



MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 16 NOVEMBER 2010

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

Shire President Confirmed

Date: _____

SUMMARY OF MINUTES

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SHIRE OF WYNDHAM EAST KIMBERLEY

MINUTES

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

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.00pm.

2. RECORD OF ATTENDANCE

Cr F Mills	Shire President
Cr J Moulden	Deputy Shire President
Cr D Ausburn	Councillor
Cr J McCoy	Councillor
Cr R Dessert	Councillor
Cr R Addis	Councillor
Cr J Parker	Councillor
Cr K Torres	Councillor
Cr K Wright	Councillor
G Gaffney	Chief Executive Officer
N Kearns	Director Development Services
J Ellis	Director Corporate Services
T Cheng	Director Infrastructure Services
R Morrall	Governance Support Officer (Minute Taker)
F Kuiper	Executive Assistant

GALLERY

Kevin Tang
Jennifer Ninnette
Janet Takarangi
Asanka Jayakody
Matteo Salerno

APOLOGIES

Nil

LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Nil

3. DECLARATION OF INTEREST

- **Financial Interest**

Nil

- **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: 9326

Moved: Cr J Parker

Seconded: Cr J Moulden

That a leave of absence is approved for Cr K Wright and Cr F Mills for the Ordinary Council Meeting of 14 December 2010.

That a leave of absence is also approved for Cr R Dessert for the Ordinary Council Meetings on the 18 January and 15 February 2011.

CARRIED UNANIMOUSLY: (9/0)

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 19 OCTOBER 2010

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 19 October 2010.

COUNCIL DECISION

Minute No: 9327

Moved: Cr K Wright

Seconded: Cr J Parker

That Council confirms the Minutes of the Ordinary Council Meeting held on 19 October 2010.

CARRIED UNANIMOUSLY: (9/0)

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Cr Mills advised that he attended the State Council Meeting recently which discussed many issues that may impact the Kimberley. The items discussed included Environment and Waste, Governance and Strategy, Infrastructure and Planning and Community Development. Policy update was also provided in relation to Voluntary Reform in Local Government. These minutes are available on the WALGA website for further information.

As discussed at the previous Council Meeting, a Council decision was made to purchase a tank for a Council that was in a drought affected area. The 110,000L water tank has been ordered, and will go to the Shire Kondinin.

Cr J Moulden, Chief Executive Officer and Cr Fred Mills attended Halls Creek for the Kimberley Zone Meeting, of note were the discussions regarding the upgrade of the Tanami Road.

10. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1 MINUTES OF AUDIT COMMITTEE MEETINGS

Nil

11.2 MINUTES OF AIRPORT COMMITTEE MEETINGS

Nil

12. REPORTS

12.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 Auditors Report 2009-10

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Director Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	61.34.01

PURPOSE

To review the Independent Audit Report and Management Report for the Year Ended 30 June 2010 issued by the Council Auditors UHY Haines Norton.

BACKGROUND

UHY Haines Norton, Councils appointed auditors conducted the annual audit for 2009-10. The result of this audit is an Independent Audit Report and a Management Report. The Management Report is an internal document to Council and the Independent Audit Report is published with the Annual Report.

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

STATUTORY IMPLICATIONS

Local Government Act 1995

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president;
 - (b) the CEO of the local government; and
 - (c) the Minister.
- (2) Without limiting the generality of subsection (1), where the auditor considers that —
 - (a) there is any error or deficiency in an account or financial report submitted for audit;
 - (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or

- (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government, details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.
- (3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —
 - (a) prepare a report thereon; and
 - (b) forward a copy of that report to the Minister, and that direction has effect according to its terms.
 - (4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —
 - (a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government is to —
 - (a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
 - (b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

POLICY IMPLICATIONS

No policy implications apply in relation to this item.

FINANCIAL IMPLICATIONS

No financial implications apply in relation to this item.

STRATEGIC IMPLICATIONS

Accountability and transparency of the Shire's accounting functions.

The Audit Committee fulfilling the functions and responsibilities of the Committee.

COMMENT

Independent Audit Report

Auditor's Opinion

An unqualified opinion was given on the financial report.

Other Matters

No adverse trends in financial position or financial management practices were noted. No issues of Statutory Compliance were raised.

Management Report

Other matters arising during course of audit not required to be included in the Audit Report.

Annual and Primary Returns of Councillors and Staff.

Management Response

This item was raised in the Financial Management Review conducted in May 2010 (also by UHY Haines Norton). The report presented in June 2010 to Council details corrective actions which have substantially been achieved. The Audit Committee receives a progress report on the status of the corrective actions in relation to this review.

Since the review in May 2010, which looked at returns lodged in August 2009, another annual return was required to be lodged in August 2010. Significant improvements in the administration of these returns has been achieved. These improvements need to be sustained over time however no further corrective actions are recommended at this time.

Signed Minutes Not Available.

Management Response

This item was raised in the Financial Management Review conducted in May 2010 (also by UHY Haines Norton). A full review of all minutes has been

conducted to ensure a complete record of signed minutes is sent off for binding. Improvements in the process of signing and storing minutes have been made. No further corrective actions are recommended at this time.

Demolition Costs Capitalised.

Management Response

The opinion of the auditor is noted in this regard. The cost was considered to be a cost of acquisition of the land as the land purchase price was discounted by the cost of demolition. No corrective actions are recommended at this time.

Slow Payments by Airline Debtors.

Management Response

The Audit Committee and Management are aware of this issue and Management have had numerous discussions with one airline in particular re trading terms. An interest policy on outstanding debtors balances was introduced in an attempt to encourage payment within terms.

Corrective Actions

A report detailing the payment patterns of the two major airline debtors be presented to the Audit Committee for consideration and recommendation of actions to be taken, including the role of the Airport Committee in this matter.

Corrected and Uncorrected Misstatements

Management Response

One journal was suggested by the auditor which was agreed by management therefore it is a corrected misstatement. This related to a significant transaction of \$11Million net being funds held on behalf of the Kimberley Zone. The funds were transferred to Trust. No corrective actions are recommended at this time.

ATTACHMENTS

1. Independent Audit Report to the Electors of the Shire of Wyndham-East Kimberley.
2. Management Report for the Year Ended 30 June 2010
(Confidential Attachment provided under separate cover)

VOTING REQUIREMENT

Simple Majority

COMMITTEE RECOMMENDATION

That Council having considered the recommendation of the Audit Committee:

1. Receives the Independent Audit Report the Electors of the Shire of Wyndham East Kimberley.
2. Receives the Management Report for the Year Ended 30 June 2010

3. Requests the following actions be taken in relation to the results of Audit for the Year Ended 30 June 2010: A report detailing the payment patterns of the two major airline debtors be presented to the December 2010 Council Meeting for consideration and recommendation of actions to be taken, including the role of the Airport Committee in this matter.
4. Requests that a report on the status of actions taken in relation to the results of Audit for the Year Ended 30 June 2010 is included in the Audit Committee Agenda as a standing item until all issues are resolved.
5. Requests that the actions in relation the results of Audit for the Year Ended 30 June 2010 are reported to the Minister following the May 2011 Audit Committee Meeting.

COUNCIL DECISION

Minute No: 9328

Moved: Cr R Addis

Seconded: Cr K Wright

That Council having considered the recommendation of the Audit Committee:

1. **Receives the Independent Audit Report the Electors of the Shire of Wyndham East Kimberley.**
2. **Receives the Management Report for the Year Ended 30 June 2010**
3. **Requests the following actions be taken in relation to the results of Audit for the Year Ended 30 June 2010: A report detailing the payment patterns of the two major airline debtors be presented to the December 2010 Council Meeting for consideration and recommendation of actions to be taken, including the role of the Airport Committee in this matter.**
4. **Requests that a report on the status of actions taken in relation to the results of Audit for the Year Ended 30 June 2010 is included in the Audit Committee Agenda as a standing item until all issues are resolved.**
5. **Requests that the actions in relation the results of Audit for the Year Ended 30 June 2010 are reported to the Minister following the May 2011 Audit Committee Meeting.**

CARRIED UNANIMOUSLY: (9/0)

Attachment 1: Independent Audit Report to the Electors of the Shire of Wyndham-East Kimberley.

Attachment 1: Independent Audit Report to the Electors of the Shire of Wyndham-East Kimberley



INDEPENDENT AUDIT REPORT TO THE ELECTORS OF THE SHIRE OF WYNDHAM-EAST KIMBERLEY

Report on the Financial Report

We have audited the accompanying financial report of the Shire of Wyndham-East Kimberley, which comprises the Statement of Financial Position as at 30 June 2010 and the Statement of Comprehensive Income by nature or type, Statement of Comprehensive Income by program, Statement of Changes in Equity, Statement of Cash Flows, Rate Setting Statement for the year ended on that date and a summary of significant accounting policies and other explanatory notes.

Council's Responsibility for the Financial Report

Council is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations), the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended). This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Council, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

Auditor's Opinion

In our opinion, the financial report of the Shire of Wyndham-East Kimberley is in accordance with the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended), including:

- a giving a true and fair view of the Shire's financial position as at 30 June 2010 and of its performance for the year ended on that date; and
- b complying with Australian Accounting Standards (including the Australian Accounting Interpretations), the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended).

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**INDEPENDENT AUDIT REPORT
TO THE ELECTORS OF THE SHIRE OF WYNDHAM-EAST KIMBERLEY (continued)**

Other Matters

In accordance with the Local Government (Audit) Regulations 1996, we also report that:

- a) There are no matters that in our opinion indicate significant adverse trends in the financial position or the financial management practices of the Shire.
- b) No matters indicating non-compliance with Part 6 of the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended) or applicable financial controls of any other written law were noted during the course of our audit.
- c) All necessary information and explanations were obtained by us.
- d) All audit procedures were satisfactorily completed in conducting our audit.

UHY HAINES NORTON
CHARTERED ACCOUNTANTS



DAVID TOMASI
PARTNER

Date: 12 November 2010
Perth, WA

Attachment 2: Management Report for the Year Ended 30 June 2010

Confidential Attachment will be provided under separate cover

12.2 CORPORATE SERVICES

12.2.1 Monthly Report

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Director Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	60.14.02
ASSESSMENT NO:	N/A

PURPOSE

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

Councils 2010/11 Budget was adopted on 10 August 2010.

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

ATTACHMENTS

The Monthly Financial Report for September 2010 will be provided as a separate attachment.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council note and accepts the Monthly Financial Report for the month of September 2010.

COUNCIL DECISION

Minute No: 9329

Moved: Cr K Torres

Seconded: Cr K Wright

That Council note and accepts the Monthly Financial Report for the month of September 2010.

CARRIED UNANIMOUSLY: (9/0)

ATTACHMENT 1 – Monthly Financial Report for September



Shire of Wyndham East Kimberley

**Monthly Financial Report
2010/2011**

As at 30 September 2010

Presented to Council 16 November 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 30 September 2010

	YTD Actual 2010/11 \$	YTD Budget 2010/11 \$	YTD Variance 2010/11 \$	%
Revenue				
General Purpose Funding	463,735	328,850	134,885	41%
Governance	204,545	248,750	(44,205)	-18%
Law, Order, Public Safety	2,430	21,400	(18,969)	-89%
Health	4,210	3,640	570	16%
Education and Welfare	28,548	29,625	(1,077)	-4%
Housing	34,097	28,891	5,206	18%
Community Amenities	1,344,737	1,343,639	1,098	0%
Recreation and Culture	104,603	111,951	(7,348)	-7%
Transport	996,998	1,025,338	(28,340)	-3%
Economic Services	45,523	48,745	(3,222)	-7%
Other Property and Services	1,182	7,940	(6,758)	-85%
	<u>2,766,872</u>	<u>2,869,917</u>	<u>(103,045)</u>	
Expenses				
General Purpose Funding	(131,853)	(129,502)	(2,351)	2%
Governance	(318,932)	(318,732)	(200)	0%
Law, Order, Public Safety	(92,034)	(116,273)	24,238	-21%
Health	(110,305)	(76,648)	(33,657)	44%
Education and Welfare	(90,467)	(101,104)	10,637	-11%
Housing	(113,228)	(118,386)	5,159	-4%
Community Amenities	(825,049)	(864,902)	39,853	-5%
Recreation & Culture	(973,235)	(1,055,131)	81,896	-8%
Transport	(1,293,550)	(1,274,532)	(19,018)	1%
Economic Services	(156,416)	(157,441)	1,025	-1%
Other Property and Services	(89,338)	(157,241)	67,902	-43%
	<u>(4,062,555)</u>	<u>(4,240,390)</u>	<u>177,835</u>	-4%
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	0	0	0	0%
Movement in Accruals and Provisions	1,050,402	0	1,050,402	0%
Depreciation on Assets	732,711	636,113	96,598	0%
Capital Expenditure and Revenue				
Purchase Land Held for Resale	0	0	0	0%
Purchase Land and Buildings	(649,344)	(648,765)	(579)	0%
Purchase Infrastructure Assets - Roads	(940,638)	(948,000)	7,362	-1%
Purchase Infrastructure Assets - Parks	0	0	0	0%
Purchase Infrastructure Assets - Footpaths	(337)	0	(337)	0%
Purchase Infrastructure Assets - Drainage	0	0	0	0%
Purchase Infrastructure Assets - Other	(76,081)	(71,200)	(4,881)	7%
Purchase Plant and Equipment	(142,447)	(142,000)	(447)	0%
Purchase Furniture and Equipment	(62,353)	(50,000)	(12,353)	25%
Grants / Contributions for Development of Assets	210,000	210,000	0	0%
Proceeds from Disposal of Assets	0	0	0	0%
Proceeds from Sale of Land Held for Resale	0	0	0	0%
Repayment of Debentures	(70,483)	(70,481)	(2)	0%
Proceeds from New Debentures	0	0	0	0%
Transfers to Reserves (Restricted Assets)	0	0	0	0%
Transfers from Reserves (Restricted Assets)	0	0	0	0%
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	11,441,955	21,456,799	(10,014,844)	-47%
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	15,938,976	26,181,343	(10,242,367)	-39%
Amount Required to be Raised from Rates	<u>5,409,393</u>	<u>5,415,941</u>	<u>(6,548)</u>	0%

Shire of Wyndham East Kimberley
Note to Statement of Financial Activity
Net Current Assets
as at 30 September 2010

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

	YTD Actual 2010/11	Brought Forward 1 July 2010
CURRENT ASSETS		
Cash - Unrestricted	11,411,309	11,899,554
Cash - Restricted	6,814,708	6,758,017
Cash - Restricted Unspent Grants	0	0
Receivables	4,483,055	1,431,234
Inventories	46,071	5,072
	<u>22,755,142</u>	<u>20,093,877</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	(1,459)	(1,893,905)
Less: Cash - Restricted	<u>(6,814,708)</u>	<u>(6,758,017)</u>
NET CURRENT ASSET POSITION	<u><u>15,938,976</u></u>	<u><u>11,441,955</u></u>

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity
For the Period Ended 30 September 2010

Explanation of Material

Variances +/- \$50,000 at Financial Statement Level

Variances +/- \$5,000 and 10% at Account Level will be explained

Operating

Recurrent Income - Excluding Rates

General Purpose Funding

Additional ESL income of \$104K due to increase in ESL rate in dollar not incorporated into rates model. This increase in income will be offset by an equal increase in expenditure. Interest income for Muni Fund overstated \$29K as journals need to occur to represent interest on Zone funds held.

Governance

Underachieved other income other governance \$7K. Annual budget overestimated, to be amended at review. Interest income Kimberley Zone reflected in interest for Muni fund \$31K, journals to occur.

Law, Order and Public Safety

Grant income for 10/11 for Bushfire and SES decreased by 08/09 grant acquittal. Budget amendment required at review \$11K.

Recurrent Expenditure

Community Amenities

Litter Control over expended by \$23K to budget projection. Youth salaries underspent due to staffing \$24K.

Recreation and Culture

Kununurra Swimming Complex, Kununurra Leisure and Wyndham Swimming Complex salaries underspent against forecast due to staffing \$39K. Parks and Gardens Maintenance Kununurra underspent against projected budget \$27K. Insurance budgets incorrectly forecast as one payment when is paid in two installments \$25K. Depreciation Wyndham Swimming Complex underestimated \$11K, budget to be reviewed.

Other Property and Services

Plant costs and contract overheads recovery lower until capital works commence \$53K.

Capital

Adjustments and Accruals

Increased depreciation for non current assets \$88K. Some budget forecasts require review.

Capital Expenditure

No Material Variances to explain

Capital Revenue

No Material Variances to explain

Reserve Transactions

No Material Variances to explain

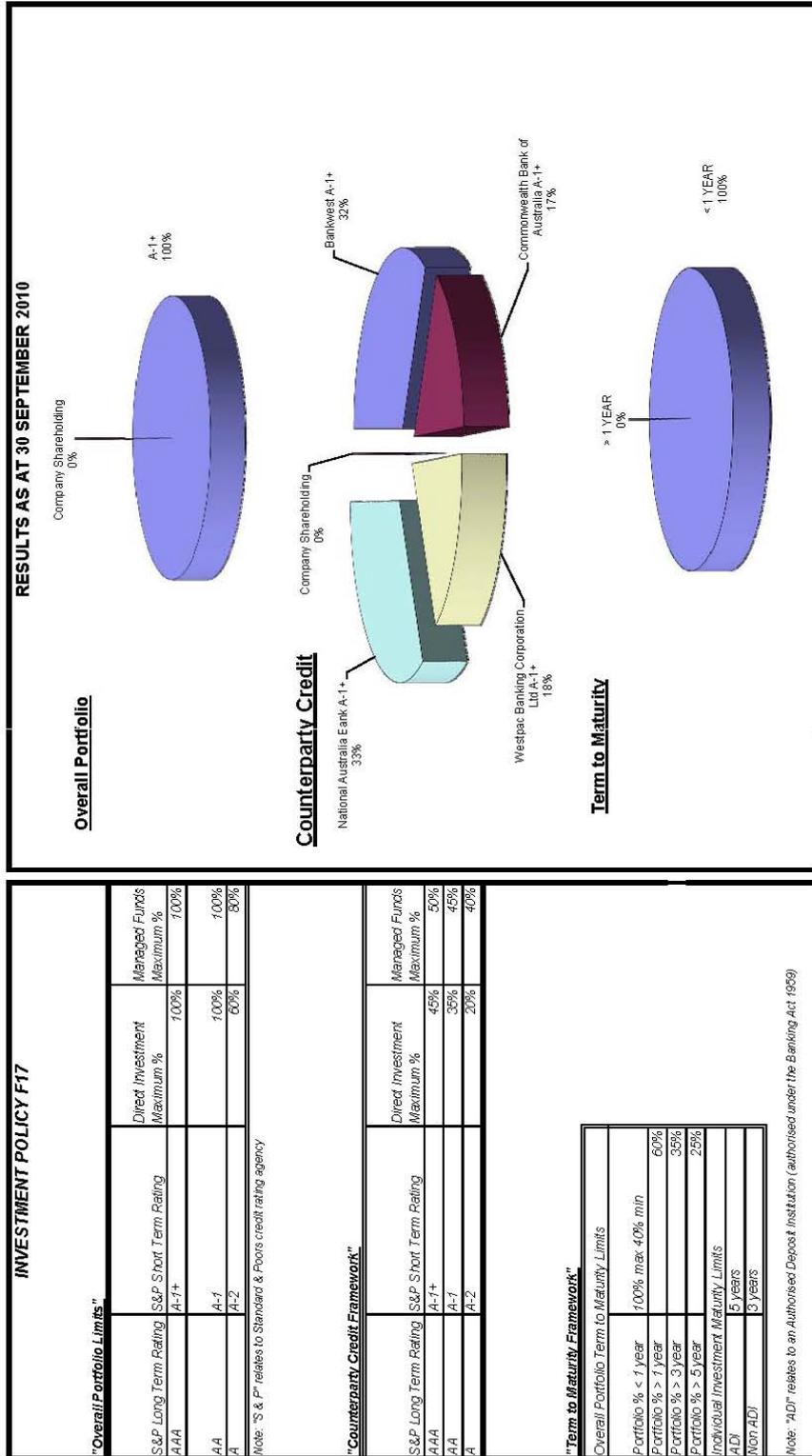
Rates

No Material Variances to explain

Shire of Wyndham East Kimberley
Note to Statement of Financial Activity
Budget Remaining to Collect/Spend
as at 30 September 2010

	YTD Actual 2010/11 \$	Adopted Budget 2010/11	Budget Remaining 2010/11 \$ %	
Revenue				
General Purpose Funding	463,735	4,326,729	3,862,994	89%
Governance	204,545	643,700	439,155	68%
Law, Order, Public Safety	2,430	72,975	70,545	97%
Health	4,210	24,850	20,640	83%
Education and Welfare	28,548	108,539	79,991	74%
Housing	34,097	125,209	91,112	73%
Community Amenities	1,344,737	2,588,104	1,243,367	48%
Recreation and Culture	104,603	731,050	626,447	86%
Transport	996,998	4,515,190	3,518,192	78%
Economic Services	45,523	241,000	195,477	81%
Other Property and Services	1,182	220,218	219,036	99%
	<u>2,766,872</u>	<u>9,270,835</u>	<u>6,503,963</u>	<u>70%</u>
Expenses				
General Purpose Funding	(131,853)	(377,631)	(245,778)	65%
Governance	(318,932)	(12,019,969)	(11,701,037)	97%
Law, Order, Public Safety	(92,034)	(467,635)	(375,601)	80%
Health	(110,305)	(343,996)	(233,691)	68%
Education and Welfare	(90,467)	(373,622)	(283,155)	76%
Housing	(113,228)	(408,818)	(295,590)	72%
Community Amenities	(825,049)	(4,614,351)	(3,789,302)	82%
Recreation & Culture	(973,235)	(3,986,870)	(3,013,635)	76%
Transport	(1,293,550)	(5,308,850)	(4,015,300)	76%
Economic Services	(156,416)	(765,349)	(608,933)	80%
Other Property and Services	(89,338)	(127,759)	(38,421)	30%
	<u>(4,062,555)</u>	<u>(28,417,219)</u>	<u>(24,354,664)</u>	<u>86%</u>
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	0	(424,028)	(424,028)	100%
Movement in Accruals and Provisions	1,050,402	105,402	(945,000)	-897%
Depreciation on Assets	732,711	2,544,500	1,811,789	71%
Capital Expenditure and Revenue				
Purchase Land Held for Resale	0	(320,000)	(320,000)	100%
Purchase Land and Buildings	(649,344)	(13,582,998)	(12,933,654)	95%
Purchase Infrastructure Assets - Roads	(940,638)	(4,438,800)	(3,498,162)	79%
Purchase Infrastructure Assets - Parks	0	0	0	#DIV/0!
Purchase Infrastructure Assets - Footpaths	(337)	(30,000)	(29,663)	99%
Purchase Infrastructure Assets - Drainage	0	(449,000)	(449,000)	100%
Purchase Infrastructure Assets - Other	(76,081)	(8,962,018)	(8,885,937)	99%
Purchase Plant and Equipment	(142,447)	(1,292,485)	(1,150,038)	89%
Purchase Furniture and Equipment	(62,353)	(484,600)	(422,247)	87%
Grants / Contributions for Development of Assets	210,000	13,158,911	12,948,911	98%
Proceeds from Disposal of Assets	0	229,006	229,006	100%
Proceeds from Sale of Land Held for Resale	0	300,000	300,000	100%
Repayment of Debentures	(70,483)	(220,689)	(150,206)	68%
Proceeds from New Debentures	0	550,000	550,000	100%
Transfers to Reserves (Restricted Assets)	0	(8,117,672)	(8,117,672)	100%
Transfers from Reserves (Restricted Assets)	0	9,845,056	9,845,056	100%
^{ADD} Estimated Surplus/(Deficit) July 1 B/Fwd	11,441,955	21,456,799	10,014,844	47%
^{ESS} Estimated Surplus/(Deficit) June 30 C/Fwd	15,938,976	136,039	(15,802,937)	-11616%
Amount Required to be Raised from Rates	<u>5,409,393</u>	<u>5,465,941</u>	<u>56,548</u>	<u>1%</u>

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)



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. Council minute 9067 of 16 March 2010 confirms Councils intention to sell, requested listing with Company for disposal and reviewing status in twelve months (March 2011) if still held. A Council decision is required for the disposal of the shares.

12.2.2 List of Accounts Paid Under Delegation 18

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Sandy Griffiths, Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	60.14.03
ASSESSMENT NO:	N/A

PURPOSE

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

BACKGROUND

Delegation 18 – Payment of Creditors was reviewed and adopted by Council on 16 June 2009.

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

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

Delegation 18 – Payment of Creditors

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Key Result Area 5 – Governance

Council's financial position and forward planning is sound.

COMMUNITY CONSULTATION

Not Applicable

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 EFT110430 – EFT110626 (7-22 October 2010)	\$751,751.20
Municipal cheques 39835-39877 (7 – 22 October 2010)	\$ 70,898.89
Payroll (6-20 October 2010)	\$315,988.23
Direct bank debits (1 – 26 October 2010)	\$32,229.31
Total	<u>\$1,170,867.63</u>

COUNCIL DECISION

Minute No: 9330

Moved: Cr K Wright
Seconded: Cr J Moulden

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

Municipal EFT110430 – EFT110626 (7-22 October 2010)	\$751,751.20
Municipal cheques 39835-39877 (7 – 22 October 2010)	\$ 70,898.89
Payroll (6-20 October 2010)	\$315,988.23
Direct bank debits (1 – 26 October 2010)	\$32,229.31
Total	<u>\$1,170,867.63</u>

CARRIED UNANIMOUSLY: (9/0)

LIST OF ACCOUNTS PAID UNDER DELEGATION 18
List of Accounts Submitted to Council 16 November 2010

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110430	7/10/2010	AEC SYSTEMS	AUTOCAD CIVIL 3D COMMERCIAL SUBSCRIPTION (1 YEAR RENEWAL)	1,292.50
EFT110431	7/10/2010	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	394.74
EFT110432	7/10/2010	AUST LOCAL GOVERNMENT JOB DIRECTORY	VARIOUS JOB ADVERTISEMENTS	1,056.00
EFT110433	7/10/2010	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	197.00
EFT110434	7/10/2010	ABACUS CASH SYSTEMS PTY LTD	SPEED SORT COIN SORTER	377.30
EFT110435	7/10/2010	ALL SEASONS KUNUNURRA	AIRPORT EMERGENCY EXERCISE ROOM BOOKING & CATERING	1,460.00
EFT110436	7/10/2010	ARGYLE ENGINEERING	P356 - BASE PLATE & P309 - TAILGATE	413.41
EFT110437	7/10/2010	ARGYLE MOTORS	P314 - SERVICE	263.05
EFT110438	7/10/2010	BERM BACKHOE HIRE	SLASHING OF VARIOUS KUNUNURRA SITES	11,869.00
EFT110439	7/10/2010	BOAB REFRIGERATION AND AIRCON	NEW AIR CON ENG DEPT, SERVICE AIR CON RIVERFIG & DRYANDRA	3,227.60
EFT110440	7/10/2010	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL MONTHLY BOTTLE RENTAL - AUGUST 2010	272.99
EFT110441	7/10/2010	BUSH CAMP SURPLUS STORES	WORK BOOTS	333.95
EFT110442	7/10/2010	BEAUREPAIRES FOR TYRES	P474 - CALL OUT PUNCTURE	195.00
EFT110443	7/10/2010	BONNYGLEN RETIREMENT FUND	PAYROLL DEDUCTIONS	3,236.00
EFT110444	7/10/2010	BOTANICAL NORTH	IDENTIFY & MAP- TYPHA POPULATIONS LILY CREEK LAGOON	2,024.00
EFT110445	7/10/2010	COLLEAGUES INFORMATION SOLUTIONS	INFRINGEMENT BOOKS - CARAVAN PARKS & CAMPING GROUNDS	341.00
EFT110446	7/10/2010	CAMBRIDGE GULF CLEANING SERVICES	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	1,159.13
EFT110447	7/10/2010	COFFEY GEOTECHNICS PTY LTD	GEOTECHNICAL INVESTIGATION KUNUNURRA AIRPORT EXPANSION	11,174.69
EFT110448	7/10/2010	DEPARTMENT OF ENVIRONMENT AND CON.	PERMIT 10 - LANDFILL SITE	4,373.38
EFT110449	7/10/2010	DAVEY TYRE & BATTERY SERVICE	P325 - NEW TYRES, P360 - TUBE, P367 - PUNCTURE	806.88
EFT110450	7/10/2010	DESMOND S BASSAN	CONTRACT SUPERVISOR KALUMBURU RD PROJECT	10,395.00
EFT110451	7/10/2010	EAST KIMBERLEY GLASS	KUNUNURRA ADMIN - CEO OFFICE & CHAMBERS WINDOW	280.00
EFT110452	7/10/2010	EAST KIMBERLEY TOWING	TOW VARIOUS ABANDONED VEHICLES TO DEPOT	440.00
EFT110453	7/10/2010	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS	1,275.10
EFT110454	7/10/2010	FRONTIER POST & NEWS	MONTHLY POSTAGE & PAPERS - WYNDHAM	141.25
EFT110455	7/10/2010	FUJI XEROX AUSTRALIA P/L	STAPLES	137.72
EFT110456	7/10/2010	GARY GAFFNEY	ANNUAL TRAVEL ALLOWANCE 09/10	2,600.00
EFT110457	7/10/2010	GIBB RIVER GRADING	MAINTENANCE GRADE - ELLENBRAE STATION ACCESS	1,287.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110458	7/10/2010	H POLESY & CO PTY LTD	GARDEN BAGS	357.50
EFT110459	7/10/2010	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION SITE RENTAL	892.69
EFT110460	7/10/2010	HETTY VEROLME	KIMBERLY WRITER'S FESTIVAL APPEARANCE	2,245.00
EFT110461	7/10/2010	IBAC PLUMBING PTY LTD	CELEBRITY TREE PARK TOILET TAPS & WHITEGUM TOILET	732.82
EFT110462	7/10/2010	J BLACKWOOD & SON LIMITED	GREASE GUN PISTOL	130.90
EFT110463	7/10/2010	JSW HOLDINGS PTY LTD	WATER TRUCK - LANDFILL, AGGREGATE - AIRPORT, CONCRETE F/PATH	1,328.80
EFT110464	7/10/2010	K & M ALLCLEAN	CLEANING OF VARIOUS LOCATIONS - KUNUNURRA	18,198.72
EFT110465	7/10/2010	KIMBERLEY MECHANICAL & TILT TRAY SERVICE	P474 - POWER FAULT	325.70
EFT110466	7/10/2010	KIMBERLEY MOTORS	FUEL - AUGUST 2010	2,881.99
EFT110467	7/10/2010	KIMBERLEY WASTE SERVICES	MONTHLY WASTE DISPOSAL CHARGES	51,045.72
EFT110468	7/10/2010	KUNUNURRA BETTA ELECTRICAL & GAS	NEW PHONE - WYN C/CARE & WYNDHAM POOL	198.00
EFT110469	7/10/2010	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS	163.25
EFT110470	7/10/2010	KUNUNURRA LOCK & KEY	YOUTH CENTRE - DOOR & CUPBOARD LOCK	198.00
EFT110471	7/10/2010	KUNUNURRA PANEL BEATING WORKS WA P/L	P212 - WINDSCREEN	440.00
EFT110472	7/10/2010	KUNUNURRA REFRIGERATION & AIR CON	PETER REID MEMORIAL HALL - NEW AIR CON	6,600.00
EFT110473	7/10/2010	KUNUNURRA SECURITY SERVICE	CBS & PASSENGER SCREENING - KUNUNURRA AIRPORT	66,708.00
EFT110474	7/10/2010	KIMBERLEY COMMUNICATIONS	RESET SBS	55.00
EFT110475	7/10/2010	KIMBERLEY KOOL REFRIGERATION & AIRCON	NEW A/CON WYN C/CARE, SERVICE A/CON EUCALYPTUS & AIRPORT	3,938.00
EFT110476	7/10/2010	KRIS CURROW CONSULTING	CONTRACTED SERVICES - COMMUNITY	1,280.00
EFT110477	7/10/2010	KUNUNURRA COURIERS	ANNUAL WATER COOLER FEES & WATER	265.00
EFT110478	7/10/2010	L.G.R.C.E.U	PAYROLL DEDUCTIONS	17.40
EFT110479	7/10/2010	LAWRENCE & HANSON GROUP	LIGHTS - KUNUNURRA LEISURE CENTRE	45.18
EFT110480	7/10/2010	MARTIN PRINT	ARTWORK CHARGE	19.00
EFT110481	7/10/2010	NICK ALLEN	REIMBURSE MEALS & FOOD - FOOTBALL WEST VISIT	169.41
EFT110482	7/10/2010	OFFICE NATIONAL KUNUNURRA	VARIOUS STATIONERY ITEMS	106.65
EFT110483	7/10/2010	ORD RIVER ELECTRICS	KUNUNURRA OFFICE CABLE RELOCATIONS	2,674.78
EFT110484	7/10/2010	ORD RIVER MEAT SUPPLY	DEPOT BBQ 17/09/10	100.00
EFT110485	7/10/2010	ORD VALLEY TURF	TURF - WAR MEMORIAL	167.20
EFT110486	7/10/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KUNUNURRA ADMIN	15.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110487	7/10/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	85.00
EFT110488	7/10/2010	ST JOHN AMBULANCE	FIRST AID KIT - WYNDHAM REC CENTRE	163.42
EFT110489	7/10/2010	SALLY JOHNSON	CLEANING OF VARIOUS PUBLIC AMENITIES - WYNDHAM	1,190.00
EFT110490	7/10/2010	THINKWATER	ASSORTED RETIC FITTINGS	52.36
EFT110491	7/10/2010	TONY'S PLUMBING & EXCAVATION PTY LTD	TOILETS - BONAPARTE STREET	104.50
EFT110492	7/10/2010	TST ELECTRICAL	KLC LIGHTS & EUCALYPTUS STREET - OVEN	1,023.00
EFT110493	7/10/2010	TTT MAINTENANCE SERVICES PTY LTD	AQUATIC WEED HARVESTER	126,500.00
EFT110494	7/10/2010	TOTALLY WORKWEAR	WORK UNIFORMS	1,126.10
EFT110495	7/10/2010	UHY HAINES NORTON (WA) PTY LTD	AUDIT CERTIFICATION - REGIONAL AIRPORTS DEVELOPMENT SCHEME	1,320.00
EFT110496	7/10/2010	VANDERFIELD MACHINERY PTY LTD	P481 - BLADES	425.23
EFT110497	7/10/2010	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	20,728.16
EFT110498	7/10/2010	WYNDHAM EXCAVATIONS	LOADER - WYNDHAM LANDFILL	2,376.00
EFT110499	14/10/2010	ALLIGATOR AIRWAYS PTY LTD	VISIT TO REMOTE COMMUNITIES - REGIONAL NETWORK ACTIVITY	1,695.00
EFT110500	14/10/2010	APPERLEY, KARYN	ELECTRICITY SUBSIDY 02/06/10 - 21/07/10	91.33
EFT110501	14/10/2010	AUST LOCAL GOVERNMENT JOB DIRECTORY	VARIOUS JOB ADVERTISEMENTS	528.00
EFT110502	14/10/2010	AUSTRAL MERCANTILE COLLECTIONS PTY LTD	LEGAL FEES	2,206.83
EFT110503	14/10/2010	AUSTRALIA POST,	POSTAGE - SEPTEMBER 2010	1,419.11
EFT110504	14/10/2010	ARGYLE MOTORS	P211 - SERVICE	277.35
EFT110505	14/10/2010	BOSS FLUID POWER	TOILET ROLL, HAND TOWEL, TISSUES, DISPENSERS & PLASTIC CUPS	5,621.86
EFT110506	14/10/2010	BUSBY INVEST T/A BUDGET RENT A CAR	CAR RENTAL	225.69
EFT110507	14/10/2010	BUSH CAMP SURPLUS STORES	WORK BOOTS	134.00
EFT110508	14/10/2010	BRANKO BP MOTORS	COOLANT - WYNDHAM AIRPORT	62.00
EFT110509	14/10/2010	CABCHARGE	TAXI CHARGES	498.79
EFT110510	14/10/2010	CAFE CORPORATE	COFFEE BEANS	315.00
EFT110511	14/10/2010	CANNON HYGIENE AUSTRALIA PTY LTD	SANITARY SERVICES - KLC	158.64
EFT110512	14/10/2010	CHEFMASTER AUSTRALIA	BIN LINERS	631.80
EFT110513	14/10/2010	CIVIC LEGAL	LEGAL FEES	1,996.71
EFT110514	14/10/2010	CAMBRIDGE GULF CLEANING SERVICES	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	2,949.39
EFT110515	14/10/2010	DEPT OF TREASURY & FINANCE LIBRARY	LOST BOOKS - KUNUNURRA LIBRARY	50.60

