



MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 14 DECEMBER 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: _____

MINUTES SUMMARY

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SHIRE OF WYNDHAM EAST KIMBERLEY

MINUTES

OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 14 DECEMBER 2010 AT 6:00 PM.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.11pm.

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 J Parker	Councillor
Cr K Torres	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)

GALLERY

Jennifer Ninnette
Daniel Bouwer
Zoe Higgins
Bruce Carey
Chris Robinson

APOLOGIES

Cr R Addis Councillor

LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Cr K Wright Councillor

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

Nil

8. CONFIRMATION OF MINUTES

Please note that the minutes were not ready for the meeting and will be confirmed at the 18 January 2011 meeting.

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 16 NOVEMBER 2010

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 16 November 2010.

The recommendation was withdrawn as the Minutes of the Ordinary Council Meeting 16 November 2010 were not available. These minutes will be presented for confirmation at the Ordinary Council Meeting 18 January 2010.

8.2 CONFIRMATION OF MINUTES OF THE SPECIAL COUNCIL MEETING OF 23 NOVEMBER 2010

RECOMMENDATION

That Council confirms the Minutes of the Special Council Meeting held on 23 November 2010.

The recommendation was withdrawn as the Minutes of the Special Council Meeting 23 November 2010 were not available. These minutes will be presented for confirmation at the Ordinary Council Meeting 18 January 2010.

8.3 CONFIRMATION OF MINUTES OF THE ANNUAL GENERAL ELECTORS MEETING OF 30 NOVEMBER 2010

RECOMMENDATION

That Council notes the unconfirmed Minutes of the Annual General Electors Meeting held on 30 November 2010

The recommendation was withdrawn as the Minutes of the Annual General Electors Meeting 30 November 2010 were not available. These minutes will be presented for confirmation at the Ordinary Council Meeting 18 January 2010.

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Shire President announced the proposal for the Moonamang Joint Venture was proceeding, with the Chief Executive Officer developing and Memorandum of Understanding for 10 – 12 Employees to work for a 15 week period with the Shire of Wyndham East Kimberley.

During an Australia's North West Board meeting that I attended the previous week, the Manager of APT Tours mentioned to the board the good work of this Shire's staff including Kelly Cripps and Russell Williams along with any interaction with our staff had been of a very high quality. A similar response was received for the outdoor staff and the new supervisor Peter Jennings.

10. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1 MINUTES OF AIRPORT COMMITTEE MEETINGS

11.1.1 MINUTES OF THE AIRPORT COMMITTEE MEETING HELD ON 14 OCTOBER 2010

RECOMMENDATION

That Council notes the unconfirmed Minutes of the Airport Committee Meeting held on 14 October 2010

COUNCIL DECISION

Minute No: 9361

Moved: Cr J Moulden

Seconded: Cr D Ausburn

That Council notes the unconfirmed Minutes of the Airport Committee Meeting held on 14 October 2010.

CARRIED UNANIMOUSLY: (7/0)

11.2 MINUTES OF AUDIT COMMITTEE MEETINGS

11.2.1 MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 16 NOVEMBER 2010

RECOMMENDATION

That Council notes the unconfirmed Minutes of the Audit Committee Meeting held on 16 November 2010

COUNCIL DECISION

Minute No: 9362

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council notes the unconfirmed Minutes of the Audit Committee Meeting held on 16 November 2010.

CARRIED UNANIMOUSLY: (7/0)

12. REPORTS

12.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 Matters Arising From Audit Committee Meeting Held On 16 November 2010

DATE:	14 December 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:	
ASSESSMENT NO:	N/A

PURPOSE

To consider recommendations from Council's Audit Committee.

BACKGROUND

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

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

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 7.1A

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

COMMENT

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

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

AUDIT COMMITTEE RECOMMENDATION 1

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

AUDIT COMMITTEE RECOMMENDATION 2

That Council acknowledges that the actions being undertaken by the administration in regard to debts under legal action are appropriate and sufficient and that no additional actions are recommended in relation to these debts at this time.

AUDIT COMMITTEE RECOMMENDATION 3

Please note Audit Committee Recommendation 3 was considered at the Ordinary Council Meeting on 16 November 2010. Minute 9328 refers.

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.

AUDIT COMMITTEE RECOMMENDATION 4

That Council on the recommendation of the Audit Committee adopts the following meeting dates of the Audit Committee for 2011 to be advertised:

Tuesday 15 March 2011	4.30pm Kununurra Council Chambers
Tuesday 17 May 2011	4.30pm Kununurra Council Chambers
Tuesday 19 July 2011	4.30pm Kununurra Council Chambers
Tuesday 20 September 2011	4.30pm Kununurra Council Chambers
Tuesday 15 November 2011	4.30pm Kununurra Council Chambers

COUNCIL DECISION

Minute No: 9363

Moved: Cr J Parker

Seconded: Cr J Moulden

AUDIT COMMITTEE RECOMMENDATION 1

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

AUDIT COMMITTEE RECOMMENDATION 2

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Tuesday 15 November 2011	4.30pm Kununurra Council Chambers

CARRIED UNANIMOUSLY: (7/0)

12.2 CORPORATE SERVICES

12.2.1 Monthly Report

DATE:	14 December 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Gill Old, Manager Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	FM.09.5
ASSESSMENT NO:	N/A

PURPOSE

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

Monthly Financial Report for October 2010.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

COUNCIL DECISION

Minute No: 9364

Moved: Cr J Parker

Seconded: Cr K Torres

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

CARRIED UNANIMOUSLY: (7/0)



Shire of Wyndham East Kimberley

Monthly Financial Report 2010/2011

As at 31 October 2010

Presented to Council 14 December 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 31 October 2010

	YTD Actual 2010/11 \$	YTD Budget 2010/11 \$	YTD Variance 2010/11 \$	%
Revenue				
General Purpose Funding	1,250,253	1,258,837	(8,584)	-1%
Governance	209,205	286,700	(77,495)	-27%
Law, Order, Public Safety	22,021	37,067	(15,045)	-41%
Health	5,410	4,120	1,290	31%
Education and Welfare	46,331	49,467	(3,136)	-6%
Housing	43,024	38,523	4,502	12%
Community Amenities	1,436,172	1,480,512	(44,340)	-3%
Recreation and Culture	148,724	154,793	(6,069)	-4%
Transport	1,340,411	1,356,763	(16,353)	-1%
Economic Services	62,961	57,660	5,301	9%
Other Property and Services	2,350	9,410	(7,060)	-75%
	<u>3,316,610</u>	<u>3,475,015</u>	<u>(158,405)</u>	
Expenses				
General Purpose Funding	(145,282)	(145,949)	667	0%
Governance	(401,196)	(405,399)	4,203	-1%
Law, Order, Public Safety	(121,431)	(150,817)	29,385	-19%
Health	(134,800)	(99,296)	(35,504)	36%
Education and Welfare	(119,075)	(126,071)	6,997	-6%
Housing	(148,894)	(144,627)	(4,266)	3%
Community Amenities	(1,072,938)	(1,175,596)	102,658	-9%
Recreation & Culture	(1,291,313)	(1,351,125)	59,812	-4%
Transport	(1,669,623)	(1,701,326)	31,703	-2%
Economic Services	(200,765)	(238,788)	38,023	-16%
Other Property and Services	(236,817)	(157,173)	(79,644)	51%
	<u>(5,396,853)</u>	<u>(5,550,218)</u>	<u>153,365</u>	<u>-3%</u>
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	5,128	0	5,128	0%
Movement in Accruals and Provisions	1,050,402	0	1,050,402	0%
Depreciation on Assets	978,904	848,156	130,748	0%
Capital Expenditure and Revenue				
Purchase Land Held for Resale	0	0	0	0%
Purchase Land and Buildings	(831,454)	(822,480)	(8,974)	1%
Purchase Infrastructure Assets - Roads	(1,235,467)	(1,245,000)	9,533	-1%
Purchase Infrastructure Assets - Parks	0	0	0	0%
Purchase Infrastructure Assets - Footpaths	(22,410)	(30,000)	7,590	0%
Purchase Infrastructure Assets - Drainage	0	(1,500)	1,500	0%
Purchase Infrastructure Assets - Other	(617,550)	(611,200)	(6,350)	1%
Purchase Plant and Equipment	(213,984)	(215,094)	1,109	-1%
Purchase Furniture and Equipment	(136,974)	(116,000)	(20,974)	18%
Grants / Contributions for Development of Assets	557,800	466,500	91,300	20%
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)	(73,517)	(74,000)	483	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	15,259,019	26,181,343	(10,922,324)	-42%
Amount Required to be Raised from Rates	<u>5,402,013</u>	<u>5,415,941</u>	<u>(13,928)</u>	<u>0%</u>

