNING SCHEME NO 7 - AMENDMENT 29 - PINDAN AVENUE, KUNUNURRA

DATE:	16 March 2010
PROPONENT:	Department Of Housing And Works
LOCATION:	Pindan Avenue, Kununurra.
AUTHOR:	Jennifer Ninyette, Town Planning Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	43.31.29, 43.31.29
ASSESSMENT NO:	N/A

Cr R Addis left the room at 6.14pm as he had declared a Financial Interest in Item 12.4.4 Town Planning Scheme No. 7 – Amendment 29 – Pindan Avenue, Kununurra.

PURPOSE

For Council to consider submissions in relation to further modification to an Amendment to the Shire of Wyndham East Kimberley Town Planning Scheme No 7 - Kununurra and Environs.

BACKGROUND

Council adopted Town Planning Scheme Amendment No. 29 at its Ordinary Council Meeting on 16 June 2009, to recode all residential lots bounded by Leichhardt Street, Weaber Plain Road, Spinifex Street, Mistletoe Street and Riverfig Avenue (but excluding those lots fronting Weaber Plain Road), from R20 to R30. The purpose is to facilitate urban renewal with a range of grouped dwelling sites capable of accommodating two to three dwelling units on each.

The Scheme Amendment map initially adopted by Council depicting those lots to be recoded to R30, is shown in Attachment 1.

Following Council's adoption, the Amendment was considered by the Western Australian Planning Commission (WAPC) and the Minister for Planning where written request was received requesting the Shire re-advertise the Amendment duly modified to extend the rezoning area. A copy of this correspondence is shown in Attachment 2.

Accordingly, a modified Amendment 29 was advertised in the Kimberley Echo on Thursday, 21 January 2010. Four (4) submissions were received and are now required to be considered by Council, before forwarding the submissions and recommendations to the WAPC for finalisation of the amendment.

STATUTORY IMPLICATIONS

Planning and Development Act (2005)

Amendments to Local Planning Schemes are required to be undertaken in accordance with the provisions of the *Planning and Development Act, 2005* [the Act] and the Town Planning Regulations, 1967. Council was directed by the Minister for Planning to advertise the modifications to the amendment for a period of 21 days in accordance with the provisions of Regulations 25(2) (j) (v) and 25 of

the Town Planning Regulations 1967 (as amended). Council is now required to consider any submissions received and make a recommendation in respect of each submission, in accordance with Regulations 20(3) and 25 of the Town Planning Regulations 1967 (as amended).

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An initiation fee of \$500 has been paid. A further fee of \$1,000 is payable for Council's adoption of the final amendment.

STRATEGIC IMPLICATIONS

Local Planning Strategy

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

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

Plan for the Future 2008 -2010

This Plan provides:

Key Result Area 3 – Economic Development

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

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

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

COMMUNITY CONSULTATION

The amendment was advertised for 21 days from the 21 January 2010 to the 12 February 2010, with an advertisement placed in the Kimberley Echo and documentation available for viewing at the Shire offices and notices posted to affected and surrounding land owners and relevant service agencies.

Four (4) submissions were received detailed in Attachment 4 – Schedule of Submissions. Of these submissions:

- Two are from Horizon Power and Department of Water respectively, advising that there is no comment and no objections to the proposed Amendment;
- One is from the owner of Lot 682 Leichhardt Street advising of no objection; and
- One is from the owner of Lots 742 & 759 Weaber Plain Road requesting that the Scheme Amendment area be extended to include those properties fronting Weaber Plain road, which include his two properties, thus granting an increased opportunity for grouped dwelling development.

COMMENT

The Council needs to determine whether the initial area for recoding (Attachment 1) should be expanded (Attachment 5) in support of the submissions received from the owner of Lot 742 and Lot 759 Weaber Plain Road.

Notably, those lots fronting Weaber Plain Road were recommended to be included in the Scheme Amendment area by the WAPC, however were not on the advice from the Shire's Engineering Department that recoding of these lots would increase traffic onto Weaber Plain Road, which is not desired.

However, in light of the submission received and the WAPC's original recommendation, it is now considered that those lots fronting Weaber Plain Road should be included in the amendment area, as shown on the amendment in Attachment 5.

It is also noted that the majority of these lots do not have a formed crossover onto Weaber Plain Road. Including these lots for recoding will provide the opportunity to improve the standard of access and streetscape presentation when/if redevelopment of these properties occurs.

ATTACHMENTS

Attachment 1: Adopted Scheme Amendment map
Attachment 2: WAPC correspondence
Attachment 3: Advertised Scheme Amendment map
Attachment 4: Schedule of Submissions
Attachment 5: Recommended Modified Scheme Amendment map

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Acknowledge the submissions received and support a modification to the Scheme Maps to include all residential lots bounded by Leichhardt Street, Weaber Plain Road, Barringtonia Avenue and Riverfig Avenue to be recoded from R20 to R30, as provided in Attachment 5.**
- 2. Forward the Schedule of Submissions, including a copy of each submission, to the Western Australian Planning Commission together with Council's recommendations in relation to each submission.**
- 3. Request that the Hon. Minister for Planning grant final approval to Amendment 29 of Town Planning Scheme No. 7 – Kununurra and Environs.**

COUNCIL DECISION

Minute No: 9071

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council:

- 1. Acknowledge the submissions received and support a modification to the Scheme Maps to include all residential lots bounded by Leichhardt Street, Weaber Plain Road, Barringtonia Avenue and Riverfig Avenue to be recoded from R20 to R30, as provided in Attachment 5.***
- 2. Forward the Schedule of Submissions, including a copy of each submission, to the Western Australian Planning Commission together with Council's recommendations in relation to each submission.***
- 3. Request that the Hon. Minister for Planning grant final approval to Amendment 29 of Town Planning Scheme No. 7 – Kununurra and Environs.***

CARRIED UNANIMOUSLY: (5/0)

Cr R Addis returned to the room at 6.15pm and was advised of the outcome.

Attachment 1: Adopted Scheme Amendment map

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



Attachment 2: WAPC correspondence



Our Ref: 853/7/5/9 Pt 29
Your Ref: 43.31.29: TP1356
Enquiries: Simon Davis (9264 7632)

Doc No.	068805
Date	6 JAN 2010
Officer	TP0/XM1400
Response	
File	43.31.29
Cross Ref.	

29 December 2009

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

Dear Sir

**TOWN PLANNING SCHEME No 7
AMENDMENT No 29**

I refer to your letter of 11 September 2009 and advise that the Minister for Planning:

1. noted the submissions to the amendment;
2. determined that the modification in the attached schedule of modifications is substantial and is required to be advertised; and
3. directs the Council to advertise the modification for a period of 21 days in accordance with the provisions of regulations 25(2)(j)(v) and 25 of the *Town Planning Regulations 1967 (as amended)*.

Following the advertising of the above modification to the amendment, Council is required under regulations 20(3) and 25 of the *Town Planning Regulations, 1967* to consider any submissions received, to make a recommendation in respect of each submission and forward the submissions and recommendations to the Commission.

Three sets of amending documents are returned herewith.

Council is advised that in carrying out the modification to the amending document, the *Resolution Deciding to Amend a Town/Local Planning Scheme* is not modified, and Council's initial and final approval adoption dates remain as the dates the amendment was originally adopted by Council prior to advertising (regulation 13(1)) and following advertising (regulation 17(2)).

Yours faithfully

FOR TONY EVANS
SECRETARY
WESTERN AUSTRALIAN PLANNING COMMISSION

Attach

Copy to: Whelans



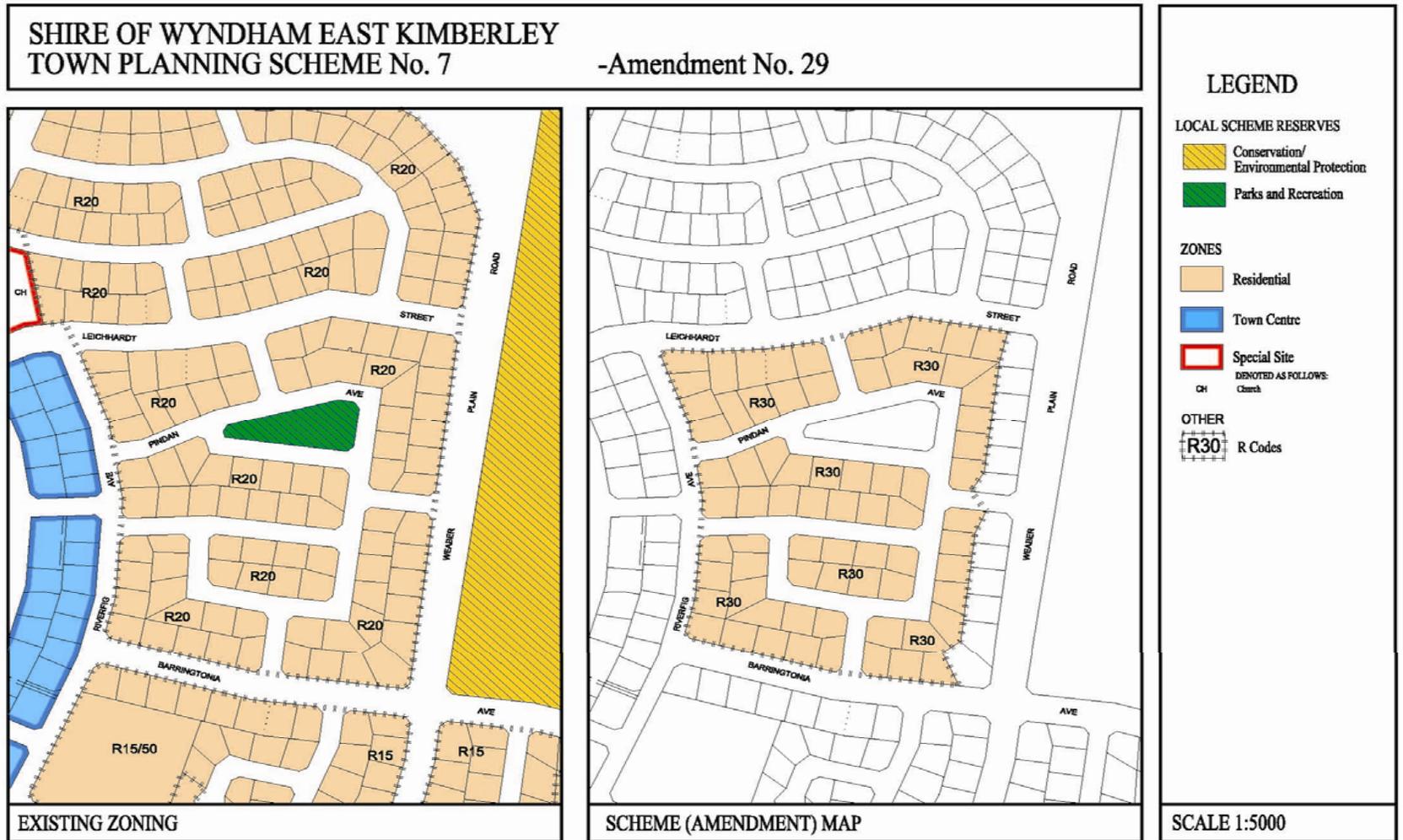
Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@planning.wa.gov.au; web address: <http://www.planning.wa.gov.au>

SCHEDULE OF MODIFICATIONS

Amendment 29 - Shire of Wyndham - East Kimberley TPS No. 7

NO.	MODIFICATION	REASON
Scheme Map		
1.	Modify Scheme Zoning map as follows: Rezone all residential lots bounded by Leichhardt Street, Riverfig Avenue, Barringtonia Avenue, and Weaber Plain Road (but excluding those lots fronting Weaber Plain Road) from 'Residential R20' to 'Residential R30'.	Modification required to reflect WAPC recommendation. Modification proposed to ensure prevailing density and consistency of streetscape along Mistletoe & Riverfig Avenues.