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110516	14/10/2010	DRYSDALE RIVER STATION	FUEL - P314 & HIRE VEHICLE	684.67
EFT110517	14/10/2010	EAST KIMBERLEY HARDWARE	DEPOT BBQ & VARIOUS HARDWARE ITEMS	672.35
EFT110518	14/10/2010	FUJI XEROX AUSTRALIA P/L	VARIOUS PRINTING CHARGES	8,547.11
EFT110519	14/10/2010	GEOFF GUNSON ELECTRICAL	ELECTRICAL CURRENT FAULT - HARD COURT KUNUNURRA	874.50
EFT110520	14/10/2010	GO WORK	CASUAL CUSTOMER SERVICE OFFICER - KLC	1,445.70
EFT110521	14/10/2010	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION SITE RENTAL	563.06
EFT110522	14/10/2010	IAN DEMPSEY	SALARY PACKAGING REIMBURSEMENT	816.31
EFT110523	14/10/2010	IBAC PLUMBING PTY LTD	TOILETS - KOOJARRA & BONAPARTE STREET	321.20
EFT110524	14/10/2010	INTERCON MILLAR LOGISTICS	FREIGHT	2,319.00
EFT110525	14/10/2010	IOR PETROLEUM PTY LTD	FUEL - KUNUNURRA DEPOT	5,162.89
EFT110526	14/10/2010	IRIS CONSULTING GROUP PTY LTD	CONSULTANCY SERVICES	4,427.50
EFT110527	14/10/2010	IAN O'LEARY	TRAVEL EXPENSE	134.60
EFT110528	14/10/2010	JORRITSMA H & CO	ASSORTED PVC CLAMPS & SWIVELS	282.25
EFT110529	14/10/2010	JSW HOLDINGS PTY LTD	TOPSOIL & AGGREGATE - WYNDHAM & KUNUNURRA AIRPORT	3,432.00
EFT110530	14/10/2010	K & M ALLCLEAN	EXTRA CLEAN UP AEC POLLING DAY	132.00
EFT110531	14/10/2010	KEN LIDDICOAT	ELECTRICITY SUBSIDIES	284.16
EFT110532	14/10/2010	KIMBERLEY INDUSTRIES METALAND	DEFORMED ROD	395.36
EFT110533	14/10/2010	KIMBERLEY MARKETING	VARIOUS CONSUMABLES - KLC	1,341.45
EFT110534	14/10/2010	KIMBERLEY WASTE SERVICES	STREET SWEEPING	28,593.58
EFT110535	14/10/2010	KINGS CROWN INSTRUMENTATION & ELECTRI.	INSTALL UNDERGROUND CABLE & PILLAR - CIVIC WAY, WYNDHAM	16,232.45
EFT110536	14/10/2010	KUNUNURRA COUNTRY CLUB RESORT	PLANNING DAY ROOM HIRE 01/10/2010	233.00
EFT110537	14/10/2010	KUNUNURRA HOME & GARDEN	ASSORTED CHEMICALS & KEYS CUT	165.60
EFT110538	14/10/2010	KUNUNURRA SECURITY SERVICE	CALL OUT - KLC & KUNUNURRA ADMIN & 2 X SECURITY FOR DISCO	528.00
EFT110539	14/10/2010	KUNUNURRA TYREPOWER	P314 NEW TYRES & RIMS	2,940.00
EFT110540	14/10/2010	KEN LOWTH	REIMBURSE TRAVEL COSTS KUNUNURRA - BUNBURY	1,274.38
EFT110541	14/10/2010	KIMBERLEY KOOL REFRIGERATION & AIRCON	AIR CON - KLC	220.00
EFT110542	14/10/2010	KIMBERLEYLAND HOLIDAY PARK	CONTRIBUTION TO ACCOMMODATION 13/10/10 - 15/10/10	50.00
EFT110543	14/10/2010	LANDGATE	RURAL UV INTERIM VALUATION & GRV'S	6,028.63
EFT110544	14/10/2010	MCKINLAY, BETTY	WATER SUBSIDY 08/7/10 - 03/08/10	24.30

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110545	14/10/2010	MERCURE HOTEL PERTH	ACCOMMODATION 22/9/10 - 25/09/10	603.00
EFT110546	14/10/2010	MCLEAN ENTERPRISES PTY LTD	FREIGHT	60.50
EFT110547	14/10/2010	OFFICE NATIONAL KUNUNURRA	STATIONERY ITEMS	164.91
EFT110548	14/10/2010	OLD, GILL	WATER SUBSIDY 19/03/10 - 23/07/10	951.95
EFT110549	14/10/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KUNUNURRA ADMIN	30.00
EFT110550	14/10/2010	ORD RIVER SAILING CLUB	FINAL FUNDING INSTALMENT FOR SAILING CLUB RELOCATION	19,800.00
EFT110551	14/10/2010	RAECO INTERNATIONAL P/L	BROCHURE HOLDERS	100.02
EFT110552	14/10/2010	RED SUN SPORTS	CUES & CUE TIPS	120.00
EFT110553	14/10/2010	RICK SPRY	ELECTRICITY & TELEPHONE SUBSIDY	211.65
EFT110554	14/10/2010	ROYAL LIFE SAVING SOCIETY NT BRANCH INC	POOL LIFEGUARD PACKAGE	1,600.00
EFT110555	14/10/2010	SAVE THE CHILDREN	10/11 QUICK GRANT	550.00
EFT110556	14/10/2010	SNOWBALL, MIKE	WATER SUBSIDY 07/04/10 - 04/08/10	914.96
EFT110557	14/10/2010	ST JOHN AMBULANCE	P471 & P204 - FIRST AID KITS	195.38
EFT110558	14/10/2010	TNT AUSTRALIA PTY LIMITED	FREIGHT	309.88
EFT110559	14/10/2010	TOP END MOTORS	TOW ABANDONED VEHICLE TO DEPOT	110.00
EFT110560	14/10/2010	TOTAL EDEN KP PUMPS	CHLORINE	1,277.65
EFT110561	14/10/2010	TRIPP, KATYA MARIE	WATER SUBSIDY 26/03/10 - 02/08/10	496.69
EFT110562	14/10/2010	TUCKERBOX/RETRAVISION	VARIOUS ITEMS & FURNITURE - 14 BANYAN	5,740.10
EFT110563	14/10/2010	VANDERFIELD MACHINERY PTY LTD	JOHN DEER MOWER WITH DUMP CATCHER	7,370.00
EFT110564	14/10/2010	WYNDHAM EXCAVATIONS	LOADER - WYNDHAM LANDFILL	660.00
EFT110565	14/10/2010	WORLEYPARSONS SERVICES PTY LTD	ENGINEERING SERVICES - WYNDHAM COMMUNITY JETTY	15,583.54
EFT110566	22/10/2010	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,085.64
EFT110567	22/10/2010	ATTORNEYGENERAL'S DEPT. AUSCHECK	AUSCHECK ASIC CHECKS	162.00
EFT110568	22/10/2010	AUSFUEL AFD AUSTRALIAN FUEL DISTRI.	FUEL - SEPTEMBER 2010	1,980.17
EFT110569	22/10/2010	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	197.00
EFT110570	22/10/2010	ALLGEAR MOTORCYCLES AND SMALL ENGINES	P356 - DRILL OUT BROKEN MUFFLER STUD	146.50
EFT110571	22/10/2010	ARGYLE MOTORS	P204, P107 & P362 - SERVICE & P313 AIR CON SERVICE	2,609.35
EFT110572	22/10/2010	AUTO ONE KUNUNURRA	P356 - TRAILER PLUG	16.95
EFT110573	22/10/2010	BEAUREPAIRES FOR TYRES	P474 - PUNCTURE	195.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110574	22/10/2010	BONNYGLEN RETIREMENT FUND	PAYROLL DEDUCTIONS	4,480.00
EFT110575	22/10/2010	COATES HIRE OPERATIONS PTY LTD	BELT SANDER - KLC	124.99
EFT110576	22/10/2010	COURIER AUSTRALIA	FREIGHT	122.74
EFT110577	22/10/2010	CAMBRIDGE GULF CLEANING SERVICES	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	269.72
EFT110578	22/10/2010	COMFORT HOTEL PERTH CITY	ACCOMMODATION & BREAKFAST 10/10/10 - 11/10/10	132.00
EFT110579	22/10/2010	DEPT OF TREASURY & FINANCE	ADVERTISING	177.80
EFT110580	22/10/2010	EAST KIMBERLEY TOWING	TOW ABANDONED VEHICLE TO DEPOT	110.00
EFT110581	22/10/2010	EAST KIMBERLEY TROPICAL GARDENS	PLANTS - DEPOT	125.00
EFT110582	22/10/2010	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS	57.70
EFT110583	22/10/2010	FRONTIER POST & NEWS	MONTHLY POSTAGE & PAPERS - WYNDHAM	57.30
EFT110584	22/10/2010	GHD PTY LTD	M1 CHANNEL SIPHON REDESIGN - BOX CULVERTS	17,136.35
EFT110585	22/10/2010	GUERINONI & SON	SEMI WATER CART - KUNUNURRA LANDFILL	1,859.00
EFT110586	22/10/2010	GULLIVERS TAVERN	BEVERAGES - COUNCILLOR FRIDGE	87.98
EFT110587	22/10/2010	GO WORK	TEMP CUSTOMER SERVICE OFFICER - KLC	1,213.90
EFT110588	22/10/2010	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION	1,000.00
EFT110589	22/10/2010	HOST DIRECT	CROCKERY - CHAMBERS & STAFF KITCHEN	108.68
EFT110590	22/10/2010	HUMES	TENDER T 01 1011 - KULUMBARU ROAD	63,107.39
EFT110591	22/10/2010	IBAC PLUMBING PTY LTD	DRAIN WORKS - EUGENIA STREET	190.30
EFT110592	22/10/2010	IT VISION ITV	TRAINING & PREPARATION FOR SUPPORT OFFICERS & RECORDS	2,222.00
EFT110593	22/10/2010	J BLACKWOOD & SON LIMITED	ASH TRAY - KUNUNURRA AIRPORT	251.47
EFT110594	22/10/2010	JASON SIGNMAKERS LTD	LANDFILL ENTRY & FEES SIGN & VARIOUS ROAD SIGNS	1,639.00
EFT110595	22/10/2010	K & M ALLCLEAN	CLEAN YOUTH CENTRE KITCHEN	396.00
EFT110596	22/10/2010	KIMBERLEY ECHOALBANY ADVERTISER	VARIOUS ADVERTISING	3,451.83
EFT110597	22/10/2010	KIMBERLEY MARKETING	VARIOUS CONSUMABLES - KLC	1,196.10
EFT110598	22/10/2010	KIMBERLEY MOTORS	DIESEL	429.00
EFT110599	22/10/2010	KIMBERLEY TREE SERVICES PTY LTD	PRUNE RAIN TREE - KUNUNURRA OVAL	2,360.00
EFT110600	22/10/2010	KIMBERLEY WASTE SERVICES	LITTER COLLECTION - AUGUST 2010	16,163.28
EFT110601	22/10/2010	KUNUNURRA BETTA ELECTRICAL & GAS	SOUND SYSTEM - KLC	638.00
EFT110602	22/10/2010	KUNUNURRA HOME & GARDEN	TREATED PINE SLEEPERS & VARIOUS HARDWARE ITEMS	1,321.55

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110603	22/10/2010	KUNUNURRA MEDICAL	DAMP SCREEN	210.65
EFT110604	22/10/2010	KUNUNURRA PANEL BEATING WORKS WA P/L	P472 - WINDSCREEN & REPLACE PUBLIC MEMBERS WINDOW	1,032.63
EFT110605	22/10/2010	KUNUNURRA SECURITY SERVICE	CBS & PASSENGER SCREENING, ALARMS, ESCORTS & PATROL	25,985.20
EFT110606	22/10/2010	KUNUNURRA COURIERS	SPRING WATER - KUNUNURRA OFFICE	172.50
EFT110607	22/10/2010	L.G.R.C.E.U	PAYROLL DEDUCTIONS	17.40
EFT110608	22/10/2010	LANDGATE	MINING TENEMENTS	179.20
EFT110609	22/10/2010	MERCURE HOTEL PERTH	ACCOMMODATION, MEALS & BEVERAGES - COUNCILLORS & CEO	8,367.77
EFT110610	22/10/2010	MCLEAN ENTERPRISES PTY LTD	FREIGHT	60.50
EFT110611	22/10/2010	ORD RIVER ELECTRICS	LAMPS - KUNUNURRA BASKETBALL COURTS	924.29
EFT110612	22/10/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KUNUNURRA ADMIN	15.00
EFT110613	22/10/2010	ORD FUEL SUPPLIES	DIESEL - KUNUNURRA AIRPORT	6,894.80
EFT110614	22/10/2010	PETER JENNINGS	REIMBURSEMENT OF RELOCATION COSTS	1,037.00
EFT110615	22/10/2010	QUICK CORPORATE AUSTRALIA	STATIONERY ORDER FOR MONTH OF SEPTEMBER 2010	2,574.97
EFT110616	22/10/2010	RED ELEVEN RED 11 PTY LTD	HP ELITE DESK TOP COMPUTERS	11,587.73
EFT110617	22/10/2010	SEARLES MECHANICAL REPAIRS	MICROFIBRE MITT MICRO/MESH - KNX DEPOT	13.95
EFT110618	22/10/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	85.00
EFT110619	22/10/2010	STEWART & HEATON CLOTHING CO. PTY LTD	JACKET & TROUSER BFB	230.82
EFT110620	22/10/2010	STITCHED UP EMBROIDERY SERVICES	KIMBERLY WRITER'S FESTIVAL 2010 SHIRTS	1,750.00
EFT110621	22/10/2010	TELFORD INDUSTRIES	VARIOUS POOL TESTING TABLETS & TUBES - KLC	1,127.56
EFT110622	22/10/2010	THORLEY'S STORE	MAIL BAG BETWEEN KNX/WYN	88.00
EFT110623	22/10/2010	TOLL EXPRESS	FREIGHT CHARGES	480.70
EFT110624	22/10/2010	TST ELECTRICAL	FRONT LIGHT - KLC	144.00
EFT110625	22/10/2010	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	20,626.67
EFT110626	22/10/2010	WYNDHAM SUPERMARKET	BBQ WYNDHAM YOUTH SERVICES - HIP HOP PROGRAM	67.62
TOTAL MUNI EFT PAYMENTS				<u>751,751.20</u>

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
39835	7/10/2010	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	164.22
39836	7/10/2010	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	183.09
39837	7/10/2010	BAYSIDE HOLIDAY APARTMENTS	ACCOMMODATION - TRAINING	468.00
39838	7/10/2010	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	93.62
39839	7/10/2010	CBUS	SUPERANNUATION CONTRIBUTIONS	80.47
39840	7/10/2010	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75
39841	7/10/2010	DEPT FOR PLANNING & INFRASTRUCTURE	ANNUAL LICENCE P107	273.15
39842	7/10/2010	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	36,053.07
39843	7/10/2010	LG SUPER	SUPERANNUATION CONTRIBUTIONS	320.11
39844	7/10/2010	LOCAL SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	621.40
39845	7/10/2010	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	539.41
39846	7/10/2010	REST SUPER	SUPERANNUATION CONTRIBUTIONS	563.59
39847	7/10/2010	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	160.13
39848	7/10/2010	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	41.39
39849	7/10/2010	TELSTRA	LANDLINE CHARGES	534.66
39850	7/10/2010	TERRITORY THRIFTY CAR RENTAL	VEHICLE HIRE FOR SUPERVISOR	3,947.81
39851	7/10/2010	TASPLAN	SUPERANNUATION CONTRIBUTIONS	169.46
39852	7/10/2010	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	1,010.64
39853	14/10/2010	AUSTRALIAN COMMUNICATIONS AUTHORITY	APPARATUS LICENCE RENEWAL FEES	58.00
39854	14/10/2010	CASH PETTY CASH KNX DEPOT	REIMBURSEMENT OF PETTY CASH	97.60
39855	14/10/2010	DEPT FOR PLANNING & INFRASTRUCTURE	ANNUAL LICENCE P369	253.20
39856	14/10/2010	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	17,820.76
39857	22/10/2010	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	92.82
9858	22/10/2010	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	190.73
39859	22/10/2010	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	159.08
39860	22/10/2010	CASH PETTY CASH KNX AIRPORT	PETTY CASH REIMBURSEMENT	95.20
39861	22/10/2010	CASH PETTY CASH KNX OFFICE	PETTY CASH REIMBURSEMENT	167.40
39862	22/10/2010	CASH PLEASE PAY CASH	CASH ADVANCE- SECOND FLOAT KLC	200.00
39863	22/10/2010	CBUS	SUPERANNUATION CONTRIBUTIONS	160.94

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
39864	22/10/2010	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75
39865	22/10/2010	DEPARTMENT OF TRANSPORT	ANNUAL JETTY LICENCE 10/11	97.95
39866	22/10/2010	FIRST STATE SUPER	SUPERANNUATION CONTRIBUTIONS	130.03
39867	22/10/2010	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	926.16
39868	22/10/2010	LG SUPER	SUPERANNUATION CONTRIBUTIONS	320.10
39869	22/10/2010	LOCAL SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	621.40
39870	22/10/2010	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	559.63
39871	22/10/2010	RADIOLOGICAL COUNCIL	APPLICATION - 3 YEAR LICENCE	111.00
39872	22/10/2010	REST SUPER	SUPERANNUATION CONTRIBUTIONS	530.09
39873	22/10/2010	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	160.94
39874	22/10/2010	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	137.10
39875	22/10/2010	TASPLAN	SUPERANNUATION CONTRIBUTIONS	157.62
39876	22/10/2010	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	1,012.92
39877	22/10/2010	WATER CORPORATION	SEWERAGE CHARGE - WYNDHAM EFFLUENT	688.50
TOTAL MUNI CHEQUE PAYMENTS				<u>70,898.89</u>

DATE	NAME	DESCRIPTION	AMOUNT
6/10/2010	PAYROLL	PAYROLL	155,020.68
20/10/2010	PAYROLL	PAYROLL	160,967.55
TOTAL PAYROLL PAYMENTS			<u>315,988.23</u>

DATE	NAME	DESCRIPTION	AMOUNT
1/10/2010	DIRECT DEBIT	RENT 11 KWINANA STREET	1,235.00
1/10/2010	DIRECT DEBIT	FEES - BPAY	690.74
1/10/2010	DIRECT DEBIT	CBA MERCHANT FEE	22.00
15/10/2010	DIRECT DEBIT	FEES - BPOINT	29.01
15/10/2010	DIRECT DEBIT	SG FLEET AUSTRAL	1,036.20
20/10/2010	DIRECT DEBIT	MASTERCARD PAYMENT	7,570.21

DATE	NAME	DESCRIPTION	AMOUNT
25/10/2010	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE KUNUNURRA	2,080.00
25/10/2010	DIRECT DEBIT	NOVATED LEASE	1,270.46
26/10/2010	DIRECT DEBIT	EXTRA PAYMENT MASTERCARD	7,000.00
26/10/2010	DIRECT DEBIT	LEASE 1 KOOJARRA	1,100.00
4/10/2010	DIRECT DEBIT	VISA PAYMENT	3,732.05
5/10/2010	DIRECT DEBIT	WESTNET P/L - INTERNET	1,527.39
7/10/2010	DIRECT DEBIT	MESSAGES ON HOLD	507.00
Oct-2010	DIRECT DEBIT	RENT 19B BOOBIALLA WAY	1,540.00
Oct-2010	DIRECT DEBIT	RENT 9B PLUM COURT	2,600.00
Oct-2010	DIRECT DEBIT	BANK FEES	289.25
		TOTAL DIRECT DEBIT PAYMENTS	<u>32,229.31</u>

12.3 INFRASTRUCTURE SERVICES

12.3.1 Weaber Plain Road Reconstruction Grant Allocations

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	John Gault, Works Manager Kununurra
REPORTING OFFICER:	Tony Cheng, Director of Infrastructure
FILE NO:	21.08.04, 21.08.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider not necessary delaying the reconstruction of Weaber Plain Road until the majority of heavy traffic movement from the Ord-East Kimberley Expansion Project has ceased.

BACKGROUND

In 2007/2008 the Shire applied for funding to reconstruct a section of Weaber Plain Road. The Shire was successful in obtaining \$375,000 of funding from Main Roads Western Australian (MRWA) through the Regional Roads Group (RRG) and \$187,500 funding from the Roads to Recovery scheme (R2R). This meant that in the 2008/2009 period the Shire had a fully funded road reconstruction project from Federal and State sources. In 2008/2009 it was identified that the Shire would need some additional funding to cover the complete works and requested further funding from the RRG in the amount of \$177,250 with the Shire proposing to fund the remaining \$88,625 from the R2R scheme towards the reconstruction.

The following is an extract from the grant application as to the need for repairs to Weaber Plain Road:

“Pavement has deformed on the outer wheel path over several sections and is becoming dangerous due to water ponding on the road and the rough surfaces.

Pavement is to be reconstructed using cement stabilisation and a two coat bitumen seal between SLK 6.55 -17.55.”

In the July 2010 budget meeting, Council requested officers to investigate if it was in a position to “rollover” grant funding for the planned pavement repairs to Weaber Plain Road until high volume of construction traffic due to the Ord Development Project ceases.

As this project is partly funded by the RRG and R2R, permission was sought from both bodies to allow the funds to be moved forward.

As per our agreement with R2R, funding can be moved around within the 2009-2014 grant period on the condition that the Shire reports back to R2R in its quarterly reports when the money is likely to be expended.

At the RRG meeting on the 21 September 2010, Council officers requested that the RRG consider that the portion of funds from the RRG be carried forward to be expended by June 2012. The advice received from Cherie Heath, Acting Asset Manager for MRWA in the Kimberley Region was that the funds could be released for this year and the project re instated in the 2011-2012 grant round.

STRATEGIC IMPLICATIONS

Infrastructure – Key Result Area 1

1. To develop and maintain the Shires infrastructure and assets to a high standard
 - a. *Road network that is safe and meets its functional requirements*

STATUTORY IMPLICATIONS

There are no statutory implications for this item.

POLICY IMPLICATIONS

There are no policy implications for this item.

FINANCIAL IMPLICATIONS

If Council agrees to the proposed delay in construction, funds will be reprogrammed or redistributed within the funding bodies. The rolled over sum of \$375,000 and the additional \$177,250 sum will be returned to the RRG with the agreement that it will be provided to the Shire in 2011/12. The \$187,500 from R2R would be reprogrammed to 2011/12. The remaining sum of \$88,625 has not been secured with R2R at the writing of this report.

Project	Works	Total Project Cost	Funding group	Funding group allocation
Weaber Plain Road	Pavement repairs	\$828,375	RRG	\$375,000
Weaber Plain Road	Pavement repairs		RRG	\$177,250
Weaber Plain Road	Pavement repairs		R2R	\$187,500
Weaber Plain Road	Pavement repairs		R2R (Proposed)	\$88,625

COMMUNITY CONSULTATION

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

CONCLUSION/COMMENT

With both funding bodies agreeing that the funds can be reprogrammed, the Shire is in a position to delay this project until the 2011/2012 budget. This will allow time for the Ord Expansion Project to conclude most of its heavy machinery operations on the road and reduce the risk of traffic accidents and congestion associated with partial road closures and heavy construction traffic from multiple projects in the area.

ATTACHMENTS

Weaber Plain Road Reconstruction Area

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council delay the reconstruction of Weaber Plain Road until the 2011/12 budget when the majority of heavy traffic movement from the Ord Stage 2 project has ceased.

COUNCIL DECISION

Minute No: 9331

Moved: Cr K Wright

Seconded: Cr J Moulden

That Council delay the reconstruction of Weaber Plain Road until the 2011/12 budget when the majority of heavy traffic movement from the Ord-East Kimberley Expansion Project has ceased.

CARRIED UNANIMOUSLY: (9/0)

ATTACHMENT 1 – Weaber Plain Road Reconstruction Area



12.3.2 Tender Recommendation Report T03-10/11, D2 Gauging Station Reinstatement

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	D2 Channel – Research Station Rd, Kununurra WA
AUTHOR:	Lubor Hon, Project Manager
REPORTING OFFICER:	Tony Cheng, Director of Infrastructure
FILE NO:	66.59.03
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the tender received for the project “D2 Gauging Station Reinstallation” which is a sub-project of the project “Weaber Plain Flood Mitigation”

BACKGROUND

The Shire of Wyndham/East Kimberley is responsible for reinstallation of a gauging station on a right bank of D2 Drainage Channel to meet requirements to provide flow measurements within channel endorsed by OIC for The Department of Water. The original gauging station was dismantled during Research Station Road culvert enlargement project run by the shire.

Tender was opened on Thursday 9 September at 4:40PM in the presence of:

Councillor/Shire President	Fred Mills
Director of Infrastructure	Tony Cheng
Senior Project manager	Russell Williams
Project Manager	Lubor Hon
Public	Mick Guerinoni and Win Vass

One tender was received from JAB INDUSTRIES.

STATUTORY IMPLICATIONS

The tender was invited and advertised in accordance with the provisions of the Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

The provisions of Council Policy F19 Purchasing Policy were complied with.

FINANCIAL IMPLICATIONS

This project is funded from the budget of the project “Weaber Plain Flood Mitigation”.

COMMUNITY CONSULTATION

Community consultation was not required in the preparation of this report.

COMMENT

The tender was assessed by the project tender assessment panel comprising of the 3 Council officers.

The tender did not fully comply with the stipulations required by the Request for Tender document as detailed in the attached Confidential Tender Assessment Recommendation Report.

ATTACHMENTS

Tender Assessment Recommendation Report provided under confidential cover.

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

1. That Council does not accept the submitted Tender T03-10/11 D2 Gauging Station.
2. That Council authorizes the CEO to negotiate with the tenderer or other parties and resubmit any such negotiated agreements to Council for approval.

COUNCIL DECISION

Minute No: 9332

Moved: Cr K Wright

Seconded: Cr J Parker

1. That Council does not accept the submitted Tender T03-10/11 D2 Gauging Station.
2. That Council authorizes the Chief Executive Officer to negotiate with the tenderer or other parties and resubmit any such negotiated agreements to Council for approval.

CARRIED UNANIMOUSLY: (9/0)

ATTACHMENT 1 – Tender Assessment Recommendation Report

Confidential attachment will be provided under separate cover

12.4 DEVELOPMENT SERVICES

12.4.1 Lakeside Park, Kununurra – Stages 6 And 7 – Design Guidelines For Residential Lots – Proposed Local Planning Policy

DATE:	16 November 2010
PROPONENT:	LandCorp
LOCATION:	Lakeside Park - Stages 6 and 7 - Kununurra
AUTHOR:	Jennifer Ninnette, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.04.17
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the preparation and exhibition of a proposed Local Planning Policy for design guidelines, for residential lots within Stages 6 and 7 of the Lakeside Park Estate, Kununurra.

BACKGROUND

Stages 6 and 7 of Lakeside Park, Kununurra form part of the *Lakeside Park Structure Plan (Stage 5-7)*, which has recently been submitted to the Western Australian Planning Commission (WAPC,) for final consideration. Subdivision Plans for Stage 7 are currently being prepared, which LandCorp has advised will be lodged imminently with the WAPC, and the civil construction for Stage 6 is nearing completion.

The proposed Local Planning Policy, which provides development guidelines for Stages 6 and 7, has been based on the fundamental design principles established during the preparation of the relevant plans of subdivision. These principles can be summarised as follows:

- Lots aligned along their north-south axis are to generally be narrow long lots in order to facilitate optimal lot orientation.
- Accommodation of drainage requirements.
- Integration with surrounding environmental features.
- Provision of a grid like street pattern to provide for a high level of connectivity and permeability. (Connectivity with the existing Lakeside development has been enhanced with the east-west extension of Livistona Street.)

The existing Lakeside Park Design Guidelines, adopted in August 2009 as a separate Local Planning Policy (LPP 1), will continue to apply to the current stages (Stages 1-5) of development within the estate.

The key elements of the Design Guidelines can be summarised as follows:

- The Guidelines are climate responsive, aiming to facilitate a higher shade requirement. Internal planning measures have also been incorporated to optimise passive cooling effects, achieved through maximising the natural breezes available. These requirements aim to improve the micro

environment of each individual dwelling, resulting in a personal and possible financial benefit for residents.

- The Guidelines aim to respond to the character of the Kununurra locality through encouraging the predominate use of local building materials. The Guidelines primarily encourage the use of these materials in order to improve the street front aesthetic of the dwelling. Combining material creates textual difference and variety, which improves the appearance of dwellings. Furthermore, the proposed Guidelines also incorporate a series of screening provisions to ensure utilities such as air conditioning units, storage areas, drying areas etc, are screened from public view.
- In considering the streetscape design and public-private realm interaction, it is important to provide specific guidance on pedestrian movement. In this regard, the Guidelines require a clear, defined pedestrian entry from the street to the dwelling which is separate from any vehicle entry.
- Crime Prevention Through Environmental Design principles (CPTED) are a critical part of contemporary subdivision and built form design. The proposed guidelines require at least one habitable room to have a window with an outlook to a primary street to maximise passive surveillance opportunities. Furthermore, all front fencing and side fencing forward of the building line is required to be 80% permeable and no higher than 1200mm in height, again in order to maximise passive surveillance opportunities.

A copy of the design guidelines, which will accompany the local planning policy, is provided at Attachment 1.

STRATEGIC IMPLICATIONS

Local Planning Strategy

The Design Guidelines are generally consistent with the recommendations of the Local Planning Strategy (LPS) in encouraging a diverse range of building styles and housing types that reflect the climate and lifestyle and aim to encourage a high quality aesthetic in Kununurra.

The Strategy outlines that urban residential design should reflect the tropical climate of the Kimberley by considering shade, ventilation and breezes specific to the site, and recommends development of design guidelines that pay particular attention to energy efficiency.

Kununurra Strategic Directions: Town Centre Development Concept Plan and Strategic Land Use Plan

The Design Guidelines are closely aligned with the intent of the Strategic Directions document. The Strategic Directions document highlights the importance of the introduction of new residential development to provide for a mix of lot sizes to provide for housing choice, diversity, affordability and sustainability. As a result, the Design Guidelines propose climate sensitive design provisions as well as encourage built form diversity and affordability.

STATUTORY IMPLICATIONS

The Development Guidelines will be used as a regulatory document in conjunction with the conditions of sale and will be included into the Shire's suite of policies relevant to the administration of the Town Planning Scheme No. 7 – Kununurra and

Environs (TPS7). They will be in addition to the statutory requirements pertaining to building development, design and construction, although in some instances, the statutory requirements may take precedence and may be referred to Council for a decision.

POLICY IMPLICATIONS

The Design Guidelines will be adopted as a new Local Planning Policy in accordance with the provisions of Clause 12.6 of TPS 7.

FINANCIAL IMPLICATIONS

There are no direct financial implications for the Shire.

COMMUNITY CONSULTATION

The proposed Local Planning Policy will be advertised for 21 days, before being referred back to Council.

COMMENT

It is considered that the proposed Design Guidelines are a sound update to the existing Lakeside Design Guidelines that reflect contemporary design principles and requirements for the Kimberley.

The proposed Stages 6 and 7 Design Guidelines will enable residents to reduce their reliance on electrical cooling systems, resulting in a net personal benefit from a financial perspective, as well as to contribute positively towards the local environment. The proposed revisions will also result in improved indoor and outdoor living environments, enhancing the liveability of the area.

Clear legibility from the street will enhance the identification and personalisation of individual dwellings. Residential entrances will be clearly identifiable, permeable fencing and openings will create a sense of welcome, whilst providing passive surveillance. The encouragement of the use of Kimberley materials is also consistent with the Shire's objectives for new residential estates.

ATTACHMENTS

Design Guidelines for Residential Lots – Lakeside Park Stages 6 and 7

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Prepare a new Local Planning Policy for Design Guidelines for Residential Lots – Lakeside Park, Kununurra – stages 6 and 7 in line with Clause 12.6.1(b) of the Shire of Wyndham East Kimberley Town Planning Scheme No.7.

2. 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.

Moved: Cr R Addis
Seconded: Cr K Wright

That Council resolves to:

1. Prepare a new Local Planning Policy for Design Guidelines for Residential Lots – Lakeside Park, Kununurra – stages 6 and 7 in line with Clause 12.6.1(b) of the Shire of Wyndham East Kimberley Town Planning Scheme No.7.
2. 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.

Cr J Moulden Foreshadowed the following motion:

That the Officer's Recommendation is put forward with an amendment to dot point one to remove Lakeside Park and Stages 6 and 7.

Cr R Addis and Cr K Wright withdrew their motion.

The Foreshadowed motion becomes the motion on the table

That Council resolves to:

1. Prepare a new Local Planning Policy for Design Guidelines for Residential Lots – Kununurra – in line with Clause 12.6.1(b) of the Shire of Wyndham East Kimberley Town Planning Scheme No.7.
2. 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: 9333

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

**That the motion be amended so that dot point 2 is worded as follows
'Guidelines to be accepted by Council before advertising'.**

CARRIED UNANIMOUSLY: (9/0)

The amended motion becomes the substantive motion.

COUNCIL DECISION

Minute No: 9334

Moved: Cr J Moulden

Seconded: Cr K Wright

That Council resolves to:

- 1. Prepare a new Local Planning Policy for Design Guidelines for Residential Lots –Kununurra –in line with Clause 12.6.1(b) of the Shire of Wyndham East Kimberley Town Planning Scheme No.7.**
- 2. Guidelines be accepted by Council before advertising.**

CARRIED UNANIMOUSLY: (9/0)

Note: Council decision differs from the Officer's Recommendation as it broadens the applications of the proposed guidelines to all residential lots in and around Kununurra.

ATTACHMENT 1 - Design Guidelines for Residential Lots – Lakeside Park Stages 6 and 7

SHIRE OF WYNDHAM and EAST KIMBERLEY Design Guidelines For Residential Lots Lakeside Park Stages 6 & 7



INTRODUCTION

These Design Guidelines are written to reflect LandCorp's desire to achieve both sustainable housing design and high quality aesthetic within Kununurra. These design guidelines apply to stages 6 and 7 of the Lakeside Park residential development.