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity

Net Current Assets

as at 31 October 2010

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

	YTD Actual 2010/11	Brought Forward 1 July 2010
CURRENT ASSETS		
Cash - Unrestricted	12,041,658	11,899,554
Cash - Restricted	6,831,534	6,758,017
Cash - Restricted Unspent Grants	0	0
Receivables	4,398,370	1,431,234
Inventories	8,586	5,072
	<u>23,280,149</u>	<u>20,093,877</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	(1,189,596)	(1,893,905)
Less: Cash - Restricted	<u>(6,831,534)</u>	<u>(6,758,017)</u>
NET CURRENT ASSET POSITION	<u>15,259,019</u>	<u>11,441,955</u>

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity
For the Period Ended 31 October 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. Overestimated budget for Grants Commission revenue \$70K, budget amendment required. Interest income budget for Muni Fund overstated due to inclusion of Zone funds \$41K, budget amendment required as funds now held in trust.

Governance

Underachieved other income other governance \$9K. Annual budget overestimated, to be amended at review. Interest income Kimberley Zone \$62K budgeted for will not reflect in profit and loss as requirement to hold funds in Trust until use. Budget amendment required.

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.

Community Amenities

Waste Management Receptacle Charge overachieved to annual budget \$8K. Budget to be reviewed. Kununurra Youth Centre co-location fees invoices yet to be issued \$43K. Wyndham Youth Services grant \$14K not received pending acquittal.

Recurrent Expenditure

Community Amenities

Litter Control over expended by \$30K to budget projection. Refuse collection underspent to budget projection \$35K pending processing of invoices. Tip Maintenance overspent \$16K against year to date projections. Weaber Plain Flood Mitigation \$29K and Cemetery Maintenance \$7K underspent against year to date projections. Youth staff costs underspent due to staffing \$49K.

Recreation and Culture

Kununurra Swimming Complex, Wyndham Swimming Complex and Recreation Centre salaries underspent against forecast due to staffing \$40K. Parks and Gardens Maintenance Kununurra underspent against projected budget \$53K. Depreciation Wyndham Swimming Complex underestimated \$15K, budget to be reviewed.

Transport

Variance in actual expenditure to forecasted year to date budget for Rural Road Maintenance (overspent \$9K), Wyndham Urban Road Maintenance (underspent \$60K), Kununurra Urban Road Maintenance (underspent \$37K). Depreciation expenses for Roads, Parking and Kununurra Airport underestimated \$81K, budgets to be reviewed. Wyndham Airport underspent against year to date budget forecast \$35K.

Other Property and Services

Plant and Contract cost recovery not achieved against year to date expenditure \$79K. Expected to be achieved once capital works commence.

Capital

Adjustments and Accruals

Increased depreciation for non current assets \$130K. Some budget forecasts require review.

Capital Expenditure

Purchase Furniture and Equipment

Information Technology equipment upgrades overspent to annual budget \$18K. Budget amendment required at review.

Capital Revenue

Grants/Contributions for Development of Assets

Contribution received for development of footpaths Coolibah Drive subdivision \$91K.

Reserve Transactions

No Material Variances to explain

Rates

Rates revenue under budget estimate year to date \$13K due to delay in issuing interim rate notices.