Attachment 3: Advertised Scheme Amendment map



Attachment 4: Schedule of Submissions**SHIRE OF WYNDHAM-EAST KIMBERLEY
TOWN PLANNING SCHEME NO. 7**

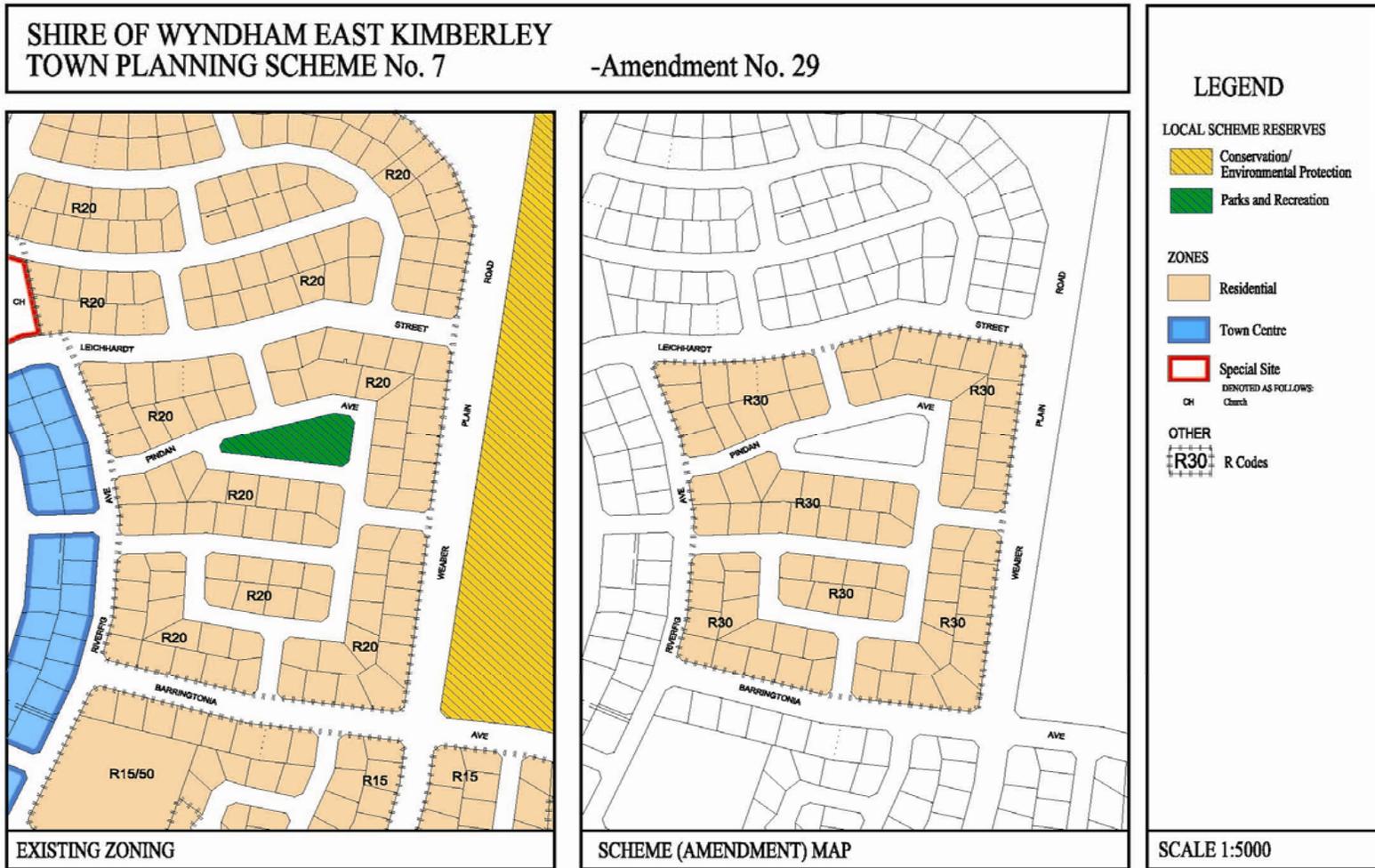
**Amendment No. 29: Rezoning Lots 678 - 682, 690, 691, 693, 694 & 2439 Leichhardt Street,
Lots 687 - 689, 736 & 737 Riverfig Avenue, Lots 683 - 686, 705, 707, 709 - 711 & 2440 Pindan Avenue,
Lots 701 - 704, 746 & 758 - 761 Claytrix Avenue, Lots 712 - 716 Pandanus Avenue,
Lots 717 - 725 & 738 - 741 Mistletoe Street, Lots 726 - 730, 742 - 745, 756 & 757 Silverbox Avenue and
Lots 731 - 735 & 753 - 755 Barringtonia Avenue, Kununurra, from Residential R20 to Residential R30**

Schedule of Submissions

SUBMISSION NO. NAME & ADDRESS	OBJECTION OR SUPPORT	SUMMARY OF RESPONSES (all comments typed as received)	COMMENTS
RESPONSE 1 Martin Domiter Lot 682 Leichhardt Street	Comment	1. No Objection.	1. Noted.
RESPONSE 2 Horizon Power PO Box 916 KUNUNURRA WA 6743	Comment	1. Horizon Power would like to inform you that we have no comment or objections.	1. Noted
RESPONSE 3 Department of Water PO Box 625 Kununurra WA 6743	Comment	1. The Department of Water has no objections to the proposed amendment.	1. Noted.

SUBMISSION NO. NAME & ADDRESS	OBJECTION OR SUPPORT	SUMMARY OF RESPONSES (all comments typed as received)	COMMENTS
<p>RESPONSE 4</p> <p>Kevin Keegan Lots 749 & 752 Weaber Plain Road Kununurra WA 6743</p>	<p>Support</p>	<p>1. Most of the lots on Weaber Plain Road which have missed out on rezoning from R20 – R30 have multiple dwellings and 2 driveways already. There is plenty of room on the verge. It is only fair that these blocks on Weaber Plain Road get rezoned to R30. It makes more sense than leaving these few blocks out of the recoding process.</p>	<p>1. Noted. Lots fronting Weaber Plain Road were not included in the Scheme Amendment area to limit the potential for increased traffic entering from these properties onto Weaber Plain Road. It is considered that reconsideration should be given to the inclusion of these lots, as traffic management issues can be addressed when any redevelopment of those properties occur.</p>

Attachment 5: Recommended Modified Scheme Amendment map



12.4.5 PROPOSED LOCAL PLANNING POLICY 15 - SIGNAGE

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Kevin Tang, Town Planning Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	43.02.01
ASSESSMENT NO:	N/A

PURPOSE

To seek Council's consideration and endorsement of draft Local Planning Policy 15 – Signage.

BACKGROUND

Since the repeal of Council's Local Law Signage, Hoarding and Bill Posting in 2003, there has been a lack of policy guidance for controlling signage within the entire Shire. In order to ensure proper and orderly planning and to preserve amenity, particularly from a visual perspective, a draft Local Planning Policy 15 – Signage has been prepared for Council's consideration.

The objectives of the draft policy are as follows:

1. To control signs in order to safeguard the visual amenity of the Shire;
2. To ensure safety on state lands and local thoroughfares; and
3. To set out standards which apply to development applications for a range of different signs.

A copy of the respective draft Policy is provided as Attachment 1 to this report.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

A cost in the order of \$150 - \$200 for publication of adverts in the local newspaper will be incurred by Council should it support the policy.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY CONSULTATION

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

COMMENT

As already outlined, the intent of policy is to safeguard visual amenity and enhance traffic safety affected by a range of different signs. The policy prescribes the location, height, bulk, scale and appearance of signs, hoardings and bill postings. It also addresses the material and responsibility of signs in case of damage or injury.

Additionally, there is no relevant policy reference in relation to signage regulations in Council's delegation policy. It is perceived that the proposed policy will provide useful guidance for future planning decision making.

ATTACHMENTS

Attachment 1: Draft Local Planning Policy 15 – Signage
Attachment 2: Will be provided under separate cover.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt draft Local Planning Policy 15 – Signage for the purpose of advertising for a period of 21 days pursuant to Clause 3.3.2 a) of the Shire of Wyndham East Kimberley Town Planning Scheme No.6, and Clause 12.6.1 (a) of the Shire of Wyndham - East Kimberley Town Planning Scheme No. 7 and proceed to publish a notice to this effect in the local newspaper pursuant to Clauses 3.3.2 a) and 12.6.4 (a) of the respective Schemes.

COUNCIL DECISION

Minute No: 9072

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

That Council adopt draft Local Planning Policy 15 – Signage for the purpose of advertising for a period of 21 days pursuant to Clause 3.3.2 a) of the Shire of Wyndham East Kimberley Town Planning Scheme No.6, and Clause 12.6.1 (a) of the Shire of Wyndham - East Kimberley Town Planning Scheme No. 7 and proceed to publish a notice to this effect in the local newspaper pursuant to Clauses 3.3.2 a) and 12.6.4 (a) of the respective Schemes.

CARRIED UNANIMOUSLY: (6/0)

Attachment 1: Draft Local Planning Policy 15 – Signage

POLICY NO:	LPP 15
DIVISION:	Development Services
SUBJECT:	Signage
REPORTING OFFICER:	Executive Manager Development Services
ENABLING LEGISLATION:	Town Planning Scheme No 7 – Kununurra & Environs Town Planning Scheme No 6 – Wyndham

Objectives:

- To control signs in order to safeguard the visual amenity of the Shire;
- To ensure safety on state lands and local thoroughfares; and
- To set out standards which apply to development applications for a range of different signs.