DESIGN AND BUILDING APPROVAL

Approval of plans and specification for dwellings shall be by the Shire of Wyndam and East Kimberley. The provisions of this policy will be taken into account during assessment of any application lodged for stages 6 and 7 of the Lakeside Park subdivision area. Any non-compliant application will be referred to LandCorp and to Council for determination.



STREETSCAPE

Fencing

- ❖ Street edge fencing and side fencing forward of street/ front setback line must be min. 80% permeable and max 1200mm in height.
- ❖ Pool-type rod and rail fencing, and chain mesh fencing are preferred.

Setbacks

- ❖ Setbacks as per R-CODES.
- ❖ Street setbacks must consider vehicle sight lines.

Heights

- ❖ Height restrictions as per R-codes.
- ❖ Floor/Ceiling heights to be no less than 2700mm in all habitable rooms.

Roof Form

- ❖ All roofs to have 900mm minimum eave overhang. Ensure 80% shading of all walls, with additional shade mid-height on two storey dwellings to ensure 80% shading of walls.
- ❖ Steeper roof pitch encouraged on single level dwellings.

Pedestrian Entry

- ❖ To be clearly defined and separate from vehicle entry/ carports.
- ❖ Portico or porch at the entrance to the residence to be provided.

Vehicle Entry

- ❖ Vehicle crossover locations to be nominated.

Garages/Carports

- ❖ Carports are a preferred option over garages because they have the potential to allow greater breeze flow through the lot. Carports are not to be enclosed on more than two sides.
- ❖ Breeze permeable garage doors are preferable.

Surveillance

- ❖ At least one habitable room must have a window which looks onto the primary street for passive surveillance opportunities.

Materials

- ❖ Typical Kimberley materials are preferred, ie: colorbond and fibre-cement sheet products.
- ❖ Street elevations must be designed with material, colour and texture differentiation to avoid monotony and/or monolithic single materiality.
- ❖ Corner dwellings are to address both streets and be equally composed, avoiding blank walls.
- ❖ Roof sheeting must be light in colour (solar absorbance of 0.55 or less), Zinalume roofing is acceptable.

Air Conditioning + Storage Areas

- ❖ Air conditioning units should not be located adjacent to neighbouring outdoor living areas.
- ❖ Air conditioning units must be screened from public view.
- ❖ Bin storage, clothes line and drying areas must be screened from public view.

CLIMATE SENSIBLE DESIGN

Outdoor Living Areas

- ❖ Outdoor living spaces must be able to demonstrate their appropriate location relative to breeze paths.
- ❖ Outdoor living areas must be minimum 16sqm per dwelling as per R-codes, with a min. dimension of 2.4m.
- ❖ Outdoor living space must be shaded. Proportion of shaded open space, compared to non-shaded open space can exceed R-codes's 2/3 proportion.
- ❖ Multiple outdoor living spaces are encouraged, with at least one being directly accessed from indoor living space.
- ❖ Outdoor living spaces facing the street are also encouraged as more of a defined "outdoor room" with screening and deeper 3.3m min. width.

Breeze Paths

- ❖ Cross ventilation/ breeze paths to be demonstrated in all habitable rooms.
- ❖ Internal planning to limit breeze paths to 15m length for achievable cooling design.
- ❖ Habitable rooms to have at least two operable windows, and at least one operable window (min. 1m²) on each external wall.
- ❖ Security mesh doors are encouraged for the provision of breezes.

Orientation

- ❖ Openings are to be designed and located to maximise good passive cooling from the prevailing cooling breezes (predominantly south-easterlies).

Shading

- ❖ Effective use of architectural shading devices (ie pergolas, awnings, louvre windows and eaves) should be used.
- ❖ Landscaping for shade is encouraged around the whole perimeter of the building.

Ventilation

- ❖ Provide minimum 1x ceiling fan per habitable room. Fans to covered external living areas are also encouraged.

STATUTORY REQUIREMENTS

These guidelines are 'in addition' to all other statutory requirements pertaining to building development, design and construction. For any instances where these design guidelines are found to conflict with the statutory requirements of other authorities, the statutory requirements are to take precedence.



12.4.2 Coolibah Estate, Kununurra – Design Guidelines and Detailed Area Plan – Proposed Local Policy

DATE:	16 November 2010
PROPONENT:	LandCorp
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Kevin Tang, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.02.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a proposed Local Planning Policy for design guidelines and detailed area plan for the Coolibah Estate, Kununurra.

BACKGROUND

Town Planning Scheme No. 7- Kununurra and Environs (TPS 7) Amendment No.31 (gazetted on 19 March 2010) rezoned the Coolibah site from a Parks and Recreation reservation to the Town Centre zone. In rezoning the land to Town Centre, Council also resolved to include a Single Dwelling as an Additional Use (see Appendix 2A to TPS 7), which required the preparation of design guidelines and a detailed area plan.

The design guidelines (Development Guide Plan) and Detailed Area Plan (DAP), which is provided at Attachment 1, will accompany a new local planning policy for the Coolibah Estate. The critical elements of the guidelines include:

Prescribed Dwelling Yields and Land Use

The proposed DAP and Development Guide Plan depicts the maximum potential dwelling yield achievable for each individual lot. Whilst in the Town Centre zone, the Town Planning Scheme permits residential development up to an R50 density, the proposed DAP provides for a variety of residential densities ranging from low density, single residential development to medium density (R30-40) grouped housing and mixed use sites. The DAP also identifies four 'Mixed Use' lots. It is intended that in the long-term, these sites will accommodate both residential and commercial uses, however it is acknowledged that in the short-term only residential development may occur until such time as commercial development in this location is economically viable. For all other lots, only residential development will be permissible.

Setbacks

The DAP and Development Guide Plan identify specific front, side and rear setbacks for all lots. The proponent has identified that the key factors in determining these setbacks were the interface with adjoining properties, breeze paths and shading. Specifically, larger side setbacks (predominantly 3 metres) have been mandated in order to allow for cooling breeze paths and adequate spacing between dwellings. Furthermore, for single

residential lots, the DAP and Development Guide Plan mandates the location of private open space, again in order to take advantage breezes.

Aesthetic Qualities

The DAP and Development Guide Plan details the following:

- Recommends the use of Kimberley based building materials;
- Promotes a variety of materials in order to avoid monotonous building facades and overall streetscapes;
- Requires secondary streets to be appropriately addressed and incorporate a variety of building materials, consistent with the front façade; and
- Encourages the screening of utilities such as bin stores, clothes lines and drying areas.

Incorporation of Ecologically Sustainable Design (ESD) Principles

The key ESD elements incorporated into the DAP and Development Guide Plan include the mandating of specific setbacks, building orientations, location of carports and provision of permeable fencing to ensure appropriate breeze paths between buildings. The proposed DAP and Development Guide Plan mandates minimum eave lengths on all walls to ensure 80% shading and encourages the use of architectural shading devices (i.e. pergolas, awnings and louvre windows).

Application of Crime Prevention Through Environmental Design Principles (CPTED)

CPTED principles are critical elements of both contemporary subdivision and built form design; particularly in a medium residential density context. The proposed DAP and Development Guide Plan considers CPTED principles by incorporating the following provisions:

- Ensuring at least one habitable room has a window addressing the primary street;
- Front and side boundary fencing forward of the front setback line being 80% permeable and a maximum height of 1200mm in height; and
- Lots 41-44 addressing Coolibah Drive and fencing to these lots being as per the standard front fencing requirements (as mentioned above). Additional pedestrian access to these lots is to be provided from Coolibah Drive – in addition to the rear lane. These requirements will ensure appropriate surveillance and activation of the Coolibah Road reserve.

Interface between Residential Development and the existing Community Use site

The interface between the community use (child care) site and residential development is a key design consideration for the Coolibah site. Specifically in relation to Lot 44 (residential) which immediately abuts the Child Care site to the east.

To ensure there are no privacy and/or over-looking issues between the two uses, the proposed DAP and Development Guide Plan mandates only single storey development.

It also mandates solid fencing of a minimum height of 1.8m along this eastern boundary, noting of course, that there is already fencing along this boundary.

Management of Land Use, Access and Parking between Commercial, Community and Residential Uses

The detailed area plan promotes the development of a mixed use area along Chestnut Avenue, with rear parking and access and with indented parking bays along the road frontage.

STRATEGIC IMPLICATIONS

Local Planning Strategy (LPS)

The proposed DAP and Development Guide Plan are generally consistent with the recommendations of the LPS in encouraging a diverse range of built form outcomes that reflect the population catchment, climate and lifestyle and aim to encourage a high quality aesthetic in Kununurra.

Kununurra Strategic Directions: Town Centre Development Concept Plan and Strategic Land Use Plan

The proposed DAP and Development Guide Plan are closely aligned with the intent of the Strategic Directions document. The Strategic Directions document highlights the importance of the introduction of new residential development to provide for a mix of lot sizes and to provide for housing choice, diversity, affordability and sustainability. As a result, the DAP and Development Guide Plan propose climate sensitive design provisions as well as encourage built form diversity.

STATUTORY IMPLICATIONS

The DAP and Development Guide Plan will be used as a regulatory document in conjunction with the conditions of sale and will be included into the Shire's suite of policies relevant to the administration of the town planning scheme (TPS7). They will be in addition to the statutory requirements pertaining to building development, design and construction, although in some instances, the statutory requirements may take precedence and may be referred to Council for a decision.

POLICY IMPLICATIONS

The Design Guidelines will be adopted as a new Local Planning Policy in accordance with the provisions of Clause 12.6 of TPS 7.

FINANCIAL IMPLICATIONS

There are no direct financial implications for the Shire.

COMMUNITY CONSULTATION

The proposed Local Planning Policy will be advertised for 21 days, before being referred back to Council.

COMMENT

The designation of dwelling yields and land use is preferable to providing for medium density only and should allow for a sensible mix of use and density across the estate. Provisions with respect to aesthetic considerations should also reconcile with similar approaches to design, as in the Lakeside Park Estate. The DAP and Development Guide Plan should enable residents to reduce their reliance on electrical cooling systems, resulting in a net potential personal benefit from a financial perspective, as well as to contribute positively towards the local environment, along with contributing to the achievement of CPTED principles, but with consideration for the protection of the existing child care centre. The overall subdivision design, combined with the design elements should also provide a seamless transition between residential and commercial/community uses and make provision for access, parking and other interface treatments.

It is recommended that Council resolve that the draft Local Planning Policy is satisfactory for public advertising in accordance with Clause 12.6.4 of TPS7.

ATTACHMENTS

Coolibah/Chestnut Estate Detailed Area Plan and Development Guide Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Prepare a new Local Planning Policy for Detailed Area Plan and Development Guide Plan for the Coolibah Estate, Kununurra in line with Clause 12.6.1(b) of the Shire of Wyndham East Kimberley Town Planning Scheme No.7.
2. 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.

Moved: Cr J Moulden

Seconded:

That the Officers recommendation be moved with the same wording as the previous item.

The Shire President deferred this item to the end of the meeting for the Officer to prepare the wording of the motion as per Cr Moulden's request.

ATTACHMENT 1 - Coolibah/Chestnut Estate Detailed Area Plan and Development Guide Plan

COOLIBAH DRIVE SUBDIVISION: DETAILED AREA PLAN + DEVELOPMENT GUIDE PLAN WITH DESIGN GUIDELINES

DESIGN INTENT

To ensure that dwellings consider the environmental and climatic conditions of Kununurra and the desired built form character for the subdivision.

1.0 R-CODING

1.1 R-Coding

- The R50 Residential Density Codes apply to the Detailed Area Plan (DAP), with the exception of density and setbacks as per attached drawing.

2.0 TOWN PLANNING SCHEME NO.7 AND RESIDENTIAL DESIGN CODES VARIATIONS

2.1 Variations

- Town Planning Scheme No.7 and the Residential Design Codes are varied as described in these notations.
- The requirements of Town Planning Scheme No.7 and Residential Design Codes shall be satisfied in all other ways.
- Planning approval is required for all single dwellings.

3.0 DESIGN ELEMENTS

3.1 Heights

- Two storey developments are mandatory facing Chestnut Avenue as depicted on plan. Unless specified, all other height restrictions are as per R-Codes.
- Floor/Ceiling heights must be no less than 2700mm in all habitable rooms.

3.2 Roof Form

- Eaves length must be min. 900 to ensure 80% shading of all walls, with additional shade mid-height on two storey dwellings to ensure 80% shading of walls.
- Steeper roof pitches should be encouraged on single level dwellings.

3.3 Surveillance

- At least one habitable room must have a window that looks onto the primary street for passive surveillance opportunities.

3.4 Materials

- Typical Kimberley materials are preferred, ie: colorbond and fibre-cement sheet products.
- Street elevations must be designed with material, colour and texture differentiation to avoid monotony and/or monolithic single materiality.
- Corner dwellings must address both streets and be equally composed, avoiding blank walls.
- Roof sheeting must be light in colour (solar absorbance of 0.55 or less), Zincalume Roofing is acceptable.

3.5 Air Conditioning

- Air conditioning units should not be located adjacent to neighbouring outdoor living areas.
- Air conditioning units should not be visible from the primary street.

3.6 Storage Area

- Bin storage, clothes line and drying areas must be screened from public view.

3.7 Outdoor Living Areas

- Outdoor living spaces should be located as per attached drawing on single dwelling lots, and able to demonstrate their appropriate location relative to breeze paths on multiple/grouped dwelling lots.
- Outdoor living areas must be minimum 15sqm per dwelling as per R-codes, with a min. dimension of 4m.
- Outdoor living space must be shaded. Proportion of shaded open space can exceed R-codes 2/3 proportion.
- Multiple outdoor living spaces are encouraged, with at least one being directly accessed from indoor living space.
- Outdoor living spaces facing the street are also encouraged as more of a defined "outdoor room" with screening and deeper 3.3m min. width.
- Possible control for shaded frontages/verandahs should be provided for front outdoor living.

3.8 Breeze Paths

- Cross ventilations/ breeze paths must be demonstrated in all habitable rooms.
- Internal planning should limit breeze paths to 15m in length for achievable cooling design.
- Habitable rooms should have at least two operable windows, and at least one operable window (min. 1m²) on each external wall.
- Security mesh doors are encouraged for the provision of breezes.

3.9 Orientation

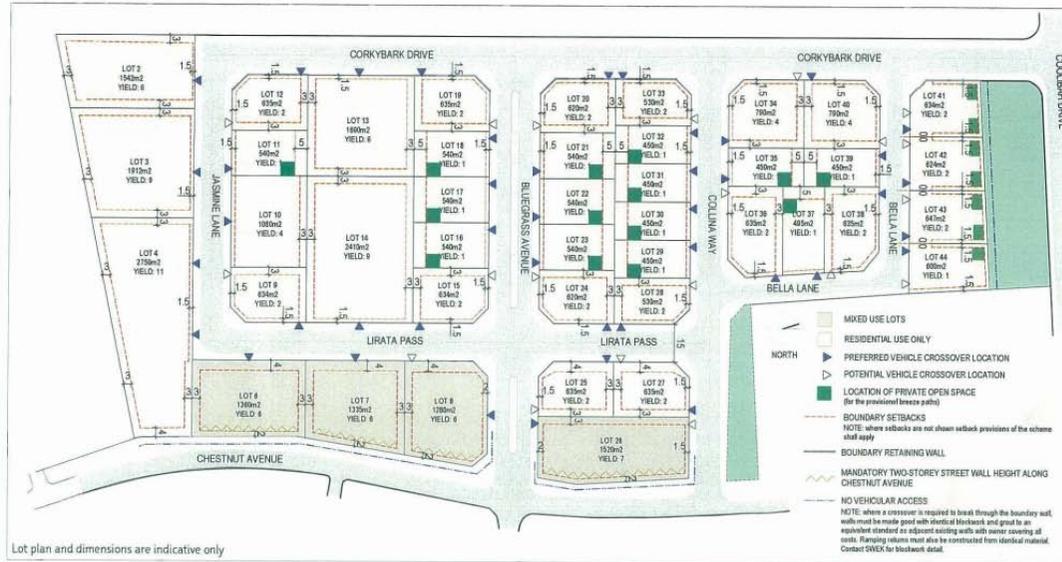
- Openings are to be designed and located to maximise good passive cooling from the prevailing wet season cooling breezes (predominantly south-easterlies).

3.10 Shading

- Effective use of architectural shading devices (ie pergolas, awnings, louvre windows and eaves) should be used.
- Landscaping for shade is encouraged around the whole perimeter of the building.

3.11 Ventilation

- Minimum 1 x ceiling fan should be provided for each habitable room. Fans to covered external living areas are encouraged.



Lot plan and dimensions are indicative only

PLAN

4.0 CARPORT / ACCESS

4.1 Pedestrian Entry

- Pedestrian entry must be clearly defined and separate from vehicle entry/carports.
- Portico or porch at the entrance to the residence must be provided.

4.2 Vehicle Entry

- Vehicle crossover locations are suggested as per attached drawing.
- Single shared cross-overs must be provided on lots accommodating more than 2 dwellings.

4.3 Garages/Carports

- Carports should be a preferred option over garages because they have the potential to allow greater breeze flow through the lot. Carports are not to be enclosed on more than two sides.
- Where garage is provided, it should enclose one vehicle only.
- Breeze permeable garage doors are preferable.

5.0 FENCING

5.1 Fencing

- Street edge fencing and side fencing forward of street/front setback line must be min. 80% permeable and maximum 1200mm in height.
- Open-style fences are preferred.

6.0 SETBACKS

6.1 Setbacks

- Setbacks as per DETAILED AREA PLAN adjacent (where not noted, as per R-codes).
- NB: Rear setbacks have been maximised to encourage/allow for breeze paths between dwellings.
- Street setbacks must take vehicle sight lines into consideration.
- Setbacks to be in accordance with the attached Detail Area Plan as shown. All nominated setbacks are minimum setbacks. Where a side setback is not nominated, a nil setback is permissible.

7.0 LOT SPECIFIC REQUIREMENTS

7.1 Lots 41, 42, 43 and 44

- Houses are to address Coolibah Drive, with pedestrian access from Coolibah Ave and vehicle access from rear laneway (Bella Lane).
- Fencing facing Coolibah Drive is to be treated as "street edge fencing" as per note 5.1.
- Zero side setback allowable for the first 9m from the southern boundary for the provision of a parapet wall to the garage/carport.

7.2 Lot 44

- 1.8m minimum height solid fence to eastern boundary.
- Only single storey dwelling is to be allowed on the lot.

7.3 Lot 6, 7

- Pedestrian entrances must be located along Chestnut Avenue.

7.4 Lot 8 and 26 Building Corners

- Buildings shall address all street frontages.
- Pedestrian entrances must be located along Chestnut Avenue or Bluegrass Avenue.

8.0 DWELLING YIELDS

8.1 Dwelling Yields

- The maximum potential dwelling yield for each lot must be in accordance with the DAP as shown.
- Whilst single residential and aged development is permissible, the minimum site area concessions identified within Section 6.1.3 of the R-Codes are not applicable to this DETAILED AREA PLAN.

This detailed area plan has been adopted by The Shire of Wyndam and East Kimberley and signed by the Principal Planner

Date _____

REVISION	DATE	AUTHOR	APPROVED	ISSUED TO	ISSUED FOR	METHOD
Final Revision	19.10.10	CODA	Kieran Wong	Landcorp	Approval	Electronic

12.4.3 Proposed Marine Rescue Facility – Foreshore Road, Wyndham

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Foreshore Road, Wyndham
AUTHOR:	Jennifer Ninnette, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.04.31,01.7129.02
ASSESSMENT NO:	A7129

PURPOSE

For Council to consider the terms and conditions offered by Main Roads Western Australia (MRWA) to enable the closure of a portion of Foreshore Road Wyndham, for the purpose of establishing the East Kimberley Volunteer Marine Rescue facility.

BACKGROUND

The Shire previously resolved (at the Ordinary Council Meeting of 20 May 2008, Item 13.5.5) to provide assistance to the East Kimberley Volunteer Marine Rescue Group to construct a purpose built storage shed for their needs in the Port vicinity at Wyndham, with this assistance to include:

- Identification and vesting of land;
- Support in the preparation and securing of grant funding; and
- Council budget consideration of the balance of funds in 08/09.

Subsequently, Shire Officers and the Marine Rescue group identified an unconstructed portion of Foreshore road as a suitable site, due to its proximity to the boat ramp, which would enable fast and easy response to rescues, and Council at its Ordinary Council Meeting of 16 December 2008 resolved:

Minute No. 8477

Moved:Cr D Ausburn
Seconded:Cr J Moulden

That Council:

1. Resolve to close a portion of Foreshore Road, subject to no objections being received during the advertising period.
2. Following completion of the advertising period, request the Department for Planning and Infrastructure (DPI) to close an approximately 1,000m² portion of the Foreshore Road, to be reserved for the purpose of 'Emergency Services' and issue a management order in the name of the Shire of Wyndham East Kimberley with the power to lease.
3. Agree to Lease the proposed reserve to the Wyndham Sea Rescue group for a term of 21 years and nominal rental amount.

4. Subject to no objections being received and with the written approval of Department for Planning and Infrastructure, allow the Wyndham Sea Rescue group to apply for building approval to construct a shed on an unconstructed portion of Foreshore Road prior to land tenure being formalised.

CARRIED UNANIMOUSLY: (7/0)

However, an objection was received from MRWA, on the basis that Foreshore Road was identified as a possible future heavy vehicle bypass route by MRWA, and as such is identified in the Wyndham Town Planning Scheme as a Scheme Reserve for the purpose of Major Road.

After various attempts by the Shire to gain agreement with MRWA, on this issue, the Commissioner of MRWA has recently agreed to the closure of portion of Foreshore Road subject to the Council agreeing to the 'Terms and Conditions' as outlined in their correspondence dated 7 October 2010, which is shown at Attachment 1.

In summary these terms and conditions state:

1. That the Shire indemnifies MRWA from any liability throughout the term or currency of the Agreement.
2. That the Scheme Reservation of Foreshore Road for the purpose of Major Road be retained in Town Planning Scheme No. 6 – Wyndham Townsite.
3. The land must be returned to its natural condition and all infrastructure be removed, if or when the site is required for the construction of the future heavy vehicle bypass.
4. The Shire obtaining all necessary clearances required for the temporary use of the land.
5. That the agreement can only be varied by written agreement between the Shire and MRWA.

STRATEGIC IMPLICATIONS

The Foreshore Road is a Scheme Reserve for the purpose of Major Road in the Shire of Wyndham – East Kimberley Town Planning Scheme 6 – Wyndham Townsite.

Foreshore Road was originally earmarked as one of five heavy haulage route options around Wyndham to better accommodate the traffic associated with movement to and from the Port. A sixth alternative Port Access route north of the Bastion Range, referred to as the Bastion Loop Road, has also been proposed which would provide a bypass of the entire town and would provide fewer traffic conflicts, however this proposal is a much longer route than the other townsite bypasses.

The Bastion Loop Road has been identified as a key infrastructure result area in the Shire of Wyndham East Kimberley's Plan for the Future as it will improve access to the Wyndham Port for the heavy haulage of export-import products. The Marine Rescue Shed is similarly identified as a key infrastructure result area.

Currently, heavy haulage vehicles pass through the Wyndham settlement, which is considered to be undesirable and unsustainable given the potential for conflict with the public as well as potential vibration damage to historic properties adjacent to the current road alignment.

STATUTORY IMPLICATIONS

Land Administration Act 1997

In order for the land to be developed and leased for the East Kimberley Volunteer Marine Rescue group's purposes, the portion of road is required to be closed in accordance with section 58 of the *Land Administration Act 1997* (LAA).

Council has already resolved to close portion of the road reserve for this purpose, subject to no objections. Therefore, if Council accepts the terms and conditions offered by MRWA, action to close the road can now be finalised.

Following closure of the road, the subject land can then be reserved for the purpose of 'Emergency Services', and a management order issued to the Shire with power to lease in accordance with Part 4 of the LAA.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

Council may incur some minor costs associated with reservation of the land, such as surveying fees.

Council has previously agreed to provide assistance to this project by identifying and vesting land and the supporting preparation and securing of grant funding. Council originally allocated \$40,000 in its 08/09 budget to support the new Marine Rescue facility, however given the delay in securing land tenure this funding has been rolled over into the current 2010/2011 budget.

The East Kimberley Volunteer Marine Rescue Group are a not for profit volunteer organisation, and have previously requested a 21 year peppercorn lease arrangement, nominating a lease rental of \$100 per annum. Therefore, minimal revenue will be raised from this proposal.

COMMUNITY CONSULTATION

Consultation has previously been carried out with respect to the road closure.

COMMENT

The East Kimberley Volunteer Marine Rescue group are a non-profit volunteer organisation that provides a valuable service to the boating community using the Cambridge Gulf. Securing a base for their needs will improve their ability to assist vessels in distress, promoting boat safety and will be of immeasurable benefit to the general public.

Although Foreshore Road is reserved in the Scheme for the purposes of a future heavy haulage route option, MRWA have previously advised that an alternative route for large freight is only at the conception planning stage, and as there is no funding in the 4 year forward estimates and there has not been an opportunity for a preliminary design. This means that the two proposed alternative routes, being the Bastion loop Road and Foreshore Road, still need to be assessed before either can be dismissed as an option. Therefore, although the agreement from MRWA is on the basis that the

new Marine Rescue facility is temporary, it is likely to be some time before preliminary design work has been undertaken to determine the preferred heavy vehicle route. In the interim, it's likely that the suitability of Foreshore Road as an alternative route will diminish – particularly following the construction of the Wyndham Community Jetty (scheduled to commence in the coming months) and which is expected to increase public visitation within the vicinity.

The proposed Bastion Loop Road has been identified as the preferred option to bypass both the Port and Three Mile, in both the Local Planning Strategy and the Plan for the Future. It would also improve access to the Port area and result in much fewer conflicts with the public, along with preserving the overall amenity for residents. Accordingly, it is recommended that MRWA should commence preliminary investigation to the feasibility of the Bastion Loop Road, and that along with supporting the proposed Memorandum of Understanding (MoU), that the Shire should write to MRWA to investigate the feasibility of this alternative.

ATTACHMENTS

Attachment 1 - Correspondence from Main Roads WA
Attachment 2 - Advertised Road Closure Area

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Accepts the 'Terms of Agreement' specified by Main Roads WA for the closure of part of Foreshore Road, Wyndham, to facilitate the East Kimberley Volunteer Marine Rescue facility; and
 - a) Authorises the Chief Executive Officer to confirm in writing the Shire's acceptance of the 'Terms and Conditions' by return letter.
 - b) Requests the Department of Regional Development and Lands to finalise action to close the portion of Foreshore Road required to create a reserve for the purpose of 'Emergency Services' and to issue the management order to the Shire of Wyndham East Kimberley with the power to lease.
2. Requests Main Roads WA to investigate the feasibility of the alternative Bastion Loop Road.

As a result of feedback received from Cr Addis, Nick Kearns proposes the amendment of the Officer's Recommendation with the addition of point 1 c) as below.

- c) Advises the East Kimberley Volunteer Marine Rescue group of the terms and conditions agreed to, and also that in the event that the facility is required to be relocated, that the Shire will provide assistance to find an alternative site and to prepare applications and secure grant funding.

AMENDED OFFICER'S RECOMMENDATION

That Council:

1. Accepts the 'Terms of Agreement' specified by Main Roads WA for the closure of part of Foreshore Road, Wyndham, to facilitate the East Kimberley Volunteer Marine Rescue facility; and
 - a) Authorises the Chief Executive Officer to confirm in writing the Shire's acceptance of the 'Terms and Conditions' by return letter.
 - b) Requests the Department of Regional Development and Lands to finalise action to close the portion of Foreshore Road required to create a reserve for the purpose of 'Emergency Services' and to issue the management order to the Shire of Wyndham East Kimberley with the power to lease.
 - c) Advises the East Kimberley Volunteer Marine Rescue group of the terms and conditions agreed to, and also that in the event that the facility is required to be relocated, that the Shire will provide assistance to find an alternative site and to prepare applications and secure grant funding.
2. Requests Main Roads WA to investigate the feasibility of the alternative Bastion Loop Road.

Moved: Cr D Ausburn
Seconded: Cr J Parker

Move the Officer's recommendation with the amendment of adding dot point 3 stating that building commences as soon as practical.

That Council:

1. Accepts the 'Terms of Agreement' specified by Main Roads WA for the closure of part of Foreshore Road, Wyndham, to facilitate the East Kimberley Volunteer Marine Rescue facility; and
 - a) Authorises the Chief Executive Officer to confirm in writing the Shire's acceptance of the 'Terms and Conditions' by return letter.
 - b) Requests the Department of Regional Development and Lands to finalise action to close the portion of Foreshore Road required to create a reserve for the purpose of 'Emergency Services' and to issue the management order to the Shire of Wyndham East Kimberley with the power to lease.
 - c) Advises the East Kimberley Volunteer Marine Rescue group of the terms and conditions agreed to, and also that in the event that the facility is required to be relocated, that the Shire will provide assistance to find an alternative site and to prepare applications and secure grant funding.
2. Requests Main Roads WA to investigate the feasibility of the alternative Bastion Loop Road.
3. Requests that building commences as soon as practical.

Cr K Wright with the consent of the mover and seconder proposed an additional amendment to replace the words “to investigate the feasibility” to “proceed with the development”.

The mover and seconder approved this further amendment. The motion becomes the substantive motion

That Council:

1. Accepts the ‘Terms of Agreement’ specified by Main Roads WA for the closure of part of Foreshore Road, Wyndham, to facilitate the East Kimberley Volunteer Marine Rescue facility; and
 - a) Authorises the Chief Executive Officer to confirm in writing the Shire’s acceptance of the ‘Terms and Conditions’ by return letter.
 - b) Requests the Department of Regional Development and Lands to finalise action to close the portion of Foreshore Road required to create a reserve for the purpose of ‘Emergency Services’ and to issue the management order to the Shire of Wyndham East Kimberley with the power to lease.
 - c) Advises the East Kimberley Volunteer Marine Rescue group of the terms and conditions agreed to, and also that in the event that the facility is required to be relocated, that the Shire will provide assistance to find an alternative site and to prepare applications and secure grant funding.
2. Requests Main Roads WA proceed with the development of the alternative Bastion Loop Road.

Requests that building commences as soon as practical.

COUNCIL DECISION

Minute No: 9335

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council:

1. **Accepts the 'Terms of Agreement' specified by Main Roads WA for the closure of part of Foreshore Road, Wyndham, to facilitate the East Kimberley Volunteer Marine Rescue facility; and**
 - a) **Authorises the Chief Executive Officer to confirm in writing the Shire's acceptance of the 'Terms and Conditions' by return letter.**
 - b) **Requests the Department of Regional Development and Lands to finalise action to close the portion of Foreshore Road required to create a reserve for the purpose of 'Emergency Services' and to issue the management order to the Shire of Wyndham East Kimberley with the power to lease.**
 - c) **Advises the East Kimberley Volunteer Marine Rescue group of the terms and conditions agreed to, and also that in the event that the facility is required to be relocated, that the Shire will provide assistance to find an alternative site and to prepare applications and secure grant funding.**
- 2) **Requests Main Roads WA proceed with the development of the alternative Bastion Loop Road.**
- 3) **Requests that building commences as soon as practical.**

CARRIED UNANIMOUSLY: (9/0)

Note: The Officer's Recommendation was amended to clarify the Shire's obligation in the event that the facility is required to be rebuilt and also to stress the urgency of the construction works.

ATTACHMENT 1 – Correspondence from Main Roads WA



ABN: 50 860 676 021

Enquiries: Bryan Bannon on 91584331
Our Ref: 05/6893
Your Ref:

7th October 2010

Mr N Hearn
Chief Executive Officer
Shire Of Wyndham/East Kimberley
PO Box 614
KUNUNURRA WA 6743

ATTENTION: NICK HEARNS

Doc No.	072176
Date	08 OCT 2010
Officer	
Response	
File	
Cross Ref.	

Dear Mr Hearn

WYNDHAM SEA RESCUE - FORESHORE ROAD - LETTER OF AGREEMENT

The Commissioner of Main Roads (Main Roads WA) agrees to the closure and temporary location of the Wyndham Sea Rescue – East Kimberley Volunteer Marine Safety and Rescue Association Incorporated facilities, proposed for Foreshore Road.

Foreshore Road has been identified in the Wyndham Town Planning Scheme as a road reserve for a possible future heavy vehicle bypass route by Main Roads WA.

To satisfy the interests of Main Roads WA the following 'Terms and Conditions' must be agreed to :

Terms and Conditions

- (a) The Shire of Wyndham / East Kimberley (the Shire) shall at all times during the term or currency of this Agreement indemnify and keep indemnified MRWA from and against all loss, injury, damage or destruction of or to any person (including death) or any property of MRWA or of the Crown and all actions, suits, claims, demands, proceedings, costs and expenses (including legal costs on a full indemnity basis) caused by or arising out of or in consequence of any act, omission, neglect or default of the Shire or any of its employees, agents, contractors or invitees.

To the extent the loss, injury, damage or destruction referred to in the above paragraph is caused by or contributed to by any negligent act or omission on the part of MRWA or its agents, contractors or employees the Shire's liability shall be reduced accordingly.

- (b) No scheme amendments are to take place that affect this site.
- (c) If or when the site is required for the construction of the future heavy vehicle bypass, the land must be returned to its natural condition and all infrastructure is to be removed.

Kimberley Region, Wodehouse Street, Derby or PMB 959, Derby Western Australia 6728
Telephone: (08) 9158 4333 Facsimile: (08) 9158 4334
Email: kimreg@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au

- (d) All necessary clearances required for the temporary use of the land to be obtained.
- (e) This agreement shall commence on the date signed below, and continue until terminated in writing by Main Roads WA.
- (f) This agreement may only be varied by written agreement between Main Roads WA and the Shire.

If you wish to proceed, could you please confirm the Shire's acceptance of these conditions by a return letter signed by a person with authority to agree to these conditions on behalf of the Shire.

Should you have any further queries please contact Peter Podlaha at Main Roads on (08) 91584301.



Peter Podlaha
Regional Manager

ATTACHMENT 2 – Advertised Road Closure

PROPOSED RESERVE AREA



12.4.4 Local Planning Strategy Review – Rural Residential and Rural Smallholding Development Initiation of Local Planning Strategy Modification

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Various Locations
AUTHOR:	Nick Kearns, Director Development Services
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.03.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider formally initiating proposed modifications to its Local Planning Strategy, as that relates to rural residential and rural smallholding development, to enable the revised document to be forwarded to the Western Australian Planning Commission for consent to advertise.

BACKGROUND

At its Ordinary Council Meeting on 20 July 2010, Council endorsed the modifications proposed to the Shire's Local Planning Strategy (LPS), in the report titled 'Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content', prepared by Urbis on behalf of the Shire, and directed Shire staff to prepare a report for Council to formally consider initiating the proposed modifications to the Local Planning Strategy.