Shire of Wyndham East Kimberley

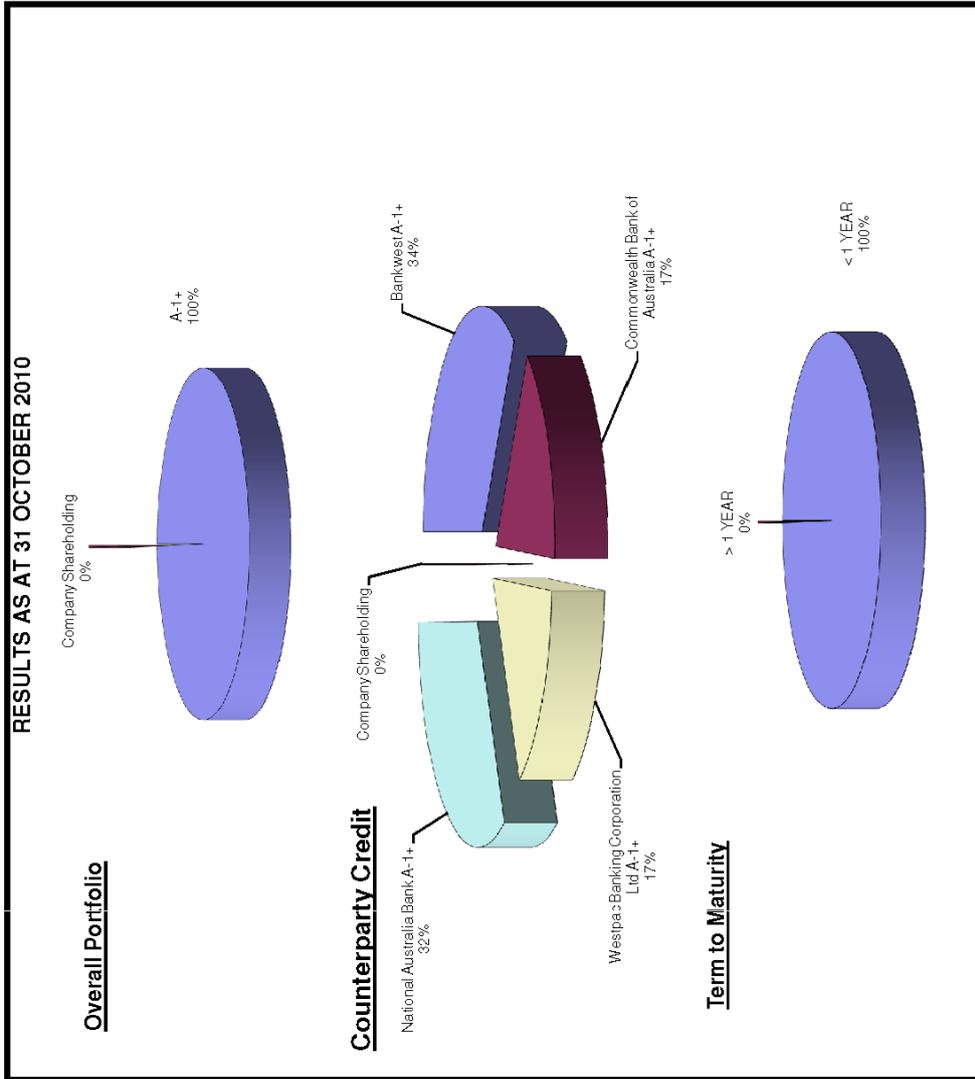
Note to Statement of Financial Activity

Budget Remaining to Collect/Spend

as at 31 October 2010

	YTD Actual 2010/11 \$	Adopted Budget 2010/11	Budget Remaining 2010/11 \$ %	
Revenue				
General Purpose Funding	1,250,253	4,326,729	3,076,476	71%
Governance	209,205	643,700	434,495	67%
Law, Order, Public Safety	22,021	72,975	50,954	70%
Health	5,410	24,850	19,440	78%
Education and Welfare	46,331	108,539	62,208	57%
Housing	43,024	125,209	82,185	66%
Community Amenities	1,436,172	2,588,104	1,151,932	45%
Recreation and Culture	148,724	731,050	582,326	80%
Transport	1,340,411	4,515,190	3,174,779	70%
Economic Services	62,961	241,000	178,039	74%
Other Property and Services	2,350	220,218	217,868	99%
	<u>3,316,610</u>	<u>9,270,835</u>	<u>5,954,225</u>	<u>64%</u>
Expenses				
General Purpose Funding	(145,282)	(377,631)	(232,349)	62%
Governance	(401,196)	(12,019,969)	(11,618,773)	97%
Law, Order, Public Safety	(121,431)	(467,635)	(346,204)	74%
Health	(134,800)	(343,996)	(209,196)	61%
Education and Welfare	(119,075)	(373,622)	(254,547)	68%
Housing	(148,894)	(408,818)	(259,924)	64%
Community Amenities	(1,072,938)	(4,614,351)	(3,541,413)	77%
Recreation & Culture	(1,291,313)	(3,986,870)	(2,695,557)	68%
Transport	(1,669,623)	(5,308,850)	(3,639,227)	69%
Economic Services	(200,765)	(765,349)	(564,584)	74%
Other Property and Services	(236,817)	(127,759)	109,058	-85%
	<u>(5,396,853)</u>	<u>(28,417,219)</u>	<u>(23,020,366)</u>	<u>81%</u>
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	5,128	(424,028)	(429,156)	101%
Movement in Accruals and Provisions	1,050,402	105,402	(945,000)	-897%
Depreciation on Assets	978,904	2,544,500	1,565,596	62%
Capital Expenditure and Revenue				
Purchase Land Held for Resale	0	(320,000)	(320,000)	100%
Purchase Land and Buildings	(831,454)	(13,582,998)	(12,751,544)	94%
Purchase Infrastructure Assets - Roads	(1,235,467)	(4,438,800)	(3,203,333)	72%
Purchase Infrastructure Assets - Parks	0	0	0	0%
Purchase Infrastructure Assets - Footpaths	(22,410)	(30,000)	(7,590)	25%
Purchase Infrastructure Assets - Drainage	0	(449,000)	(449,000)	100%
Purchase Infrastructure Assets - Other	(617,550)	(8,962,018)	(8,344,468)	93%
Purchase Plant and Equipment	(213,984)	(1,292,485)	(1,078,501)	83%
Purchase Furniture and Equipment	(136,974)	(484,600)	(347,626)	72%
Grants / Contributions for Development of Assets	557,800	13,158,911	12,601,111	96%
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)	(73,517)	(8,117,672)	(8,044,155)	99%
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%
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	15,259,019	136,039	(15,122,980)	-11117%
Amount Required to be Raised from Rates	<u>5,402,013</u>	<u>5,465,941</u>	<u>63,928</u>	<u>1%</u>

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)



INVESTMENT POLICY F17			
"Overall Portfolio Limits"			
S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	80%	80%
Note: "S" & "P" relates to Standard & Pools credit rating agency			
"Counterparty Credit Framework"			
S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%
"Term to Maturity Framework"			
Overall Portfolio Term to Maturity Limits			
Portfolio % < 1 year	100% max 40% min		
Portfolio % > 1 year	60%		
Portfolio % > 3 year	35%		
Portfolio % > 5 year	25%		
Individual Investment Maturity Limits			
ADI	5 years		
Non ADI	3 years		
Note: "ADI" relates to an Authorised Deposit Institution (authorised under the Banking Act 1959)			

EXPLANATION OF VARIANCES:

Company shareholding (non S&P rated or ADI) represents less than 1% of investment portfolio. Council minute 8314 of 19 August 2008 provides instruction to sell shareholding. Council minute 8812 of 15 September 2009 instructs that status of shares be re-examined in six months time. 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:	14 December 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

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

COMMENT

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

ATTACHMENTS

List of Accounts Paid Under Delegation 18

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

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

Municipal EFT110627 – EFT110886 (1-26 November 2010)	\$1,320,294.28
Municipal cheques 39878-39941 (1 – 30 November 2010)	\$ 152,077.67
Trust cheques 87 – 104 (1 – 30 November 2010)	\$ 72,141.60
Payroll (3-17 November 2010)	\$332,764.92
Direct bank debits (1 – 30 November 2010)	\$37,935.20
Total	<u>\$1,915,213.67</u>

<u>COUNCIL DECISION</u>	
Minute No:	9365
Moved:	Cr J Moulden
Seconded:	Cr J Parker
That Council receives and accepts the listing of payments approved under Delegation 18 - Payment of Creditors, being:	
Municipal EFT110627 – EFT110886 (1-26 November 2010)	\$1,320,294.28
Municipal cheques 39878-39941 (1 – 30 November 2010)	\$ 152,077.67
Trust cheques 87 – 104 (1 – 30 November 2010)	\$ 72,141.60
Payroll (3-17 November 2010)	\$332,764.92
Direct bank debits (1 – 30 November 2010)	\$37,935.20
Total	<u>\$1,915,213.67</u>
CARRIED UNANIMOUSLY: (7/0)	

LIST OF ACCOUNTS PAID UNDER DELEGATION 18
List of Accounts Submitted to Council 14 December 2010