Policy:

1. Introduction

Previously, signage in the Shire had been regulated by the Signs and Hoardings and Bill Posting local law, which was repealed in 2003. Ever since, there has been a lack of effective policy guidance in determining development applications for signage. In the absence of such a policy the potential exists for the visual amenity and traffic safety within the Shire to be compromised.

In an endeavour to address this issue and provide a proper guidance in planning decision making it is intended that this policy prescribe the location, height, bulk, scale and appearance of signs, hoardings and bill postings.

2. Legislative and Strategic Context

The policy is made in accordance with Clause 12.6.1 of Town Planning Scheme No. 7 and Clause 3.3.1 of Town Planning Scheme No. 6. The policy does not bind the Council with respect to any applications for planning approval but the Council shall have due regards to the policy. This policy should be read in conjunction with the relevant part controlling advertising in the Town Planning Schemes. If there is any inconsistency between this policy and the Scheme, the Scheme prevails.

3. Definitions

Sign - includes a notice, flag, mark, structure or device on which may be shown words, numbers, expressions or symbols and an “**Advertisement**” has the same meaning as sign.

Bill Posting – means the attaching, sticking, painting, or stencilling of any bill, poster, placard or advertisement on any building, wall, hoarding or structure whether erected upon private property or upon a public place.

Development sign - an advertisement displayed on a lot advertising units or lots for sale that have been approved by either Western Australian Planning Commission or the Shire.

Display Home sign – means an advertisement sign which is displayed on a lot advertising a building company and inviting members of the public to inspect their dwelling on display.

Entry Statement – is an optional element of landscape work that marks and defines the entry to a property, including individual developments, resorts, residential estate or precincts.

Freestanding sign – a sign not permanently attached to a structure or fixed to the ground and includes “A frame” or “sandwich boards” signs consisting of 2 sign boards attached to each other by hinges or other means.

Horizontal sign – an advertisement attached to a building with its largest dimension horizontal.

Illuminated sign – an advertisement that is so arranged as to be capable of being lighted either from within or without the advertisement by artificial light provided, or mainly provided, for that purpose.

Institutional sign – means a sign erected or placed on land or a building used for or in connection with a surgery, clinic, hospital, rest home, home for the aged, or other institutions or places of a similar nature.

Pennons – long narrow flag, triangular or swallow-tailed flag.

Projection sign – an advertisement that is made by projection of artificial light on a structure.

Property transaction sign – an advertisement indicating that the premise on which it is displayed is for sale or for lease or to be auctioned.

Pylon sign – an advertisement supported by one or more piers and which is not attached to a building and includes a detached sign framework supported on one or more piers to which sign infill may be added.

Roof sign – an advertisement displayed on the roof of a building.

Rural producer’s sign – an advertisement displayed on land used for horticultural purposes and which advertises products produced or manufactured upon the land and includes the property owner’s or occupier’s name.

Semaphore sign – means a sign attached or affixed to a structure or building which sign is affixed and supported at, or by, one of its ends only.

Tower sign – an advertisement displayed on a mast, tower, chimneystack or similar structure.

Verandah sign – an advertisement above, on or under a verandah, cantilever awning, cantilever verandah and balcony whether over a public thoroughfare or private land.

Vertical sign – an advertisement attached to a building with its largest dimension on the vertical.

Wall panel – means a panel used for displaying a posted or painted message and affixed to or adjoining the wall of business premises or erected on the forecourt of any business premises.

4. Matters to be considered in assessing and determining applications

4.1 Location of Signs

A sign shall not be displayed:

- (1) Where it would detract from the aesthetic environment of a park or other land used by the public for recreation.
- (2) In the case of an internally illuminated sign, where its display would cause glare or dazzle that would have an adverse effect on the amenity of the immediate surrounds.
- (3) In the case of an externally illuminated sign, where the light would not be directed solely onto the device and its structural surround and the light source be so shielded that glare would not occur or extend beyond the sign and cause the driver of any vehicle to be distracted.
- (4) Where it would be likely to interfere with, or cause risk or danger to traffic on a thoroughfare by virtue of the fact that it may obscure the vision of a person driving a vehicle.
- (5) In the case of an illuminated sign, where it may be confused with or mistaken for the stop or tail light of a vehicle.
- (6) Where it significantly obstructs or obscures the view of a river, the sea or any other natural feature of beauty.
- (7) Where it would detrimentally affect the general amenity of the area.
- (8) Where it is not associated with the approved use of the property on which it is displayed.
- (9) On or adjacent to a footpath which results in the pedestrian access being less than 1.5m in width.
- (10) On a dividing strip, roundabout or traffic island.
- (11) On any local road reserve without the consent from the Shire.

4.2 Sign Safety and Maintenance

4.2.1 Fixing of Signs

Every sign or advertising device shall be securely fixed to the structure by which it is supported, to the satisfaction of Shire Building Surveyor, and the structure and the method of securing shall be maintained in good order and repair to the satisfaction of the Building Surveyor.

4.2.2 Glass in Signs

Glass shall not be used in any sign or hoarding unless it is part of an illuminating globe or tube.

4.2.3 Readily Combustible Material

Except in the case of posters securely affixed to a signboard or other structure, readily combustible materials including but not limited to paper, cardboard or cloth shall not form part of or be attached to any sign or hoarding.

4.2.4 Maintenance of Signs

Every sign or hoarding, whether licensed or required to be licensed or not, shall be kept clean and free from unsightly matter and shall be maintained by the licensee (if any) or owner in good order and repair to the satisfaction of the Building Surveyor.

4.2.5 Liability

The applicant shall be solely responsible for any damage or accident caused by the sign.

4.3 Sign Standards

4.3.1 Banners, Flags & Pennons

No more than 5 (in total) banners, flags or pennons signs shall be erected in relation to the one building or business and must not obstruct in any way the use of any thoroughfare.

4.3.2 Bill Posting

A person shall not bill post within the District of the Shire of Wyndham East Kimberley.

4.3.3 Blimps or Balloons

The use of blimps or balloons for advertising and signage purposes is subject to the special approval of the Council for a maximum of 30 days in any 12 month period.

4.3.4 Clocks

A clock shall:

- (1) If suspended under a verandah or in an arcade, have its centre coinciding with the centre line of the footway there under shall comply as to size to the following table:

Height of bottom of clock above footway maximum diameter of width of clock face	Depth of clock including lettering
2.7 metres and under 4 metres	500 millimetres
4.0 metres and under 6 metres	750 millimetres
6.0 metres and under 12 metres	1.0 metres
12.0 metres and over	1.50 metres

- (2) Be fixed either parallel or at right angles to the wall to which it is attached.
- (3) Afford a minimum headway of 2.70 metres.
- (4) If fitted with chimes, not be permitted to strike between 10 pm and 7 am without the approval in writing of the local government.

4.3.5 Development Signs

- (1) A development sign is to be removed from the site within 2 years from the date of approval or when 80% of the lots by number in the subdivision (or stage of subdivision) have been sold, whichever is the sooner.
- (2) No more than 2 development signs should be erected in relation to one subdivision.
- (3) Development signs shall:
 - (a) Only be erected where the area of residential land being subdivided exceeds 1 hectare;
 - (b) Not exceed 22m² in area;
 - (c) Not have any part more than 6m above the level of the ground immediately below it; and
 - (d) Be displayed at the entrance to the subdivision and not remote from the lots being sold unless special approval is granted by the Council.

4.3.6 Display Home Signs

- (1) Display home signs:

- (a) May be provided in a ratio not exceeding 2m² per home in a display centre, with no individual sign exceeding 4m², the overall height of the sign shall not exceed 4m;
- (b) Shall not be illuminated after 9 pm; and
- (c) Shall be removed from the site at the time the building no longer serves as a display home.

4.3.7 Entry Statement

- (1) Entry statements shall have due regards to the surrounding built and natural environment and be of heritage value and architectural aesthetics, subject to Shire's consent.
- (2) The design and materials used in the construction should be practical and durable and minimise opportunities for graffiti and vandalism.
- (3) The location and form of the Entry Statement must not unduly impede or restrict pedestrian, cyclist or public and private vehicular movement to or from the site.

4.3.8 Freestanding Signs

- (1) There shall be no more than one freestanding sign that relates to a specific activity or business placed on private property or on reserve land.
- (2) Freestanding signs should:
 - (a) Not exceed 1m in height;
 - (b) Not exceed an area of 1m² on any side;
 - (c) Not be placed in any position other than immediately adjacent to the building or business or property to which the sign relates;
 - (d) Be removed each day at the close of the business to which it relates and not be placed on site again until the business next opens for trading ; and
 - (e) Be covered under the public liability insurance of the business to which it relates, if located on a thoroughfare, with proof of insurance cover to be presented to the local government.

4.3.9 Hoardings

- (1) A hoarding shall not:
 - (a) Be erected on land that is zoned for residential purposes by a Town Planning Scheme for the time being in force;
 - (b) Except with the special approval of the Council be erected within 15 metres of a street or other public place and in any case not closer than its own height to a street or public place; and
 - (c) Be of greater area than 22 square metres.

4.3.10 Horizontal Signs

- (1) A horizontal sign shall:
 - (a) Not exceed 3m in height or 4m in length;
 - (b) Not exceed 5m² in area;
 - (c) Not project more than 1.5m from the wall to which it is attached;
 - (d) Not project more than 1m above the top of the wall to which it is attached;
 - (e) Afford a minimum headway of 2.75m where the sign projects more than 12mm into a pedestrian thoroughfare;
 - (f) Not be within 450mm of the edge of a carriageway; and
 - (g) Not be closer than 600mm from either end of the wall to which it is attached.

4.3.11 Illuminated Signs

- (1) No more than one illuminated sign shall be erected in relation to the one building or business.
- (2) An illuminated sign shall:
 - (a) Not exceed 3m in height or 4m in length;
 - (b) Not exceed 8m² in area;
 - (c) Not have any part more than 6m above the level of the ground immediately below it;
 - (d) Have any boxing or casing in which it is enclosed, constructed of incombustible material;
 - (e) Where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of a breakage;
 - (f) Be maintained to operate as an illuminated sign;
 - (g) Not have a light of such intensity as to cause annoyance to the public or be a traffic hazard;
 - (h) Not emit a flashing light; and
 - (i) Be treated appropriately to minimise damage from vandalism and/or graffiti.

4.3.12 Institutional Signs

An institutional sign shall not exceed 2m².

4.3.13 Property Transaction Signs

- (1) A property transaction sign advertising an auction shall not be erected more than 28 days before the proposed auction date and shall be removed no later than 14 days after the auction.
- (2) A property transaction sign for a dwelling shall:
 - (a) Not exceed 2m in height or 2m in length;
 - (b) Not exceed 2m² in area; and
 - (c) Not have any part more than 3m above the level of the ground immediately below it.