The changes proposed affect content relating to Rural Residential and Rural Smallholding development. In summary these changes:

- Are intended to remove inconsistencies with the LPS and the State Planning Policy Framework.
- Raise minimum lot sizes from 1ha to 4ha for properties in the Rural Residential Zone and 4ha to 40ha in the Rural Smallholding Zone and remove average lot size requirements for both zones.
- Protect Prime Agricultural Land through enhanced buffer provisions and by providing for more intense development on agricultural land deemed not viable.
- Provide opportunities for additional Rural Residential development where it is appropriate, with specific sites identified as best suited for this purpose.
- Provide for Rural Residential development around Wyndham, addressing the current absence of such development in Wyndham.

Attachment 1 contains Chapter 5 of the abovementioned report which sets out the key issues and recommendations in relation to the modifications to the LPS. A full copy of the report has been circulated separately to Councillors and a copy of the draft updated LPS is available for Councillor review.

STRATEGIC IMPLICATIONS

The strategy specifically addresses the matter of rural residential development within the Shire. The Strategy forms the guiding basis for detailed planning and development of land, specifically for rural residential and rural smallholding purposes. The Strategy provides a guide for Shire decision making and for the preparation of new policy and amendments to the Scheme.

STATUTORY IMPLICATIONS

The process for amending a LPS, pursuant to Regulation 12C (3) of the Town Planning Regulations (1967) is detailed as follows:

1. Shire prepares proposed amendment to LPS (12A (1) (a));
2. Shire forwards the proposed amendment to the Western Australian Planning Commission (WAPC) (12A (1) (b));
3. WAPC Reviews the amendment and gives certification to advertise (12B (1));
4. Amendment is advertised by Shire for 21 days (12B (2));
5. Shire reviews the amendment in light of submissions, and adopts it with or without modifications and submits a copy of the amendment to the WAPC for endorsement (12B (3)); and
6. If the WAPC endorses the amendment, the Shire publishes a notice of the endorsement.

Urbis has incorporated the endorsed amendments into the Local Planning Strategy and the formal initiation of the modification process will enable the proposal to be forwarded to the Western Australian Planning Commission to receive certification to advertise.

POLICY IMPLICATIONS

Council adoption of the modifications to the LPS may have future implications for the review of, or preparation of, the Local Planning Policies which are required to be consistent with the LPS.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

COMMUNITY CONSULTATION

If certification to advertise is received from the Western Australia Planning Commission, the proposed modifications will be open to submissions for 21 days. The Shire is then able to make additional modifications if required, prior to final submission to the WAPC.

COMMENT

It is recommended that Council formally initiates the modification process to ensure that the rural residential and rural smallholding development in the Shire can be appropriately managed.

ATTACHMENTS

Chapter 5 'Key Issues and Recommendations' from the Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Resolves to initiate modifications of the Shire's Local Planning Strategy in respect to Rural Residential and Rural Smallholding development as identified in the 'Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content' April 2010.
2. Directs Shire staff to forward the proposed amendments to the LPS and associated information to the Western Australian Planning Commission (WAPC) and requests certification to advertise in accordance with Regulation 12 of the Town Planning Regulations (1967).

COUNCIL DECISION

Minute No: 9336

Moved: Cr J Moulden

Seconded: Cr K Wright

That Council:

1. Resolves to initiate modifications of the Shire's Local Planning Strategy in respect to Rural Residential and Rural Smallholding development as identified in the 'Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content' April 2010.
2. Directs Shire staff to forward the proposed amendments to the LPS and associated information to the Western Australian Planning Commission (WAPC) and requests certification to advertise in accordance with Regulation 12 of the Town Planning Regulations (1967).

CARRIED UNANIMOUSLY: (9/0)

ATTACHMENT 1 - Chapter 5 'Key Issues and Recommendations' from the Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content.



5 Key Issues and Recommendations

5.1 Proposals

It is apparent that several proposals for rural-residential development have been approved contrary to the LPS and that rural-residential development in general has been dealt with in an inconsistent manner by all parties involved. In most instances, this inconsistency relates to non-compliance with the minimum lot size requirements.

Proposals have also been received for rural small holding developments which are inconsistent with the LPS in terms of:

- The retention of productive agricultural land on-site (as indicated by the LPS);
- Compliance with the minimum and average lot size requirement (in some instance, lot sizes of a rural-residential or residential size have been proposed); and
- New sites being proposed for rural-residential development.

5.2 Key Considerations

Based upon the analysis contained within this report, the following key issues are identified.

5.2.1 Sites Containing Agricultural Land – Buffer Lots and Minimum Lot Size Requirements

The LPS places strong emphasis on the protection and retention of agricultural land. Several sites for rural small holding development are identified as possibly containing Prime Agricultural Land. In this regard, the Strategy requires the retention of agricultural land on site and the provision of larger lot sizes abutting agricultural land to act as a buffer. This is especially relevant for the Old Darwin Road and King Location 647 precincts.

In some proposals, the viability of the agricultural land has been questioned. As such, proposals have been received which do not retain the agricultural land.

On this basis, larger buffer lots to protect on-site and off-site agricultural uses have not been provided. In parallel, lot sizes which are smaller than the minimum of 4ha stipulated by the LPS for rural small holdings have been proposed.

A detailed assessment needs to be undertaken for each site to provide justification for proposals, and transparency through the decision making process. In addition, liaison is required with the Department of Agriculture and Food to confirm the status of PAL and land capability over the various sites.

In relation to Old Darwin Road and King Location 647, it is necessary to clarify the status of PAL and land capability prior to considering any proposals for lot sizes of a smaller rural-residential nature. If it is determined that the land has low capability for horticulture, the land should be designated as rural-residential 1-4ha (with regard to adjacent horticulture). Half hectare lots are considered to be inadequate and more in line with residential activity. Liaison is required with the Department of Agriculture and Food in all cases in this regard.

Within the Scheme review, it may be desirable to rezone all lots within the Old Darwin Road area to the Rural-Residential zone for the purposes of consistency.

5.2.2 Minimum Lot Size Requirements

A minimum lot size of 4ha should be applied where a proposed subdivision abuts PAL, a horticultural land use or environmental areas, or areas of landscape significance.

5.2.3 Average Lot Size Requirements

The Strategy contains an average lot size for three of the four precincts identified for rural-residential and rural small holdings development. The average is provided in conjunction with a minimum lot size and suggested larger lot sizes to act as buffers to agricultural land use.

The proposals received (and some approved) to date do not demonstrate compliance with the average lot size requirements.

The need to achieve an average lot size is questionable provided that the protection of agricultural land on and off-site can be demonstrated and agreed to by the Shire, WAPC and/or Minister for Planning. In addition, the general capacity of the land to accommodate the density of development proposed would need to be proven on the basis of a combination of planning, environmental and engineering considerations. A key requirement for further subdivision should also be the provision of a range of lot sizes to respond to demand and provide choice to the market.

Furthermore, an absolute minimum lot size of 1ha for rural-residential development and 4ha for rural small holding development is required by the Strategy and should be maintained. This is reflective of State Policy. Any form of subdivision less than 1ha is considered to be residential in nature, as opposed to rural, and should not be supported.

Having regard to the above, it is not considered that an average lot sizes are required to be stipulated by the LPS.

5.2.4 Due Process

It is apparent that the provisions and recommendations of the LPS with regard to rural-residential and rural small holding development have not been strictly enforced in the past. This is in part due to precedents set by previous decisions and when due process has not been followed.

There is a recognised need to follow due process in the consideration of Scheme Amendments, structure plans and subdivision applications for rural-residential development and rural small holding development in accordance with the LPS.

This matter cannot, however, be dealt with through changes to the LPS. Rather, it will be necessary for decision makers to appropriately apply endorsed planning provisions.

5.2.5 Interpretation of the Strategy

According to the Town Planning Regulations (1967), LPSs shall:

- Set out the long-term planning directions for the local government;
- Apply State and regional planning policies; and
- Provide the rationale for the zones and other provisions of the Scheme.

The nature in which the subject LPS is interpreted and applied, either strictly or as a guidance document, is not specified.

In the context of rural-residential development in the Shire, it is apparent that the LPS has not been consistently used as it was intended. The manner in which the LPS sets out policy and actions for rural-residential development is very specific, with little flexibility provided, and this needs to be addressed.

5.2.6 Rural-Residential Development in Wyndham

The LPS provides minimal detail in terms of current and proposed rural-residential development in Wyndham. Given that an additional site for rural-residential development in Wyndham is being investigated by the Shire, it is now considered prudent to prepare content of the LPS addressing rural-residential development in Wyndham.

5.3 Envisaged Changes to the Strategy

In response to the above described issues, it has become apparent that the following changes to the LPS should be considered:

- Removing the need for an average lot size to be achieved for all rural-residential and rural small holding sites, whilst retaining the need for a range of lot sizes to be provided;
- Ensuring a minimum lot size of 4ha where a proposed rural-residential subdivision abuts PAL, a horticultural land use or environmental areas, or areas of landscape significance;
- In relation to Weero Road (King Location 599), a minimum lot size of 1ha is required with a 4ha minimum where lots abut horticultural activities.
- Where a site is identified in the LPS as potentially containing viable agricultural land (and therefore be identified for rural small holdings), the Strategy should provide the opportunity for an applicant to undertake investigations to determine the viability or otherwise of the agricultural land in liaison with the Department of Agriculture and Food. On this basis, the Strategy should be structured in a flexible manner to allow for the consideration of alternative lot size proposals in the instance of the agricultural land being determined not viable, especially where the site is identified for rural small holdings. In this regard, however, the general capacity of the land to accommodate the density of development proposed would need to be proven on the basis of a combination of planning, environmental and engineering considerations;
- A section should be inserted into the LPS detailing any available background information on existing and proposed rural-residential development in Wyndham. Analysis and recommendations should be included to guide more detailed planning for the proposed expansion of the rural-residential area; and
- Inserting a section into the Strategy dealing with interpretation and use of the Strategy.

5.4 Other Envisaged Changes to the Local Planning Framework

In addition to changes to the Local Planning Strategy, the following changes should also be considered for remainder of the Shire's local planning framework:

- Standard provisions for rural-residential and rural small holding development should be included in the Scheme in accordance with SPP 2.5;
- A review of existing Scheme provisions for rural residential and rural small holdings and structure planning should be undertaken to ensure consistency with approved development and with the revised LPS;
- A LPP should be prepared to establish a clear framework for the rezoning and subdivision of rural-residential and rural small holding developments. The Policy should imbed key principles from the LPS with regard to this form of subdivision development (including the need to provide for a variety of lot sizes), explicitly state the planning tasks that are required to progress subdivision and development including requirements for Structure Plans, set out procedures for the assessment and determination of proposals, and set out a framework to guide the consideration of proposals at variance from the LPS;
- The LPS and draft Scheme currently being prepared should clarify that a structure plan is required to support all proposed subdivisions for rural residential and rural smallholdings; and

- A review of Scheme zones (to rural-residential and rural small holdings) is required through the Scheme review process.

12.4.5 Kununurra Heavy Vehicle Route – Stage 1 – Proposed Dedication

DATE:	16 November 2010
PROPONENT:	Main Roads WA
LOCATION:	Kununurra
AUTHOR:	Jennifer Ninnette, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.04.47, 21.04.01
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider providing written confirmation to Main Roads Western Australia (MRWA), of Council's agreement to the alignment and dedication of the proposed first stage of the Kununurra Heavy Vehicle Route.

BACKGROUND

The Shire has received correspondence (Attachment 1) from MRWA, requesting Council's support for the preferred alignment, for Stage 1 of the Kununurra Heavy Vehicle Route, to enable MRWA to commence negotiations with affected landowners for the acquisition of portions of land for the road corridor.

The land dealings plans at Attachment 2, show the proposed corridor for Stage 1 and those sections of land to be acquired for this purpose, which extends from Victoria Highway to Weaber Plain Road, north of Kununurra.

MRWA have advised that a number of alignments have been considered for the project since the 1960's given the poor alignment on the existing Victoria Highway and the constraints on traffic crossing at the Diversion Dam. The three main alignments considered are indicated on the plan at Attachment 3.

Alignment 2 was originally the preferred option, however due to a number of constraints a corridor further to the north was suggested. MRWA are now seeking concurrence from Council for this northern alignment for Stage 1 of the project under section 56 of the *Land Administration Act 1997*, to enable the road dedication to occur.

STRATEGIC IMPLICATIONS

Local Planning Strategy

The need for a Heavy Haulage Route around Kununurra, to relieve the impact of heavy vehicle movement through the town and over the diversion dam bridge, is identified as a priority project in the Shire of Wyndham East Kimberley Local Planning Strategy (LPS).

The initial concept for the heavy vehicle route was first identified in 1969 and the preferred alignment to the north of town was identified in the mid 1980's.

STATUTORY IMPLICATIONS

Main Roads Act 1930

Section 13 of the *Main Roads Act 1930* outlines the process required by the Commissioner of Mains Roads to recommend the proclamation of a highway.

Under section 13A, prior to making any recommendation to the Governor:

- a) That any road be declared to be a highway or main road; or*
- b) That the plans of any proposed new highway or main road or deviation from an existing or main road be approved,*

the Commissioner is required to notify the local government in writing of this intention and allow a minimum of 30 days in which the local government can object or comment.

Land Administration Act

Section 56 of the *Land Administration Act 1997* (LAA), relates to the dedication of roads and outlines the process required to be undertaken by local government in requesting the Minister for Lands to dedicate that land as a road.

MRWA are requesting that the Shire agree to the dedication of the proposed road alignment under section 56 of the LAA.

The Department of Regional Development and Lands (RDL) has confirmed that Council is required to resolve to dedicate the proposed road corridor under section 56 of the LAA before Main Roads can undertake the land dealing process to acquire the land for this purpose.

Town Planning Scheme

The proposed land is to be dedicated as a main road is reserved as 'Major Road' under the Shire of Wyndham East Kimberley - Town Planning Scheme No. 7 – Kununurra and Environs. Therefore, the land to be acquired by Mains Roads for the purposes of the bypass road has already been identified and earmarked for this purpose during advertising for the Town Planning Scheme No. 7 (TPS 7), and when the Scheme was gazetted in January 2001.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

COMMUNITY CONSULTATION

MRWA has advised that it has undertaken consultation and the public with relevant stakeholders and adjoining landowners on numerous occasions over a substantial

period of time. An outline of the project and various consultation and investigations undertaken to date is outlined in the email correspondence from MRWA at Attachment 4.

MRWA advise that they have been active in seeking feedback on the project particularly over the preceding three year period, and that the proposed design has been made available to the public and all stakeholders in order to understand and minimise impacts to all parties. It is MRWA intention to continue consulting with all stakeholders in order to work through any issues they may have and resolve them prior to completion of the project's development. Currently, the key groups that require further detailed consultation are those directly impacted, being the land holders, and several residents at River Farm Road, who are concerned with the potential impact of traffic noise and light spill.

MRWA has confirmed that some River Farm Road resident's will see the project from a distance, and some traffic noise will be heard (but the allowable noise limits will not be exceeded) and if any lights are placed on the structure, these will be designed to avoid light spill.

It should also be noted that the current proposed alignment for the bypass road was earmarked as a Scheme reserve for the purpose of Major Road as part of the Scheme review for TPS 7, which was subject to a community consultation period of 3 months, from the 18 March 1999 to 13 July 1999. Subsequently, this proposed alignment has remained as a Scheme reserve as since it's gazettal.

COMMENT

MRWA is yet to submit plans for the road construction to Council for consideration however, this will not occur until funding has been confirmed and following completion of the land dealings process.

Project Officers have advised that MRWA are willing to take into consideration any concerns of relevant stakeholders, including the Shire, and to design to minimise any expected (negative) impacts associated with the proposal.

It is recommended that the Council resolve to dedicate the road corridor as per MRWA request, on the basis that Council, relevant stakeholders and landowners, will still have the opportunity to be consulted and involved in the road and bridge construction design process, to ensure that a number of issues, including but not limited to the following, are taken into consideration:

- Design of road intersections and bridges to consider and accommodate movement of wide agricultural implement movements.
- Potential pressure on, and need for improvement to, the intersection of Ivanhoe and/or Weaber Plain Road and Victoria Highway due to expected increases in traffic.
- Investigation of alternative options for a proposed footpath/cycle across the bridge over the Ord River.
- Confirmation from the Water Corporation that the Kununurra Diversion Dam will remain open to local traffic and smaller vehicles, and specification as to what weight limits and other conditions are anticipated to apply.
- Ensuring ongoing Community and public awareness of the project.

In regard to requiring confirmation from the Water Corporation that the Kununurra Diversion Dam will be kept open to local traffic, particularly Packsaddle Road residents, and smaller vehicle traffic, Shire officers have previously advised MRWA in writing that the continued access for local traffic over the Diversion Dam is seen as extremely important within the community. As such, previous Shire officers sought clarification as to what is the present arrangement between MRWA and Water Corporation for maintenance of the running surface across the Dam and whether this extends to the abutments. This was on the basis that, once the heavy vehicle route is operational, the existing portion of Victoria Highway passing alongside the Kununurra townsite would be 'deproclaimed', and responsibility transferred to the Shire, which would include the transfer of the Dunham Bridge and trafficked surface of the Water Corporation's Diversion Dam. Officers also sought clarification that funding would be available to the Shire for maintenance of the two bridges on the basis that Council may not have the necessary resources.

MRWA confirmed that it is their expectation that Council would be responsible for the trafficked road surface of the Diversion Dam once the heavy vehicle route is proclaimed as a highway, and subsequently that funding for the maintenance of these bridges would be available under the State Road Funds, with Main Roads also providing a regular inspection service and technical advice to assist Council to maintain the bridge. A copy of this correspondence is shown at Attachment 5.

ATTACHMENTS

- Attachment 1 - Correspondence from Main Roads WA
- Attachment 2 - Land Dealing Plans
- Attachment 3 - Proposed Alignments
- Attachment 4 - Email from Main Roads WA
- Attachment 5 - Confirmation from Main Roads WA

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Concurs to the dedication of the land subject of Main Roads WA plans 0660-063-2, 0660-064-2 and 0660-065-1, for the Stage 1 of the Kununurra Heavy Vehicle Route, as a road under Section 56 of the Land Administration Act 1997.
2. Requests that Main Roads WA consult with Council during the construction design phase for Stage 1 of the Kununurra Heavy Vehicle Route to give consideration to:
 - a. Design of road intersections and bridges to consider and accommodate movement of wide agricultural implement movements.
 - b. Potential pressure on, and need for improvement to, the intersection of Ivanhoe and/or Weaber Plain Road and Victoria Highway due to expected increases in traffic.

- c. Investigation of alternative options for a proposed footpath/cycle across the bridge over the Ord River.
 - d. Confirmation from the Water Corporation that the Kununurra Diversion Dam will remain open to local traffic and smaller vehicles, and specification as to what weight limits and other conditions are anticipated to apply.
 - e. Ensuring ongoing community and public awareness of the project.
3. Seeks written confirmation from the Water Corporation that the Kununurra Diversion Dam will remain open to local and smaller vehicle traffic, and what weight limits and other conditions may apply, once Stage 1 of the Kununurra Heavy Vehicle Route has been constructed.

Moved: Cr K Wright
 Seconded: Cr J Moulden

Move the Officer's Recommendation with the amendment that point 2 d be removed.

That Council:

1. Concurs to the dedication of the land subject of Main Roads WA plans 0660-063-2, 0660-064-2 and 0660-065-1, for the Stage 1 of the Kununurra Heavy Vehicle Route, as a road under Section 56 of the Land Administration Act 1997.
2. Requests that Main Roads WA consult with Council during the construction design phase for Stage 1 of the Kununurra Heavy Vehicle Route to give consideration to:
 - a. Design of road intersections and bridges to consider and accommodate movement of wide agricultural implement movements.
 - b. Potential pressure on, and need for improvement to, the intersection of Ivanhoe and/or Weaber Plain Road and Victoria Highway due to expected increases in traffic.
 - c. Investigation of alternative options for a proposed footpath/cycle across the bridge over the Ord River.
 - d. Ensuring ongoing community and public awareness of the project.
3. Seeks written confirmation from the Water Corporation that the Kununurra Diversion Dam will remain open to local and smaller vehicle traffic, and what weight limits and other conditions may apply, once Stage 1 of the Kununurra Heavy Vehicle Route has been constructed.

Cr J Moulden proposed an amendment with the approval of the mover that "Concurs" in point one be replaced with "Agree". The Mover approved this amendment.

That Council:

1. Agree to the dedication of the land subject of Main Roads WA plans 0660-063-2, 0660-064-2 and 0660-065-1, for the Stage 1 of the Kununurra Heavy Vehicle Route, as a road under Section 56 of the Land Administration Act 1997.

2. Requests that Main Roads WA consult with Council during the construction design phase for Stage 1 of the Kununurra Heavy Vehicle Route to give consideration to:
 - a. Design of road intersections and bridges to consider and accommodate movement of wide agricultural implement movements.
 - b. Potential pressure on, and need for improvement to, the intersection of Ivanhoe and/or Weaber Plain Road and Victoria Highway due to expected increases in traffic.
 - c. Investigation of alternative options for a proposed footpath/cycle across the bridge over the Ord River.
 - d. Ensuring ongoing community and public awareness of the project.
3. Seeks written confirmation from the Water Corporation that the Kununurra Diversion Dam will remain open to local and smaller vehicle traffic, and what weight limits and other conditions may apply, once Stage 1 of the Kununurra Heavy Vehicle Route has been constructed.

Cr R Addis proposed a further amendment to the motion on the table with the approval of the mover and seconder that dot point 1 be amended to remove the “.” And replace with “,conditional on the Shire receiving written confirmation from Water Corporation that the Kununurra Diversion Dam will remain open to local and smaller vehicle traffic, and what weight limits and other conditions may apply, once Stage 1 of the Kununurra Heavy Vehicle Route has been constructed.” With dot point 3 to be removed. The mover and seconder approved this further amendment.

That Council:

1. Agree to the dedication of the land subject of Main Roads WA plans 0660-063-2, 0660-064-2 and 0660-065-1, for the Stage 1 of the Kununurra Heavy Vehicle Route, as a road under Section 56 of the Land Administration Act 1997, conditional on the Shire receiving written confirmation from Water Corporation that the Kununurra Diversion Dam will remain open to local and smaller vehicle traffic, and what weight limits and other conditions may apply, once Stage 1 of the Kununurra Heavy Vehicle Route has been constructed.
2. Requests that Main Roads WA consult with Council during the construction design phase for Stage 1 of the Kununurra Heavy Vehicle Route to give consideration to:
 - a. Design of road intersections and bridges to consider and accommodate movement of wide agricultural implement movements.
 - b. Potential pressure on, and need for improvement to, the intersection of Ivanhoe and/or Weaber Plain Road and Victoria Highway due to expected increases in traffic.
 - c. Investigation of alternative options for a proposed footpath/cycle across the bridge over the Ord River.
 - d. Ensuring ongoing community and public awareness of the project.

The motion becomes the substantive motion

COUNCIL DECISION

Minute No: 9337

Moved: Cr K Wright

Seconded: Cr J Moulden

That Council:

- 1. Agree to the dedication of the land subject of Main Roads WA plans 0660-063-2, 0660-064-2 and 0660-065-1, for the Stage 1 of the Kununurra Heavy Vehicle Route, as a road under Section 56 of the Land Administration Act 1997, conditional on the Shire receiving written confirmation from Water Corporation that the Kununurra Diversion Dam will remain open to local and smaller vehicle traffic, and what weight limits and other conditions may apply, once Stage 1 of the Kununurra Heavy Vehicle Route has been constructed.**
- 2. Requests that Main Roads WA consult with Council during the construction design phase for Stage 1 of the Kununurra Heavy Vehicle Route to give consideration to:**
 - a. Design of road intersections and bridges to consider and accommodate movement of wide agricultural implement movements.**
 - b. Potential pressure on, and need for improvement to, the intersection of Ivanhoe and/or Weaber Plain Road and Victoria Highway due to expected increases in traffic.**
 - c. Investigation of alternative options for a proposed footpath/cycle across the bridge over the Ord River.**
 - d. Ensuring ongoing community and public awareness of the project.**

CARRIED UNANIMOUSLY: (9/0)

Note: That Council made some minor wording change to recommendation 1 'concurs' to 'agree', and to ensure that the Council's agreement is subject to it receiving written confirmation from the Water Corporation that the Kununurra Diversion and smaller vehicle traffic. Point 2 d. was removed from the original Officer's Recommendation to reflect the changes to Recommendation 1.

ATTACHMENT 1 - Correspondence from Main Roads WA



Enquiries: Alf Parolo on 9323 4636
Our Ref: 06/4291
Your Ref:



ABN: 50 860 676 021

11 March 2010

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

ATTENTION: GARY GAFFNEY

KUNUNURRA BYPASS STAGE 1 - LOCAL AUTHORITY CONCURRENCE

Attached for consideration by Council are Main Roads Land Dealing plans 0660-063-2, 0660-064-2 and 0660-065-1, which show the location of the proposed Bypass. In order for the project to proceed, the land shown shaded on the plans are required to be Taken and included in the road reserve.

To enable the land to be dedicated as road reserve it is a requirement of the Land Administration Act that Local Authority concurrence be given to the dedication action.

It would be appreciated if Council could consider the matter at its next meeting and provide the following statement in its letter of concurrence to satisfy State Land Services requirements:-

"Council at its meeting of DD/MM/YY concurred to the dedication of the land, the subject of Main Roads' plans 0660-063-2, 0660-064-2 and 0660-065-1, as road under Section 56 of the Land Administration Act".

In addition, State Land Services require a copy of the Council meeting minutes relating to the concurrence.

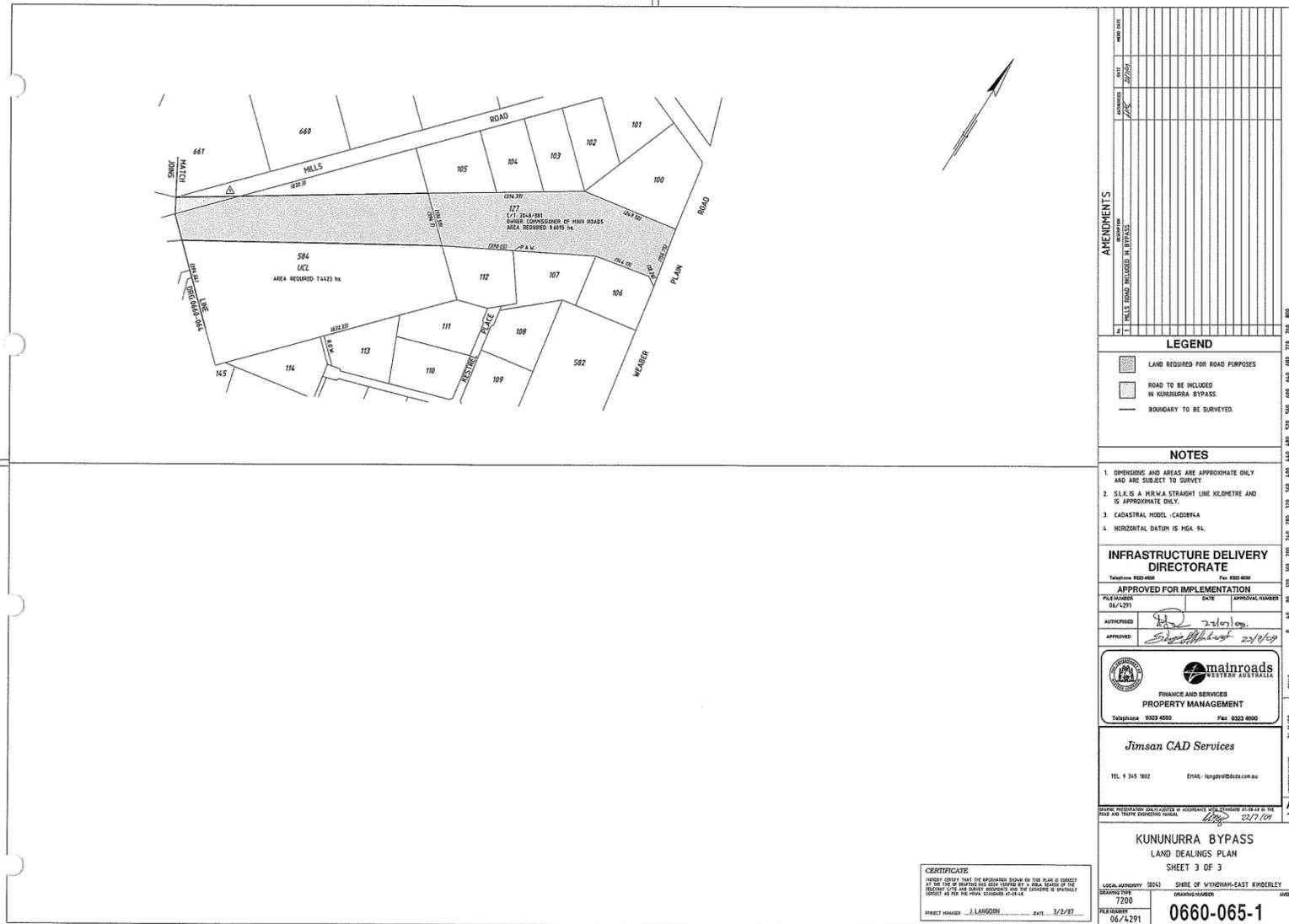
Main Roads will indemnify Council against all costs and charges that relate to this dedication action.

Please forward both the letter of concurrence and a copy of the relevant minutes to Alf Parolo at the above address and if you have any queries please do not hesitate to contact me 9323 4636.

Alf Parolo
ROAD RESERVES MANAGER

Enc

Infrastructure Delivery Directorate, Waterloo Crescent, East Perth or PO Box 6202, East Perth Western Australia 6892
Telephone: 138 138 Facsimile: (08) 9323 4930
Email: enquiries@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au



AMENDMENTS

NO.	DESCRIPTION	DATE
1	FIELD ROAD INCLUDED IN BYPASS	20/02/09

- LEGEND**
- LAND REQUIRED FOR ROAD PURPOSES
 - ROAD TO BE INCLUDED IN KUNUNURRA BYPASS
 - BOUNDARY TO BE SURVEYED.

- NOTES**
1. DIMENSIONS AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY.
 2. S.L.K. IS A H.R.M.A. STRAIGHT LINE KILOMETRE AND IS APPROXIMATE ONLY.
 3. CADASTRAL MODEL CAD08#1A
 4. HORIZONTAL DATUM IS MGA 94.

INFRASTRUCTURE DELIVERY DIRECTORATE
 Telephone 9323 4000 Fax 9323 4000

APPROVED FOR IMPLEMENTATION

FILE NUMBER 06/4291	DATE 23/07/09	ORIGINAL NUMBER
------------------------	------------------	-----------------

APPROVED: *[Signature]* 23/07/09

mainroads
 WESTERN AUSTRALIA
 FINANCE AND SERVICES
PROPERTY MANAGEMENT
 Telephone 9323 4000 Fax 9323 4000

Jimsan CAD Services
 TEL: 9 315 1802 EMAIL: jimsan@jimsan.com.au

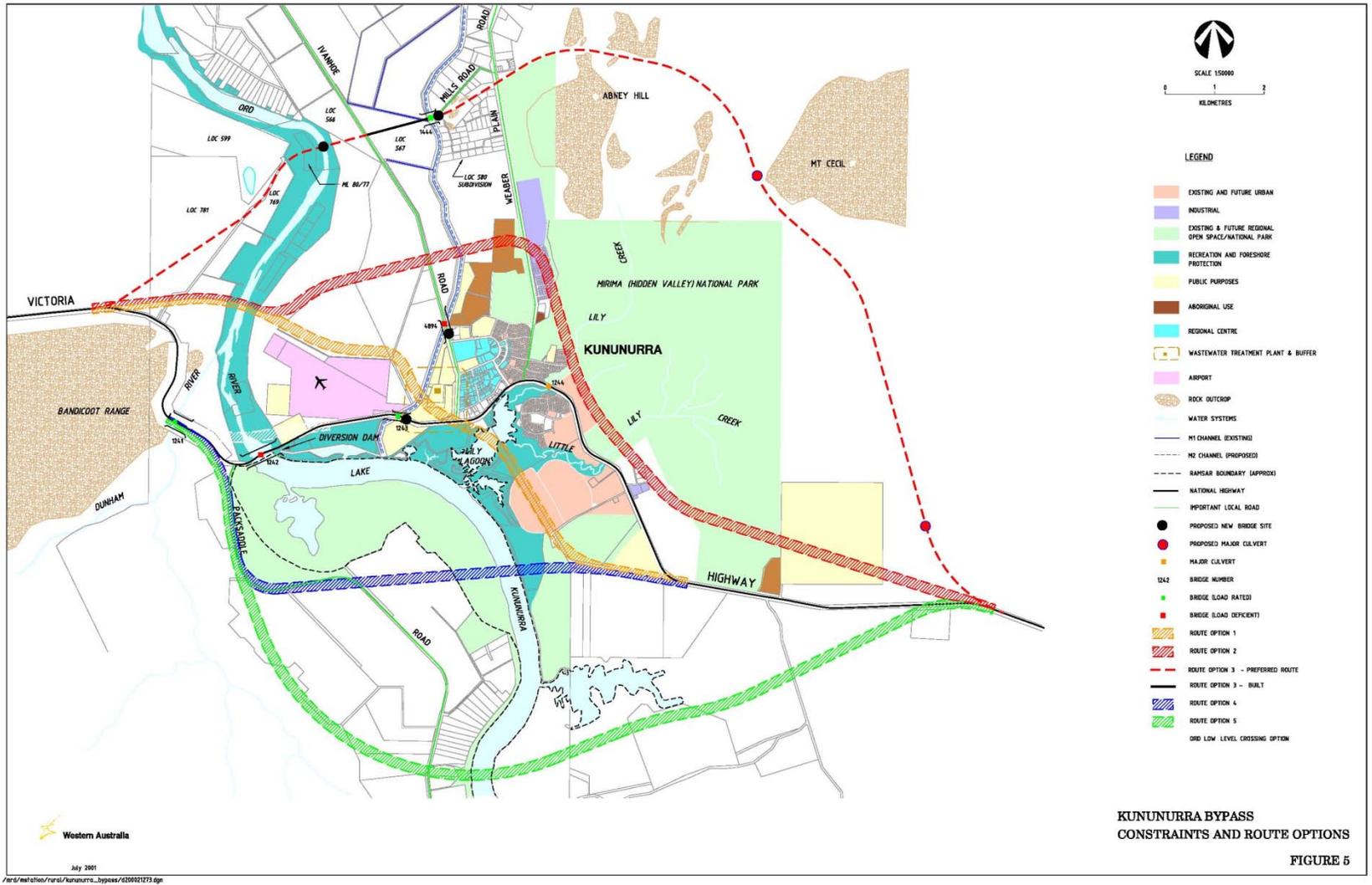
DATE OF PREPARATION: 23/07/09
 DATE OF REVISION: 23/07/09

KUNUNURRA BYPASS
LAND DEALINGS PLAN
SHEET 3 OF 3

LOCAL AUTHORITY: (0643) SHIRE OF WYNDHAM-EAST KIMBERLEY
 DRAWING TYPE: 7200 DRAINAGE NUMBER: 0660-065-1
 PROJECT NUMBER: J. LANGSON DATE: 2/2/97

CERTIFICATE:
 I HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAN IS CORRECT AS FAR AS THE MATTER HAS BEEN TENDERED BY ME. IN WITNESS WHEREOF I HAVE SIGNED AND SEALED THIS PLAN AND THE CERTIFICATE IS SIGNED BY ME IN THE PRESENCE OF TWO OTHER MEMBERS OF THE LOCAL AUTHORITY.
 PROJECT NUMBER: J. LANGSON DATE: 2/2/97

ATTACHMENT 3 - Proposed Alignments



ATTACHMENT 4 - Email from Main Roads WA

From: MCLEAN Owen (PM) [owen.mclean@mainroads.wa.gov.au]
Sent: Thursday, 30 September 2010 9:40 AM
To: Jennifer Ninyette
Cc: Kevin Tang; Carolyn Walker MRD; Hazebroek, Mark; PAROLO Alf (RRM); SMITH Kevin (On Leave)
Subject: RE: Kununurra Heavy Vehicle Route (Stage 1) - Land Dealings
Attachments: Options.pdf

Hi Jen,

Further to our phone discussion and meeting this morning regarding the land dealings for the KNX HVR project (Stage 1) and councils consideration of the current land dealing plans, please note the following brief history:

1. It is noted the plans are yet to be submitted to council for their consideration.
2. I am available at any time to present the project to council to assist with understanding the current progress and key issues as well as the land requirements.
3. A number of alignments have been considered for the project since the 1960's given the poor alignment on the existing Victoria Hwy and the constraints on the Diversion Dam. Attached is a summary of the main alignments considered where alignment 2 was the originally preferred. This alignment was no longer pursued in the mid 1980's as a result of Aboriginal heritage issues on the alignment, the establishment of Mirima National Park and residential and light industrial development impacting the proposed corridor. As a result, a corridor further to the north was suggested would meet all project objectives and fit in with the medium to long term development plans of the town site and surrounding agricultural areas. We understand this corridor was developed and agreed in consultation with SWEK. The pro's, con's and justification for adopting the current corridor is detailed in our 2008 Alignment Selection Report which we can make available to Council if required.
4. The current alignment was identified in the mid 1980's in consultation with the Shire (according to our files). Progression of the planning activities associated with this alignment progressed between the mid 1980's and mid 1990's culminating in its inclusion in the 1999 Town Planning Scheme. We understand this was finalised/formalised in the "Shire of Wyndham East Kimberley, Town Planning Scheme No. 7 (2001)". We also understand the alignment/corridor is included in the current Local Planning Strategy. We understand development and formalisation of these Shire plans involved extensive consultation between 1999 and 2001.
5. Road Network Planning for the Ord Expansion (2000-2002) included the current alignment for this project as a key component of the road network. We understand there was extensive consultation relating to this project and the proposed road network. The final reports for this project refer to a reasonable number of submissions focussed on the KNX HVR alignment. The issues raised have been considered in further refinement of the alignment and preliminary design.
6. The current alignment was included in the Aboriginal heritage approvals associated with the Ord Expansion project and Ord Final agreement (early 2000's). This included the alignment

from Victoria Hwy west of Weero Rd through the Weaber Plain Rd intersection. The proposed bridge site was included.