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110627	1/11/2010	AUST LOCAL GOV JOB DIRECTORY	VARIOUS ADVERTISING	1,056.00
EFT110628	1/11/2010	ALLGEAR MOTORCYCLES & SMALL ENGINES	LEAF BLOWER & BLADE KIT	645.70
EFT110629	1/11/2010	ARGYLE ENGINEERING	TAIL GATE PIN - P309	283.25
EFT110630	1/11/2010	ARGYLE MOTORS	SERVICE - P369, P471 & P109 & HOSE - P370	901.15
EFT110631	1/11/2010	ASANKA JAYAKODY	REIMBURSE MANCHESTER PURCHASED AS PER AGREEMENT	97.99
EFT110632	1/11/2010	BOAB REFRIGERATION AND AIRCON	57/C RIVERFIG AVE - AIR CON	99.00
EFT110633	1/11/2010	BOSS FLUID POWER	TOILET TISSUE DISPENSERS	344.34
EFT110634	1/11/2010	BUDGET RENT A CAR	CAR - KIMBERLEY ZONE EXECUTIVE 11/10/10 - 13/10/10	166.62
EFT110635	1/11/2010	BUSH CAMP SURPLUS STORES	UNIFORMS	227.70
EFT110636	1/11/2010	BEAUREPAIRES FOR TYRES	EARTHMOVING TYRES - P350	3,596.00
EFT110637	1/11/2010	BRANKO BP MOTORS	NEW TYRES - P358	1,235.24
EFT110638	1/11/2010	C & S JOLLY ELECTRICS	POWER METERS - OLD AIRPORT BUILDING	2,301.09
EFT110639	1/11/2010	CABCHARGE	TAXI FARES -AQUA INSTRUCTOR COURSE	145.09
EFT110640	1/11/2010	CGL WYNDHAM PORT	FORK LIFT - ABLUTION BLOCK WYN AIRPORT	412.50
EFT110641	1/11/2010	COLLEAGUES INFORMATION SOLUTIONS	LITTER INFRINGEMENT BOOKS	304.00
EFT110642	1/11/2010	CORPORATE EXPRESS	VARIOUS STATIONERY	662.16
EFT110643	1/11/2010	CAMBRIDGE GULF CLEANING SERVICES	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	2,405.82
EFT110644	1/11/2010	CARDNO ULLMAN & NOLAN GEOTECHNIC	GEOTECHNICAL REPORT FOR VARIOUS PROJECTS	9,482.66
EFT110646	1/11/2010	COFFS HARBOUR CITY COUNCIL	LOCAL GOVERNMENT IT CONFERENCE 16/11/10 - 19/11/10	1,800.00
EFT110647	1/11/2010	COMFORT HOTEL PERTH CITY	ACCOMMODATION –COUNCIL MEETING 12/10/10 - 13/10/10	199.40
EFT110648	1/11/2010	DEPT OF TREASURY & FINANCE - LIBRARY	BOOKS FOR BETTER BEGINNINGS BAGS	759.00
EFT110649	1/11/2010	DANIEL COX	ELECTRICITY SUBSIDY 3/08/10 - 1/10/10	229.94
EFT110650	1/11/2010	DAVEY TYRE & BATTERY SERVICE	TYRES - P212 & P327 & PUNCTURE - P204	922.48
EFT110651	1/11/2010	DEB MILLS	REIMBURSEMENT OF EXCESS LUGGAGE COST	200.00
EFT110652	1/11/2010	DEPARTMENT FOR CHILD PROTECTION	QUICK GRANT FUNDS - CHILD PROTECTION DAY OCT 10	550.00
EFT110653	1/11/2010	EAST KIMBERLEY GLASS	CLOSER ON DOOR - KNX LEISURE CENTRE	283.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110654	1/11/2010	EAST KIMBERLEY TOWING	TOW VARIOUS ABANDONED VEHICLES FROM DEPOT TO TIP	1,100.00
EFT110655	1/11/2010	EAST COAST TELEPHONE CO	PAYHONE - AIRPORT TERMINAL	1,310.00
EFT110656	1/11/2010	EAST KIMBERLEY HARDWARE	HAMMER DRILL & MIG WELDER	3,542.20
EFT110657	1/11/2010	ENZED SERVICE CENTRE DARWIN	HYDRAULIC FITTING - P350	574.22
EFT110658	1/11/2010	FORTE AIRPORT MANAGEMENT	PROJECT MANAGEMENT SERVICES - EKRA	36,366.00
EFT110659	1/11/2010	FYSH GRADER HIRE	GRADER - AIRSIDE DRAINS - EKRA	1,402.50
EFT110660	1/11/2010	FRANMOR CONSTRUCTIONS PTY LTD	DOORS - CHLORINE ROOM KLC & WINDOW - KNX DEPOT	2,686.40
EFT110661	1/11/2010	GO WORK	TEMP CUSTOMER SERVICE OFFICER - KNX LEISURE CENTRE	2,623.00
EFT110662	1/11/2010	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION 13/10/10 - 14/10/10	180.00
EFT110663	1/11/2010	HITACHI CONSTRUCTION MACHINERY	MIRROR & ISOLATOR - P479	190.97
EFT110664	1/11/2010	IAN DEMPSEY	SALARY PACKAGING REIMBURSEMENT	1,119.10
EFT110665	1/11/2010	IBAC PLUMBING PTY LTD	CHANGE ROOMS - KNX OVAL & TAPS - WYNDHAM CEMETERY	1,110.78
EFT110666	1/11/2010	JASON SIGNMAKERS LTD	BIG CROCODILE SIGN	74.80
EFT110667	1/11/2010	JH COMPUTER SERVICES	COMPUTERS - YOUTH CENTRE	5,820.39
EFT110668	1/11/2010	JAB INDUSTRIES	TRANSPORT P474 - LANDFILL TO KIMBERLEY MECHANICAL	275.00
EFT110669	1/11/2010	K & M ALLCLEAN	29 BOOBIALLA WAY & 3A DRYANDRA ST - CLEAN	990.00
EFT110670	1/11/2010	KIMBERLEY MARKETING	SALE ITEMS - AIRPORT VENDING MACHINE	1,558.50
EFT110671	1/11/2010	KIMBERLEY PROPERTY VALUERS	COMMERCIAL VALUATION - LOT 507 CHESTNUT AVE	1,100.00
EFT110672	1/11/2010	KIMBERLEY WASTE SERVICES	SKIP EMPTIES SEPT - KNX LEISURE CENTRE	220.00
EFT110673	1/11/2010	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS	32.30
EFT110674	1/11/2010	KUNUNURRA LOCK & KEY	4 QUONDONG ST - UNLOCK GARDEN SHED & REPLACE LOCK	205.50
EFT110675	1/11/2010	KUNUNURRA MEDICAL	DAMP DRUG AND ALCOHOL SCREENS	145.20
EFT110676	1/11/2010	KUNUNURRA PLUMBING & GAS FITTING	MULTI PORT VALVES ON PUMP - KNX LEISURE CENTRE	1,247.85
EFT110677	1/11/2010	KUNUNURRA RURAL TRADERS	EXTINGUISHERS - KNX LEISURE CENTRE	285.34
EFT110678	1/11/2010	KUNUNURRA SECURITY SERVICE	REED SWITCH - KNX LEISURE CENTRE	291.87
EFT110679	1/11/2010	KEVIN TANG AND LISHA QIN	ELECTRICITY SUBSIDY 6/08/10 - 6/10/10	239.87
EFT110680	1/11/2010	KIMBERLEY COMMUNICATIONS	REPAIR OF LECTERN & RESETS OF SBS	336.00
EFT110681	1/11/2010	KIMBERLEYLAND HOLIDAY PARK	ACCOMMODATION –CONTRACT EMPLOYEE 15 - 20/10/10	575.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110682	1/11/2010	KRIS CURROW CONSULTING	CONTRACTED SERVICES	2,720.00
EFT110683	1/11/2010	KUNUNURRA DIESEL SERVICE	SIDE MIRROR - P360	84.30
EFT110684	1/11/2010	L-3 COMMUNICATIONS AUSTRALIA	SAMPLE TRAPS	946.00
EFT110685	1/11/2010	LENNYS LANDSCAPE	REMOVE, GRIND & POISON TREES - BANYAN ST	2,000.00
EFT110686	1/11/2010	LGIS LIABILITY	INSURANCE - LIABILITY SCHEME 30/06/10 - 30/06/11	43,543.50
EFT110687	1/11/2010	LGIS WORKCARE	INSURANCE - WORK CARE POLICY 30/06/10 - 30/06/11	106,161.00
EFT110688	1/11/2010	MCLACHLAN, SHARON	ELECTRICITY SUBSIDY 10/08/10 - 7/10/10	618.11
EFT110689	1/11/2010	MODERN TEACHING AIDS	PAINT SUPPLIES - WYN CHILD CARE CENTRE	170.06
EFT110690	1/11/2010	MCLEAN ENTERPRISES PTY LTD	FREIGHT	60.50
EFT110691	1/11/2010	MIKE POWELL MAINTENANCE	VARIOUS REPAIRS - P435	1,249.60
EFT110692	1/11/2010	MOMAR AUSTRALIA PTY LTD	CHEMICALS FOR GRAFFITI REMOVAL	2,191.31
EFT110693	1/11/2010	NORTH KIMBERLEY TRANSPORT	MAINTENANCE GRADE - GIBB RIVER & KALUMBURU RD	22,079.75
EFT110694	1/11/2010	OFFICE NATIONAL KUNUNURRA	BUSINESS CARD FOLDER	53.96
EFT110695	1/11/2010	ORD RIVER ELECTRICS	GLOBE & SECURITY LIGHT - 28 EUGENIA ST	343.22
EFT110696	1/11/2010	ORDCO	INSECTICIDE	242.00
EFT110697	1/11/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	15.00
EFT110698	1/11/2010	PINDAN CONTRACTING PTY LTD	PROGRESS PAYMENT NO: 2 EKRA TERMINAL EXPANSION	122,628.91
EFT110699	1/11/2010	PUBLIC LIBRARIES WESTERN AUSTRALIA	ANNUAL MEMBERSHIP PLWA 2010/2011	100.00
EFT110700	1/11/2010	RICK SPRY	TELEPHONE REIMBURSEMENT 1/10/10 - 31/10/10	33.12
EFT110701	1/11/2010	SETON AUSTRALIA PTY LTD	TOILET SIGNAGE	92.35
EFT110702	1/11/2010	SHELF SUPPLY	DOG LEADS & CHOKER CHAINS	100.00
EFT110703	1/11/2010	SHERIDAN'S FOR BADGES	NAME BADGES	71.38
EFT110704	1/11/2010	SLINGAIR PTY LTD	RADIO OPERATOR LICENCE TRAINING	220.00
EFT110705	1/11/2010	ST JOHN AMBULANCE	FIRST AID KITS - VEHICLES & KNX ADMIN & FIRST AID COURSES	1,263.30
EFT110706	1/11/2010	SALLY JOHNSON	CLEANING OF VARIOUS PUBLIC AMENITIES - WYNDHAM	1,170.00
EFT110707	1/11/2010	SMARTWARE CORPORATION PTY LTD	SMART TIMER LICENCE - YOUTH CENTRE COMPUTERS	966.25
EFT110708	1/11/2010	THINKWATER	VARIOUS RETIC ITEMS	887.32
EFT110709	1/11/2010	TNT AUSTRALIA PTY LIMITED	VARIOUS FREIGHT CHARGES	66.59