- (3) A property transaction sign for multiple dwellings, shops etc. shall:
 - (a) Not exceed 4m in height or 4m in length;
 - (b) Not exceed 5m² in area; and
 - (c) Not have any part more than 5m above the level of the ground immediately below it.
- (4) A property transaction sign for large properties not cover by 4.3.13(2) and 4.3.13 (3) above, shall:
 - (a) Not exceed 6m in height or 6m in length;
 - (b) Not exceed 10m² in area; and
 - (c) Not have any part more than 6m above the level of the ground immediately below it.

4.3.14 Pylon Signs

- (1) Where pylon signs are to be erected on a lot with multiple tenants/businesses the local government may require all the pylon signs be incorporated into one sign that allows for each tenant/business to have one sign within it.
- (2) A pylon sign shall:
 - (a) Not exceed 3.5m in width or 6m in height;
 - (b) Not exceed 9m² in area; and
 - (c) Be constructed to prevent access under the sign or have a minimum clearance of 2.6 metres.

4.3.15 Roof Signs

- (1) A roof sign shall not extend laterally beyond the external wall of the structure or building on which it is erected or displayed.
- (2) No more than one roof sign is to be erected in relation to the one building.
- (3) A roof sign shall comply with the following:

Height of main building above ground level where sign is to be fixed	Maximum height of sign
5m and under	1.25m
Above 5m to 6m	1.5m
Above 6m to 12m	2.0m
Above 12m to 18m	2.5m
Above 18m to 24m	3.0m
Above 24m	3.5m

4.3.16 Rural Producer's Sign

- (1) A rural producer's sign shall:
 - (a) Not advertise anything other than the sale of produce grown on the land on which the sign is erected;
 - (b) Not exceed 2m² in area; and

- (c) Not exceed a height of 3m above the level of the ground immediately below it.

4.3.17 Semaphore Signs

- (1) A semaphore sign shall:
 - (a) Afford a minimum headway of 2.7m;
 - (b) Be affixed at right angles to the wall to which it is affixed or attached;
 - (c) Not project more than 1m horizontally from the point of attachment nor be of greater heights at any point than 1m; and
 - (d) Not be erected under or over any verandah.
- (2) Not be limited to one sign fixed over or adjacent to any one entrance to a building.

4.3.18 Signs on Vehicles

No vehicle with a sign upon or inside, adapted and exhibited primarily to facilitate advertising is to park for any lengthy period of time (as determined by the Shire) on any thoroughfare, with the exception of being parked at the owners residence or with the consent of the Shire.

4.3.19 Signs on Fences

Signs on fences shall not be permitted, except for free standing signs adjacent to fence line.

4.3.20 Verandah Signs

- (1) A verandah sign fixed to the outer or facia of the verandah shall not project beyond the outer frame or surround of the facia nor exceed 600mm in width.
- (2) A verandah sign under a verandah shall:
 - (a) Be fixed at right-angles to the front wall of the building to which it is to be affixed except on a corner of a building at a thoroughfare intersection where the sign may be placed at an angle with the wall so as to be visible from both thoroughfares;
 - (b) Afford a minimum headway of 2.75m;
 - (c) Not exceed 1.5m in length or 400mm in width;
 - (d) Not be constructed of glass or any material which upon impact or breaking produces particles or shapes which may be hazardous to the public; and
 - (e) Not weigh more than 50kg unless certified by a practising structural engineer that the structure to which the sign is to be attached is capable in all respects of withstanding the total load to be imposed by the sign under all conditions.

4.3.21 Vertical Sign

- (1) A vertical sign shall:
 - (a) Not exceed 4m in height or 3m in length;
 - (b) Not exceed 5m² in area;
 - (c) Not project more than 1m from the wall to which it is attached;
 - (d) Not project more than 1m above the top of the wall to which it is attached;
 - (e) Afford a minimum headway of 2.70m where the sign projects more than 12mm into a thoroughfare;
 - (f) Not be within 450mm of the edge of a carriageway;
 - (g) Not be within 600mm of either end of the wall to which it is attached; and
 - (h) Not be within 4m of another vertical sign on the same building.

4.3.22 Wall Panel

- (1) A wall panel shall:
 - (a) not exceed 6m x 3m;
 - (b) be fixed to the face of a wall of a building; and
 - (c) not project beyond the boundaries of the lot.

4.3.23 Acceptable Deviation

The Council may exercise its discretion to approve a deviation from the specific standards subject to the applicant demonstrating that the likely effect of the location, height, bulk, scale, orientation and appearance of the advertisement will not:

- (a) Conflict with or detrimentally affect the amenity of the locality; and
- (b) Interfere with traffic safety.

4.4 Responsibilities

The policy is subject to an annual Council review. As per Council's Delegation Policy, Chief Executive Officer or Executive Manager Development Services shall sign the relevant application/s as the authorising agent.

4.5 Exempt Signs

Exempt signs are stipulated in Town Planning Schemes No. 6 and No. 7 and are only exempt from planning approval (a building licence may still be required).

REFERENCE:

The Shire of Wyndham East Kimberley Town Planning Scheme No. 6 and No. 7

Planning and Development Act 2005

ADOPTED:

REVIEWED:

AMENDED:

12.4.6 APPLICATION FOR JOHN DEERE SIGN ON MANGO STREET, KUNUNURRA

DATE:	16 March 2010
PROPONENT:	Albert Smith Signs Pty Ltd C/- Public Link
LOCATION:	Lot 210 Mango Street, Kununurra
AUTHOR:	Kevin Tang, Town Planning Officer
REPORTING OFFICER:	Ian D'Arcy, Executive Manager Development Services
FILE NO:	01.0793.02
ASSESSMENT NO:	A793

PURPOSE

For the Council to consider a proposed pylon sign at Lot 210 Mango Street, Kununurra for John Deere dealership.

BACKGROUND

The Shire has received an application for a permanent free standing pylon sign on 17 December, 2009 by Albert Smith Signs Pty Ltd on behalf of John Deere Dealership. The proposed sign is an illuminated fluorescent sign that measures 7.2 metres in height and has an approximately 12 square metres face area. The content of the sign will only include the John Deere Dealership name and the logo. The sign is proposed to be setback 6 metres east of property boundary along Mango Street.

The applicant has advised that while the height of the sign can be reduced to less than 6 metres, the area of the sign can not due to the sign being moulded plastic to a standard applied to John Deere outlets.

SITE AND SURROUNDS

The subject site is located on Mango Street and developed as a showroom by Vanderfield Pty. Ltd to sell John Deere and other agricultural equipment.

The surrounding land is used for a variety of uses, including a panel beater across the street and a refrigeration and air conditioning service to the south. There is limited residential use to be found in the surrounding area.

Figure 1 below affords an understanding of the location of the subject property.

Similarly, Attachments 1 – 5 provide an understanding of the proposed sign and the selected location.

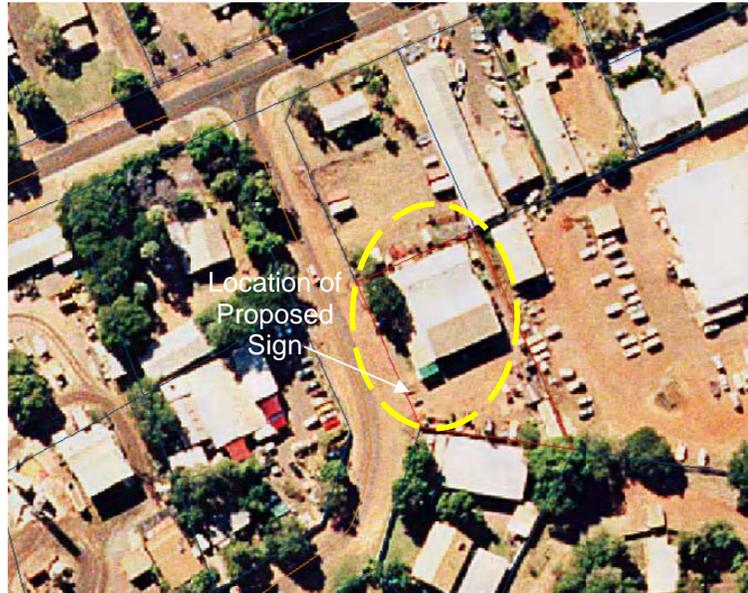


Figure 1 - Location Plan

STRATEGIC IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra and Environs

The site is zoned 'Mixed Business' in the Town Planning Scheme No. 7 the proposed pylon sign is not exempted under Clause 9.4 of Town Planning Scheme No. 7, which exempts specific types of signs from the requirement to obtain planning approval.

Therefore, the sign requires planning approval although there are no specific development requirements included in the Scheme. The Scheme does however refer to the provisions of Council's Signage Local Laws for determining signage within the Shire.

Signs and Hoardings and Bill Posting Local Laws

Council's Local Laws relating to signage have been revoked, however, they do form a valid guide with regard to the appropriateness of any signage within the Shire. Notably, Clause 187 of the Signs Local Laws stipulates that any pylon sign that exceeds 6 metres in height and has a greater superficial area than 4 square meters is subject to Council's approval. Accordingly the proposed sign requires Council's discretion for planning approval.

POLICY IMPLICATIONS

With the repeal of the Signs and Hoardings and Bill Posting Local Law there has been a lack of policy guidance for controlling signage within the entire Shire. In order to ensure proper and orderly planning and preserve the amenity in the Shire, there is an urgent need for a Local Planning Policy with respect to signage control.

The ability to prepare a 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.

A draft Local Planning Policy 15 – Signage has been prepared subject to Council's approval, which could potentially affect the determination of this application.

Under the draft Policy, a pylon sign is not to exceed 6.0 metres in height and be no greater than 9m² in area. For an illuminated sign, the draft Policy states in part that the sign is:

- (a) Not exceed 3m in height or 4m in length;*
- (b) Not exceed 8m² in area;*
- (c) Not have any part more than 6m above the level of the ground immediately below it;*
- (d) Not to have any boxing or casing in which it is enclosed constructed of combustible material;*
- (e) Where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of a breakage;*
- (f) Be maintained to operate as an illuminated sign;*
- (g) Not have a light of such intensity as to cause annoyance to the public or be a traffic hazard;*
- (h) Not emit a flashing light; and*
- (i) Be treated appropriately to minimise damage from vandalism and/or graffiti.*

The proposed sign has an area of 12m² if the pylons are included, and 9m² without the pylons.

FINANCIAL IMPLICATIONS

A \$100 application fee has been paid for this application.

COMMUNITY CONSULTATION

There is no perceived need for consultation to be undertaken in relation to this application as there is limited residential use (mainly caretaker's residence) that will be affected by the sign.