7. In May 2006 the Federal Government provided funding to progress the development work for the KNX HVR Stage 1 project. These activities included development of preliminary road and bridge designs based on the approved corridor, environmental and further Aboriginal heritage approvals, material investigations and bridge geotechnical investigations, public consultation and land dealings (resumption). Completion of these activities will allow the project to be constructed soon after construction funding is identified. No funds have been identified to date.
8. To date a detailed waterway study of the Ord River has been completed with the preliminary bridge design based on these findings. Bank stability analysis has been carried out on the east Ord River bank at the bridge site, with further detailed studies planned in Oct-Dec 2010 during the full and final bridge geotechnical investigations planned at this site.
9. In 2007 Main Roads consulted in detail with all directly impacted land holders seeking their issues and views on the project in order to minimise impacts where possible. The strategy for all other community members and stakeholders was that the project would be widely advertised and comments sought so everyone had the opportunity to comment. Some targeted meetings and presentation were held with the Shire Council (2007), Shire CEO and Engineering Director (2007), Kununurra Chamber of Commerce (2008) and a number of other local organisations. The KLC and MG Corp have been extensively consulted from 2007 onwards (and still are when necessary). Several targeted heritage inspections have progressed in 2008 and 2009 for the proposed alignment, particularly near several significant sites. The design has been refined in these areas to avoid all impacts.
10. In 2007 and 2010, Main Roads prepared project information sheets in order to seek feedback on the project from the Kununurra community and key stakeholders. Stalls at the Agricultural Show and Broome Expo included the relevant project information with many comments obtained. Radio interviews were completed on ABC Kimberley and articles appeared in the local papers. The information sheets were mailed to all PO Boxes in Kununurra and the surrounding district in 2007 and 2010 with comments sought. The overwhelming feedback was positive for the project (even from the directly impacted land holders).
11. In August 2010 several River Farm Road residents (Oliver and Hughes) approached Main Roads explaining that they are directly impacted by the project and have never been consulted directly. They indicated they do not read the papers, listen to the local radio, attend the Ag show and did not receive any information sheets in the mail at any time. Main Roads immediately sought all postal addresses for River Farm Rd (from SWEK rate records) and completed a direct mail out to all residents seeking feedback on the project info sheet. Three responses were received from the closest 3 resident (Hughes – 830m from project, Oliver – 885m from project and Boshammer – 955m from project). All sought to change the alignment. During September several alternative alignments suggested by the residents were considered, however it has been confirmed with them that the alternatives either don't meet the project objectives and/or are not possible for other reasons included cost and Aboriginal heritage. It has been confirmed that the alignment will not change, but so long as we understand their issues, there may be other things that can be done to minimised impacts on them. Other key issues raised are that they will hear traffic noise, see the bridge and see lights that may be on the bridge. Main Roads has confirmed that some resident's will see the project from a distance, some traffic noise will be heard (but the

- allowable noise limits will not be exceeded) and if any lights are placed on the structure, these will be designed so they avoid illuminating any properties in close proximity.
12. In 2008 Main Roads arranged for a noise study to be completed based on the concept design at the time. It was confirmed that no residential properties would exceed the allowable limits. Now that the preliminary design is largely complete, this noise study is being updated, however it is not expected that the noise limits will be exceeded based on the current design. Further consultation with adjacent land holders will be progressed regardless of the noise study findings. If limits are exceeded, the noise levels will be reduced – details yet to be confirmed if/when required.
 13. To summarise, Main Roads has been active in seeking feedback on the project particularly over the preceding 3 year period. The proposed design has been made available to the public and all stakeholders in order to understand and minimise impacts to all parties. It is Main Roads intent to continue consulting with all stakeholders in order to work through any issues they may have and resolve them prior to completion of the project's development. Currently the key groups that require further detailed consultation are the directly impacted land holders and several residents at River Farm Rd.
 14. If the proposed land dealing plans could be presented to Council as soon as possible, it would be greatly appreciated as allow the projects development to progress to meet the agreed deadlines with the Federal Government.

Please let me know if you require anything further.

Regards

Owen McLean

Project Manager

Infrastructure Delivery Directorate (Kimberley)

Main Roads WA

Ph (08) 9168 4721, Fax (08) 9168 1995, Mob 0427 382 166, Sat 0420 107 472

ATTACHMENT 5 - Confirmation from Main Roads WA



Enquiries: Peter Podlaha on 08 9158 4333
Our Ref: 07/4022 & 06/7300
Your Ref: 21.10.503



ABN: 50 860 676 021

3 August 2007

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

Doc No.	059401
Date	09 AUG 2007
Officer	L MEDS TO CEO
Response	
File	21.04.01

Dear Mr Stubbs

FUTURE REALIGNMENT OF VICTORIA HIGHWAY AT KUNUNURRA

I refer to your 31 May letter addressed to our Regional Manager Kimberley regarding the proposed Kununurra Bypass and impacts on infrastructure along the existing alignment of Victoria Highway.

As I have responsibility for the classification of State Roads throughout Western Australia and management of associated structures, your letter has been passed on to me provide a response.

The question of timing of construction of Kununurra Bypass is very dependant on a number of issues including finalisation of plans for the Ord Farn Area expansion, final route definition, cultural and environmental clearances, detailed design, land acquisition, and allocation of Federal and State funding for construction. A number of these factors are outside the control of Main Roads, so it is not possible at this time to provide any guidance on when the bypass is likely to be built.

You sought clarification on possible management issues relating to Dunham Bridge and the trafficked surface of the Diversion Dam which are both located on the present alignment of Victoria Highway.

Bridges of the size, construction type and age of Dunham Bridge are not uncommon on local roads. You can be assured that Council will not be left on its own to fund and manage the bridge. Under the State Road Funds to Local Government Agreement (SRFLGA), there is a dedicated allocation of funding to assist local government with the cost of maintaining bridges. Calculation of State Direct Grant allocations made to individual local governments in accordance with the SRFLGA include a component based on the bridge size and construction type. Main Roads will also provide a regular inspection service and technical advice to assist Council to maintain the bridge.

The situation with the trafficked surface of the Diversion Dam is not so straight forward. An extensive search of our files has failed to locate any written agreement with the Water Corporation or its predecessor, the Public Works Department in relation to maintenance of the deck area. We do however have a legal opinion which supports the Water Corporation's legal advice that, as the dam's road surface was part of the National Highway (now known as the AusLink network), it is Main Roads' responsibility. Based on that advice, Council would become responsible for the road surface once the superseded alignment of Victoria Highway was deproclaimed as a 'highway'.

Don Ailken Centre, Waterloo Crescent, East Perth or PO Box 6202 EAST PERTH Western Australia 6892
Telephone: 138 138 Facsimile: (08) 9323 4547 TTY: (08) 9428 2230
Email: enquiries@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au
D07#109832

Present maintenance is undertaken in consultation with the Water Corporation and there is no reason to expect a similar arrangement could not be put in place by Council. As will be the case with Dunham Bridge, Council will be eligible for additional grant funding to assist with the cost of maintenance and Main Roads will be available to provide technical advice.

I can understand Council's desire to clarify issues, however, it is too early to provide any more advice than I have been able to give in this letter. Be assured that once a definite timeframe is set for construction of the Bypass, there will be ample time for discussions with Council to reach agreement on all issues of mutual interest, including those referred to above.

Yours sincerely



Rob Grove
A/EXECUTIVE DIRECTOR
TECHNOLOGY AND ENVIRONMENT

12.4.6 Road Names – Ord-East Kimberley Expansion Project

DATE:	16 November 2010
PROPONENT:	Ord-East Kimberley Expansion Project
LOCATION:	Ord Expansion Project, Kununurra
AUTHOR:	Jennifer Ninyette, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.09.04
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the naming of new roads in the Ord-East Kimberley Expansion Project.

BACKGROUND

The Shire received a request from the Ord - East Kimberley Expansion Project nominating road names within the project area. A copy of their correspondence is provided at Attachment 1.

The Ord – East Kimberley Expansion Project has requested that the road commencing from Cave Spring Road be named Moonamang Road, and that the new (internal) loop road, within the agricultural subdivision, be named Wooljim Road. The nominated road names, and locations, are shown on the plan at Attachment 2.

These recommended road names were considered at the Ordinary Council Meeting on 19 October 2010, whereat Council endorsed the new internal road as Wooljim Road. However Council requested that officers clarify the status of Weaber Plain Road, Cave Spring Road and the new road (currently under construction), prior to Council endorsing a name for the main arterial road to the expansion area, that being Moonamang Road.

The location plan at Attachment 3 shows the current alignment of Weaber Plain Road and Cave Spring Road at the northern end of the current Ord River Irrigation Area, this is highlighted in yellow and orange respectively.

The current alignment of Weaber Plain Road crosses the M1 channel before the intersection with Carlton Hill Road and then follows the western boundary of Lots 101, 403, 402, 207, and 283. The dedicated road reserve for Weaber Plain Road extends to the northwest corner of Lot 283; however, the constructed road extends from Lot 283 to the Northern Territory border.

Cave Spring Road is shown on the location plan as a very short section of undedicated road, which is the access track to Cave Spring.

The location plan also shows that there is an unnamed (and unconstructed) road, shown highlighted red, which extends from Weaber Plain Road to the north east corner of Lot

283. This section of road is currently being constructed to provide connection to the Ord Expansion area.

The Ord East – Kimberley Expansion Project have sought to name only the section of road which extends north from the road being constructed, to the southern edge of the expansion area. The approximate location of this section of road is shown as a dashed blue line on the location plan.

The section of Weaber Plain Road to the west of Lots 101 to 283 is intended to terminate adjacent to Lot 283, and will be retained as a farm road to access these lots.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this item.

STATUTORY IMPLICATIONS

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

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

The procedure for naming new roads states that the survey documents require approved road names before the survey can be approved, and largely the responsibility of naming roads rests with the local government.

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

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no strategic implications associated with this item.

COMMUNITY CONSULTATION

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

COMMENT

The proposed name is in line with the indigenous naming already associated with the Ord Expansion Project, with regards to the naming of the temporary workers camp and other features within the extended irrigation area. It also conforms to the principles and guidelines of the Geographic Names Committee. Nevertheless, the proposal does pose some logistical issues for the Shire, given the proposed termination of Weaber Plain Road before the irrigation area.

Council could rename the new section of road, currently under construction, to Weaber Plain Road, so that it extends continuously to the Northern Territory border from the beginning of the expansion project. However this would require the consequential renaming of that section of Weaber Plain Road (proposed to be discontinued) just north of Carlton Hill Road – which is the principle road access and address for several rural properties. Alternatively, Council could decide to name the new section of (unnamed) road, and the part of Weaber Plain Road within the expansion area, to Moonamang Road, and also rename the northern section of Weaber Plain Road – to Weaber Plain Road North. This would not raise issues with respect to the existing rural properties accessing Weaber Plain Road, but could, nonetheless, be confusing for people travelling north beyond the expansion area. However this could be addressed with the use of appropriate signage. This option is illustrated in Attachment 4.

In view of the naming conventions associated with the project and in line with the principles and guidelines of the Geographic Names Committee, it is suggested that:

1. The section of Weaber Plain Road within the Ord Expansion Project area is endorsed to be renamed as Moonamang Road.
2. The unconstructed (unnamed) road extending north of Calton Hill Road be endorsed to be named Moonamang Road.
3. Any access road and/or parking area from the proposed Moonamang Road to Cave Spring, be named Cave Spring Road.
4. The section of Weaber Plain Road extending north east of the Ord Expansion project area to the Northern Territory border be renamed Weaber Plain Road North.

ATTACHMENTS

Attachment 1 – Correspondence from Ord – East Kimberley Expansion Project

Attachment 2 – Plan of Stage 2 Irrigation Area

Attachment 3 – Location Plan

Attachment 4 – Plan showing suggested road names

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorses the following road names relating to the Ord East Kimberley Expansion subdivision, and accordingly requests approval from the Geographic Names Committee for:

1. The main arterial road within the Ord East Kimberley Expansion Project area to be named Moonamang Road.
2. The portion of unnamed road between Carlton Hill Road and the Ord East Kimberley Expansion Project Area to be named Moonamang Road.
3. The access road from the proposed Moonamang Road to Cave Spring, to remain as Cave Spring Road.
4. The section of road which extends north east of the Ord Expansion Project area to the Northern Territory border to be renamed Weaber Plain Road North.

Moved: Cr K Torres
Seconded: Cr D Ausburn

That Council endorses the following road names relating to the Ord-East Kimberley Expansion subdivision, and accordingly requests approval from the Geographic Names Committee for:

1. The main arterial road within the Ord-East Kimberley Expansion Project area to be named Moonamang Road.
2. The portion of unnamed road between Carlton Hill Road and the Ord-East Kimberley Expansion Project Area to be named Moonamang Road.
3. The access road from the proposed Moonamang Road to Cave Spring, to remain as Cave Spring Road.
4. The section of road which extends north east of the Ord-Expansion Project area to the Northern Territory border to be renamed Weaber Plain Road North.

Cr K Wright Foreshadowed the following motion

That Council:

1. Continue with the name Weaber Plain Road to the Northern Territory Border and accordingly requests approval from the Geographic Names Committee.
2. The access road from Weaber Plain Road to Cave Spring, to remain as Cave Spring Road.

Cr R Addis proposed the following amendment to the substantive motion with the approval of the mover and the seconder to deleted point 4 and amend point 2 to state

“The portion of unnamed road between Carlton Hill Road and the NT Border to be named Moonamang Road.”

With the approval of Cr K Torres and Cr D Ausburn the amended motion becomes the Substantive motion.

That Council endorses the following road names relating to the Ord-East Kimberley Expansion subdivision, and accordingly requests approval from the Geographic Names Committee for:

1. The main arterial road within the Ord- East Kimberley Expansion Project area to be named Moonamang Road.
2. The portion of unnamed road between Carlton Hill Road and the Northern Territory Border to be named Moonamang Road.
3. The access road from the proposed Moonamang Road to Cave Spring, to remain as Cave Spring Road.

Cr K Wright withdrew his foreshadowed motion.

Cr K Wright proposed an amendment to the motion.

Moved: Cr K Wright
Seconded: Cr R Dessert

That the naming of the road names Moonamang and Weaber Plain Road be swapped so that Weaber Plain Road becomes Moonamang road from the Victoria Highway and from the D4 the road is named Weaber Plain Road.

Cr R Addis requested the amended motion be put.

Cr F Mills put the amendment.

COUNCIL DECISION

Minute No: 9338

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

That the naming of the road names Moonamang and Weaber Plain Road be swapped so that Weaber Plain Road became Moonamang road from the highway and from the D4 the road is named Weaber Plain Road.

Lost (4/5)

For: Cr Fred Mills, Cr R Dessert, Cr J Moulden, Cr K Wright

**Against: Cr J McCoy, Cr R Addis, Cr J Parker, Cr K Torres,
Cr D Ausburn**

The substantive motion stands.

COUNCIL DECISION

Minute No: 9339

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

That Council endorses the following road names relating to the Ord East Kimberley Expansion subdivision, and accordingly requests approval from the Geographic Names Committee for:

- 1. The main arterial road within the Ord East Kimberley Expansion Project area to be named Moonamang Road.**
- 2. The portion of unnamed road between Carlton Hill Road and the Northern Territory Border to be named Moonamang Road.**
- 3. The access road from the proposed Moonamang Road to Cave Spring, to remain as Cave Spring Road.**

Carried (7/2)

**For: Cr Fred Mills, Cr D Ausburn, Cr J McCoy, Cr R Addis,
Cr J Moulden, Cr J Parker, Cr K Torres**

Against: Cr R Dessert, Cr K Wright

Note: The Council decision differed from the Officer's Recommendation to reflect Council's preference to rename Weaber Plain Road from Carlton Hill Road to the Northern Territory.

ATTACHMENT 1 - Correspondence from Ord – East Kimberley Expansion Project



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



Doc No.	071981
Date	16 SEP 2010
Officer	
Response	
File	
Cross Ref.	

15 September 2010

Gary Gaffney
Chief Executive Officer
Shire Wyndham East Kimberley

Dear Gary,

Naming of roads within Ord-East Kimberley Expansion Project area

The Department of Regional Development and Lands is seeking approval from the Shire of Wyndham East Kimberley and the Geographic Names Committee to name one new road and rename a new section of existing road within the Ord-East Kimberley Expansion Project Stage 2 area.

Consultation was undertaken with the traditional owners of this land, the Miriuwung and Gajerrong people, in regards to selection of the names, and the names were formally approved by the Yawoorroong Miriuwung Gajerrong Yirrgab Noong Dawang Aboriginal Corporation Council Board.

Please refer to the attached subdivision map for the road locations.

We are seeking to name the highlighted roads 'Wooljim Road' and 'Moonamang Road'. Moonamang Road is an extension of the existing Weaber Plains Road. Wooljim is Miriuwung for Point Springs, a local site of cultural significance, and Moonamang is Miriuwung for Magpie Goose, a bird that is endemic to the local area.

We are seeking to finalise the approval of the road names by November 2010.

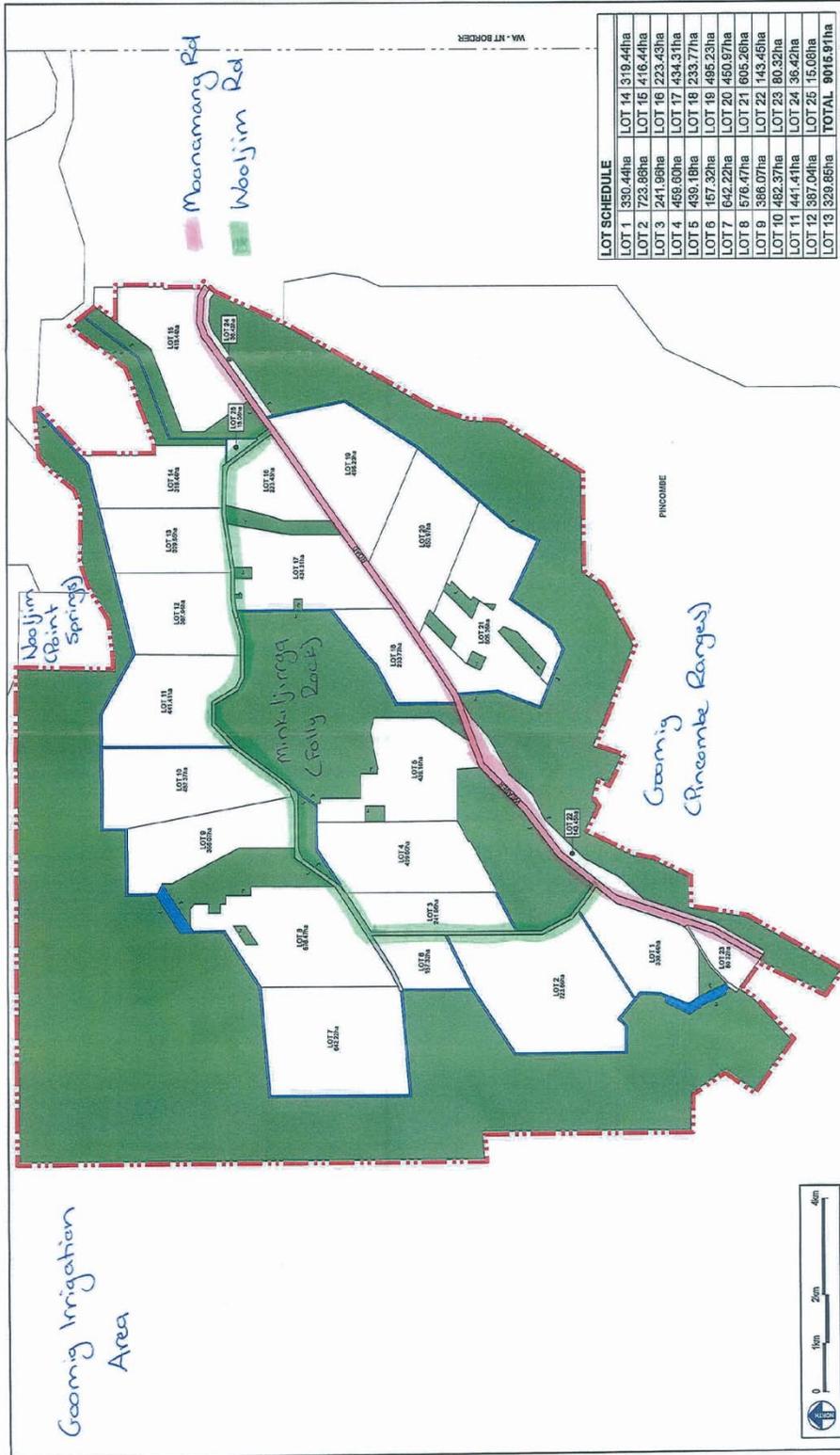
Kind regards,

Peter Stubbs
Director
Ord-East Kimberley Expansion Project
Department of Regional Development and Lands

Corner of Messmate Way and Bandicoot Drive, Kununurra Western Australia 6743 PO Box 630, Kununurra 6743
Telephone: (08) 9168 0604 Facsimile: (08) 9168 0600
Email: info@rdl.wa.gov.au Website: www.rdl.wa.gov.au
wa.gov.au

XRD/0105

ATTACHMENT 2 - Plan of Stage 2 Irrigation Area



LOT SCHEDULE	LOT 14	319.44ha	
LOT 1	330.44ha	LOT 15	416.44ha
LOT 2	723.88ha	LOT 16	223.43ha
LOT 3	241.98ha	LOT 17	434.31ha
LOT 4	459.60ha	LOT 18	233.77ha
LOT 5	459.18ha	LOT 19	495.23ha
LOT 6	157.32ha	LOT 20	450.97ha
LOT 7	642.22ha	LOT 21	605.26ha
LOT 8	576.47ha	LOT 22	143.45ha
LOT 9	386.07ha	LOT 23	80.32ha
LOT 10	482.37ha	LOT 24	36.42ha
LOT 11	441.41ha	LOT 25	15.08ha
LOT 12	367.04ha	TOTAL	9016.97ha
LOT 13	329.65ha		

SUBDIVISION PLAN

Ord East Kimberley Expansion

RPS koltasz smith
 TOWN PLANNING PROJECT MANAGEMENT URBAN DESIGN ENVIRONMENT CONSULTING
 141 Riverside Blvd BUNBURY, WA 6100 Tel: (08) 9488 2222 Fax: (08) 9488 2233
 PO Box 127 BUNBURY WA 6100 Email: rps@koltaszsmith.com.au

Lot/Plan	Client	Scale
17/3,000/03		
21 June 2009		
3002-5-006-09		

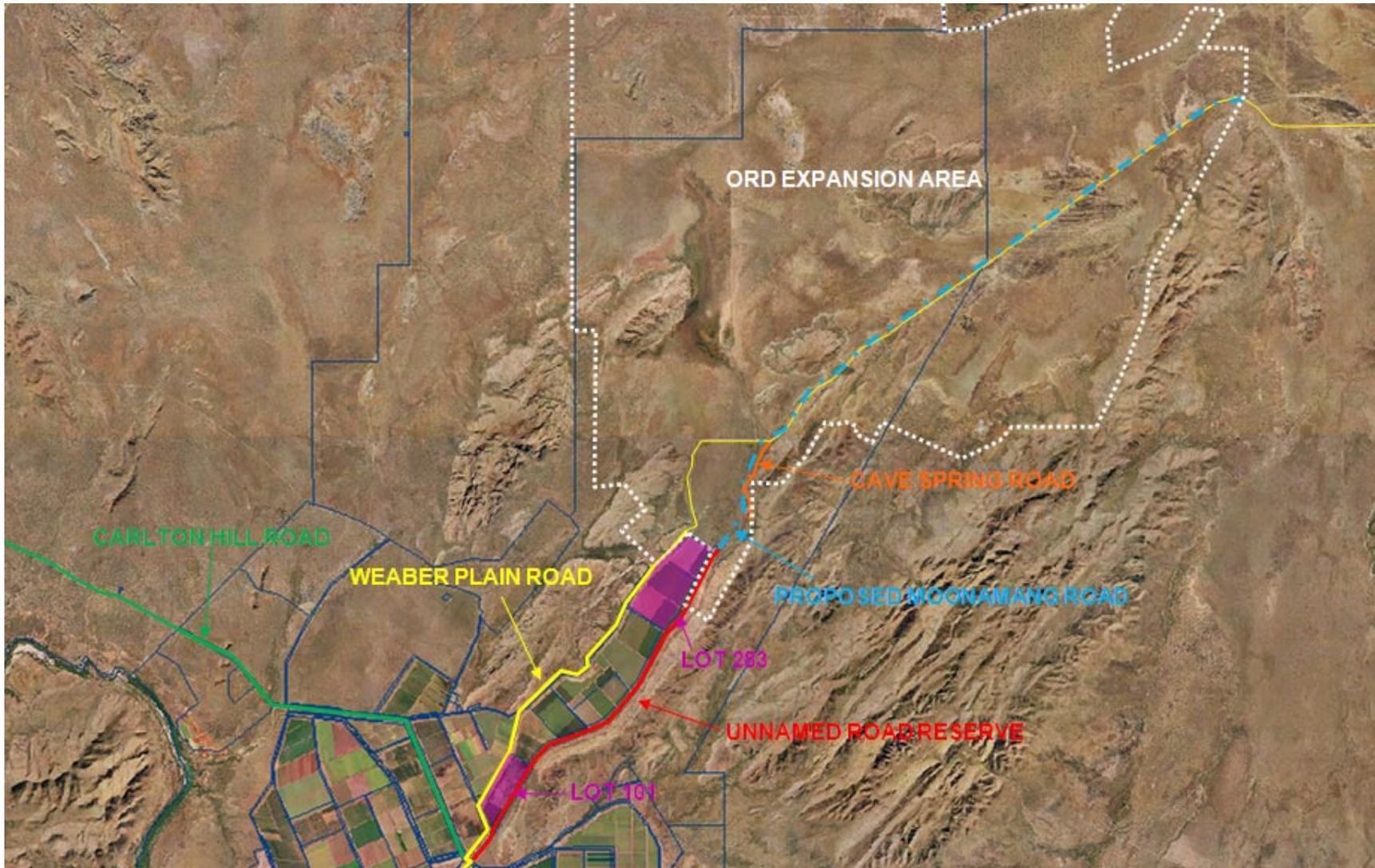
From Carlton Station Rd onwards

LEGEND

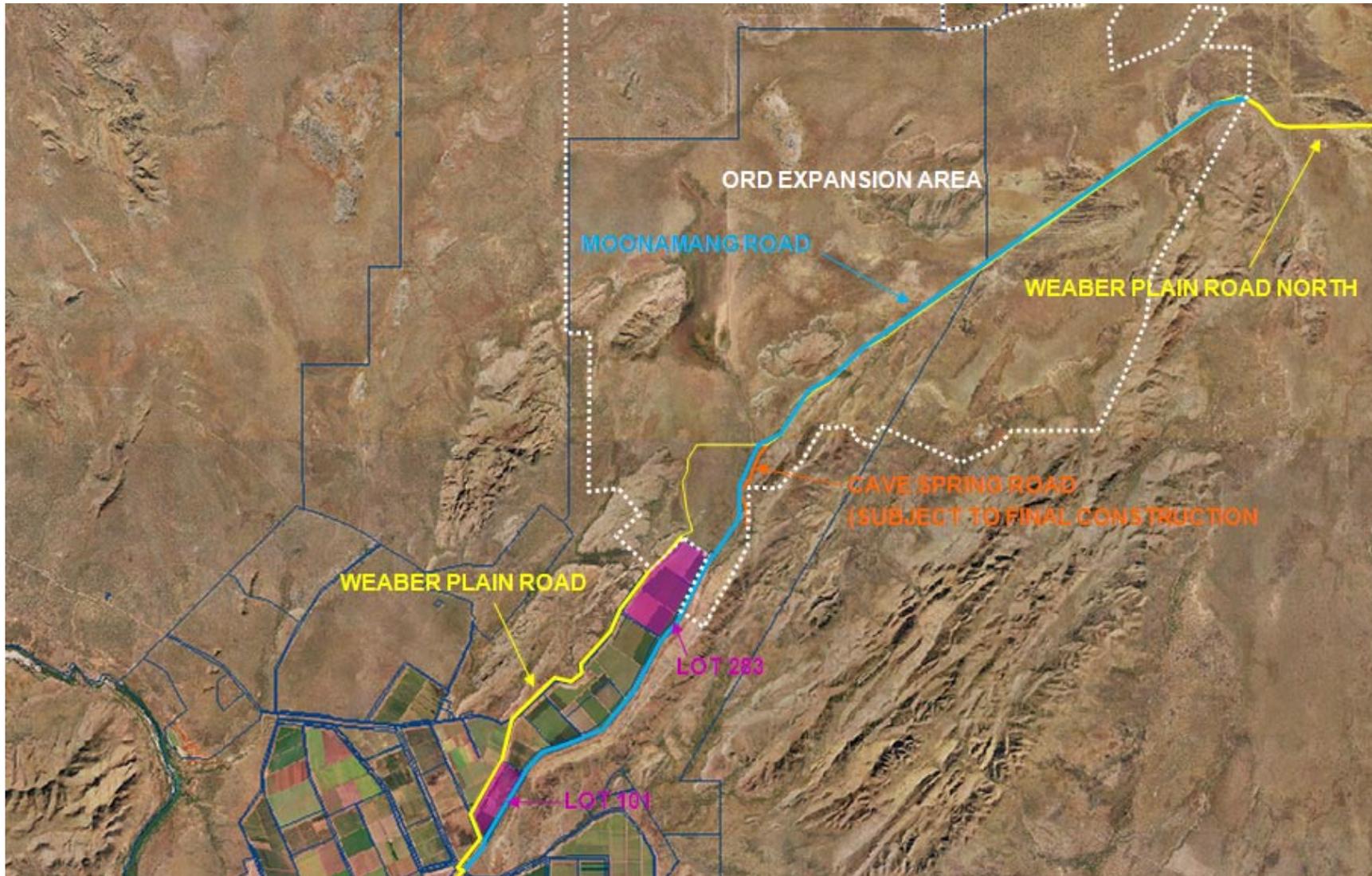
- Subject Land (20257.6ha)
- Road Reserves (including irrigation channel) (603.97ha)
- Flood Protection Levee and Drains
- M2 Buffer (107,070.6ha)

Base data supplied by Whistans and WAPIC
 Projection UTM, Zone 50
 Areas and dimensions shown on which are for advisory calculations
 All contingencies are shown for illustrative purposes only and are subject to drainage engineering design.
 The concept presented in this plan remains the copyright of RPS koltasz smith. No copies in whole or in part may be made without RPS koltasz smith's permission.

ATTACHMENT 3 - Location Plan



ATTACHMENT 4 - Plan showing suggested road names



12.4.7 Ord River and Parry Lagoons Nature Reserves Draft Management Plan

DATE:	16 November 2010
PROPONENT:	Western Australia Government – Department of Environment and Conservation
LOCATION:	Lower Ord River and Parry Lagoon Nature Reserves
AUTHOR:	Nick Kearns, Director Development Services
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	01.2427.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to review the proposed draft Management Plan for the Ord River and Parry Lagoons Nature Reserves.

BACKGROUND

The Department of Environment and Conservation has recently released a Draft Management Plan for the Ord River and Parry Lagoons Nature Reserves, and have sought the Shire's comment. The Plan has been referred under Section 59(2) of the *Conservation and Land Management Act 1984*. The deadline for a response to the referral is 17 November 2010.

Nature Reserves at the Parry's Lagoons and along the lower reaches of the Ord River were vested as Nature Reserves in the early 1990's arising from recommendations of the Kimberley Land use Study (Kimberley Region Planning Study), and work carried out by the then State Planning Commission. The reserves have, since that time, grown in size to occupy over 100 kilometres of the coastline north of Wyndham and extending just south of Cape Dommatt. The reserves have been highlighted for their significance, as largely untouched wilderness, and because they are encompassed within the 1971 RAMSAR wetlands convention.

The Draft Management Plan is arranged into five main sections, to:

- explain the purpose of the Plan
- explain the attributes of the natural environment
- cultural heritage; visitor usage
- resource opportunities

The Plan also indicates an intention to change the classification of the reserves to 'Class 'A'' type, and to make further recommendations that could see both reserves classified as National Parks. The Plan suggests additions to the reserve areas to include Cape Dommatt and Adolphus Island.

A copy of the draft Management Plan is provided under separate cover, but is otherwise summarised as follows:

Management purpose

The reserves are Crown Land managed by the Department of Environment and Conservation under the *Conservation and Land Management Act 1984* and under the

Wildlife Conservation Act 1950. Parry Lagoons Nature Reserve has an area of 36,111 hectares. The Ord River Nature Reserve has an area of 79,842 hectares.