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110710	1/11/2010	TOLL EXPRESS	VARIOUS FREIGHT CHARGES	340.81
EFT110711	1/11/2010	TONY'S PLUMBING & EXCAVATION P/L	DISABLED BATHROOM - WYNDHAM POOL	10,783.65
EFT110712	1/11/2010	TOTAL EDEN KP PUMPS	VARIOUS RETIC ITEMS	258.77
EFT110713	1/11/2010	URBIS PTY LTD	COMMENCE PREPARATION OF LOCAL PLANNING SCHEME	12,478.13
EFT110714	1/11/2010	WESTERN AUST. TREASURY CORPORATION	LOAN NO. 119 INTEREST PAYMENT	24,595.50
EFT110715	1/11/2010	WESTRALIA AIRPORTS CORPORATION	ASIC CARDS	200.00
EFT110716	1/11/2010	WYNDHAM SUPERMARKET	ASSORTED CLEANING ITEMS - WYNDHAM AMENITIES	681.53
EFT110717	1/11/2010	WORLEYPARSONS SERVICES PTY LTD	PROFESSIONAL ENGINEERING SERVICES WYNDHAM JETTY	13,370.50
EFT110718	5/11/2010	ALAN FEIGAN	RENT 01/11/10 - 30/11/10 - 1 KOOJARRA STREET WYN	1,938.10
EFT110719	5/11/2010	BONNYGLEN RETIREMENT FUND	PAYROLL DEDUCTIONS	6,100.50
EFT110720	11/11/2010	APPERLEY, KARYN	WATER SUBSIDY 1/04/10 - 23/07/10	683.31
EFT110721	11/11/2010	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,085.64
EFT110722	11/11/2010	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	197.00
EFT110723	11/11/2010	ALLGEAR MOTORCYCLES & SMALL ENGINES	CHAINSAW CHAIN & SPARK PLUGS - P485	96.00
EFT110724	11/11/2010	ARGYLE ENGINEERING	ADDITIONAL MODIFICATIONS TAIL GATE PIN - P309	52.25
EFT110725	11/11/2010	ARGYLE MOTORS	BULLBAR, CANVAS SEAT COVERS & STONE GUARD - P106	2,419.75
EFT110726	11/11/2010	ASPINALL TRAILERS	2 X 750KG SINGLE AXLE GARDEN TRAILERS	13,570.00
EFT110727	11/11/2010	AUTO ONE KUNUNURRA	TYRE INFLATOR	100.00
EFT110728	11/11/2010	BUSH CAMP SURPLUS STORES	WORK SHIRTS & PANTS	551.40
EFT110729	11/11/2010	BEAUREPAIRES FOR TYRES	PUNCTURE REPAIR - P350	217.00
EFT110730	11/11/2010	C & S JOLLY ELECTRICS	3 EUCALYPTUS - FAN , LIGHT & INSTALLED RCD'S & HWS BOOSTER	2,026.42
EFT110731	11/11/2010	CHADSON ENGINEERING	POOL VAC/CLEANER	21,774.50
EFT110732	11/11/2010	CIVIC LEGAL	LAKE KUNUNURRA FORESHORE LEASE TO TRIPLE J PROFESSIONAL FEES	1,497.43
EFT110733	11/11/2010	COLLEAGUES INFORMATION SOLUTIONS	INFRINGEMENT BOOKS	700.00
EFT110734	11/11/2010	CRIPPS, KELLY	FLIGHT TO PERTH - RECREATIONAL WATERS WORKSHOP	1,487.27
EFT110735	11/11/2010	CAMBRIDGE GULF CLEANING SERVICES	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	1,740.76
EFT110736	11/11/2010	CARPET, VINYL & TILE CENTRE	28 EUGENIA ST - INSTALL BLINDS	785.40
EFT110737	11/11/2010	DERRICK STEENSON	MARINE GRADE ALUMINIUM AMPLI GRIP WALKWAY - WYN JETTY	7,394.20