CONCLUSION/COMMENT

Using the Signs and Hoardings and Bill Posting Local Laws and the draft Signs Policy as a guide, the proposed sign would not comply with the maximum allowable standards for illuminated and pylon signs.

From an Officer's perspective, it is argued that with the subject property abutting a local road that carries light traffic through a 'Mixed Business' area, and given the maximum speed limit is 50 km, the need for a sign of this height and dimension is unwarranted.

Although the applicant has argued the sign will not affect the amenity of the area given there are no heritage, significant landscape, or residential issues to contend with, it is suggested the height of the sign at 7.2 metres alone will be out of character with the area. Most John Deere signs are usually displayed in more

prominent and open locations that front either a major road, such as highway or freeway, or the main street of a country town.

Furthermore, the proposed sign as an illuminated structure clearly exceeds the standards of the draft Local Planning.

However, it is acknowledged the applicant is willing to offer an alternative proposal with the sign being erected to a height of 6.0 metres measured from ground level to top of the structure, which will provide ground clearance of 2.4 metres.

In consideration of the site location, the position of the sign is acceptable based on the adequacy of setback from the roadway and there being limited residential occupancy in close proximity to the proposed sign.

Regarding surface area, it is accepted the proposed sign, while large in area and unwarranted for this location, is unlikely to present any amenity or safety issues due to its location. It is noted the sign surface area without the pylons would generally comply with the maximum standards for pylon signs, but not for illuminated signs as prescribed under the draft Signs Policy.

ATTACHMENTS

- Attachment 1: Statement from Public Ink
- Attachment 2: Site Plan
- Attachment 3: General Layout of the Sign
- Attachment 4: Face Decoration of the Sign
- Attachment 5: The Sign Viewed at Night

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grant planning consent for an illuminated pylon sign on Lot 210 Mango Street, Kununurra subject to the following conditions:

- 1) Development shall be in accordance with the attached approved plan(s) dated 17 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.**
- 2) The sign shall not exceed an overall height of 6.0 metres from ground level and achieve a minimum clearance of 2.4 metres from the bottom of sign to the natural ground level.**
- 3) The sign shall be setback a minimum of 6 metres from the western boundary of the property and a minimum of 1.0 metre for the access driveway to the site.**
- 4) The sign shall:**
 - (a) Not have any boxing or casing in which it is enclosed constructed of combustible material;**
 - (b) Where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of a breakage;**
 - (c) Be maintained to operate as an illuminated sign;**
 - (d) Not have a light of such intensity as to cause annoyance to the public or be a traffic hazard;**
 - (e) Not emit a flashing light; and**
 - (f) Be treated appropriately to minimise damage from vandalism and/or graffiti.**

COUNCIL DECISION

That Council grant planning consent for an illuminated pylon sign on Lot 210 Mango Street, Kununurra subject to the following conditions:

- 1) Development shall be in accordance with the attached approved plan(s) dated 17 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.***
- 2) The sign shall not exceed an overall height of 6.0 metres from ground level and achieve a minimum clearance of 2.4 metres from the bottom of sign to the natural ground level.***
- 3) The sign shall be setback a minimum of 6 metres from the western boundary of the property and a minimum of 1.0 metre for the access driveway to the site.***
- 4) The sign shall:***
 - (a) Not have any boxing or casing in which it is enclosed constructed of combustible material;***
 - (b) Where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of a breakage;***
 - (c) Be maintained to operate as an illuminated sign;***
 - (d) Not have a light of such intensity as to cause annoyance to the public or be a traffic hazard;***
 - (e) Not emit a flashing light; and***
 - (f) Be treated appropriately to minimise damage from vandalism and/or graffiti.***

LAPSED

Minute No 9073

Moved: Cr D Ausburn

Seconded: Cr J Parker

ALTERNATIVE RECOMMENDATION

That Council refuse planning consent for the proposed John Deere illuminated pylon sign on Lot 210 Mango Street, Kununurra for the following reasons:

- 1. The proposed sign is considered excessively large for the subject location given the low key nature of Mango Street, which carries light traffic through a 'Mixed Business' area at a maximum speed of 50 km; and**
- 2. The proposed sign is more suited to a prominent and open location that fronts either a major road (such as highway or freeway) or the main street of a country town, where there is justified need and merit in attracting the attention of passing traffic.**

CARRIED UNANIMOUSLY: (6/0)

Attachment 1: Statement from Public Ink



Proposed John Deere Pylon Sign at Kununurra, WA

1. Description of proposed development:

The proposal is for a 7.2m high x 3.47m wide freestanding pylon sign at 28 Mango Street, Kununurra, WA 6743 (Lot 210 Mango Street) as illustrated on the sign drawings accompanying this application. The sign is a business identity sign that identifies the primary use of the site as a John Deere dealership.

2. Subject site and general locality:

The site is zoned "Mixed Business" under the *Kununurra Local Planning Scheme No.7*. The surrounding businesses are predominantly small automotive retail and service providers therefore the proposal will impact only on non-residential neighbours and will not conflict with or have a negative impact on the amenity of the locality or effect specific views or vistas to or from adjoining lots.

3. Advertising pattern and theme in the area:

The general advertising pattern is for the business name to be displayed using wall signs on the building facades and a pole or pylon sign bearing name and logo providing an advance marker to motorists at the driveway. The proposed sign will replace an existing John Deere sign as shown on the accompanying site plan, and is consistent with the advertising pattern and theme of the area.

4. Design characteristics of proposal:

The proposed sign has a total height of 7.2 metres and is a contemporary representation of the John Deere logo, company and dealership name. It uses the green and gold company colours in a clear and legible graphic style and only the logo and name are illuminated at night, keeping intrusive light to a minimum.

The materials are of high quality and will maintain an excellent appearance of the sign for many years to come.

5. Compliance with the *Kununurra Local Planning Scheme No.7 – Part IX – Control of Advertising*

The proposed sign is not exempt under the *Kununurra Local Planning Scheme No.7 Part IX Appendix 7 – Exempted Advertisements* as it exceeds the maximum height of 5 metres and the maximum area of 6m² allowable on industrial and warehouse premises without approval and is therefore assessable development.

In relation to *Part IX 9.3 – Consideration of Applications* the proposed sign complies as follows:

The proposed sign complies with these requirements as follows:

1

public ink Pty Ltd ACN 109 473 289
ph: 07 3899 9834 fax: 07 3899 8376
PO Box 692 Morningside QLD 4170 Australia
e-mail: publicink@in.com.au
ABN: 99 262 278 561

Council will consider the application with particular reference to:

- *The character and amenity of the locality including its historic or landscape significance and traffic safety.*

The site is within a Mixed Business Zone and does not possess any particular natural environment, heritage value or residential character sensitivity.

The sign will not obstruct any driver's view of any traffic control device as it is set back from the boundaries of private property and is not in the vicinity of any such device.

The sign will not cause glare or dazzle due to its low level of illumination and its size, design and colouring are not of a type to distract drivers. The illuminated elements in the sign are the words "John Deere", the dealership name and the leaping deer logo and are not likely to be mistaken for traffic control devices.

- *The amenity of adjacent areas which may be affected.*

The proposed sign is consistent with the present and future character of the surrounding area. It will replace an existing sign with redesigned John Deere business identification and will not cause visual disorder or clutter of signs.

Due to the nature of the surrounding area, the sign's illumination will not detract from the amenity of any residence or other form of accommodation.

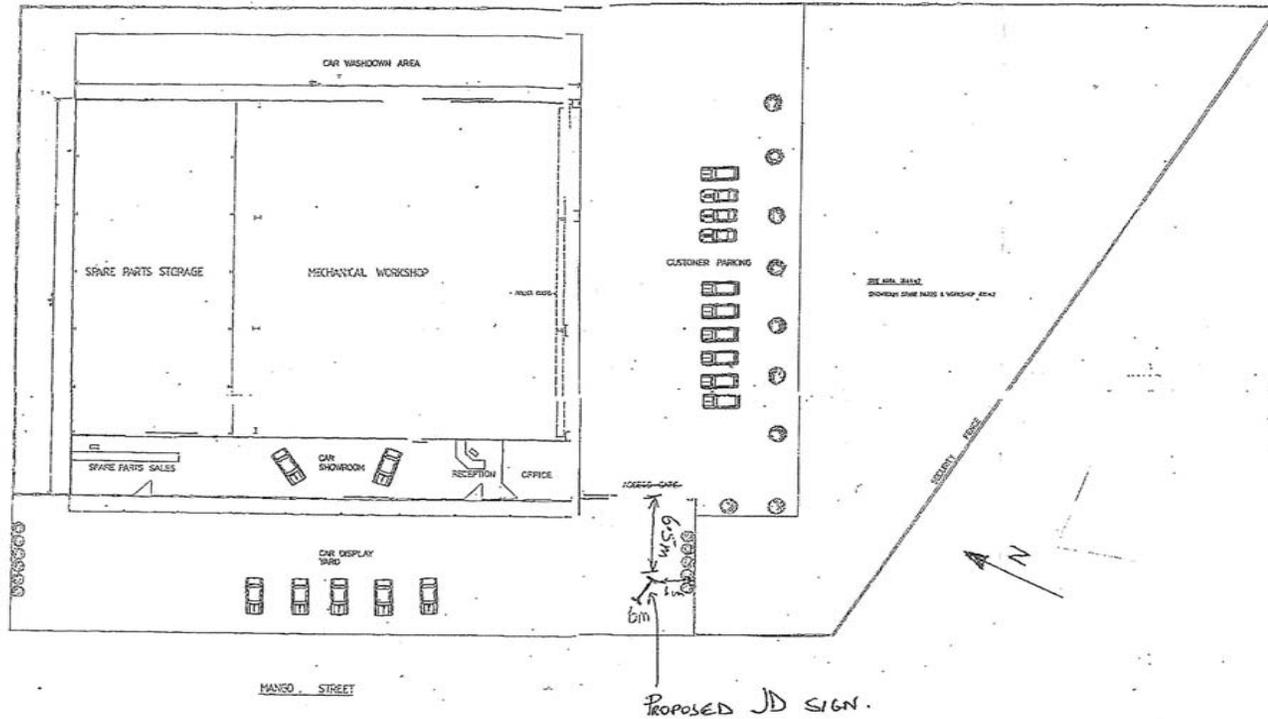
6. Conclusion:

The proposed signage is appropriate in scale and built form for the commercial nature of the land use. As the proposed signage complies with the purposes and provisions prescribed in the *Kununurra Local Planning Scheme* we submit that the signage be considered favourably.