The draft Management Plan suggests that the reserves will be managed into the future via a joint management arrangement between the Department of Environment and Conservation (DEC) and local Aboriginal people, being the Yawoorrong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation (MG) and traditional owners.

The Management Plan will have a term of 10 years, after which it will be reviewed and possibly extended.

Managing the natural environment

The Plan lists key attributes of the natural, physical and biological, environment, and its protection. Significantly, it highlights threatened (endangered and vulnerable) animal species at Cape Dommett and at Adolphus Island, being the Flatback Turtle and Northern Quoll, respectively.

Cultural Heritage

There are numerous Aboriginal Cultural Heritage sites throughout the Plan area, including rock art, burial sites and mythological sites. The Plan suggests a cooperative management arrangement for these sites – between MG and DEC.

Visitor use

The Plan recommends a number of strategies with regard to visitor planning, including the designation of stop points and lookouts, for commercial tour operators, and for short walks. It also covers aspects relating to: visitor safety; information and interpretation and visitor access – suffice to say that the Plan does not propose increasing visitor access, but that it be limited within the scope of the Plan.

Resource use

Of note, is the Plan's specific reference to the mooted tidal power station at the lower Ord River, along with highlighting interface issues associated with the expansion of the irrigation scheme at Mantinea Flats – that it would alter surface and groundwater hydrology and have potential negative environmental impacts – also associated with future agricultural activity. The Plan similarly identifies issues of concern with the proposed prawn farm north of Wyndham.

Involving the community

The Plan indicates that it had been prepared in consultation with the community, including with the Shire.

Research

The Plan recommends a number of research initiatives - in particular to analyse hydrological processes – in light of plans to extend the irrigation area at Mantinea Flats, as well as with regard to visitor access and usage.

STRATEGIC IMPLICATIONS

The Plan has potential strategic implications, having regard to access to the proposed extension of the Ord River Irrigation area into Mantinea Flats, as well as any proposals to limit potential resource exploitation, and by adding Cape Dommatt into the nature reserve, which has been previously identified as a potential site for a deep water port. The proposed prawn farm north of Wyndham is also identified as a project in the Shire's Plan for the Future.

STATUTORY IMPLICATIONS

The Plan may have implications for the management of roads within and leading to the reserves.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

COMMUNITY CONSULTATION

No community consultation is required in regard to this item.

COMMENT

Whilst the Shire can acknowledge the long term aim of reclassifying both nature reserves to Class 'A' reserves, and of clarifying the reserve boundaries – being to 40 metres above the high tide mark, if adopted in its present form, the draft Management Plan may have implications for the expansion of the Ord River Irrigation Scheme at Mantinea Flats, which was a key project of the Kununurra – Wyndham Area Development Strategy and which is also a key action of the Shire's Local Planning Strategy. It also has potential to limit options for the future investigation and development of a deep water port at Cape Dommatt which was similarly highlighted for investigation in the Kununurra – Wyndham Area Development Strategy. Limitations for potential resources exploitation, as envisaged under the Plan is also a concern, given the lack of investigation and exploration so far conducted, as it would place further restrictions on access into the reserves, for tourism, and for public utilities.

It is recommended that the Shire write to the Department of Environment and Conservation to highlight potential implications with respect to the draft Management Plan attributable to the addition of Cape Dommatt into the Ord River Nature Reserve, as well as those strategies which would directly impact upon the expansion of the Ord River Irrigation Scheme, and which would affect access for tourists and resources.

ATTACHMENTS

Ord River and Parry Lagoons Nature Reserves Draft Management Plan (provide under separate cover)

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council write to the Department of Environment and Conservation to highlight potential implications with respect to the draft Management Plan for the Ord River and Parry Lagoons Nature Reserves, being:

- a. The consideration of options for the future investigation and development of a deep water port at Cape Dommett.
- b. Additional environmental restrictions on the Mantinea Flats Irrigation Area.
- c. Restrictions on road access into the area.
- d. Limitations for tourism, including restrictions on short-stay camping.
- e. Limitations on potential resource exploitation.
- f. The development of public utilities.

Moved: Cr R Addis
Seconded: Cr K Torres

That Council write to the Department of Environment and Conservation endorsing the draft Management Plan for the Ord River and Parry Lagoons Nature Reserves subject to preserving appropriate community recreational amenity within the management area including short-stay camping, fishing, traditional hunting, and general recreational and cultural access.

Amendment

Moved: Cr K Wright
Seconded: Cr R Dessert

Amend the motion by adding the words" including consideration for part of the Cape Dommet area for future deep water port usage for the area" after cultural access.

Cr F Mills put the amendment

COUNCIL DECISION

Minute No: 9340

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

That Council write to the Department of Environment and Conservation endorsing the draft Management Plan for the Ord River and Parry Lagoons Nature Reserves subject to preserving appropriate community recreational amenity within the management area including short-stay camping, fishing, traditional hunting, and general recreational and cultural access, including consideration for part of the Cape Dommet area for future deep water port usage for the area.

Lost (4/5)

For: Cr Fred Mills, Cr D Ausburn, Cr R Dessert, Cr K Wright

***Against: Cr J McCoy, Cr R Addis, Cr J Parker, Cr J Moulden,
Cr K Torres***

COUNCIL DECISION

Minute No: 9341

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

That Council write to the Department of Environment and Conservation endorsing the draft Management Plan for the Ord River and Parry Lagoons Nature Reserves subject to preserving appropriate community recreational amenity within the management area including short-stay camping, fishing, traditional hunting, and general recreational and cultural access.

Carried (7/2)

***For: Cr Fred Mills, Cr D Ausburn, Cr J McCoy, Cr R Addis, Cr K Torres,
Cr J Parker***

Against: Cr R Dessert, Cr K Wright

Note:

Councillors chose the alternative motion and subsequent amendments over the Officer's Recommendation as these more accurately reflected their view on the matter of the draft Management Plan for the Ord River and Parry Lagoons Nature Reserves.

**ATTACHMENT 1 - Ord River and Parry Lagoons Nature Reserves Draft
Management Plan (provided under separate cover)**

Will be provided under separate cover

12.5 COMMUNITY DEVELOPMENT

12.5.1 Annual Grants 2010 Round Two

DATE:	16 November 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Karyn Apperley, Director Community Development
REPORTING OFFICER:	Karyn Apperley, Director Community Development
FILE NO:	36.19.02
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the recommendations made by the Annual Grants Assessment Panel regarding the five Annual Grant applications received for Round Two 2010.

BACKGROUND

Round Two Annual Grant applications closed on 30 September 2010.

Council Policy CP/COM – 3582 states that “All recommendations of the Grants Assessment Panel will be referred to a Briefing Session and then presented to Council for consideration.”

The Annual Grants Assessment Panel, with membership comprising Cr Jane Parker, Cr Di Ausburn, Cr Keith Wright and Karyn Apperley, Director Community Development, met on Monday 18 October 2010 to assess the applications and formulate recommendations.

The recommendations of the Assessment Panel were referred to the Briefing Session held on 2 November 2010.

STATUTORY IMPLICATIONS

There are no specific statutory implications associated with this matter.

POLICY IMPLICATIONS

Council Policy CP/COM – 3582, adopted by Council on 17 November 2009, provides the strategic framework, application guidelines and process for the administration of the Annual Grants Scheme.

FINANCIAL IMPLICATIONS

The annual budget provided for 2010/11 for Annual Community Grants is \$66,465. An amount of \$28,000 was approved and allocated in Round One, which closed 30 May 2010. The available balance for Round Two is therefore \$38,465. While the total funds requested by the five applications was \$48,000, the Assessment Panel recommended a total of \$38,465, as provided to the Briefing Session on 2 November 2010. Therefore, the recommendations of the Assessment Panel provide for full allocation of the budgeted funds available for Round Two 2010 Annual Community Grants.

STRATEGIC IMPLICATIONS

The Council's current Strategic Plan is relevant as Council Policy CP/COM – 3582 identifies the criteria for assessment of Annual Grant applications, including "Demonstration of links to Council's Strategic Direction and Objectives."

Therefore a number of key result areas of the Strategic Plan are addressed.

COMMUNITY CONSULTATION

No community consultation is required in regard to this matter. However, public advertising of the Annual Grants Round Two, including the closing date for applications occurred late August/early September in the local paper and via the Shire's website and media releases for print and radio media.

COMMENT

The Assessment Panel has recommended approving grant allocations to four of the applications at the same amount as requested by the applicants based on the information contained in the application form.

The fifth application is recommended for funding at a lower level than requested due to a lack of detail and clarity in the application with regard to the in-kind component requested.

A copy of the Assessment Panel Information Pack which includes copies of the applications received and Assessment Panel feedback (upon which recommendations are based and as presented to the Briefing Session) is available for inspection by Councillors at the front counter of the Kununurra Office.

ATTACHMENTS

There are no attachments to this item.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

Applicant	Purpose	Amount
Kununurra Motocross Club	Assistance with construction of ablution block	\$7,700 (fully supported)
WA Police Legacy	Contribution to 2011 Gibb River Road Mountain Bike Challenge	\$2,000 (fully supported)
East Kimberley Cricket Association	Contribution to expansion of practise cricket nets at Kununurra Town Oval	\$9,000 (fully supported)
Kununurra	Contribution to digitisation of	\$13,300

Historical Society	photographic and other images of the Ord Valley from 1960-1965.	(fully supported)
Kununurra Croc's Swim Club	Contribution to 2011 Lake Argyle Swim	\$6,465 (partially supported)
TOTAL		\$38,465

COUNCIL DECISION

Minute No: 9342

Moved: Cr D Ausburn

Seconded: Cr J Parker

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

Applicant	Purpose	Amount
Kununurra Motocross Club	Assistance with construction of ablution block	\$7,700 (fully supported)
WA Police Legacy	Contribution to 2011 Gibb River Road Mountain Bike Challenge	\$2,000 (fully supported)
East Kimberley Cricket Association	Contribution to expansion of practise cricket nets at Kununurra Town Oval	\$9,000 (fully supported)
Kununurra Historical Society	Contribution to digitisation of photographic and other images of the Ord Valley from 1960-1965.	\$13,300 (fully supported)
Kununurra Croc's Swim Club	Contribution to 2011 Lake Argyle Swim	\$6,465 (partially supported)
TOTAL		\$38,465

CARRIED UNANIMOUSLY: (9/0)

12.6 CHIEF EXECUTIVE OFFICER

12.6.1 Use of Common Seal

DATE:	19 October 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, 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 12 October to 8 November 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 Shire of Wyndham East Kimberley Common Seal was not applied to any documents.

STATUTORY IMPLICATIONS

Local Government Act 1995

Council's Standing Order Local Law makes reference to the application of the Common Seal.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

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

There are no attachments for this item.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes that the Common Seal was not applied to any documents in the period 12 October to 8 November 2010.

COUNCIL DECISION

Minute No: 9343

Moved: Cr D Ausburn

Seconded: Cr K Wright

That Council notes that the Common Seal was not applied to any documents in the period 12 October to 8 November 2010.

CARRIED UNANIMOUSLY: (9/0)

12.6.2 Delegated Authority Report

DATE:	19 October 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Fiona Kuiper, Executive Assistant
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	Nil

PURPOSE

To report to Council on the use of Delegated Authority by Officers for the period 1 October 2010 to 31 October 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

No policy implications apply in the preparation of the report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Governance, Key Result Area 5, in Council's Strategic Plan.

COMMUNITY CONSULTATION

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

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 receives the Delegated Authority Report for the period 1 October 2010 to 31 October 2010.

COUNCIL DECISION

Minute No: 9344

Moved: Cr K Wright

Seconded: Cr K Torres

That Council receives the Delegated Authority Report for the period 1 October 2010 to 31 October 2010.

CARRIED UNANIMOUSLY: (9/0)

Attachment 1 - Delegated Authority Report

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 October 2010

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
140/2010	8/07/2010	11/10/2010	Michael Olden	Michael Olden	Lot 1095 (12) Dorrigo Street, Wyndham	Class 10B Sea Container	Add	\$5,000.00	
141/2010	6/08/2010	12/10/2010	Carmillo Guerinoni	Top End Building Company	Lot 208 (24) Konkerberry Drive, Kununurra	Class 5 Office - fit out within existing building	Add	\$96,250.00	
142/2010	11/10/2010	12/10/2010	Rob Marshall	Rob Marshall	Lot 1734 (81) Casuarina Way, Kununurra	Class 10B - Below ground spa	New	\$5,000.00	1/15 days
143/2010	11/10/2010	13/10/2010	Chris Day & Sally Dignam	Chris Day & Sally Dignam	Lot 742 (11) Silverbox Avenue, Kununurra	Class 10B - In ground pool	New	\$20,000.00	1/15 days
144/2010	11/10/2010	13/10/2010	GE & SF Vick	GE & SF Vick	Lot 164 (12) Gardenia Drive, Kununurra	Class 10B - Below ground pool	New	\$26,400.00	1/15 days
145/2010	2/07/2010	14/10/2010	Franmor Constructions	Franmor Constructions	Lot 117 Salacca Loop, Kununurra	Class 7B/8 Commercial Storage & Production Shed - non-conditioned with attached Class 5 office-conditioned and Class 1A Caretakers Quarters	New	\$620,000.00	

146/2010	20/09/2010	14/10/2010	J & Y Van Der Wees	J & Y Van Der Wees	Lot 861 (22A & 22B) Weaber Plain Road, Kununurra	Class 10A patio additions (x2) & Installation of FRL 60/60/60 fire wall between the open carports to form garages.	Add	\$12,000.00	
147/2010	17/09/2010	14/10/2010	William Butler	William Butler	Lot 1374 (Strata Lot 13) (13/32) River fig Avenue, Kununurra	Class 10A non-habitable shed	New	\$25,000.00	
148/2010	21/09/2010	19/10/2010	W Cogdon	W Cogdon	Loc 597 Weaber Plain Road, Kununurra	Class 10A Deck and verandah to existing transportable building	Add	\$6,000.00	18/15 days
149/2010	22/09/2010	19/10/2010	Trevor & Tanya Craig	Michael Baxter Homes	Lot 319 Zamia Link, Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living	New	\$380,000.00	17/15 days
150/2010	22/09/2010	20/10/2010	Jeff Gooding & Glenda Harding	Michael Baxter Homes	Lot 532 River farm Road, Kununurra	Class 1A dwelling with attached Class 10A outdoor living areas	New	\$500,000.00	18/15 days
151/2010	12/10/2010	20/10/2010	Lone Eagle WA Pty Ltd	Lone Eagle WA Pty Ltd	Lot 315 Cyril Kleinig Drive, Kununurra	Class 7b/8 Commercial Storage & Production Shed - non-conditioned - extension to existing hangar	Add	\$50,000.00	5/15 days
152/2010	14/10/2010	21/10/2010	H Scott Munro	Darren Fulcher	Lot 320 Zamia Link, Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living	New	\$420,000.00	4/15 days
153/2010	9/08/2010	21/10/2010	Bevan Frisby & Karen Bartley	Bevan Frisby & Karen Bartley	Lot 154 Berkeley Crescent, Kununurra	Class 10A Non-habitable shed with ablution amenity	New	\$60,000.00	
154/2010	17/09/2010	22/10/2010	Craig & Keeley Palmer	Craig & Keeley Palmer	Lot 531 River farm Road, Kununurra	Class 1A dwelling - addition to existing dwelling	Add	\$50,000.00	23/15 days

155/2010	16/08/2010	22/10/2010	Alexander Robertson	Gary Holben	Lot 25 Ivanhoe Road, Kununurra	Class 5/6 Office/Display home & Class 10A Shade Shelter with 2x shipping containers	New	\$280,000.00	
156/2010	20/10/2010	26/10/2010	St John Ambulance	KGC Enterprises Pty Ltd	Lot 2449 (3) Coolibah Drive, Kununurra	Class 5 Office - fit out within existing building including mezzanine level	Add	\$60,000.00	3/15 days
								\$2,615,650.00	

DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 October 2010

DEMO LIC#	DATE APPLIC RECVD	DATE LICENCED	ASSES S NO.	OWNER	BUILDER/ DEMOLITION CONTRACT OR	BUILDER ADDRESS	DEMO CLASS (1, 2 or 3 - WARA)	WAD CLASS/ LIC NO	LOCATION	DESCRIPTION	Comments (Asbestos)
DL 017/2010	5/10/2010	14/10/2010	A5665	Aboriginal Lands Trust - Department of Housing	99 Plain Street East Perth	KGC Enterprises Pty Ltd	PO Box 701 Kununurra	WARA	WARA 141 Exp: 16.06.13 KGC Enterprises Pty Ltd	Res 21765 London Loc 21 (Community House 78B) Kalumburu	Demolition of Class 1A dwelling

THERE WERE NO SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 October 2010

CERTIFICATES OF CLASSIFICATION ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 October 2010

CERTIFICATE OF CLASSIFICATION	DATE	BUILDING LICENCE NO	ASSESS NO.	BUILDING CLASS	OWNER	BUILDER	LOCATION	DESCRIPTION
CC 013/ 2010	11/10/2010	BL163/2008	A6000	5	Michael Thomas	Franmor Constructions	Lot 94 (39) Bandicoot Drive, Kununurra	Class 5 - office addition to existing commercial building
CC 014/ 2010	19/10/2010	BL 183/2008	A50	7B/8	Bill Brogmas	Bill Brogmas	Loc 213 River farm Road, Kununurra	Class 7B/8 Commercial Storage & Packing Shed with ablution
CC 015/ 2010	26/10/2010	BL 157/2008	A6005	5	Wunan Foundation	Wunan Foundation	Lot 2437 Coolibah Drive, Kununurra	Class 5 - office refurbishment to existing commercial building

FORMAL NOTICES RAISED PURSUANT TO LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960 FOR ISSUE BY THE CEO UNDER DELEGATED AUTHORITY – 1 – 31 October 2010

DATE	ASSESS NO.	BUILDING CLASS	OWNER OR BUILDER UNDER NOTICE	ADDRESS	SECTION OF ACT ENFORCED	LOCATION	DESCRIPTION
21/10/2010	197	6	KW & SB Mathews	PO Box 109 Wyndham	408 (1)(a) & (c)	Lot 394 (34) O'Donnell Street, Wyndham	Neglected & Dilapidated Building

TOWN PLANNING DELEGATED AUTHORITY APPROVALS - 1 October - 31 October 2010

Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Assess't Number	Approval Date	Comment
135/10	P	17/09/2010	William Butler	William Butler	Lot 1374 River fig Avenue, Kununurra	New shed	1372	5/10/2010	Approved by Nick Kearns
137/10	P	21/09/2010	Jason Van Der Wees	Jason Van Der Wees	Lot 861 Weaber Plain Road, Kununurra	Verandah additions	1065	5/10/2010	Approved by Nick Kearns
141/10	P	24/09/2010	Wayne Cogdon	Wayne Cogdon	LOC 597 Weaber Plain Road, Kununurra	Patio and deck	121	15/10/2010	Approved by Nick Kearns
136/10	P	17/09/2010	Craig & Keeley Palmer	Craig & Keeley Palmer	LOC531 River farm Road, Kununurra	Extension to existing dwelling	131	19/10/2010	Approved by Nick Kearns
128/10	P	30/08/2010	Craig & Samantha Jolly	Craig & Samantha Jolly	Lot 101 Salacca Loop Kununurra	Workshop and caretakers residence	7096	27/10/2010	Approved by Nick Kearns
151/10	P	19/10/2010	Sophie Crow	Sophie Crow	Lot 359 Argentea Ave, Kununurra	Proposed Garden shed	7187	27/10/2010	Approved by Nick Kearns
153/10	P	22/09/2010	Whelans Pty Ltd	Paul Cavanagh	Lots 54, 55 & 56, Baker Street, Wyndham	30 x Chalets - Wyndham Caravan Park	302	27/10/2010	Approved by Nick Kearns
145/10	P	6/10/2010	Kununurra Panel Beating Works	Bradley & Regina Chapman	Lot 684 Pindan Avenue, Kununurra	Placement of Sea Container	960	29/10/2010	Approved by Nick Kearns

12.6.3 Annual Report 2009-2010

DATE:	16 November 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gary Gaffney, Chief Executive Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.27.01
ASSESSMENT NO:	Nil

PURPOSE

To consider the adoption of the Annual Report of the Shire of Wyndham East Kimberley for the Year Ended 30 June 2010.

BACKGROUND

The Annual Report is a statutory obligation and is required to be prepared for the year ending 30 June each year.

A general meeting of the electors is to be held once every financial year no later than 56 days after accepting the annual report. The meeting is to be convened by the CEO giving at least 14 days local public notice.

STATUTORY IMPLICATIONS

Local Government Act 1995

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed

5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president;
 - (b) a report from the CEO;
 - [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
 - (f) the financial report for the financial year;
 - (g) such information as may be prescribed in relation to the payments made to employees;
 - (h) the auditor's report for the financial year;
 - (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —

- (i) the number of complaints recorded in the register of complaints;
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require; and
- (i) such other information as may be prescribed.

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.
* *Absolute majority required.*
- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
- (a) be prepared and presented in the manner and form prescribed; and
 - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
- (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
 - (b) the annual financial report of the local government for the preceding financial year.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC IMPLICATIONS

Accountability and transparency of the Shire's accounting functions
Reporting information about the Shires operations to stakeholders

COMMENT

The Annual Report 2009-10 includes the Shire President's Report, Chief Executive Officer's Report, reports on Operations, Financial Report for the Year Ended 30 June 2010 and the Independent Audit to the Electors of the Shire of Wyndham East Kimberley.

A general meeting of electors is endorsed by the Shire President to be held on Tuesday 30 November 2010. The annual Electors meeting has been advertised in the Kimberley Echo Thursday 11 November 2010.

ATTACHMENTS

Annual Report 2009-10 will be distributed under separate cover, pending receipt of the Audit Report.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council accepts the Annual Report for the Year Ended 30 June 2010.

COUNCIL DECISION

Minute No: 9345

Moved: Cr J Parker

Seconded: Cr J Moulden

That Council accepts the Annual Report for the Year Ended 30 June 2010.

CARRIED UNANIMOUSLY: (9/0)

12.6.4 Council Meeting Dates

DATE:	16 November 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Rebecca Morrall, Governance Support Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.14.02
ASSESSMENT NO:	Nil

PURPOSE

For Council to adopt Ordinary Council Meeting dates for 2011.

BACKGROUND

In 2003 Councillors indicated a preference for monthly meetings at a regular time (third Tuesday) and resolved at the August 2003 Council Meeting to change the meeting venue ratio from one Kununurra and one at another location to three Kununurra and one at another location.

Over the past three years, Council has adopted meeting dates which reflect the decision to hold Council Meetings on a venue ratio of three Kununurra and one at another location.

STATUTORY IMPLICATIONS

The following clauses of the Local Government Act 1995 are relevant to this matter:

- 5.3 (1) *A Council is to hold Ordinary Meetings and may hold special meetings*
- 5.3 (2) *Ordinary meetings are to be held not more than three months apart.*
- 5.5 (10) *The CEO is to convene an ordinary meeting by giving each Council member at least 72 hours notice of the date, time and place of the meeting and an agenda for the meeting*

POLICY IMPLICATIONS

There are no policy implications relating to this report.

FINANCIAL IMPLICATIONS

Costs associated with operating Ordinary Council Meetings have been built into the adopted budget.

STRATEGIC IMPLICATIONS

Ordinary Council Meetings, as the forums in which strategic and financial decisions are considered, are relevant to Strategic Plan Key Result Area 5 Governance.

COMMUNITY CONSULTATION

Community consultation was not required in the preparation of this report.

COMMENT

The ability to provide prompt, informed decisions and customer service implications are the key issues that need to be considered by Council when setting meeting dates and venues. While the proposed spacing of meetings means that there could potentially be a six week wait to obtain a Council decision, this scenario has been lessened due to the additional delegated authority to Officers on more routine matters and urgent matters can be considered faster if deemed necessary via Special Meetings.

Ordinary Council Meetings are currently held on the third Tuesday of each month, with the exception of the December meeting where the meeting is held on the second Tuesday due to the holiday period.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICERS RECOMMENDATION

That Council set the following dates for Ordinary Council Meetings in 2010:

Council Meeting Dates 2011	
18 January	Kununurra
15 February	Kununurra
15 March	Wyndham
19 April	Kununurra
17 May	Kununurra
21 June	Wyndham
19 July	Kununurra
16 August	Kununurra
20 September	Kununurra
18 October	Wyndham
15 November	Kununurra
13 December	Kununurra

COUNCIL DECISION

Minute No: 9346

Moved: Cr K Wright

Seconded: Cr J Parker

That Council set the following dates for Ordinary Council Meetings in 2010:

Council Meeting Dates 2011	
18 January	Kununurra
15 February	Kununurra
15 March	Wyndham
19 April	Kununurra
17 May	Kununurra
21 June	Wyndham
19 July	Kununurra
16 August	Kununurra
20 September	Kununurra
18 October	Wyndham
15 November	Kununurra
13 December	Kununurra

CARRIED UNANIMOUSLY: (9/0)

12.7 ELECTED MEMBER REPORTS

Cr Di Ausburn

22/10/10	5 th Anniversary of signing of Ord Final Agreement Celebrity Tree Park
22/10/10	EKRA Patient Transfer Facility with St John & Gary Gray
03/11/10	Swim Beach/Australia Day Site Meeting
04/11/10	Local Emergency Management Committee (LEMC)
09/11/10	Kununurra Liquor Accord Meeting
11/11/10	Kununurra Remembrance Day
12/11/10	Citizenship Ceremony Chambers
16/11/10	Shire Audit Meeting
16/11/10	Shire Council Meeting

LEMC meeting provided weather forecast details indicating that the Kimberley is expecting more than six cyclones and heavy rainfall this wet season.

At the Kununurra Liquor Accord meeting, it was the general feeling at this meeting that the Director of Liquor Licensing is not going to accept recommendations put forward, against further restrictions.

Cr John Moulden

29/09/10	Leadership Meeting
30/09/10	EME Working Group
04/10/10	Phase 1 tour Ord-East Kimberley Expansion EME Working Group
08/10/10	Minister Grylls Meetings
11/10/10	Foreshore Technical Working group
08/11/10	EME Working Group
15/11/10	EME Working Group

COUNCIL DECISION

Minute No: 9347

Moved: Cr K Wright

Seconded: Cr K Torres

That Council accepts the Councillor Reports as presented.

CARRIED UNANIMOUSLY: (9/0)

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

15.1.1 M1 Syphon Tender Assessment Report T04 10-11

15.1.2 Purchase of New Loader for Kununurra, Landfill Site

The items 15.1.1 and 15.1.2 were not presented as the Officer withdrew the items.

COUNCIL DECISION

Minute No: 9348

Moved: Cr J Parker

Seconded: Cr K Torres

That a Special Meeting of Council be held at 5:00pm on Tuesday 23 November 2010 for the purpose of considering:

- 1. M1 Syphon Tender Assessment Report T04 10-11**
- 2. Coolibah Estate Kununurra – Design Guidelines and Detailed Area Plan – Proposed Local Policy**

CARRIED UNANIMOUSLY: (9/0)

NOTE:

Council decided it would be more appropriate for the Officer to have more time to consider an alternate motion and that it be presented at the Special Meeting.

COUNCIL DECISION

Minute No: 9349

Moved: Cr J Parker

Seconded: Cr K Torres

That Council consider Item 15.3 Councillor Representation on Regional Collaborative Group as a matter of urgent business.

CARRIED UNANIMOUSLY: (9/0)

15.1.3 Councillor Representation On Regional Collaborative Group

DATE:	16 November 2010
PROPONENT:	Shire Of Wyndham East Kimberley
LOCATION:	Shire Of Wyndham East Kimberley
AUTHOR:	Gary Gaffney, Chief Executive Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	60.14.04
ASSESSMENT NO:	N/A

PURPOSE

This report is for Council to consider the appointment of two Councillors to the Regional Collaborative Group.

BACKGROUND

The Regional Collaborative Agreement (RCG) is seen as the formation of a legal document that formalises a group of local governments for the purpose of implementing common service arrangements.

Elements of importance in RCGs include integrated strategic planning, asset and financial management and service delivery options.

Following the Zone meeting of 04 August 2010, signing of the RCG agreement was conducted in Broome on 01 September 2010 with formal signing by Presidents and CEOs of Shire of Broome Shire of Derby West Kimberley, Shire of Halls Creek and Shire of Wyndham East Kimberley and the Director General of the Department of Local Government, Jennifer Mathews.

The signing of the agreement was witnessed by the Minister for Local Government, Hon. John Castrilli. During the Minister's visit the Kimberley Zone took the opportunity to meet and raise a number of issues including the potential for Local Government Enterprises (LGEs) and the possibility of the Kimberley Zone piloting such an initiative for evaluation and assessment. It was considered the Kimberley RCG could be a catalyst for the eventual establishment of an agreed LGE model.

STATUTORY IMPLICATIONS

Appointments to official Committees of Council are bound by the rules and regulations of the Local Government Act (1995) Section 5.10.

POLICY IMPLICATIONS

Council policies in relation to reimbursements of costs incurred while undertaking the role of Councillor are relevant to this matter.

FINANCIAL IMPLICATIONS

It is envisaged that the RCG meetings will be held at the same day and location as the Kimberley Zone meetings.

STRATEGIC IMPLICATIONS

Many of the Council committees outlined above are specifically (or implicitly) referred to in the Shire's Strategic Plan.

COMMUNITY CONSULTATION

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

COMMENT

Given that the RCG Agreement was formally signed on 01 September, the Agreement requires (as per clause 3.1) an inaugural RCG meeting is convened within three months of the execution date. This means the inaugural meeting is required by no later than 01 December 2010.

The Department of Local Government has advised that, ideally, the CEOs of each member Council seek nominations from elected members for the position of Chairperson and Deputy Chair.

Nevertheless, the agreement (as signed) does not require this to occur and, as such, Zone Members may elect to move ahead with the inaugural Kimberley RCG meeting at any time prior to 01 December 2010. It is proposed that once all Councils have elected representation that a telephone conference be organised for the inaugural meeting.

The inaugural meeting would need to:

1. *Appoint a Board comprising one elected member and one elected deputy member of each participant (that being Shire of Wyndham East Kimberley, Shire of Halls Creek, Shire of Derby West Kimberley, Shire of Broome);*
2. *Appoint one elected member from one of the Participants to be the chairperson of the Board;*
3. *Appoint one elected member from one of the Participants to be the deputy chairperson of the Board;*
4. *Elect a Participants to control and manage the finances of the RCG and elect a Participant to act as secretariat to the RCG; and*
5. *Acknowledge the requirement of the RCG Agreement to develop a draft Regional Business Plan no later than 9 months after the Execution Date of the agreement (that being a deadline of 01 June 2011).*

The inaugural meeting of the Kimberley RCG Board may also wish to give consideration to the following:

- *decision making processes of the group;*
- *meeting frequency;*
- *report updates;*
- *financial reporting of grant expenditure; and*
- *a communications strategy*

Once the Kimberley RCG Board is established, key tasks would include:

- Developing and advertising Expressions of Interest (EOI) for consultants to undertake the business plan.
- Negotiating the integration of other key projects including asset management planning and integrated strategic planning.
- Development of an Asset Management Plan for each local government which would incorporate the existing asset management strategies, asset registers, asset condition assessments, maintenance and management systems and whole of life costings for members.
- Developing a Regional Asset Management Plan, incorporating the Asset Management Plans of RCG members.
- Examining activities that improve on the integrated strategic planning and asset management currently undertaken by each local government.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council elect two Councillors to represent the Shire of Wyndham East Kimberley as board members of the Regional Collaborative Group.

Moved: Cr K Wright
Seconded: Cr D Ausburn

That Council elect the two allocated to Zone Representation as the board members for the Regional Collaborative Group.

Motion Lapsed

Nominations were discussed

Cr J Moulden nominated by Cr J Parker
Cr K Torres nominated himself

Cr K Wright requested that motion be put.
Cr K Wright withdrew his request for the motion to be put.

Chief Executive Officer called for nominations for a secret ballot.

Cr D Ausburn nominated Cr F Mills and Cr K Torres – nominations accepted
Cr J Parker nominated Cr J Moulden – accepted
Cr D Ausburn nominated Cr J Parker – declined by Cr J Parker
Cr K Wright nominated himself

COUNCIL DECISION

Minute No: 9350

Moved: Cr J Moulden

Seconded: Cr K Wright

That the meeting be suspended for secret ballot papers to be drawn up at 8:06pm.

CARRIED UNANIMOUSLY: (9/0)

COUNCIL DECISION

Minute No: 9351

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council resume the meeting at 8:11pm.

CARRIED UNANIMOUSLY: (9/0)

Vote occurred by secret ballot. Vote counted by Chief Executive Officer and Director Corporate Services.

The ballot resulted in:

Cr J Moulden elected as a representative and a draw between Cr F Mills and Cr K Torres.

COUNCIL DECISION

Minute No: 9352

Moved: Cr J Moulden

Seconded: Cr K Torres

That the meeting be suspended for second round secret ballot papers to be drawn up at 8:17pm.

CARRIED UNANIMOUSLY: (9/0)

COUNCIL DECISION

Minute No: 9353

Moved: Cr J Moulden

Seconded: Cr K Torres

That Council resume the meeting 8:19pm.

CARRIED UNANIMOUSLY: (9/0)

Vote occurred by secret ballot. Vote counted by Chief Executive Officer and Director Corporate Services.

The second ballot resulted in:

Cr F Mills also being elected as a representative.

Cr J Moulden and Cr F Mills represent the Shire of Wyndham East Kimberley as board members of the Regional Collaborative Group.

16. MATTERS BEHIND CLOSED DOORS

Nil

17. CLOSURE

With all matters of business complete the Shire President declared the meeting closed at 8:21pm.



Ord River and Parry Lagoons Nature Reserves

2010

Draft Management Plan



ORD RIVER AND PARRY LAGOONS NATURE RESERVES

Management Plan

2010

Department of Environment and Conservation

Conservation Commission of Western Australia

ACKNOWLEDGMENTS

This management plan was prepared by Department planning officer Sarah Greenwood with assistance from Paul McCluskey and Laurina Bullen.

Assistance was provided by Daryl Moncrieff, Troy Sinclair, Scott Goodson, Allan Thomson and David Grosse.

The planning team would like to thank the many other Departmental staff that contributed to and commented on sections of this plan.

Special thanks to Jennifer Hale, ecologist and author of the Ecological Character Description for the Ord River Floodplain Ramsar site.

Front cover images:

Main image: Boardwalk at Marlgu Billabong. Photo by DEC.

Other images: Frog; Telegraph Hill interpretive sign. Photos by DEC.

INVITATION TO COMMENT

This draft management plan gives you the opportunity to provide information, express your opinion, suggest alternatives and have your say on how Ord River and Parry Lagoons nature reserves and proposed additions will be managed over the next 10 years.

What to consider

In making your submission, it is important to understand that legislation and policy impose certain obligations on the Department of Environment and Conservation to manage lands and waters vested with the Conservation Commission of Western Australia and that there may be little room to manage some issues outside of these constraints and responsibilities. Nevertheless, it is important to hear from the public about the management of these issues. There are also some issues which may have a number of management options over the life of the plan, or where the Department has developed a proposal and wants to gauge public opinion about management.

The Department and the Conservation Commission would particularly like to seek feedback on strategies and key performance indicators mentioned through various sections of the draft management plan.