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110738	11/11/2010	DEXION BALCATT	WHITE ARCHIVE FOLDERS	352.61
EFT110739	11/11/2010	DYMARK (WA) PTY LTD	LINE MARKING MACHINE & EQUIPMENT	1,302.73
EFT110740	11/11/2010	DAVEY TYRE & BATTERY SERVICE	BALANCING - P466	24.00
EFT110741	11/11/2010	DISCOVERY HOLIDAY PARKS	ACCOMMODATION - POOL OPERATOR 26/10/10 - 4/11/10	1,182.00
EFT110742	11/11/2010	DRYSDALE RIVER STATION	FUEL -P314	314.82
EFT110743	11/11/2010	EAST KIMBERLEY PLUMBING	BLOCKED URINAL - KNX AIRPORT	763.58
EFT110744	11/11/2010	EAST KIMBERLEY HARDWARE	SAFETY CHAIN SLASHER - P435	233.15
EFT110745	11/11/2010	FUJI XEROX AUSTRALIA P/L	VARIOUS PRINTING CHARGES	4,282.09
EFT110746	11/11/2010	GARRARDS PTY LTD	PESTICIDE	1,999.07
EFT110747	11/11/2010	GAULT, JOHN DOUGLAS	ELECTRICITY SUBSIDY 19/08/10 - 20/10/10	548.93
EFT110748	11/11/2010	GARY GAFFNEY	ELECTRICITY SUBSIDY 19/08/10 - 20/10/10	416.68
EFT110749	11/11/2010	GEOTECH SOIL & AGGREGATE LABORATORY	SUBSOIL TESTING - MESSMATE ROUNDABOUT	562.30
EFT110750	11/11/2010	GO WORK	TEMP CUSTOMER SERVICE OFFICER W/E 24/10/10	1,891.00
EFT110751	11/11/2010	HIDDEN VALLEY TOURIST PARK	SITE RENTAL 23/10/10 - 19/11/10	599.46
EFT110752	11/11/2010	HITACHI CONSTRUCTION MACHINERY	WINDOWPANE & MIRROR - P479	479.99
EFT110753	11/11/2010	IAN DEMPSEY	ELECTRICITY SUBSIDY 17/08/10 - 18/10/10	243.57
EFT110754	11/11/2010	INTERCITY ICS	PRESSURE WASHER	2,992.00
EFT110755	11/11/2010	J BLACKWOOD & SON LIMITED	ORANGE TRAFFIC CONES	113.26
EFT110756	11/11/2010	JASON SIGNMAKERS LTD	VARIOUS SIGNS	1,177.00
EFT110757	11/11/2010	JORRITSMA H & CO	OIL CHANGE UPGRADE - P483	40.10
EFT110758	11/11/2010	JSW HOLDINGS PTY LTD	WATER TRUCK TO FILL TANK - KNX LANDFILL SITE	793.10
EFT110759	11/11/2010	JENNIFER NINYETTE	ELECTRICITY SUBSIDY 30/07/10 - 28/09/10	342.16
EFT110760	11/11/2010	KIMBERLEY FIRST NATIONAL REAL ESTATE	RENT INCREASE 12/33 KONKERBERRY 24/10/10 - 25/10/10	83.32
EFT110761	11/11/2010	KIMBERLEY INDUSTRIES METALAND	MASTER CYLINDER MOUNT TRIGG - P480	35.55
EFT110762	11/11/2010	KIMBERLEY MARKETING	SALE ITEMS AIRPORT SNACK VENDING MACHINE	174.75
EFT110763	11/11/2010	KIMBERLEY MOTORS	FUEL - SEPT 2010	4,257.77
EFT110764	11/11/2010	KIMBERLEY TREE SERVICES PTY LTD	AIRPORT HOUSE - REMOVE TREE & GRIND ROOTS	5,420.00
EFT110765	11/11/2010	KIMBERLEY WASTE SERVICES	MONTHLY WASTE REMOVAL - AUG & SEPT	81,089.18
EFT110766	11/11/2010	KINGS CROWN ELECTRICAL	3 PHASE CIRCUIT BREAKER - PETER REID MEMORIAL HALL	1,155.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110767	11/11/2010	KUNUNURRA COUNTRY CLUB RESORT	ACCOMMODATION - PROSPECTIVE EMPLOYEES - 27/10/10	190.00
EFT110768	11/11/2010	KUNUNURRA PLUMBING & GAS FITTING	BACKWASH PUMP - KNX LEISURE CENTRE	737.15
EFT110769	11/11/2010	KUNUNURRA SECURITY SERVICE	CASH ESCORTS - KUNUNURRA TO WYNDHAM OFFICE	175.00
EFT110770	11/11/2010	KIMBERLEY COMMUNICATIONS	3/A DRYANDRA ST - RE-TUNE TV	132.00
EFT110771	11/11/2010	KUNUNURRA FURNISHINGS	QUEEN SIZE BED & MATTRESS	898.00
EFT110772	11/11/2010	L.G.R.C.E.U	PAYROLL DEDUCTIONS	17.40
EFT110773	11/11/2010	LUBOR HON	ELECTRICITY SUBSIDY 6/08/10 - 6/10/10	166.78
EFT110774	11/11/2010	M.E. & M.F. JENKINS	ACCOM, FUEL & PROGRESS PAYMENT - KALUMBURU TENDER	160,691.60
EFT110775	11/11/2010	MCKINLAY, BETTY	ELECTRICITY SUBSIDY 12/06/10 - 24/08/10	691.07
EFT110776	11/11/2010	MOMAR AUSTRALIA PTY LTD	VANDAL MARK REMOVER & BBQ CLEANER	4,624.40
EFT110777	11/11/2010	NEC AUSTRALIA PTY LTD	NEW PHONE SYSTEM - KUNUNURRA ADMIN	44,983.95
EFT110778	11/11/2010	NICK KEARNS	VARIOUS REIMBURSEMENTS	1,550.60
EFT110779	11/11/2010	OFFICE NATIONAL KUNUNURRA	OFFICE FURNITURE - EAST KIMBERLEY REGIONAL AIRPORT	3,866.86
EFT110780	11/11/2010	ORD RIVER ELECTRICS	LIGHTS - BASKETBALL COURTS, OVAL & YOUTH CENTRE	6,769.74
EFT110781	11/11/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY KNX OFFICE	15.00
EFT110782	11/11/2010	ORICA AUSTRALIA PTY LTD	CHLORINE	1,096.92
EFT110783	11/11/2010	ORD FUEL SUPPLIES	DIESEL - KNX DEPOT	8,963.24
EFT110784	11/11/2010	QUICK CORPORATE AUSTRALIA	STATIONERY ORDER	2,199.06
EFT110785	11/11/2010	RNR CONTRACTING	1000L EMULSION	1,078.00
EFT110786	11/11/2010	SETON AUSTRALIA PTY LTD	COURT NUMBERING SIGNAGE - KNX	492.75
EFT110787	11/11/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	85.00
EFT110788	11/11/2010	ST JOHN AMBULANCE	OUTDOOR FIRST AID KIT - KNX LEISURE CENTRE	159.50
EFT110789	11/11/2010	SUE GAFFNEY	REIMBURSE EXPENSES - REPAIR STONE CHIP - P110	77.00
EFT110790	11/11/2010	TONY'S PLUMBING & EXCAVATION P/L	PUMP - WYNDHAM POOL	267.19
EFT110791	11/11/2010	TOP END MOTORS	SERVICE - P104	657.80
EFT110792	11/11/2010	TROPICAL PEST CONTROL	SPRAY FOR PESTS - WYNDHAM CHILD CARE CENTRE	220.00
EFT110793	11/11/2010	TST ELECTRICAL	POWER FAILURE - 25M PLANT ROOM - KLC	749.00
EFT110794	11/11/2010	VANDERFIELD MACHINERY PTY LTD	VBELT, PULLEY & HAIR PIN - P476	187.98
EFT110795	11/11/2010	WA LOCAL GOVERNMENT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	20,275.36