Prepared by Public Ink on behalf of Albert Smith Signs

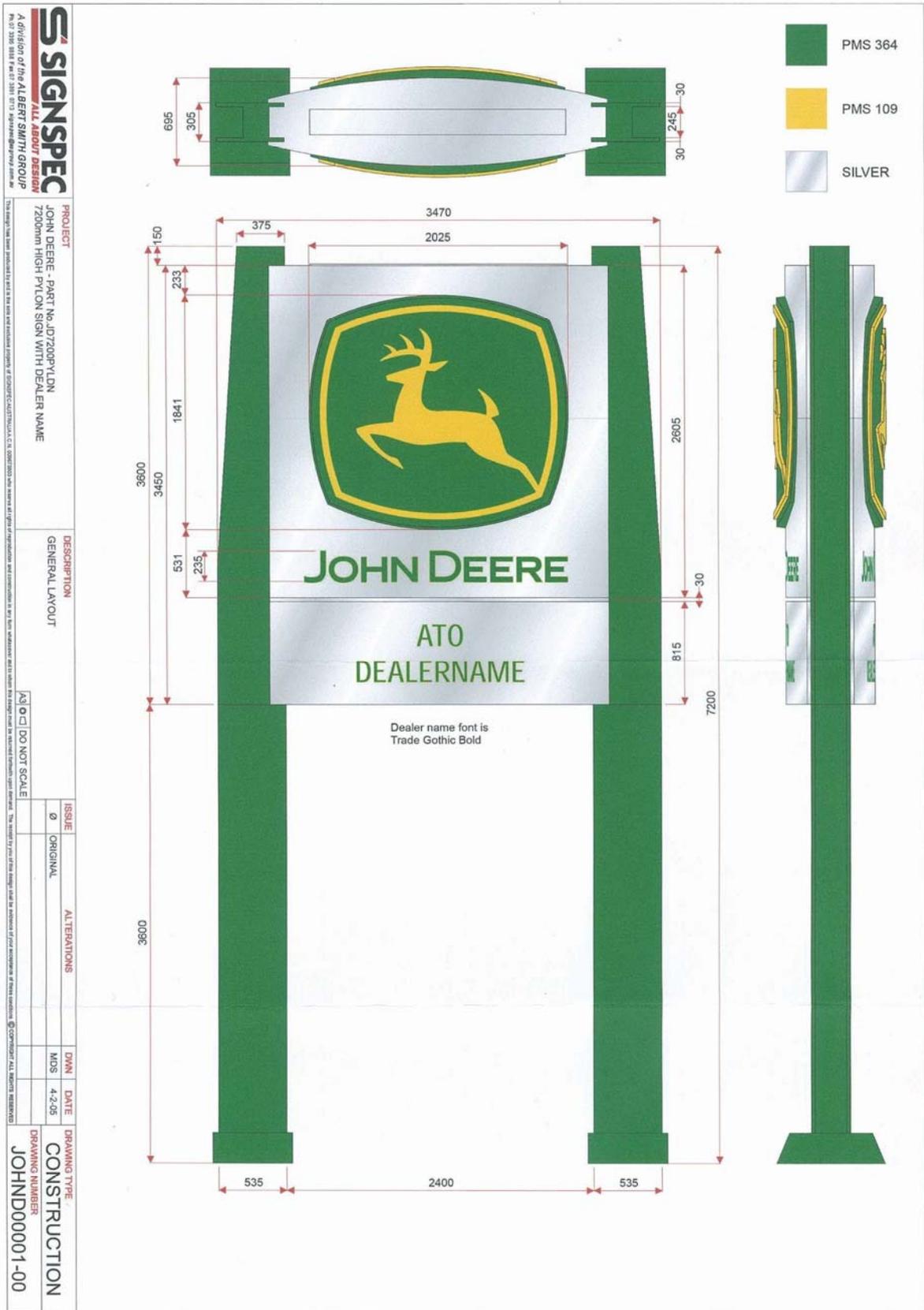
November 2009

Attachment 2: Site Plan



PLAN OF EXISTING BUILDING ON
210 MANGO STREET KILNURRA WA
FOR ~~EXISTING~~ ALTERNATIVE
SCALE 1:500

Attachment 3: General Layout of the Sign



Attachment 4: Face Decoration of the Sign

S SIGNSPEC
A division of the ALBERT SMITH GROUP
7200mm HIGH PYLON SIGN WITH DEALER NAME

PROJECT
JOHN DEERE - PART No. J07200PVLDN
7200mm HIGH PYLON SIGN WITH DEALER NAME

DESCRIPTION
FACE DECORATION

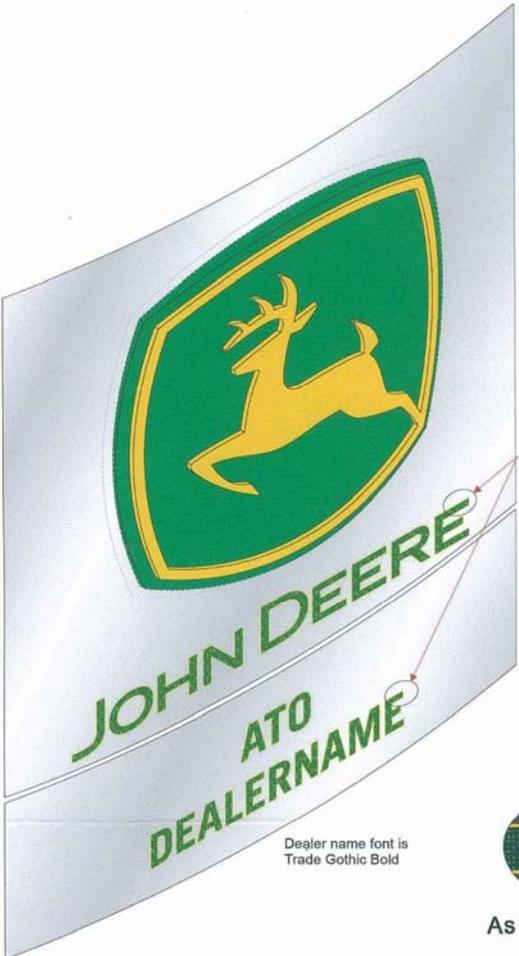
ISSUE
ORIGINAL

ALTERATIONS

DATE
4-2-09

DRAWING TYPE
CONSTRUCTION

DRAWING NUMBER
JOHNDD00001-01



Moulded Logo Construction Notes

1. Cut the 4.5mm Clear polycarbonate sheet to size.
2. Laminate the sheet with John Deere green vinyl 3M - VT12096
3. Dry out the sheets in the oven to manufacturers specifications ensuring that the vinyl does not touch anything
4. Place sheet into moulding arms with vinyl facing up.
5. Preheat tool with overhead heaters
6. Ensure that the tool is perfectly clean and dust free.
7. Mould the sheet.
8. Spray back of face with Valmask
9. Knife out and remove the green vinyl where required
10. Backspray detail area's John Deere Yellow PMS 109
11. Backup entire face with white.