How to make effective comments

It is important to indicate those actions and recommendations you agree with as well as those with which you disagree. Each submission is important, but those that give reasons behind concerns, give support where appropriate and offer information and constructive suggestions are most useful.

To ensure your submission is as effective as possible please:

- be clear and concise
- list your points according to the subject sections and page numbers in the plan
- describe briefly each subject or issue you wish to discuss
- say whether you agree or disagree with any or all of the outcomes or actions within each subject or just those of specific interest to you—clearly state the reason behind your opinion and provide supportive information where possible
- suggest alternatives to deal with issues on which you disagree.

Where to send your comments

Submissions are welcome for two months after the release date of the draft management plan and can be made online at: <http://www.dec.wa.gov.au> or by writing to:

Planning Coordinator
Ord River and Parry Lagoons Nature Reserves Draft Management Plan
Department of Environment and Conservation
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6983

Alternatively, submissions can be sent to: planning@dec.wa.gov.au

How your comments will be considered

All submissions will be summarised according to topics discussed. The management plan will then be reviewed in the light of submissions, according to established criteria (see below). A summary of the submissions will be prepared along with the final management plan, including an indication of how the plan was amended or not amended in response to the submissions:

1. The draft management plan *will* be amended if a submission:
 - (a) provides additional information of direct relevance to management
 - (b) provides additional information on affected user groups of direct relevance to management
 - (c) indicates a change in (or clarifies) government legislation, management commitment or management policy
 - (d) proposes desired outcomes that would better achieve strategies
 - (e) indicates omissions, inaccuracies or a lack of clarity.

2. The draft management plan *will not* be amended if a submission:
 - (a) clearly supports proposals in the plan
 - (b) makes general statements and no change is sought
 - (c) makes statements already in the plan or were considered during the plan preparation
 - (d) addresses issues beyond the scope of the plan
 - (e) is one among several widely divergent viewpoints received on the topic but the outcome or action in the plan is still considered the preferred option
 - (f) contributes options that are not feasible (generally because of conflict with existing legislation, government policy, lack of resource capacity or lack of research knowledge to make decisions).
 - (g) is based on unclear, factually incorrect information
 - (h) provides details that are not appropriate or necessary for inclusion in a document aimed at providing management direction over the long term.

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INTRODUCTION

1. OVERVIEW

The planning area is located in the East Kimberley region in north Western Australia, within the Victoria-Bonaparte bioregion. The Victoria-Bonaparte bioregion covers more than 70,000 square kilometres and spans the Western Australian (WA) and Northern Territory borders with more than 70 per cent of the bioregion within the Northern Territory. The Ord River catchment covers more than 64,000 square kilometres and also spans the border of the two jurisdictions, although it lies predominantly within Western Australia. The 650 kilometre long Ord River starts near Halls Creek and drains into the Cambridge Gulf. The planning area lies within the greater Kununurra Planning Region within the Shire of Wyndham East Kimberley. The western boundary is about 15 kilometres east of the town of Wyndham. The eastern boundary is about 47 kilometres north west of the town of Kununurra (see Map 1).

The Ord River and Parry Lagoons nature reserves are two existing reserves to eventually be co-managed under the Joint Management Initiative by the department and Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation, through the Yoorrooyang Dawang Regional Park Council (see Management Arrangements with Aboriginal People). As specified in the Ord Final Agreement, co-management is dependent on resources being available, including staffing and funding. The Department of Environment and Conservation (DEC, the department) and the Conservation Commission of WA (Conservation Commission) are interested in pursuing joint management arrangements for the planning area with the Balangarra people of the Wyndham area.

The Ord River Nature Reserve includes the spectacular False Mouths of the Ord, featuring vast areas of mudflats, mangrove communities and a maze of tidal creeks. Of the 18 species of mangrove found in Western Australia, 16 have been recorded within the reserve. It is also important because of the presence of mangrove-dependent bird species not found elsewhere in WA. Additionally, lands within the planning area are considered important habitat for the saltwater crocodile.

The seasonal wetlands south of the Ord River are fresh and sometimes fringed by low shrubs or trees, which are surrounded by a flat, grass covered plain. The mud flats along the river and the eastern side of Cambridge Gulf support patches of saline grassland and samphire. They are incised by numerous creeks and channels, along which are extensive stands of mangroves. Mangroves also grow along the Ord River and the seaward side of the mudflats.

A major characteristic of Parry Lagoons Nature Reserve is the presence of many waterbird species, often in great numbers. It also includes a variety of important habitats such as freshwater springs, components of rainforest, grasslands, woodland, rugged sandstone and floodplain. This diversity of habitat supports a rich faunal assemblage.

The planning area, in conjunction with the lower Ord River waterway, forms the Ord River Floodplain Ramsar site (see Map 1). Listed in 1990 as a Wetland of International Importance, the wetland meets seven of the nine qualifying criteria (Hale 2008).

2. MANAGEMENT PLAN AREA

This management plan covers the following reserves vested with the Conservation Commission and managed by the department (Map 1). Both have the purpose 'conservation of flora and fauna'.

- ❖ Ord River Nature Reserve (Reserve 31967, other than class A) covers an area of 79,842 hectares.
- ❖ Parry Lagoons Nature Reserve (Reserve 42155, other than class A) covers an area of 36,111 hectares.

Neither of the reserves is covered by an existing management plan.

The Ord River and Parry Lagoons nature reserves are proposed to be changed to 'class A' nature reserves. Consideration may also be given to changing Parry Lagoons Nature Reserve to a national park.

The department has interest in other land as proposed conservation reserves, including:

Introduction

- ❖ Adolphus Island (8,156 hectares)
- ❖ Cape Domett (4,218 hectares)
- ❖ unallocated Crown land adjacent to the eastern boundary of Ord River Nature Reserve, extending from high water mark to 40 metres above high water mark (1,212 hectares), where the pastoral boundary commences
- ❖ unallocated Crown land between Parry Lagoons Nature Reserve and associated islands, and the Ord River.

It is intended that the proposed reserve additions listed will come under the management plan once the change in land tenure and purpose occurs and the reserves are vested with the Conservation Commission. Other additions not listed will be managed to be consistent with this management plan, or if necessary the plan will be amended to apply to them.

Any reserve additions, or changes in the classification of existing reserves or the category of land, will be subject to usual government consideration and determination.

Desired outcome

Protect the values of the planning area.

Strategies

1. Change Ord River and Parry Lagoons nature reserves to 'class A' nature reserves, subject to usual Government consideration and determination.
2. Consider changing Parry Lagoons Nature Reserve to a national park.
3. Manage any proposed reserve additions within the planning area that become vested in the Conservation Commission in accordance with this management plan.
4. Incorporate other adjoining land into the nature reserves, if identified as having high conservation significance, and subject to usual government consideration and determination.

3. KEY VALUES AND THREATS

Key values

- ❖ Extensive representation of mudflat and tidal waterway systems at the False Mouths of the Ord, within the Victoria Bonaparte subregion of the Interim Biogeographic Regionalisation of Australia.
- ❖ An extensive and diverse mangrove community consisting of 16 of the 18 species of mangrove known to occur in Western Australia.
- ❖ A mangrove habitat that supports a number of species of birds restricted to mangrove forests.
- ❖ Important habitat and breeding site for the saltwater crocodile.
- ❖ Wetland areas that regularly support more than 20,000 waterbirds at a time.
- ❖ Habitats that support critical life stages of annually migrating bird species, act as seasonal drought refuge areas for large numbers of waterbirds, and provide for breeding of 16 species of wetland dependent birds.
- ❖ Sites important for nursery, breeding and feeding for at least 50 fish species, and a migratory route between marine and freshwater habitats for 15 species of fish.
- ❖ Cultural sites of significance for Aboriginal and non-Aboriginal people.
- ❖ Recreation and tourism activities, particularly bird watching, fishing and boating.

Key threats

- ❖ Climate change.
- ❖ Modification of hydrological regimes.
- ❖ Pollution (e.g. by nutrients, fertilisers, herbicides, insecticides).
- ❖ Inappropriate fire regimes.
- ❖ Inappropriate recreational use.
- ❖ Introduction of environmental weeds, introduced or problem animals and diseases.

4. MANAGEMENT DIRECTIONS

The vision for Parry Lagoons Nature Reserve and Ord River Nature Reserve is:

To be recognised by the community for its international significance as a wetland providing for migratory and local waders, waterbirds and shorebirds, and as a place where natural, cultural and aesthetic values are appreciated and protected. Natural systems and processes will continue to function, and habitats will be managed in partnership with traditional owners and the community to maintain and improve the area's Ramsar and other natural values.

This management plan will be consistent with Australia's obligations under the Ramsar Convention on Wetlands and promote the management of the Ord River Floodplain Ramsar site in accordance with the Australian Ramsar management principles. In addition, the plan will focus on protecting and enhancing values of the planning area.

5. ECOLOGICAL CHARACTER

The planning area, in conjunction with the lower Ord River waterway, forms the Ord River Floodplain Ramsar site (see Map 1). Listed in 1990 as a Wetland of International Importance under the Convention on Wetlands, the Ramsar site originally met four of the six qualifying criteria.

At the time of listing, the site had already been subject to significant hydrological alteration because of the construction of Kununurra Diversion Dam in 1963 and the Argyle Dam in 1973 for water regulation and development as a part of the Ord River Irrigation Area Stage 1. Although further hydrological alteration occurred with the lifting of the Argyle Dam wall in 1995 for hydro power generation, the ecological characteristics of the Ramsar site must be maintained as they were when originally listed in 1990.

Following refinements in 2005 and 2006 to the original qualifying criteria, plus the collection of additional data for the site, the Ord River Floodplain Ramsar site has been reviewed to meet the following seven of the nine qualifying criteria (Hale 2008):

- Criteria 1. The site represents the best example of wetlands associated with a floodplain and estuary of a tropical river system in the Kimberley region of Western Australia. In addition, the False Mouths of the Ord contain the most extensive mudflat and tidal waterway complex in WA, and the wetland grasslands at Parry Lagoons are the most extensive vegetation community of this type in WA (CALM 1998).
- Criteria 2. The freshwater sawfish (*Pristis microdon*), the green sawfish (*Pristis zijsron*) and the Australian painted snipe (*Rostratula australis*), all recorded within the site, are listed as vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The site is also one of only two known habitats in Western Australia for the nationally endangered northern river shark (*Glypis sp. c*) (Thorburn and Morgan 2004).
- Criteria 3. The site contains an extensive and diverse mangrove community containing 16 of the 18 species of mangrove known to occur in WA. These mangroves are important habitat for a number of species of birds restricted to mangrove forests in WA. This includes a population of black butcherbird (*Cracticus quoyi*) that breeds in the area, which is the only population of its kind in WA (Johnstone 1990).
- Criteria 4. The site supports:
- The critical life stage of migration: annual use by large numbers of many species of migratory animals (birds and fish).
 - The critical life stage of drought refuge: seasonal influx of large numbers of waterbirds from dried out wetlands in surrounding areas, and periodic massive influx from wider regions during drought.
 - The critical life stage of breeding: 14 species of wetland dependent birds, saltwater and freshwater crocodiles and an unknown number of fish.
- Criteria 5. Surveys conducted at Parry Lagoons in the 1980s regularly recorded more than 20,000 birds in this portion of the Ramsar site alone. Much of the area is difficult to survey, but there is sufficient evidence to support the criterion of "regularly supports 20,000 waterbirds".

Introduction

- Criteria 6. Surveys from the 1980s indicated that maximum counts for two species exceed the 1 per cent population thresholds (Wetlands International 2006):
- plumed whistling duck (*Dendrocygna eytoni*) – maximum count 15,000 (1 per cent = 10,000)
 - little curlew (*Numenius minutus*) – maximum count 2,500 (1 per cent = 1800).

Based on available habitat, wetland condition and threats – which are probably unchanged since the 1980s – threshold-meeting numbers of these two species can be expected to still occur in the Ramsar site. In addition, it is likely that several other waterbird species would meet this criteria if comprehensive surveys were conducted at appropriate times of year.

- Criteria 8. The site is important as a nursery and/or breeding and/or feeding ground for at least 50 species of fish and a migratory route for 15 species that are known to be diadromous.

The Ramsar Information Sheet for this site can be accessed via the Australian Wetlands Database on the web page of the relevant Commonwealth department at:

<http://www.environment.gov.au/water/publications/environmental/wetlands/database/index.html>

MANAGEMENT PURPOSE

6. LEGISLATIVE FRAMEWORK

The department is responsible for administration of the *Conservation and Land Management Act 1984* (CALM Act), which provides for the management of lands and waters vested with the Conservation Commission of Western Australia, and the *Wildlife Conservation Act 1950* (Wildlife Conservation Act), which provides for specific protection of native flora and fauna on all state lands and waters. Other State and Commonwealth legislation also (i) affects the department's activities, (ii) confers specific powers on the department, or (iii) involves other authorities or agencies in activities in the planning area, which may be referred to throughout this plan.

Australia is a participant or signatory to the following important international conservation agreements which affect management of the planning area:

- ❖ Convention on Wetlands
- ❖ China-Australia Migratory Bird Agreement
- ❖ Japan-Australia Migratory Bird Agreement
- ❖ Republic of Korea-Australia Migratory Bird Agreement
- ❖ The Bonn Convention.

The Ord Final Agreement is an agreement between the State of Western Australia and the Miriuwung and Gajerrong people resolving native title over traditional lands. The creation of the Joint Management Initiative is an outcome of the Ord Final Agreement (State Solicitor's Office 2006) where formal processes have been established to provide consultation with Aboriginal people and their interaction in management and management planning.

7. MANAGEMENT ARRANGEMENTS WITH ABORIGINAL PEOPLE

There is strong interest by Aboriginal people to be involved in the management of conservation estate and to strengthen cultural ties to the land. Working together with Aboriginal people to care for the land will be beneficial to the preservation of natural and cultural heritage, as well as enriching cross-cultural awareness.

The department and the Conservation Commission acknowledge the aspirations of Aboriginal people to obtain native title over their traditional lands and waters under the provisions of the Commonwealth's *Native Title Act 1993* (Native Title Act).

Portions of the Ord River and Parry Lagoons nature reserves are traditional lands for the Balangarra people of the Wyndham area and the Miriuwung Gajerrong people of the Kununurra area.

The Ord Final Agreement resulted in the identification of six areas surrounding Kununurra becoming Aboriginal freehold land and leased back to the State for conservation purposes. These areas are to be managed jointly and include:

- ❖ Proposed Mijing Conservation Park
- ❖ Proposed Jemandi-Winingim Conservation Park
- ❖ Proposed Goomiyig Conservation Park
- ❖ Proposed Barrberrm Conservation Park
- ❖ Proposed Darram Conservation Park
- ❖ Proposed Ngamoowalem Conservation Park.

Mijing and Ngamoowalem are adjacent to Ord River and Parry Lagoons nature reserves (see Map 2).

The Ord River and Parry Lagoons nature reserves are two of four existing reserves to be co-managed under the Joint Management Initiative by the department and Yawoorroong Miriuwung Gajerrong Yirrgab Noong Dawang Aboriginal Corporation, through the Yoorrooyang Dawang Regional Park Council. The other two existing reserves are Mirima National Park and Point Springs Nature Reserve. As specified in the Ord Final Agreement, co-management is dependent on resources being available, including staffing and funding. Before conducting

Management Purpose

any works on their country that is within the planning area, and regardless of native title having been resolved over their country, consultation will remain consistent with the Native Title Act.

The department and the Conservation Commission are interested in pursuing joint management arrangements for the planning area with the Balangarra people.

Desired outcome

Traditional owner involvement in management of the planning area.

Strategies

1. Commit to the Joint Management Initiative in collaboration with Yawoorroong Miriuwung Gajerrong Yirrgeb Noong Dawang Aboriginal Corporation.
2. Foster relations with other traditional owners who speak for country.
3. Ensure consultation with and approval from traditional owners who speak for country, for any amendments to land tenure that may occur over land for which they speak.
4. Work with traditional owners to promote their participation in commercial activities.
5. Ensure consultation with and approval from traditional owners who speak for country, for any research activities that may occur on land for which they speak.
6. Refer development and resource use proposals to traditional owners who speak for country.

8. PERFORMANCE ASSESSMENT

It is not efficient to measure all aspects of management given resource and technical impediments — consequently, indicators target key components of the plan. The specific ‘limits of acceptable change’ for the Ord River Floodplain Ramsar site identified by Hale (2008) have been incorporated into this management plan, and appropriate key performance indicators identified. The Conservation Commission will measure the success of this plan in accordance with s.19(1)(g)(iii) of the CALM Act by using key performance indicators and other mechanisms as appropriate.

9. ADMINISTRATION

The day-to-day implementation of the final management plan will be the responsibility of the department’s East Kimberley District, which coordinates the operational management of parks and reserves in the planning area. The planning area lies within the Kimberley Region.

10. TERM OF PLAN

The management plan will guide management of the planning area for a period of 10 years from the date the final management plan is gazetted. During this time, amendments to the final management plan are allowed under s.61 of the CALM Act. If an amendment is necessary, the proposed changes will be released for public comment. At the end of the 10 year period, the management plan may be reviewed and a new management plan prepared. In the event that the plan is not reviewed and replaced by the end of the 10-year period, this plan will remain in force.

MANAGING THE NATURAL ENVIRONMENT

11. PHYSICAL ENVIRONMENT

Climate

The planning area has a semi-arid, monsoonal climate with a prolonged dry season from May to September. Data collected from Wyndham meteorological site show the average annual rainfall varies across the planning area, from 900 millimetres to 1200 millimetres. Evaporation rates far exceed rainfall the majority of the year, with an average annual evaporation rate of 2800 millimetres. Wet season average maximum temperatures vary between 36°C and 40°C and minimum temperatures between 25°C and 27°C. During the dry season average maximum temperatures are slightly cooler between 31°C and 36°C and minimum temperatures between 16°C and 22°C (Bureau of Meteorology 2009).

For the planning area, implementing the actions incorporated into this plan to create reserves, control pest animals and weeds and manage fire will help improve the resilience of species and ecosystems and hence decrease their vulnerability to climate change. A landscape approach that links large, contiguous habitats or that enable maintenance of ecological process, especially those across a range of environmental gradients, provide the optimal approach for species and ecological processes to respond to changing climatic conditions.

Geology, landforms and soils

The Carpentarian land system comprises the majority of the planning area to the north, characterised by Quaternary alluvia geological material forming the estuarine-deltaic mangrove plains, and an isolated pocket of the Cockatoo land system (Permian, Lower Carboniferous, Upper Devonian and Ordovician-Cambrian geological material of sandstone, calcareous sandstone, calcareous conglomerate and minor limestone). The majority of the southern parts of the planning area are characterised by the Pinkerton and Ivanhoe land systems, interspersed with smaller areas of the Cockburn, Angallari and Frayne land systems. Adelaidean and Carpentarian geological material and Quaternary alluvia form the majority of this area, interspersed with lower Proterozoic and lower Cambrian material (Stewart *et al* 1970).

Geology and geomorphology influence catchment hydrology by affecting the development of aquifers, seepage points, discharge zones and drainage patterns. The planning area spans across the Cambridge Gulf Lowlands subregion of the Ord-Victoria geomorphic unit and into the Kimberley Plateau geomorphic unit to the south.

The damming of the Ord River is considered to have dramatically changed the sedimentation process with anecdotal evidence indicating that parts of the river have become shallower because of the lack of scouring by floodwaters (Wolanski *et al* 2004). Sediment deposition now dominate the entire length of the Ord River and False Mouths of the Ord creating extensive mud flats and dendritic streams, which are important in terms of mangrove communities, invertebrate populations and the waterbirds that feed on them. Broad sandy or gravelly spits and bars occur along upstream reaches while unstable mud bars and islands become common toward the mouth.

Hydrology

Hydrological influences are the primary driver of wetland ecology (Mitsch and Gosselink 2000) and are the principal constraint on the distribution and productivity of wetlands (Mendelssohn and Batzer 2006). Inundation is influenced by surface water, groundwater and tidal regime, and is crucial for wetland plant ecology (Hale 2008). In addition, fauna respond to hydrology directly, such as hydrological cues for breeding or migration, and indirectly via vegetation distribution.

Parry Lagoons contains seasonally inundated floodplains and permanent or near permanent water bodies, which are inundated via surface water flow from the Ord River or Parry Creek. Inundation is at its greatest extent and depth during March - April at the end of the wet season. The low relief claypans and marshes are typically less than one metre deep, and dry out by June - July. The deeper waterholes, however, are permanent or near permanent.

Parry Creek is a seasonally flowing creek running through upland environments, and an alluvial floodplain complex. The expansive floodplain provides an array of seasonal and permanent freshwater wetlands that are important feeding and breeding habitat for migratory shorebirds, waterbirds and juvenile fish populations when flooded, and refuge for resident aquatic flora and fauna during the dry season.

Similarly the floodplains contain vegetation communities that typically require seasonal inundation, but also periods of dry where air can fill soil pore spaces. Without the wet–dry cycles, these vegetation communities, together with the fauna they support, could not exist.

Ground water is generally considered to flow from the Carlton and Mantinea flats proposed irrigation areas into the Ord River near the upstream limit of the planning area (O’Boy *et al.* 2001). During high tides it is possible that the flow of groundwater could be reversed with saline water flowing back under the plains. Work is under way to determine baseline groundwater data in the local area.

The tidal regime is important for maintaining a number of habitats and vegetation communities within the system. Variation in inundation of the banks of the dendritic creeks of the Ord River Nature Reserve provides for a range of habitats for different mangrove species and results in a distinct zonation. Tidal cycles may also provide cues for invertebrate breeding, such as banana prawns, and influence productivity. These macro-tides are important for maintaining nutrient cycling processes within the planning area by facilitating the export of nutrients from the catchment to the Indian Ocean.

Little is known of the hydrological regime influencing the planning area, nor the quality of surface and groundwater within the planning area to sustain the ecological character of the planning area.

Desired outcome

Maintain hydrological regimes occurring at the time of Ramsar listing in 1990.

Strategies

1. Provide input into environmental water allocations for Ord River.
2. Increase knowledge of hydrological requirements of the Ord River to maintain ecological values.
3. Work cooperatively with State and Commonwealth government authorities to maintain Ramsar values.

12. BIOLOGICAL ENVIRONMENT

Native plants and plant communities

The planning area supports a diverse assemblage of native plants and their communities. More than 300 terrestrial and wetland dependent species of plants have been recorded, including three priority flora species. A wide variety of plant communities have been identified, including mangrove and saltmarsh, wetland grasslands and sedges, riparian woodland, and aquatic vegetation (Hale 2008).

Mangrove and saltmarsh: the planning area contains 16 of the 18 species of mangrove found in WA (Johnstone 1990; Semeniuk and Semeniuk 2000). Five species of halophytic saltmarsh have been described in association with the mangrove communities. These include: *Tecticornia* spp., *Batis argillicola*, *Salsola tragus*, *Sesuvium portulacastrum*, *Sporobolus virginicus* and *Suaeda* sp. (Thom *et al.* 1975).

Wetland grasslands and sedges: the floodplain of Parry Lagoons Nature Reserve is dominated by grassland communities, characterised by annual grasses Australian wild rice (*Oryza australiense*) and beetle grass (*Diplachne parviflora*). The annual wetland shrubs sesbania pea (*Sesbania cannabina*) and budda pea (*Aeschynomene indica*) can form extensive tall thickets across the floodplain following periods of major inundation. Some of the most frequently inundated southern basins support dense beds of sedge dominated by *Eleocharis brassii* (CALM 1998).

Riparian woodland: the floodplain of Parry Lagoons Nature Reserve contains extensive woodland communities that are periodically inundated by floodwaters. Common canopy species include river red gum (*Eucalyptus camaldulensis*), northern salmon gum (*Eucalyptus bigalerita*), Darwin box (*Eucalyptus tectifera*) and guttapercha tree (*Excoecaria parvifolia*).

Aquatic vegetation: the permanent wetlands within the Ramsar site contain a diverse aquatic flora community that provide habitat and forage for a range of waterbirds during the wet and dry seasons.

Inundation directly affects the plant communities associated with Parry Lagoons Nature Reserve. True freshwater aquatic plants are generally confined to the permanent waterholes within Parry Lagoons. These species are adapted to permanent inundation with mechanisms for coping with anaerobic soils and are reliant on the presence of surface water for survival.

Desired outcome

Conserve indigenous plants and plant communities.

Strategies

1. Maintain vegetation diversity by reducing threatening processes, such as inappropriate fire regimes, altered hydrological regimes and high densities of introduced animals, such as cattle.
2. Work cooperatively with State and Commonwealth government authorities to maintain Ramsar values.

Native animals and habitats

The planning area supports critical life stages of annual migration for bird species and provides seasonal drought refuge for a variety of bird species. The planning area contains 105 waterbird, 16 wetland dependent bird, 21 mangal-restricted forest bird, 37 mammal, 17 bat, 87 aquatic invertebrate and potentially more than 50 fish species. Two new conservation areas, Mijing and Ngamoowalem, are located adjacent to the planning area and provide contiguous, protected habitat for native animals and therefore provide for improved cross-boundary management.

Many fauna species of conservation significance are found within the planning area and local vicinity, including species specially protected as threatened fauna pursuant to the Wildlife Conservation Act. Notable species of conservation significance include:

- ❖ three threatened species with rank endangered– Gouldian finch (*Erythrura gouldiae*), crested shrike-tit (*Falcunculus frontatus whitei*) and northern quoll (*Dasyurus hallucatus*)
- ❖ three threatened species with rank vulnerable – flatback turtle (*Natator depressus*), Australian painted snipe (*Rostratula benghalensis australis*) and red goshawk (*Erythrotriorchus radiatus*)
- ❖ four identified department priority species – flock bronzewing (*Phaps histrionica*), bush stonecurlew (*Burhinus grallarius*), eastern curlew (*Numenius madagascariensis*) and water rat (rakali) (*Hydromys chrysogaster*)
- ❖ two species that are otherwise specially protected under section 14(2)(ba) of the Wildlife Conservation Act – saltwater crocodile (*Crocodylus porosus*) and freshwater crocodile (*Crocodylus johnstoni*)
- ❖ 32 migratory waterbird species listed under international agreements
- ❖ 19 marine bird species listed under the EPBC Act.

The number of waterbirds recorded breeding is almost certainly incomplete given the limited published bird records, the extensive and diverse nesting habitat from wooded swamps to open marshes with plenty of dense cover, combined with extreme difficulty for access during times of greatest habitat and food resources in the wet season. It is likely that this species list and the abundance values will change with monitoring.

The planning area provides important nursery, breeding and feeding sites for fish, ranging from freshwater, estuarine and marine environments. This allows for feeding and breeding migration between all three habitats. It is predicted that the area could support more than 50 species of fish; however, fish populations have received little research attention.

Valuable crocodile breeding habitat is found east of the Ord River Nature Reserve. A 40 metre wide strip of unallocated Crown land is located adjacent to the inland side of the Ord River Nature Reserve boundary from high water mark to 40 metres above high water mark. Extending the boundary of the nature reserve to be 40 metres above high water mark will incorporate this area of unallocated Crown land into the reserve and provide additional protection to crocodile breeding areas.

Adolphus Island was surveyed in 2008 and 2009 as part of the Kimberley Islands Biological Survey. Northern quolls (*Dasyurus hallucatus*) were trapped at two Adolphus Island survey sites (T. Handasyde *pers. comm.*). The only other confirmed records of northern quolls in the east Kimberley are a 1908 WA Museum specimen from the planning area and a recent sighting (confirmed by photograph, T. Sinclair) from neighbouring El Questro Station. The proposed addition of Adolphus Island to the planning area will provide protection for the island population of northern quolls in the short term, although cane toads will pose a potential threat to their continued survival.

A large flatback turtle (*Natator depressus*) rookery is located beyond the northern boundary of the planning area at Cape Domett. Although limited research has been conducted on the species in this area, this is thought to be among the largest of all known flatback nesting populations, with an estimated yearly population in the order of several thousand turtles (Whiting *et al.* 2008). As this species is protected under the Wildlife Conservation Act, it is recommended Cape Domett be incorporated into the Ord River Nature Reserve.

Desired outcome

Conserve specially protected and other native fauna.

Strategies

1. Support the preparation and implementation of recovery plans for any threatened fauna species.
2. Protect native fauna from introduced and problem animals through appropriate control regimes where necessary.
3. Work cooperatively with State and Commonwealth government authorities to maintain Ramsar values.

13. PROTECTION OF THE NATURAL ENVIRONMENT

Environmental weeds

Weeds displace indigenous plants, particularly on disturbed sites, by competing with them for light, nutrients and water. Other impacts include the prevention of seedling recruitment, changes to soil nutrients, and changes to the abundance of indigenous fauna. They can also have a significant adverse impact on other conservation values by altering animal habitats, harbouring pests and diseases, and increasing fire hazard by changing fire regimes.

Parkinsonia (*Parkinsonia aculeata*), a Weed of National Significance, noogoora burr (*Xanthium occidentale*) and bellyache bush (*Jatropha gossypifolia*), weeds of potential national significance, persist within Parry Lagoons Nature Reserve; however, management efforts by the department to date have controlled the spread of the weeds. The Department of Agriculture and Food WA maintains a noogoora burr quarantine zone within the planning area. Other weeds that are found upstream of the planning area, and thereby pose a threat to the planning area, include salvinia (*Salvinia molesta*), rubber vine (*Cryptostegia grandiflora* and *Cryptostegia madagascariensis*) and *Mimosa pigra*, all Weeds of National Significance. With the development of horticultural crops in Ord Stage 2, the potential for invasion by *Moringa oleifera* and other crop species will increase.

Weeds of National Significance and weeds of potential national significance are current priorities for control.

Weed species within the planning area are recognised as a significant problem. The *Environmental Weed Strategy for Western Australia* (CALM 1999a) provides an integrated approach to weed management and rates environmental weeds as high, moderate, mild and low according to their potential invasiveness, distribution and environmental impacts. The department is undertaking regional weed prioritisation processes, with the Kimberley region due to undertake this in 2010. The outcomes will provide the basis for identifying control actions, with the highest rated species and species that pose a threat to conservation values within the reserve, being the focus for weed management.

Desired outcome

Prevent loss of native species and decline in plant communities from weed invasion.

Strategies

1. Consistent with regional weed prioritisation, prepare a weed control program based upon invasiveness, existing and potential impacts, current and potential distribution and feasibility of control.
2. Support the Australian Quarantine and Inspection Service to monitor the occurrence of, and potentially control the spread of, alien weed species.

Introduced and other problem animals

Problem animals are those species that have the potential to cause serious impact on natural systems through direct effects such as predation, habitat destruction, competition for food and territory, introduction of disease and through environmental degradation, such as overgrazing. Problem animals can be either native species that are impacting on natural or agricultural values, or feral animals that are introduced species that have become established as wild or naturalised populations. The most significant introduced species within the planning area is cattle (*Bos taurus*). Cane toads (*Bufo marinus*) are expected to enter the planning area by 2011. Little is known

of the impact from feral honey bees, cats and feral pigs; however, the potential for invasion remains. The Judas Donkey Program, run by the Department of Agriculture and Food WA and partially funded by the department, has successfully eradicated donkey populations in the local area.

Desired outcome

Prevent impacts of problem animals on the values of the planning area.

Strategies

1. Consistent with regional prioritisation for introduced and problem animals, prepare a control program based upon existing and potential impacts, current and potential distribution, feasibility of control and capacity for long term monitoring.
2. Assist adjoining land owners to ensure boundary fences are adequate to exclude cattle, where practicable.
3. Support the Australian Quarantine and Inspection Service and Department of Agriculture and Food WA to monitor the occurrence of, and potentially control the spread of, alien fauna.

Altered hydrological regimes

Kununurra Diversion Dam was constructed in 1963 and Argyle Dam constructed in 1973 to enable water regulation and development for the Ord River Irrigation Area (ORIA) Stage 1. Further hydrological alteration occurred with the lifting of the Argyle Dam wall in 1995 for hydro power generation.

With the river now dammed at two points upstream, the flood frequency and extent and sediment deposition characteristics have changed markedly. The Argyle Dam is highly effective at constraining wet season flood peaks and trapping sediment loads from the majority of the catchment. Combined with this is a significant reduction of intense rainfall events since the construction of the dams (Rodgers and Ruprecht unpublished). Once a river with only seasonal flow, the Ord's flow is now perennial because of constant discharge from the Kununurra Diversion Dam and flood events are less frequent and for shorter periods.

Since the construction of the Argyle Dam, the wet season flood peaks and sediment pulses in the lower Ord River are almost certainly determined more by flooding from the Dunham River and sediment being deposited downstream from the Dunham River and upstream from the Cambridge Gulf. It is likely that the alignment of the main stream channel of the lower Ord River is more stable than in past times, though shallower and wider. The floodplain of the lower Ord River is a complex network of intermittent and occasionally permanent streams. The major sources of fresh water directly into the floodplain are from the Ord River itself, Parry Creek and the major tributaries of the False Mouths of the Ord; Emu, Tanmurra and Station creeks.

Hydrological modelling of the Ord River was performed pre- and post-dam construction. Before dam construction, at a 10 per cent annual exceedence probability, numerous flood breakouts occurred from the main Ord River channel, including flooding of a significant portion of the Parry Lagoons and Mantinea Flats areas. Flooding at this time was strongly influenced by river flows (Rodgers and Ruprecht unpublished).

After dam construction, at a 10 per cent annual exceedence probability, major flooding at Mantinea Flats is significantly reduced and only a small to moderate area in the vicinity of Parry Lagoons experiences flooding. Therefore, as a result of the dam construction and reduction in intense rainfall events, flooding at Parry Lagoons is now more strongly influenced by the combination of tidal regimes and river flows (Rodgers and Ruprecht unpublished).

The *Ord River Water Management Plan* (Department of Water 2007) has set environmental flow conditions for water discharge from Lake Kununurra Diversion Dam to maintain the current environmental condition of the Ord River. It is unclear if these flow conditions reflect the flow of the Ord River, and therefore the ecological character, between the time of Ramsar listing in 1990 and raising of the Argyle Dam wall in 1995 (see section 3 *Ecological Character*).

Development of ORIA Stage 2 is estimated to have a relatively small effect on the modelled flood flows experienced by the Ord River, particularly in comparison to the changes to modelled flood flows as a result of the construction of the two dams (Rodgers and Ruprecht unpublished).

Disease

No plant or animal diseases have been located within the planning area. The Australian Quarantine and Inspection Service monitors migratory birds within the planning area to detect any occurrence of avian bird flu.

Fire

Fire management is a major issue in the region. The occurrence of large, end of dry season fires has led to changes in the structure and composition of vegetation communities and the distribution and abundance of fauna species, such as the decline in population numbers experienced by the Gouldian finch. Values at risk include:

- ❖ the lives of visitors to the planning area
- ❖ people involved in fire management activities
- ❖ native flora and fauna communities
- ❖ adjoining lands.

The department has prepared the *Kimberley Regional Fire Management Plan* (DEC 2008) for the implementation of a prescribed burning program focused on early dry season burning and the creation of mosaics. Prescribed burning is primarily undertaken along the Great Northern Highway adjacent to the western boundary of Parry Lagoons Nature Reserve. The use of incendiaries dropped from the air and hand burning will continue.