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110796	11/11/2010	WYNDHAM EXCAVATIONS	LOADER - WYNDHAM LANDFILL	3,960.00
EFT110797	16/11/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	BCITF COMMISSIONS ON COLLECTIONS	393.80
EFT110798	16/11/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	BRB COMMISSIONS ON COLLECTIONS	215.60
EFT110799	23/11/2010	ANALYTICAL REFERENCE LABORATORY	LILY LAGOON WATER SAMPLES	262.90
EFT110800	23/11/2010	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	796.45
EFT110801	23/11/2010	ATTORNEY GENERAL'S DEPARTMENT	AUSCHECK ASIC CHECKS	486.00
EFT110802	23/11/2010	AUSFUEL	FUEL FOR THE MONTH	900.56
EFT110803	23/11/2010	AUSTRALIA POST	POSTAGE	576.37
EFT110804	23/11/2010	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	197.00
EFT110805	23/11/2010	ALLGEAR MOTORCYCLES & SMALL ENGINES	WIPPERSNIPPER CORD - P356 & CHAIN LUBE & VISCOTENE - P485	234.60
EFT110806	23/11/2010	ARGYLE MOTORS	PUMP FOR SPRAY UNIT & SPRAY GUNS - P213	648.28
EFT110807	23/11/2010	BEN FARQUHAR	RATES REFUND	79.60
EFT110808	23/11/2010	BOAB REFRIGERATION AND AIRCON	UNIT 1 RIVERFIG AVE - AIR CONS	99.00
EFT110809	23/11/2010	BRIDGESTONE AUSTRALIA LTD	NEW TYRE - P358	237.66
EFT110810	23/11/2010	BROOME LINE SERVICE	REMOVE TREE - BAKER STREET	550.00
EFT110811	23/11/2010	BUSH CAMP SURPLUS STORES	WORK BOOTS	314.80
EFT110812	23/11/2010	BILL BUTLER PAINTING & DECORATING	3 EUCALYPTUS CLOSE - INTERIOR & EXTERIOR PAINTING	11,990.00
EFT110813	23/11/2010	BRANKO BP MOTORS	WINDOW MOTORS - P331, GAS REFILLS & CUTTING BLADE - P335	1,437.75
EFT110814	23/11/2010	CENTURION TRANSPORT	VARIOUS FREIGHT	2,076.55
EFT110815	23/11/2010	COATES HIRE OPERATIONS PTY LTD	DRUM ROLLER - LANDFILL ROAD UPGRADE	3,422.60
EFT110816	23/11/2010	CAMBRIDGE GULF CLEANING SERVICES	CLEANING OF VARIOUS LOCATIONS - WYNDHAM	2,606.68
EFT110817	23/11/2010	CLEVERPATCH	ASSORTED CRAFT ITEMS - KNX LIBRARY	532.90
EFT110818	23/11/2010	DARWIN AIRPORT GATEWAY MOTEL	ACCOMMODATION -PROSPECTIVE EMPLOYEEs 26-27/10/10 & 28-29/10/10	358.00
EFT110819	23/11/2010	DAVEY TYRE & BATTERY SERVICE	PUNCTURE - P107, P469 & ROLLER WHEEL - P362	135.50
EFT110820	23/11/2010	DIRECT DRILLING AUSTRALIA WIDE	DRILLING ACTIVITIES - M1 CHANNEL EMBANKMENTS	6,149.00
EFT110821	23/11/2010	EAST KIMBERLEY PLUMBING	SUPPLY & INSTALL WATER COOLER - KNX DEPOT	3,341.80
EFT110822	23/11/2010	EMJEY SERVICES	3A DRYANDRA - VARIOUS REPAIRS	115.23
EFT110823	23/11/2010	EAST KIMBERLEY EARTHWORKS	REMOVE BITUMEN - TAXIWAY TO ASSIST SOIL TESTING	594.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110824	23/11/2010	EAST KIMBERLEY HARDWARE	3 X TOILETS SEATS - WHITE GUM PARK	33.05
EFT110825	23/11/2010	ENZED SERVICE CENTRE DARWIN	HOSE - P479	188.55
EFT110826	23/11/2010	FRONTIER POST & NEWS	NEWSPAPERS & POSTAGE - WYNDHAM	24.70
EFT110827	23/11/2010	FUJI XEROX AUSTRALIA P/L	VARIOUS PRINTING CHARGES	1,559.78
EFT110828	23/11/2010	GEMECOM	LIBRARY MANAGER TECHNICAL SUPPORT 31/05/10 - 31/05/11	1,295.00
EFT110829	23/11/2010	GERALDTON SENIOR COLLEGE	GLYN PARRY CHILDREN'S BOOK WEEK	1,584.00
EFT110830	23/11/2010	HOT CHILLI SOURCE PTY LTD	SAFETY GLASSES & GLOVES - KNX DEPOT	1,870.00
EFT110831	23/11/2010	HUMES	PROGRESS PAYMENT NO. 4 TENDER T 01 1011	107,453.12
EFT110832	23/11/2010	HYDRO KLEEN	VARIOUS LOCATIONS KNX & WYN CLEAN /SERVICE ALL AIRCONS	6,292.00
EFT110833	23/11/2010	IBAC PLUMBING PTY LTD	PLUMBING CONNECTIONS - WYNDHAM DEPOT NEW TOILET	3,813.26
EFT110834	23/11/2010	INTERCON MILLAR LOGISTICS	FREIGHT FOR CHLORINE	2,319.00
EFT110835	23/11/2010	IOR PETROLEUM PTY LTD	DIESEL - KUNUNURRA DEPOT	3,763.91
EFT110836	23/11/2010	IT VISION ITV	SYNERGY SOFT AUTOMATION TOOLSET EMAILING PAYSLEIPS	880.00
EFT110837	23/11/2010	ICE AGE REFRIG & AIRCONDITIONING	6 EUGENIA, 23 BOOBIALLA & 16 HIBISCUS - AIR CONS	1,072.50
EFT110838	23/11/2010	J BLACKWOOD & SON LIMITED	BROOMS, SAFETY GLOVES & GREASE	410.76
EFT110839	23/11/2010	JASON SIGNMAKERS LTD	VARIOUS SIGNS & POLES	1,248.56
EFT110840	23/11/2010	JH COMPUTER SERVICES	PRINTER CARTRIDGES	1,761.01
EFT110841	23/11/2010	JAB INDUSTRIES	LOADER RESHEET & WATER TANKER - KNX LANDFILL	5,750.25
EFT110842	23/11/2010	K & M ALLCLEAN	CLEANING OF ALL KNX OFFICES & PUBLIC AMENITIES	16,689.72
EFT110843	23/11/2010	KIMBERLEY INDUSTRIES METALAND	SLASHER & FLAT BAR - P401 & WELDING GLOVES	314.21
EFT110844	23/11/2010	KIMBERLEY STEEL	STEEL DRAIN LID - CRN WEABER PLAIN RD & VICTORIA HWY	2,821.50
EFT110845	23/11/2010	KIMBERLEY WASTE SERVICES	MONTHLY WASTE DISPOSAL CHARGES	15,211.10
EFT110846	23/11/2010	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS	99.70
EFT110847	23/11/2010	KUNUNURRA LOCK & KEY	3 B DRYANDRA ST - LOCK ON FRONT DOOR & SECURITY SCREEN	258.50
EFT110848	23/11/2010	KUNUNURRA MOBILE WELDING SERVICE	GATE BEHIND CHEMICAL SHED - KNX LEISURE CENTRE	319.00
EFT110849	23/11/2010	KUNUNURRA REFRIGERATION & AIR CON	AIR CON - YOUTH CENTRE	335.50
EFT110850	23/11/2010	KUNUNURRA SECURITY SERVICE	CALL OUT DOCKET - KNX ADMIN	272.00
EFT110851	23/11/2010	KIMBERLEY COMMUNICATIONS	RADIO & ANTENNA - P482 & RESET SBS	165.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110852	23/11/2010	KUNUNURRA COURIERS	WATER - KNX LEISURE CENTRE & UNIT FOR KNX LANDFILL	166.00
EFT110853	23/11/2010	L.G.R.C.E.U	PAYROLL DEDUCTIONS	17.40
EFT110854	23/11/2010	LAKEVIEW APARTMENTS	ACCOMMODATION - IRIS CONSULTANT - 7/10/10 - 10/11/10	570.00
EFT110855	23/11/2010	LANDGATE	GROSS RENTAL VALUATIONS	243.87
EFT110856	23/11/2010	MARGARET LIPPITT	CLEANING OF VARIOUS PUBLIC AMENITIES - WYNDHAM	1,830.00
EFT110857	23/11/2010	MCLEAN ENTERPRISES PTY LTD	VARIOUS FREIGHT	121.00
EFT110858	23/11/2010	MONSTER PROMOTIONS P/L	KIMBERLEY WRITER'S FESTIVAL - BOOKS	210.00
EFT110860	23/11/2010	NORTHERN DESIGN CONSULTANTS	DRAFT & CERTIFY REFURBISHMENT - WYNDHAM DEPOT	4,180.00
EFT110861	23/11/2010	OFFICE NATIONAL KUNUNURRA	RATES REFUND	4,892.23
EFT110862	23/11/2010	ORD RIVER ELECTRICS	RIVERFIG AVE UNITS - REMOTES FOR ELECTRIC GATE	453.75
EFT110863	23/11/2010	ORD RIVER MEAT SUPPLY	BBQ - KNX DEPOT	240.00
EFT110864	23/11/2010	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY - KNX OFFICE	30.00
EFT110865	23/11/2010	PINDAN CONTRACTING PTY LTD	PROGRESS PAYMENT NO: 3 - TAXIWAY UPGRADE	136,264.27
EFT110866	23/11/2010	POOLCLAD PTY LTD	PAINT, THINNERS & INDUSTRIAL DEGREASER - KNX POOL	759.00
EFT110867	23/11/2010	QUICK CORPORATE AUSTRALIA	STATIONERY	13.09
EFT110868	23/11/2010	RAPISCAN SYSTEMS AUSTRALIA P/L	SENSOR MATRIX - MININOSE UNIT KNX AIRPORT	654.50
EFT110869	23/11/2010	SHELF SUPPLY	SAFETY BOOTS	316.00
EFT110870	23/11/2010	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	85.00
EFT110871	23/11/2010	SHOAL AIR PTY LTD	AIR CHARTER KALUMBURU YOUTH NETWORK MTG 14/10/10	1,454.00
EFT110873	23/11/2010	THINKWATER	VARIOUS RETIC FITTINGS & SPRINKLERS	1,979.74
EFT110874	23/11/2010	TNT AUSTRALIA PTY LIMITED	WATER SAMPLE FREIGHT	243.01
EFT110875	23/11/2010	TOLL EXPRESS	VARIOUS FREIGHT	224.97
EFT110876	23/11/2010	TUCKERBOX/RETRAVISION	VARIOUS ITEMS FOR THE MONTH	3,939.68
EFT110877	23/11/2010	URBIS PTY LTD	LOCAL PLANNING SCHEME STAGE 1	4,250.62
EFT110878	23/11/2010	VANDERFIELD MACHINERY PTY LTD	FASTENERS - P470	70.93
EFT110879	23/11/2010	WA LOCAL GOVERNMENT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	23,387.93
EFT110880	23/11/2010	WESTRALIA AIRPORTS CORP P/L	ASIC CARDS	250.00
EFT110881	23/11/2010	WRITINGWA	MEMBERSHIP RENEWAL 1/09/10 - 1/09/11	110.00
EFT110882	23/11/2010	WYNDHAM EXCAVATIONS	CONCRETE - ST PETERS WAY & CONSULTANCY FEE - WYN JETTY	2,650.00