Section of Detail B

Apply 3M Perforated Vinyl P/No GNV0N12304 to the front face

Backspray the rear of the acrylic panel to match PMS 109 John Deere Yellow

3

DETAIL B

Cad cut aluminium face paint silver

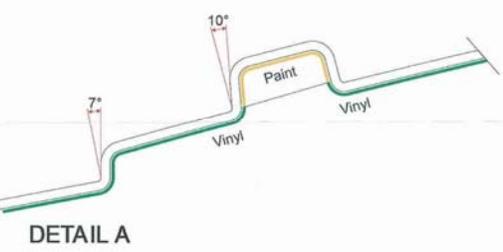
Fit 3mm clear acrylic to letter cutout

Dealer name font is Trade Gothic Bold

As viewed at Night

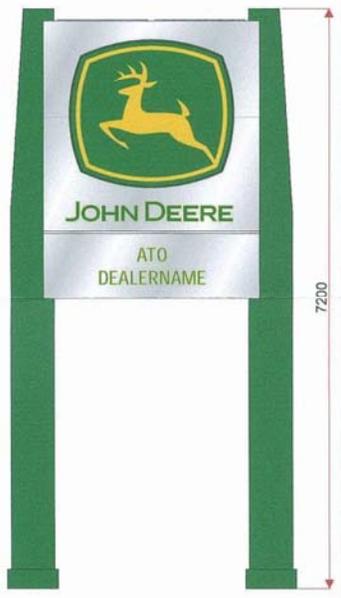


DETAIL A



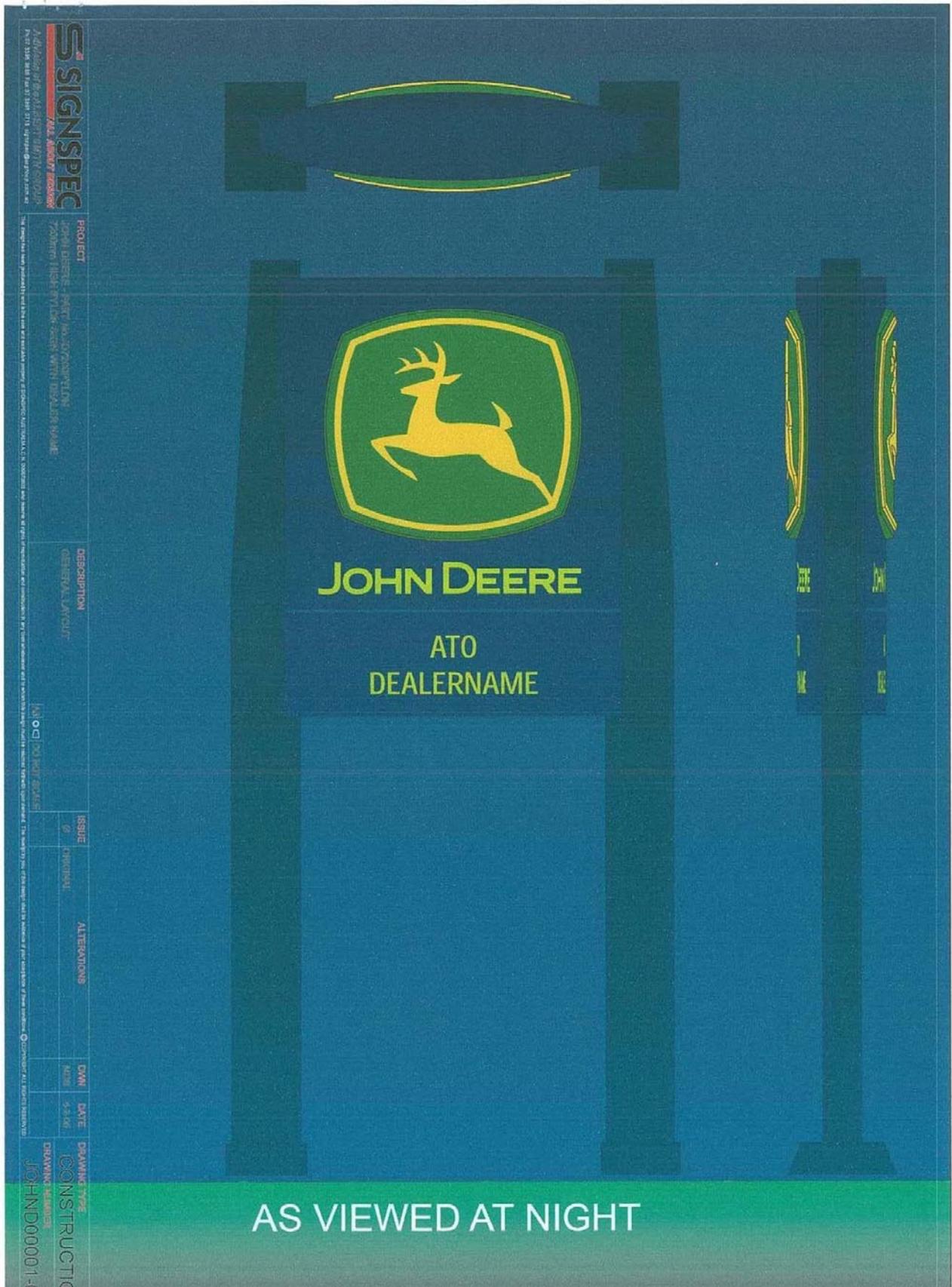
Typical Section Through Logo





7200

Attachment 5: The Sign Viewed at Night



12.5. COMMUNITY SERVICES

12.5.1 CSRFF 2010/2011 - SMALL GRANTS APPLICATIONS

DATE:	16 March 2010
PROPONENT:	Department of Sport and Recreation
LOCATION:	Various
AUTHOR:	Wayne Richards, Manager Recreation and Leisure
REPORTING OFFICER:	Karyn Apperley, Executive Manager Community Services
FILE NO:	36.08.03
ASSESSMENT NO:	N/A

PURPOSE

For Council to endorse and prioritise local applications received for the current round of small grants under the Department of Sport and Recreation's Community Sports and Recreation Facilities Fund (CSRFF).

BACKGROUND

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

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

STATUTORY IMPLICATIONS

There are no specific statutory implications with regard to this report.

POLICY IMPLICATIONS

There are no specific policy implications with regard to this report.

FINANCIAL IMPLICATIONS

Under the guidelines of the CSRFF Small Grants program, applications from remote areas such as the Shire of Wyndham East Kimberley are eligible to apply for up to 50% CSRFF funding for the total cost of the proposed project.

The Shire of Wyndham East Kimberley application for the Kununurra Leisure Centre Planning Study includes a financial contribution of \$10,000 excluding GST from the Shire. These funds have been identified in the current budget for the

Kununurra Sports Recreation Precinct Master Plan given the Kununurra Leisure Centre Planning Study is an extension of the Master Plan project.

The East Kimberley Cricket Association application is also contingent on a Council contribution of \$7,500 excluding GST, to be considered as part of the 2010/11 budget process. The application also identifies seeking a further \$7,500 excluding GST, through the 2010/11 Shire Annual Grant Scheme.

The Kununurra Motocross Club received a grant of \$7,000 excluding GST through the second round of the Shire's 2009/10 Annual Grants Scheme. The application identifies seeking of a further \$7,242.40 excluding GST, through the 2010/11 Shire Annual Grant Scheme.

STRATEGIC IMPLICATIONS

The Shire's Strategic Plan identifies the following key result areas relevant to this matter:

Key Results Area 1 – Infrastructure includes the objective 'Sustainable asset management for infrastructure under the Shire's control'; and

Key Results Area 2 – Community includes the objective 'Equitable access to quality recreational facilities and services'.

COMMUNITY CONSULTATION

Consultation has occurred over time and informally via feedback from facility user groups as well as from community members in relation to continued needs for the expansion and upgrade of these sporting community facilities.

COMMENT

Three applications have been submitted for the 2010/2011 CSRFF Small Grants funding round. One application has been prepared by Shire officers and is seeking funding for a planning study for the Kununurra Leisure Centre. A planning study for the Kununurra Leisure Centre seeks to establish clear direction for the future planning, development and management of the Kununurra Leisure Centre.

The East Kimberley Cricket Association in partnership with Shire officers prepared a submission for the expansion and improvement of cricket net facilities at the Town Oval. The expansion of the Kununurra Town Cricket nets is an important step in enabling the cricket association to grow and provide a quality recreational facility for public use.

The Kununurra Motocross Club prepared a submission seeking funding for construction of an ablution block with wash down area for bikes, as well as a permanent first aid post to house St John Ambulance and its volunteers. The Motocross ablutions wash down bay and first aid post are clearly identified within the Club's Strategic Plan. This plan seeks to develop the Motocross Club infrastructure to both improve the quality of service to local members while enabling the hosting of state and national titles.

While all three projects seek to improve the quality of facilities and services, it is the level at which they can provide equitable access to the community and the amount that the particular project impacts directly on the service provided that

varies. The Kununurra Leisure Centre is utilised by a wide range of user groups and provides a range of services to the public. The cricket net facility is specific to one activity but is also available for use by the public at all times and the project itself impacts directly on the use and activity the facility is designed for. Although the motocross facility upgrade does not directly impact on the track itself, the upgrade is an essential step in the Club's future goals of attracting state and national titles.

It is therefore recommended that the Kununurra Leisure Centre planning study be ranked first, the cricket net expansion second and Motocross facility expansion third, based on the priority order of the number of community members to benefit from each facility and the level of confirmed funding for each proposal.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

- 1. That Council support and rank the Community Sports and Recreation Facility Fund Small Grant applications for the 2010/2011 round in the following priority order based on the perceived benefit to the greatest number of community members and the level of confirmed funding:**
 - 1) Kununurra Leisure Centre Planning Study;**
 - 2) Expansion of Kununurra Town Oval cricket nets; and**
 - 3) Construction of Ablutions, Wash Down Bay and First Aid Station at Kununurra Motocross Facility.**
- 2. That Council advise the Department of Sport and Recreation of its decision prior to the closing date of 31 March 2010 and forward the applications received to the Department.**

COUNCIL DECISION

Minute No: 9074

Moved: Cr R Addis

Seconded: Cr K Torres

- 1. That Council support and rank the Community Sports and Recreation Facility Fund Small Grant applications for the 2010/2011 round in the following priority order based on the perceived benefit to the greatest number of community members and the level of confirmed funding:**
 - 1) Kununurra Leisure Centre Planning Study;**
 - 2) Expansion of Kununurra Town Oval cricket nets; and**
 - 3) Construction of Ablutions, Wash Down Bay and First Aid Station at Kununurra Motocross Facility.**
- 2. That Council advise the Department of Sport and Recreation of its decision prior to the closing date of 31 March 2010 and forward the applications received to the Department.**

CARRIED UNANIMOUSLY: (6/0)

12.6. CHIEF EXECUTIVE OFFICER

12.6.1 USE OF COMMON SEAL

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Bernadette Weaver, Executive Assistant
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to receive this report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 16 February 2010 to 8 March 2010.

Information is presented to inform Council on those documents to which the Shire's 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	Responsible Officer
17/02/2010	Government of Western Australia, Department of Water Form 3S: Application for a 5C licence to take surface water	John Gault
26/02/2010	Contract of Employment for Megan Alchin dated 9 November, 2009	Ian Dempsey
26/02/2010	Department of Health and Ageing Variation to Funding Agreement for Upgrading of Oombulgurri Sports Equipment for new end date of 31 March 2010 (2 copies)	Karyn Apperley
02/03/2010	Town Planning Scheme No. 7 Amendment No. 26 dated 18th March 2008 (5 copies)	Ian D'Arcy
02/03/2010	Main Roads Western Australia Instrument of Authorisation - Shire of Wyndham East Kimberley (2 copies) dated 12 February 2010	Gary Gaffney

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's Common Seal.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 16 February 2010 to 8 March 2010.

COUNCIL DECISION

Minute No: 9075

Moved: Cr D Ausburn

Seconded: Cr J McCoy

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 16 February 2010 to 8 March 2010.

CARRIED UNANIMOUSLY: (6/0)

12.6.2 DELEGATED AUTHORITY REPORT

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Bernadette Weaver, Executive Assistant
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 February 2010 to 28 February 2010.

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 report outlines the 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 February 2010 to 28 February 2010.

COUNCIL DECISION

Minute No: 9076

Moved: Cr D Ausburn

Seconded: Cr R Addis

That Council receive the Delegated Authority Report for the period 1 February 2010 to 28 February 2010.

CARRIED UNANIMOUSLY: (6/0)

**ATTACHMENT: DELEGATED AUTHORITY REPORT
BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY FOR THE PERIOD 1 – 28 FEBRUARY 2010**

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
010/2010	21/01/2010	2/02/2010	Thomas & Dominique Breig	Top End Building Company Pty Ltd	Lot 22 Curlew Court, Kununurra	Class 1A dwelling with Class 10A carport & store	New	\$379,500.00	7/15 days
011/2010	21/01/2010	3/02/2010	Thomas & Dominique Breig	Top End Building Company Pty Ltd	Lot 21 Curlew Court, Kununurra	Class 1A dwelling with Class 10A carport & store	New	\$379,500.00	8/15 days
012/2010	13/01/2010	3/02/2010	RB Dessert	RB Dessert	Loc 243 Weaber Plain Road, Kununurra	Class 10A Carport	New	\$20,000.00	13/15 days
013/2010	3/02/2010	4/02/2010	A & T Goldup	Ord Tropical Pools & Spas	Lot 50 (1) Dentata Street, Kununurra	Class 10B Below Ground Swimming Pool	New	\$24,000.00	1/15 days
014/2010	3/02/2010	4/02/2010	J & V Woodward	J & V Woodward	Lot 128 Whimbrel Road, Kununurra	Class 10A 2 x Shade Sails over pool	New	\$2,000.00	1/15 days
015/2010	11/10/2007	5/02/2010	P & L Mavromatis	P & L Mavromatis	Lot 757 (16) Silverbox Avenue, Kununurra	Class 10B Below Ground Swimming Pool & Shade Sail	New	\$30,000.00	+60 days - insufficient information supplied by builder - application amended
016/2010	11/02/2010	11/02/2010	N & A Stanley	Norman Stanley	Lot 116 Pardalote Close, Kununurra	Class 10B Below Ground Swimming Pool	New	\$32,000.00	1/15 days
017/2010	22/01/2010	24/02/2010	Ingle Pty Ltd	Ingle Pty Ltd	Lot 2263 Casuarina Way, Kununurra	Class 10B Swimming Pool & Shade Sail and Class 10A Pump Shed/First Aid Post	New	\$208,000.00	20/15 days - awaiting information from builder
018/2010	26/11/2009	25/02/2010	Petherick Enterprises	Franmor Constructions	Lot 92 Bandicoot Drive, Kununurra	Class 5 office with ablution & Class 10A verandah	New	\$18,200.00	60/15 days - insufficient information from builder