The preparation and implementation of a prescribed burning program is required for the planning area, based on the following principles from the *Kimberley Regional Fire Management Plan*:

- ❖ wet season burning of areas immediately adjacent to wetlands
- ❖ early dry season linear buffers no closer than 3kilometres to wetland burnt patches
- ❖ low intensity burning of woodlands to maintain adequate, low fuel mosaic
- ❖ liaison with traditional owners to build fire management capacity to assist in the removal of fuels around cultural assets and living areas and implement the prescribed burning program.

Pre- and post-suppression work within the planning area is the responsibility of the department and would include rehabilitation of any fire lines that are constructed as part of suppression efforts.

Desired outcomes

Protect biodiversity, people and property within the planning area.
Maintain cultural responsibilities.

Strategy

1. Prepare and implement a prescribed burning program in accordance with the Kimberley Regional Fire Management Plan which considers the knowledge and responsibilities of traditional owners.

Key performance indicator

Performance measure	Target	Reporting requirement
Loss of life or property from fire.	No loss of life or property from fire.	5 yearly.
Biodiversity.	No reduction in biodiversity from fire.	5 yearly.

MANAGING OUR CULTURAL HERITAGE

14. ABORIGINAL HERITAGE

The conservation of Aboriginal heritage is important in maintaining the identity, health and well being of Aboriginal people. In Western Australia, the *Aboriginal Heritage Act 1972* (Aboriginal Heritage Act) protects places and objects customarily used by, or traditional to, the original inhabitants of Australia. A register of such places and objects is maintained under the Act; however, all sites are protected regardless of whether they have been entered on the register.

Aboriginal heritage within the planning area is diverse, consisting of numerous rock art sites, burial sites and mythological sites, including the Ord River. Management must ensure that Aboriginal sites are protected from damage, and that obligations are fulfilled according to the Aboriginal Heritage Act before any planning or public works occur.

The Conservation Commission and the department acknowledge the aspirations of Indigenous people to obtain native title over their traditional lands and waters under the Native Title Act. The Kimberley Land Council is the representative Indigenous body appointed under Native Title Act for the planning area. Existing reserves in the planning area have been created under the *Land Act 1933*, the *Land Administration Act 1977* or the CALM Act. These reserves were vested before 23 December 1996, thereby extinguishing native title rights in the vesting process (Ward High Court Decision August 2002). Although this is the case, the department will continue to follow the requirements of the Native Title Act and advise native title claimants and representative bodies before major public works are undertaken. The department will continue to recognise the interests of Indigenous people and their desire to continue cultural activities and customs in the planning area.

Irrespective of whether native title has been determined, Aboriginal people still have the right of access for sustenance, maintenance and protection of important places and paintings, and the inheritance of native title rights. Activities that can be undertaken include free movement, fishing, ceremonies, visiting and protecting important places.

Under section 100 of the CALM Act, the department's Director General may grant leases to traditional owners on department-managed lands on such terms and conditions as he sees fit, with the approval of the Minister for Environment. As a negotiated outcome of the *Ord Final Agreement* (State Solicitor's Office 2006), the Goose Hill Aboriginal Living Area within the planning area will be excised and given freehold status.

Desired outcomes

Protect Aboriginal cultural heritage.

Traditional owners living and camping on their traditional lands.

Strategies

1. Work with traditional owners who speak for country, to protect heritage sites within the planning area.
2. Notify relevant native title claimants and authorities when proposing to undertake public works in registered heritage sites.
3. Ensure management activities, visitor activities and threatening processes, such as altered fire regimes and introduced plants and animals and altered hydrological regimes, do not adversely impact Aboriginal cultural heritage.
4. Ensure the recommendations and outcomes of the Ord Final Agreement in respect to Aboriginal Living Areas are implemented.

Key performance indicator

Performance measure	Target	Reporting requirement
Loss of Aboriginal cultural heritage sites.	No loss of Aboriginal cultural heritage sites.	5 yearly.

15. NON-ABORIGINAL HERITAGE

The graziers of the East Kimberley were preceded by early exploration of the area by Alexander Forrest in 1897 and the privately funded expeditions of Patsy Durack in 1882 and WJ O'Donnell in 1883. Parry Creek was named after E Parry, a syndicate member of the Cambridge Downs Pastoral company, which financed O'Donnell's exploration of the area. The lagoons subsequently took their name from Parry Creek which feeds them (CALM 1999b).

The non-Aboriginal heritage within the planning area includes European and Chinese history. The following structures found within the planning area are listed on the Shire of Wyndham-East Kimberley *Municipal Heritage Inventory* (1997):

- ❖ Chinese Gardens Parry Creek – the Chinese Gardens at Parry Creek are tangible evidence of the early Chinese impact on early settlement in the Wyndham locality. They provided fresh fruit and vegetables to Wyndham and the goldfields in Halls Creek from 1889 to 1890.
- ❖ Chimooly Dam – the fenced area was used to hold cattle destined for the meatworks at Wyndham and the dam used to water the cattle. It was also part of the original cattle route into Wyndham.
- ❖ Old Telegraph Station – much of the foundations of the old telegraph station are still evident. Built in 1914 inland from Wyndham because of the Bastion Hill blocking reception, it was used for intelligence communications during the First World War and played a crucial part in the sinking of the German raider *Emden*. Used later to communicate with merchant ships for safety, the station was decommissioned in 1924.
- ❖ Curtin's Cowboys – a series of camps near Parry Lagoons used by the 550 volunteers of the North Australian Observer Unit, otherwise known as the Knackerroos, formed in response to the Japanese raids in the north of Australia and disbanded in 1945.

A number of other features within the planning area were identified as holding heritage significance (Nayton 1998), in particular the cobblestone remnants of Old Halls Creek Road. The department will work collaboratively with the Shire to ensure the *Municipal Heritage Inventory* is updated to include all sites of significance within the planning area.

Desired outcome

Protect non-Aboriginal cultural heritage.

Strategy

1. Ensure management activities, visitor activities and threatening processes, such as fire and introduced plants and animals, do not adversely impact cultural heritage.

Key performance indicator

Performance measure	Target	Reporting requirement
Loss of non-Aboriginal cultural heritage sites.	No loss of non-Aboriginal cultural heritage sites because of management activities.	5 yearly.

MANAGING VISITOR USE

16. VISITOR OPPORTUNITIES AND PLANNING

The Kimberley is known locally and abroad for its rugged beauty and remoteness, attracting increasing numbers of visitors each year. The planning area is a relatively undisturbed natural environment with the potential to offer visitors remote day use or four-wheel-driving experiences. Parry Lagoons Nature Reserve is one of four department parks within the Kimberley Region to have experienced a steady increase in visitor numbers since 2001 (DEC in prep.).

Visitor planning

Planning for visitor use is required in order to manage issues of visitor risk, environmental impacts, social benefit, equity, public demand and potential economic benefit. Recreational activities will continue to be generally low-key within the planning area.

The provision of consistent and accurate information by internal and external providers is important in protecting values of the planning area and achieving effective communication. The department provides a variety of information on the planning area (e.g. facilities, activities and access) through a variety of means (e.g. signage, printed materials, website and staff). Telegraph Hill and the bird hide at Marlgu Billabong are the main interpretive sites in the planning area.

Possible future developments include:

- ❖ stopping points and lookouts at significant natural features or cultural and historical sites along four-wheel drive routes
- ❖ commercial tourism operations
- ❖ short walktrails from roadside lay-bys to provide access to features and views over the surrounding landscape.

Low impact activities and those that facilitate enjoyment, appreciation and understanding of the natural and cultural environment will be encouraged within the planning area.

Desired outcome

Facilitate visitor enjoyment, appreciation and understanding of the values of the planning area.

Strategy

1. Provide a range of opportunities for visitors, and ensure they are consistent with the purpose of the reserves, pose no adverse impacts on the environment or unreasonably interfere with public use.

Visitor safety

In addition to a genuine concern for visitor welfare, the department has a legal responsibility to consider the personal safety of visitors to the planning area. Factors that contribute to visitor risk in the planning area include:

- ❖ facility maintenance
- ❖ climate (eg. dehydration and sun exposure)
- ❖ hazardous terrain (eg. slipping and tripping on uneven ground)
- ❖ remoteness (eg. hard to access by emergency services and often lacking digital mobile phone network coverage)
- ❖ bushfire
- ❖ cyclones
- ❖ dangerous wildlife (eg. snakes, crocodiles).

Many of these risks are addressed through attention to personal safety, appropriate maintenance of facilities by department staff, appropriate risk warning through brochures, promotional material and signage. Risk assessments involve the identification of hazards, assessment of the risks posed by these hazards, implementation of risk mitigation measures and ongoing monitoring. As part of the program, all designated recreation sites are routinely audited to identify visitor risks.

In the event of an incident, the coordination of search, rescue or recovery operations is the responsibility of the Western Australian Police Service, with the department providing support as requested. However, where these occur on lands managed by the department, and in an area as remote as the planning area, it is often the department that organises the initial response.

Desired outcome

Minimal risks to visitors and encouragement of appropriate visitor behaviour.

Strategy

1. Develop a visitor risk management plan in accordance with department policy, that identifies and assesses the risks associated with all recreation sites and monitors and regularly reviews visitor risk.

Information, education and interpretation

The planning area provides a valuable opportunity for improving community awareness about wetland ecosystems and the values of Ramsar listed wetlands. An effective information, education and interpretation program is vital to achieving the vision and objectives of maintaining, enhancing and communicating the values of the planning area.

Educational facilities are only located within Parry Lagoons Nature Reserve and are limited to Telegraph Hill, Marlgu Billabong and information bays at access points. Signage at Telegraph Hill explains the history of the area and a walking trail provides botanical and historical details. Information bays depict life in the area for early settlers and Aboriginal people and detail any projects under way in the reserve. Given the importance of Marlgu Billabong as waterbird habitat, the bird hide and boardwalk are invaluable to visitors. It is a high priority to upgrade the signs and information for the purpose of public education and interpretation to assist in achieving conservation objectives. Programs and activities aimed at increasing public education on the values of the planning area will be supported by the department.

A number of publications and brochures are available on the area. It is a high priority to review and edit the information they contain before being reprinted.

The department's website also provides a valuable means of distributing information on the significant values of the planning area.

The characteristic water-holding ability of the planning area increases the potential for visitors to be exposed to mosquitoes that have a high possibility of carrying Ross River virus. As mosquitoes are an essential part of the reserve's ecosystem and mosquito control has the potential to jeopardise natural values, the department and the Conservation Commission will not take measures to reduce mosquito numbers. Instead, increasing visitor awareness may help reduce the incidence of infection.

Desired outcome

Increase community awareness, understanding and appreciation of the values of the planning area in order to foster support for its protection and effective management.

Strategies

1. Provide information to visitors, volunteers, commercial operators and the tourism industry on:
 - ❖ day-use opportunities
 - ❖ the values and management issues within the planning area such as its importance for migratory waterbirds, visitor safety, permitted activities and regulations
 - ❖ cultural heritage to promote visitor awareness, appreciation and understanding
 - ❖ potentially hazardous areas and activities in order to modify visitor behaviour accordingly.
2. Update existing signage and brochures and install new signs at all access points, including information on Aboriginal cultural interpretation.
3. Incorporate the promotion of the values of the planning area into future commercial lease agreements at major interpretive sites.
4. Increase community awareness of the need to keep domestic animals out of the planning area.

17. VISITOR ACCESS

Access within the planning area is provided to allow passive recreational use, as well as for management and emergency vehicles. All roads within the planning area are only adequate for four-wheel-drive vehicles and are impassable during the wet season.

Vehicle access to Parry Lagoons Nature Reserve is via Parry Creek Road, accessed either from the Great Northern Highway in the west or Old Wyndham Road in the east and maintained by the Shire of Wyndham East Kimberley. The Shire is also legally responsible for Parry Creek Road.

There is no formal vehicle access to the Ord River Nature Reserve on the east of the Ord River, as the reserve is bound by Carlton Hill Pastoral Station. Visitation to the area is minor, often via boat from Wyndham to the Cambridge Gulf and False Mouths of the Ord.

It is proposed no new tracks are created by the department for the purpose of public access or management access in the planning area throughout the life of this plan. Informal roads or tracks may be closed to the public as necessary by using signage or natural barriers because of the risk of degradation of natural and cultural values and visitor safety.

Desired outcome

Provide safe and convenient access within the planning area for visitors and management.

Strategies

1. Maintain designated access points to the planning area to facilitate four-wheel drive, walking and bird watching activities.
2. Pending a future increase in visitor numbers, develop defined walking trails if required.

18. VISITOR ACTIVITIES AND USE

Recreational activities that take place within the planning area include bird watching, scenic and wildlife photography, picnicking, fishing, boating, and four-wheel driving.

Traffic counters are not used within the planning area, so visitor numbers are not recorded. This management plan recommends traffic counters are installed at Marlgu Billabong and Telegraph Hill to provide data on the level of visitation to these sites. This will assist in determining future recreational requirements within the planning area.

Day use

Bird watching and nature appreciation

Bird watching is a popular activity within the planning area, particularly at Marlgu Billabong. The Ord River contains a variety of habitats for birds, ranging from deep water popular with diving species such as cormorants, darters and pelicans, to shallow areas that attract waders and shorebird species. Mangrove and saltmarsh habitats, wetland grasslands and sedges, riparian woodlands and aquatic vegetation are all represented. The planning area has large populations of seasonal waterbirds, some of which are threatened. The saltwater and freshwater crocodile are found throughout the planning area.

A bird hide, boardwalk, signs and interpretation panels are located within Parry Lagoons Nature Reserve. Picnicking is common at Crocodile Hole and Marlgu Billabong however the locations are informal and do not provide facilities.

Fishing

Fishing activities are primarily managed under the *Fish Resources Management Act 1994*. In freshwater areas species targeted include barramundi and sooty grunter. In saltwater areas species targeted include threadfin salmon, cod and mulloway. Crabbing for mud crabs is known to occur; however, the extent is not known.

Boating

Boating is a popular activity within the planning area, mainly in motorised boats and generally in conjunction with fishing pursuits. There are no boat ramps within the planning area, with access generally from the boat

Managing Visitor Use

ramp at Wyndham town site. An informal boat launching site is located at Tanmurra Creek within the False Mouths of the Ord.

Motorised boating is not permitted in the lagoons within Parry Lagoons Nature Reserve in order to prevent disturbance to bird life and for safety purposes because of the presence of crocodiles. It is recognised that it may be necessary for motorised boats to operate on the lagoons in some circumstances, such as search and rescue operations, scientific research and for inspections by government agencies. In these instances approval of the department's Regional Manager is required.

Overnight stays

Overnight stays and camping are not permitted within the planning area. Tourists wanting to stay within the general area are able to make use of accommodation facilities at Parry Creek Farm, a freehold property within the planning area. Other facilities are located within Wyndham, 50 kilometres north-west, and Kununurra, 100 kilometres east of the planning area along the Great Northern Highway.

Illegal camping is known to occur at Tanmurra Creek within the Ord River Nature Reserve. The location of the camp site is close to mangroves, often infested with sand flies and not managed in respect to rubbish disposal and toilet facilities. Alternative opportunities for camping will be investigated.

Desired outcome

Passive, low impact visitor use of the planning area.

Strategies

1. Encourage visitor use that is consistent with protecting and promoting the values of the planning area.
2. Provide a range of day-use opportunities consistent with department policies as resources permit.
3. Install traffic counters at Marlgu Billabong and Telegraph Hill.
4. Provide management solutions to mitigate visitor impacts.

Domestic animals

Domestic animals are not permitted within nature reserves.

Commercial operations and tourism

Leases are formal agreements that allow exclusive use of land as a means of providing security to protect significant investments. There are no recreation or tourism leases in the planning area. Leases on department-managed land should be assessed against a range of sustainability indicators including design, environmental, cultural and social impacts, safety and risk management, interpretation and education, customer service, marketing and contribution to management.

Licences allow private tour operators conducting commercial tourist activities to access and use department-managed lands, and enable the department to monitor and regulate access and use to ensure values of the planning area are maintained. Commercial tour operators interact with visitors on a regular basis and play a significant role in disseminating information. There are 68 'T' class commercial operators licensed to conduct tours in Parry Lagoons Nature Reserve, the majority being four-wheel drive or safari operations offering bushwalking along with other activities including bird watching. No tour operators hold licenses for the Ord River Nature Reserve.

The highly attractive visual amenity of the planning area is popular for filming ventures. Organisations and individuals planning to undertake commercial filming must obtain a permit from the department before filming.

Desired outcome

Commercial tourism activities that extend the range of services, facilities and experiences available which are compatible with management outcomes.

Strategies

1. Evaluate proposals for licences and commercial tourism leases according to department policies and allow their establishment where appropriate.
2. Ensure all commercial operations operate under a lease, licence or permit agreement with appropriate conditions.

3. Ensure any commercial tourism operations are regularly evaluated to reflect current market trends and that operations remain cost-neutral to the department.
4. Work with the tourism industry and associations regarding any commercial proposal or activity.

MANAGING RESOURCE USE

Resource use refers to consuming natural resources to provide economic and social benefit. This usually requires the determination of sustainable yield or allocation limits to ensure the natural resources are not consumed beyond acceptable means (WA Government 2006). Using the natural resources of the planning area in a sustainable manner is critical to the long term management, conservation and protection of such resources.

19. MINERAL EXPLORATION AND DEVELOPMENT

The Department of Mines and Petroleum (DMP) administers the *Mining Act 1978* (Mining Act) and is responsible for the granting of various tenements including prospecting licences, exploration licences, general purpose leases and mining leases for the exploration and subsequent development of minerals in Western Australia. There are two current and two pending exploration licences and one pending prospecting licence within the planning area and the proposed additions to the planning area.

Extraction of basic raw materials from the planning area by local government authorities for use on road reserve enclaves within the planning area occurs under the *Local Government Act 1955* and with departmental approval. Extraction by private contractors or individuals for use on private easements within conservation estate occurs under the Mining Act. It is preferred that basic raw materials for road construction and recreation developments be obtained from outside the planning area, or from areas that are already disturbed or of lower conservation value. To prevent the unwanted introduction of weeds and disease into the reserves, quarantine measures may be required.

Desired outcome

Minimal impacts from mineral exploration and development, including basic raw material extraction and development activities, on the values of the planning area.

Strategies

1. Refer proposals that may adversely impact upon the planning area to the Environmental Protection Authority (EPA) for consideration of assessment under the *Environmental Protection Act 1986* (EP Act).
2. Refer proposals to the Conservation Commission, in order to provide advice to the Minister for Environment.
3. Ensure access to basic raw materials from within the planning area by local government authorities and private contractors is allowed only when:
 - ❖ the material is to be used within the planning area
 - ❖ extraction complies with the relevant management plan and the purpose, class and tenure of the reserves
 - ❖ extraction complies with existing department and Conservation Commission policies and guidelines.

20. WATER RESOURCES

There is no extraction of surface water from the lower reaches of the Ord River adjacent to the planning area. Because of previous reliability issues with Moochalabra Dam during storm events, it was proposed to seek an alternative source of water from the Ord River for the Wyndham town site. This may not eventuate since the Water Corporation has upgraded the dam with a state-of-the-art water purification system. The tidal influence on the Ord River causes salt water intrusion which would result in an unsatisfactory taste of the water. If there is a future need to source water from the Ord River, all infrastructure should be located within Parry Creek Road reserve.

Parry Creek Farm source rainwater for their accommodation facilities.

Drinking water at Goose Hill Aboriginal Living Area is obtained from bores. Historical testing of the water show salinity levels greatly exceed the Australian Drinking Water Guidelines for taste (ANZECC 2000), though residents continue to drink the water.

A tidal power station has been proposed on the lower Ord River, south-east of Panton Island. The proposal is based on the construction of a rock barrage across the Ord River from Mt Connection to Limpit Hill, which is within the Ramsar classified wetland. Such a barrage would permanently halt upstream water movement within

the Ord River and divert all water around the western side of Limpit Hill, within the Ord River Nature Reserve. Although an environmental impact assessment has not been conducted for this proposal, potential issues involved with the proposal include:

- ❖ loss of connectivity between the Ord River and the Cambridge Gulf estuary impacting aquatic animals including saltwater crocodiles, diadromous fish, reptiles, crustaceans and benthic dwellers
- ❖ significant changes to the hydrological regime influencing salinity concentrations, sediment dynamics and nutrient cycling of the Ord River
- ❖ flooding of the Ord River Nature Reserve at Limpit Hill and along upstream banks of the Ord River causing death of and/or stress of mangrove and other vegetation and loss of, or alteration to, saltwater crocodile habitats
- ❖ Inconsistency with the purpose of a nature reserve.

This proposal may have a significant impact on matters of national environmental significance, such as the Ord River Floodplain Ramsar site, threatened species, threatened ecological communities and migratory species listed under the EPBC Act. It should also be referred to the relevant Commonwealth department responsible for the administration of this Act, for approval and possible assessment under the EPBC Act.

Mantina Flats, on the eastern boundary of Parry Lagoons Nature Reserve south of the Ord River, is earmarked for horticultural development during the implementation of ORIA Stage 2 (see Map 2). Potential issues involved with the design and management of Stage 1 and further development of Stage 2 include:

- ❖ direct and indirect impacts on Parry Lagoons Nature Reserve. Portions of the Mantinea Flats area are proposed to extend into the nature reserve. In addition to overall approval from the Minister for Environment under the EP Act, permission from the department and the Conservation Commission would be required if this area was to be considered for development
- ❖ unknown impacts to surface water and groundwater hydrology of the planning area, from land clearing and water abstraction, either from the Ord River or from groundwater sources, and within ORIA Stage 1 and Stage 2
- ❖ unknown impacts of increasing nutrients, pesticides and herbicides to the ecology of the river from ORIA Stage 1 and Stage 2, including bioaccumulation. Of serious concern is the impact from the herbicide atrazine, bioaccumulation of the insecticide endosulfan and bioaccumulation of DDE in reptiles effecting the thickness of eggs resulting from historical use of DDT
- ❖ potential for invasion of weed crop species into the planning area
- ❖ inconsistency with the purpose of a nature reserve.

A proposal to develop a prawn farm north of Wyndham, on the west bank of the Ord River, was tabled with the department and former National Parks and Nature Conservation Authority and referred to the EPA in 1999. Although the proposal did not proceed beyond the scoping phase, potential issues involved with the aquaculture facility include:

- ❖ direct and indirect impacts on Ord River Nature Reserve. Portions of the prawn farm are planned to extend into the Ord River Nature Reserve. In addition to overall approval from the Minister for Environment under the EP Act, permission from the department and the Conservation Commission would be required if this area was to be considered for development
- ❖ unknown impacts to saltwater crocodiles (*Crocodylus porosus*) and other fauna
- ❖ unknown impacts from increased nutrients to the ecology of the river
- ❖ inconsistency with the purpose of a nature reserve.

Desired outcome

Minimal impacts from water resource use on the values of the planning area.

Strategies

1. Issue licences as required under the CALM Act for water extraction from bores and other water sources located within the planning area.
2. Refer proposals that may adversely impact upon the planning area to the EPA for consideration of assessment under the EP Act.
3. Refer proposals to the Conservation Commission, in order to provide advice to the Minister for Environment.

21. PUBLIC UTILITIES AND SERVICES

The provision of new services and infrastructure has the potential to impact on the natural and cultural values of the planning area and depending on their location and type can result in a number of significant management problems. Such impacts may include the clearing of vegetation, introduction of weeds and disease, increased susceptibility to fire, visual impacts and the destruction of important habitats. Under the CALM Act provision of such services must be compatible with the objective of a nature reserve.

To limit management problems such as those referred to above, it is preferable that all utility infrastructure not servicing the planning area itself is accommodated outside of the reserves. For example, Parry Creek Road reserve has been excised from Parry Lagoons Nature Reserve, and from the Ramsar site. This road reserve provides a single infrastructure corridor across the nature reserve, with the expectation that all services for the Mantinea Flats irrigation development will be installed within the road reserve. This would also apply for any future water supply for Wyndham town site from the Ord River.

A Telstra telecommunications radio repeater tower is located within the boundary of Parry Lagoons Nature Reserve. Reserve No 39016 is vested with the Australian Telecommunications Commission for the purpose of 'communications'.

Desired outcome

Minimal impacts from the installation and maintenance of public utilities on the values of the planning area.

Strategies

1. Ensure all new public utilities are accommodated outside of the reserves.
2. Refer proposals that may adversely impact upon the planning area to the EPA for consideration of assessment under the EP Act.
3. Refer proposals to the Conservation Commission in order to provide advice to the Minister for Environment.
4. Where there are no viable alternatives within existing utility corridors, allowances may be given if the proposal:
 - ❖ is consistent with the objective of the reserves of the planning area
 - ❖ does not adversely impact the values of the planning area
 - ❖ does not adversely impact department operations
 - ❖ is consistent with government policy.

22. REHABILITATION

Rehabilitation is the establishment of a stable, self-perpetuating ecosystem following disturbance, consistent with the purpose for which the area is managed. Rehabilitation within the planning area will be implemented following exploration and mining, road works, raw material extraction, track closure, recreational events, recreational site closure, activities associated with fire suppression or intense fires.

DMP apply conditions to mineral tenements which highlight rehabilitation requirements and rehabilitation programs. When applied, the licence holder is required to rehabilitate all disturbed areas, such as drill pads, grid lines, temporary structures, access tracks and mining operations. In cases where other agencies or organisations have been responsible for disturbance within the planning area, it is the department's policy that the organisation is responsible for rehabilitation of these areas to a suitable standard. In such cases, the cost of rehabilitation should also be borne by that organisation.

Natural regeneration of vegetation from seed, through good site and topsoil management where feasible, is preferable to planting of seedlings. Tracks, drill pads, disturbed recreation sites should be ripped where possible and access prevented to allow establishment of surrounding local plant species. Replacement of cleared vegetation and topsoil over the disturbed area is critical to replenish the seed bank within the soil and obtain an adequate rehabilitation outcome.

Desired Outcome

Degraded areas being restored to a condition resembling the natural environment within the local vicinity.

Strategies

1. Coordinate rehabilitation works with weed control, fire management and cattle exclusion to allow natural regeneration wherever possible.
2. Utilise plant stock or seed of local provenance where active rehabilitation is required.

INVOLVING THE COMMUNITY

Various policy statements are used to guide the department in community involvement. A range of communication strategies are used that target different audiences, including: information; interpretation; education; community involvement; and liaison, consultation and advisory services to stakeholder groups.

Community involvement is an integral part of the department's operations including the development and implementation of this management plan. A key outcome for the department is to develop community awareness and appreciation of the state's natural environment and biodiversity and promote community involvement in and support for its protection and conservation.

To date, the community has been involved in the preparation of this management plan by providing initial comments on the issues within the planning area, via written submissions and consultation meetings.

Ongoing community support is essential for the successful implementation of the approved final management plan. The involvement and support of Aboriginal people, adjacent landowners and managers, planning area users, tour operators and interest groups is important to the conservation of the planning area's values and to provide more effective and integrated management of issues that are influenced by activities beyond the boundaries of reserves, such as fire, weeds and introduced animals.

Working together with Aboriginal people to 'care for country' will assist heritage preservation and conservation of the environment, as well as enrich cross-cultural awareness.

Volunteer activities are encouraged and supported within the planning area, and community groups, local schools and universities are encouraged to take part in volunteer activities such as waterbird surveys, water monitoring, rehabilitation, and interpretation and education. The department will seek to coordinate community groups to facilitate such work.

The department's *Good Neighbour Policy* (DEC 2007b) assists in delivering its objectives as outlined in the department's *Corporate Plan* (DEC 2007a). The policy outlines several principles for effective neighbour relations. The policy addresses issues such as fences adjacent to department-managed lands, fire management, control of weeds and introduced pest animals, stock on DEC managed lands, access to department-managed lands and others.

Desired outcome

Effective community involvement in the management of the planning area.

Strategies

1. Continue to encourage, promote and support volunteers and community groups with essential resources to help them carry out their activities.
2. Liaise with traditional custodians such as Balangarra and Miriuwung Gajerrong, neighbouring landowners and land managers, local authorities, relevant government agencies and other stakeholders in the management of cross boundary issues.
3. Notify adjacent pastoralists of cattle located within the planning area, permit pastoralists to muster cattle and advise pastoralists any stock remaining after mustering will be eradicated.

RESEARCH

There are many opportunities for research within the planning area, including studies of water levels and water quality, macroinvertebrates, waterbirds, mangrove birds, crocodiles, and fish such as barramundi. Research by universities and community groups will continue to be encouraged and supported by the department.

It is appropriate that research and monitoring programs involve a wide range of people and groups. The involvement of volunteers, educational institutions and individual researchers can reduce the costs of such programs and assist in providing information to the department and the broader community. However, it is important that all research undertaken within the planning area is coordinated by the department, as this will ensure an integrated approach, avoid duplication, minimise impacts and enable projects to be prioritised.

Desired outcome

Monitor possible impacts associated with implementing the management plan to provide for improved management.

Strategies

1. Conduct or support research, as resources permit and according to priority, that focus on issues and values required to report on this management plan, and the establishment of baseline information that includes:
 - ❖ current hydrological processes to determine adequacy to maintain the ecological character of the planning area
 - ❖ macroinvertebrate indicator species to determine water quality and detect levels of change
 - ❖ native plants that are rare, threatened or in need of special protection
 - ❖ vegetation condition and composition and any levels of change in condition and composition
 - ❖ abundance and composition of key fauna species and detect levels of change
 - ❖ threatening processes, such as fire and introduced plants and animals
 - ❖ the impacts of groundwater extraction within the planning area and from adjacent areas, particularly Mantinea Flats irrigation area
 - ❖ visitor's use of the area and its impacts.
2. Provide support for cultural heritage research of the reserves and incorporate traditional custodian's cultural knowledge in the management of the reserves.

Key Performance Indicators

Performance Measure	Target	Reporting Requirement
Condition and composition of vegetation.	Subject to natural variations, no deterioration in the condition and composition of vegetation.	5 yearly.
Abundance and composition of birds and crocodiles.	Subject to natural variations, no reduction of the abundance and composition of birds and crocodiles.	5 yearly.
Location and extent of high priority weed species.	A reduction in the location and extent of high priority weed species.	5 yearly.

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PERSONAL COMMUNICATIONS

- T. Sinclair – Kimberley Regional Leader of Nature Conservation, DEC
- T. Handasyde – Botanist, DEC

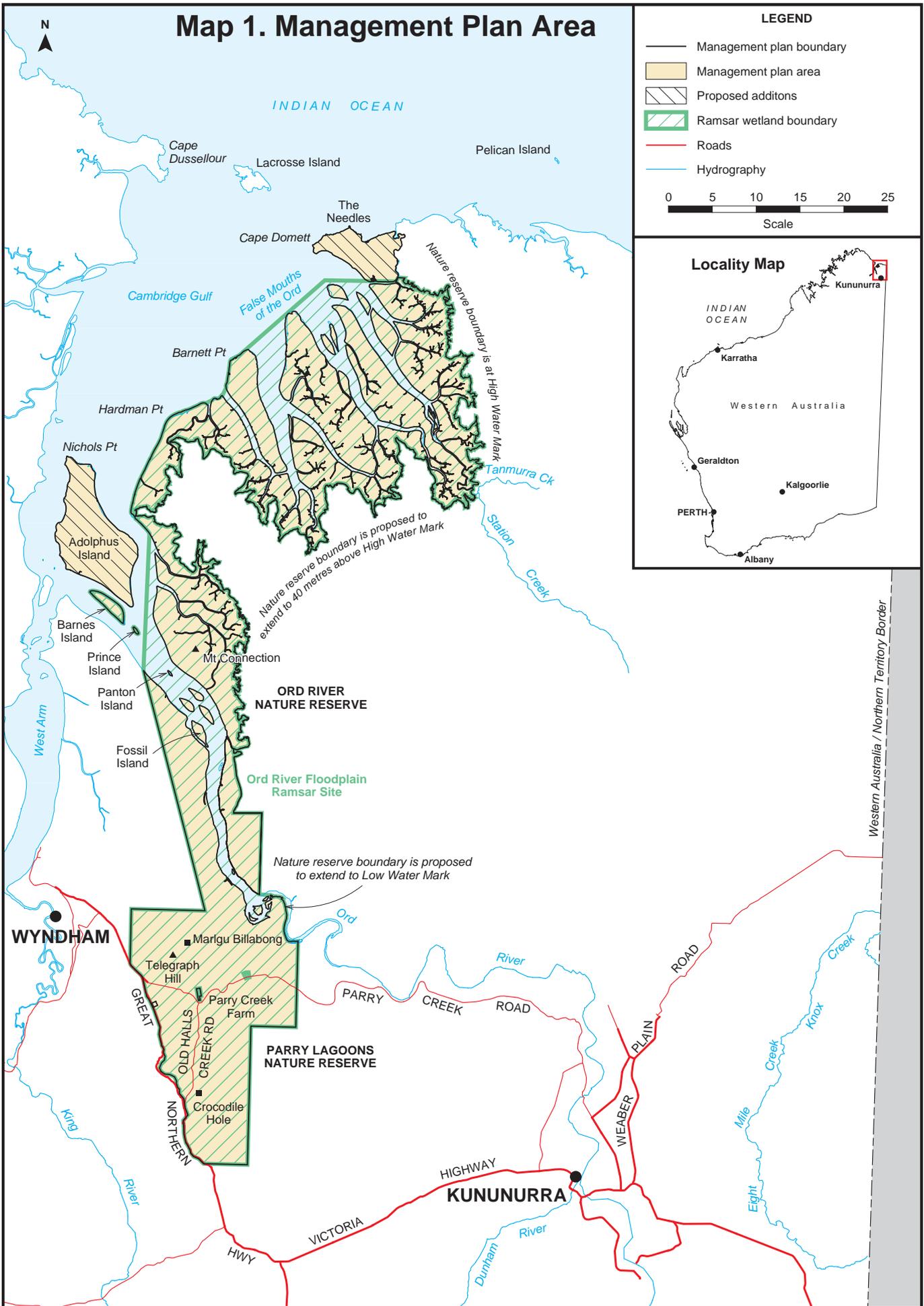
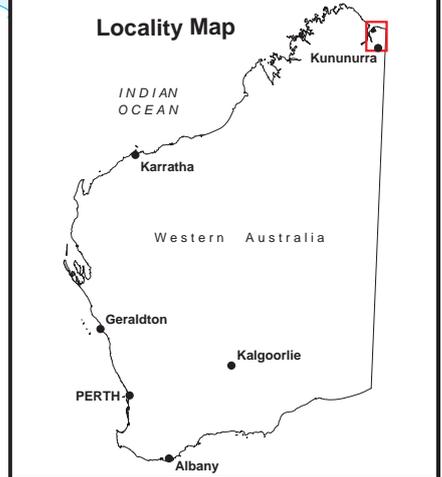
Map 1. Management Plan Area

LEGEND

-  Management plan boundary
-  Management plan area
-  Proposed additions
-  Ramsar wetland boundary
-  Roads
-  Hydrography



Locality Map



Map 2. Land Tenure

LEGEND

-  Management plan boundary
 -  CALM Act section 5(1)(g) reserve
 -  Miscellaneous reserve and land held under title by the CALM Executive Body
 -  National park
 -  Nature reserve
 -  Proposed additions
 -  Proposed conservation park
 -  Proposed Mantinea Flats irrigation area
 -  CALM Act section 16A Agreement
 -  Unallocated Crown land
 -  Unmanaged reserve
 -  Pastoral lease boundary
 -  Roads
 -  Hydrology
- 0 5 10 15 20 25
Scale