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
019/2010	15/09/2009	25/02/2010	Main Roads Department WA	Franmor Constructions	Lot 1782 (43A & 43B) Casuarina Way, Kununurra	Class 10A Shade Sails x 2	Add	\$6,250.00	+60 days - Pending planning approval.
020/2010	5/02/2010	25/02/2010	Argyle Diamond Mines Ltd	Argyle Diamond Mines Ltd	Argyle Diamond Mine Loc 618 Lisadell Road Via Kununurra	Class 3 additions - replacement of hardwired smoke detectors with 10 year battery life - anti tamper units	Add	\$20,000.00	13/15 days
021/2010	17/02/2010	26/02/2010	Russell Hextall & Rexdale Investments	Formula Interiors	Shop 3, Lot 5 (20) Messmate Way, Kununurra	Class 6 Shop Fit-out - Alterations	Add	\$120,000.00	6/15 days
022/2010	4/02/2010	26/02/2010	St John Ambulance	St John Ambulance	Lot 2449 (3) Coolibah Drive, Kununurra	Class 10B Pylon Sign	New	\$500.00	15/15 days
								\$1,239,950.00	

DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY FOR THE PERIOD 1 – 28 FEBRUARY 2010

DEMO LIC#	DATE APPLIC RECVD	DATE LICENCED	ASSESS NO.	OWNER	ADDRESS	BUILDER/ DEMOLITION CONTRACTOR	BUILDER ADDRESS	DEMO CLASS (1, 2 or 3)	WAD CLASS/ LIC NO	LOCATION	DESCRIPTION	COMMENTS (Asbestos)
DL 004/ 2010	20/01/2010	19/02/2010	1818	Ord River House Pty Ltd	PO Box 549 Margaret River WA 6285	To Be Advised	To Be Advised	2	To Be Advised	Lot 2451 (98) Konkerberry Drive Kununurra	Demolition of Class 9B public building (former Child Care Centre)	Brick veneer

SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY FOR THE PERIOD 1 – 28 FEBRUARY 2010

SIGN LIC#	DATE APPLIC RECVD	DATE LICENCED	ASSESS NO.	OWNER	ADDRESS	BUILDER/ CONTRACTOR	BUILDER ADDRESS	LOCATION	DESCRIPTION	Planning Approval / Delegation	SIZE (approx)
SL 001/ 2010	4/02/2010	26/02/2010	5475	St John Ambulance	PO Box 895 Kununurra	St John Ambulance	PO Box 895 Kununurra	Lot 2449 (3) Coolibah Drive Kununurra	Class 10B Pylon Sign	DA 104/09	1.2h x 2.2w x 2.4o/a H

TOWN PLANNING DELEGATED AUTHORITY FOR THE PERIOD 1 – 28 FEBRUARY 2010

APPLICATION / DELEGATION NUMBER	APPROVAL TYPE	DATE RECEIVED	APPLICANT	OWNER	PROPERTY ADDRESS	PROPOSED DEVELOPMENT	ASSESS'T NUMBER	APPROVAL DATE	COMMENT
1/10	P	12/01/2010	R.B. Dessert	R. B. Dessert	Lot 243 Weaber Plain Road, Kununurra	Carport	98	3/02/2010	Approved by Ian D'Arcy
13/10	P	11/02/2010	Department Of Housing	Department of Housing	6 Denman Street, Wyndham	Placement of sea container on verge	417	11/02/2010	Approved by Ian D'Arcy
14/10	P	11/02/2010	Department Of Housing	Department of Housing	12 Denman Street, Wyndham	Placement of sea container on verge	420	11/02/2010	Approved by Ian D'Arcy
15/10	P	11/02/2010	Department Of Housing	Department of Housing	29 Koojarra Street, Wyndham	Placement of sea container on verge	449	11/02/2010	Approved by Ian D'Arcy
16/10	P	11/02/2010	Department Of Housing	Department of Housing	34 Koojarra Street, Wyndham	Placement of sea container on verge	437	11/02/2010	Approved by Ian D'Arcy
17/10	P	11/02/2010	Department Of Housing	Department of Housing	5 Dorrigo Street, Wyndham	Placement of sea container on verge	415 (5a)	11/02/2010	Approved by Ian D'Arcy
18/10	P	11/02/2010	Department Of Housing	Department of Housing	5 Dorrigo Street, Wyndham	Placement of sea container on verge	415 (5b)	11/02/2010	Approved by Ian D'Arcy
19/10	P	11/02/2010	Department Of Housing	Department of Housing	18 Koojarra Street, Wyndham	Placement of sea container on verge	386	11/02/2010	Approved by Ian D'Arcy
20/10	P	11/02/2010	Department Of Housing	Department of Housing	16 Delamere Street, Wyndham	Placement of sea container on verge	413	11/02/2010	Approved by Ian D'Arcy
3/10	P	22/01/2010	Mrs Danee Finckh	Danee Finckh	Lot 750 Weaber Plain Road, Kununurra	Home Occupation Licence Renewal	1948	15/02/2010	Approved by Ian D'Arcy

APPLICATION / DELEGATION NUMBER	APPROVAL TYPE	DATE RECEIVED	APPLICANT	OWNER	PROPERTY ADDRESS	PROPOSED DEVELOPMENT	ASSESS'T NUMBER	APPROVAL DATE	COMMENT
6/10	HO	2/02/2010	Kimberley Valuers - Opteon	Christine Incerti	Lot 166 Gardenia drive, Kununurra	Home Occupation renewal	2265	15/02/2010	Approved by Ian D'Arcy
10/10	P	5/02/2010	Baby Gecko	Jacinta Thompson	Lot 1265 Beefwood Street, Kununurra	Home Occupation. Licence	862	15/02/2010	Approved by Ian D'Arcy
125/09	P	8/12/2009	Esam Williams	Valentines Falls Estate Pty Ltd	Lot 21 Weero Road, Kununurra	New single storey dwelling	2462	15/02/2010	Approved by Ian D'Arcy
4/10	P	25/01/2010	Robina Campbell	Robina Campbell	19 Nutwood Crescent, Kununurra	Home Occupation Licence Application (mobile food/ice cream van)	1112	18/02/2010	Approved by Ian D'Arcy
9/10	RPA	4/02/2010	John Timms & Kym Fisher	John Timms & Kym Fisher	Lot 106 Weaber Plain Road, Kununurra	Retrospective planning approval	5081	24/02/2010	Approved by Ian D'Arcy
49/09 (Rev)	IP	8/02/2010	NE Sheds	Robert Harvey	Lot 111 Salacca Loop, Kununurra	Caretaker's Residence & Office Building	7107	25/02/2010	Approved by Ian D'Arcy

COMMUNITY QUICK GRANTS ISSUED UNDER DELEGATED AUTHORITY FOR THE PERIOD 1 – 28 FEBRUARY 2010

APPROVAL DATE	ORGANISATION	PURPOSE OF QUICK GRANT	TOTAL PROJECT COSTS	AMOUNT REQUESTED	AMOUNT APPROVED
15/02/2010	Garnduwa	Contribution to Annual Junior Basketball Carnival held in Kununurra	\$1,084.00	\$500.00	\$500.00
28/02/2010	Kununurra Freedom Church	Contribution to toys for Mainly Music Program (children and families) non-religious activity	\$3,150.00	\$500.00	\$500.00

COMMUNITY IN-KIND REQUESTS ISSUED UNDER DELEGATED AUTHORITY FOR THE PERIOD 1 – 28 FEBRUARY 2010

APPROVAL DATE	ORGANISATION	REQUEST DETAILS	IN-KIND VALUE
12/02/2010	WELA – Wyndham Early Learning Activities Centre	Family Fun Day – Use of Wyndham Oval	\$155.00
20/02/2010	Ord Valley CWA	Bush dance Fund Raiser – Use of KLC Hall	\$315.00

12.6.6 COMPLIANCE AUDIT RETURN

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.01.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to adopt the 2009 Compliance Audit Return.

BACKGROUND

The Chief Executive Officer is required to complete and submit a Compliance Audit Return to the Department of Local Government and Regional Development by 31 March each year. The Compliance Audit is one of the tools that allows Council to monitor how the organisation is functioning in regard to compliance (or otherwise) with the various legislation that pertains to local government administration and decision making.

Regulations require that upon completion of the Compliance Audit Return, the return is to be:

- Presented to the Council at a meeting of the Council;
- Adopted by the Council; and
- Recorded in the minutes of the meeting at which it is adopted.

The Compliance Audit is undertaken using an online Compliance Audit Return that is prepared by the Department of Local Government and Regional Development (the Department).

STATUTORY IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governance, in Council's Strategic Plan

COMMUNITY CONSULTATION

Community Consultation is not required with regard to this item.

COMMENT

The 2009 Compliance Audit return was answered by the Chief Executive Officer in consultation with the relevant responsible Officer.

ATTACHMENTS

2009 Compliance Audit Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the 2009 Compliance Audit Report.

COUNCIL DECISION

Minute No: 9077

Moved: Cr D Ausburn

Seconded: Cr J McCoy

That Council adopt the 2009 Compliance Audit Report.

CARRIED UNANIMOUSLY: (6/0)

12.7 ELECTED MEMBER REPORTS

Cr D Ausburn

DATE	MEETING
9 March 2010	Shire Audit Meeting
9 March 2010	Special Meeting
9 March 2010	Liquor Accord Meeting

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: 9078

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

That Council move Behind Closed Doors to consider Item 16.1 Debts Currently in Legal Process.

CARRIED UNANIMOUSLY: (6/0)

16. MATTERS BEHIND CLOSED DOORS

16.1 DEBTS CURRENTLY IN LEGAL PROCESS

DATE:	16 March 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Executive Manager Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Executive Manager Corporate Services
FILE NO:	61.23.02, 61.22.14
ASSESSMENT NO:	N/A

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

- (b) the personal affairs of any person; and
- (e) a matter that if disclosed, would reveal —
 - (iii) information about the business, professional, commercial or financial affairs of a person.

PURPOSE

To provide an update regarding debts currently in legal process.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

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

COUNCIL DECISION

Minute No: 9079

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

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

CARRIED UNANIMOUSLY: (6/0)

COUNCIL DECISION

Minute No: 9080

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council move out from Behind Closed Doors.

CARRIED UNANIMOUSLY: (6/0)

7. CLOSURE

With all matters of Business complete, the Deputy Shire President declared the meeting closed at 6.34pm.