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT110883	23/11/2010	WYNDHAM SUPERMARKET	FOOD & SUPPLIES - WYNDHAM CHILD CARE CENTRE	142.14
EFT110884	24/11/2010	SHANE CAMILLO GUERINONI	RATES REFUND	2,316.36
EFT110885	26/11/2010	BOC GASES AUSTRALIAN LIMITED	INDUSTRIAL BOTTLE RENTAL SEPTEMBER & OCTOBER 2010	539.54
EFT110886	26/11/2010	GLOW PAINT INDUSTRIES	ITEMS FOR YOUTH DISCO	167.15
TOTAL MUNI EFT PAYMENTS				1,320,294.28

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
39878	1/11/2010	CASH PLEASE PAY CASH	CASH FLOAT - YOUTH DISCO	200.00
39879	1/11/2010	CASSANDRA CHINNERY	REFUND SWIMMING LESSONS	66.50
39880	1/11/2010	DEPT FOR PLANNING & INFRASTRUCTURE	REGISTRATION - P484	24.05
39881	1/11/2010	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	11,105.79
39882	1/11/2010	JULIE FIELD	REFUND KINDER MOVES	70.00
39883	1/11/2010	TELSTRA	LANDLINE CHARGES	3,760.91
39884	1/11/2010	TANYA MCLEAN	REFUND SWIM LESSONS	133.00
39885	1/11/2010	WATER CORPORATION	CHANGING OF CHLORINE BOTTLES - SHIRE EFFLUENT SITE WYN	5,074.40
39886	5/11/2010	BOND ADMINISTRATOR	BOND 1 KOOJARRA STREET WYNDHAM	1,100.00
39887	11/11/2010	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	200.19
39888	11/11/2010	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	159.08
39889	11/11/2010	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75
39890	11/11/2010	CATHERINE ATKINS	REFUND PLANNING FEES DA125/10	1,085.00
39891	11/11/2010	DEPT FOR PLANNING & INFRASTRUCTURE	VARIOUS REGISTRATIONS	555.00
39892	11/11/2010	FIRST STATE SUPER	SUPERANNUATION CONTRIBUTIONS	216.71
39893	11/11/2010	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	16,663.27
39894	11/11/2010	LG SUPER	SUPERANNUATION CONTRIBUTIONS	320.11
39895	11/11/2010	LOCAL SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	621.40
39896	11/11/2010	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	559.22
39897	11/11/2010	NATIONAL C/C ACC. COUNCIL	WYNDHAM CHILD CARE CENTRE ANNUAL REGISTRATION 10/11	178.00
39898	11/11/2010	NOVOTEL DARWIN ATRIUM	ACCOMMODATION, MEALS 23/10/10 - 24/10/10	390.50

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
39899	11/11/2010	ORION SOLAR PTY LTD	SOLAR LIGHTS, POLES & CAGES - LINKPATH	24,280.00
39900	11/11/2010	REST SUPER	SUPERANNUATION CONTRIBUTIONS	495.35
39901	11/11/2010	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	160.53
39902	11/11/2010	TELSTRA	MOBILE PHONE CHARGES	2,449.01
39903	11/11/2010	TASPLAN	SUPERANNUATION CONTRIBUTIONS	171.71
39904	11/11/2010	VERMEER	NEW WOOD CHIPPER	54,074.83
39905	11/11/2010	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	1,036.21
39906	11/11/2010	WATER CORPORATION	VARIOUS WATER CHARGES	135.00
39907	23/11/2010	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	44.47
39908	23/11/2010	AXA AUSTRALIA	SUPERANNUATION CONTRIBUTIONS	286.96
39909	23/11/2010	ARGYLE DIAMONDS WARDARRIE CAMP	REIMBURSEMENT - OVER PAYMENT	300.00
39910	23/11/2010	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	165.08
39912	23/11/2010	CASH PETTY CASH KNX AIRPORT	PETTY CASH REIMBURSEMENT KUNUNURRA AIRPORT	82.60
39913	23/11/2010	CHOICE	ANNUAL SUBSCRIPTION - CHOICE 10/11	172.00
39914	23/11/2010	COLONIAL PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	462.75
39915	23/11/2010	CATH ASPINALL	REFUND SWIM LESSONS	77.00
39916	23/11/2010	EXPRESS MEDIA GROUP	ANNUAL SUBSCRIPTION 4WD ACTION 10/11	119.00
39917	23/11/2010	FIRST STATE SUPER	SUPERANNUATION CONTRIBUTIONS	216.71
39918	23/11/2010	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	15,907.90
39919	23/11/2010	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	59.29
39920	23/11/2010	LG SUPER	SUPERANNUATION CONTRIBUTIONS	344.52
39921	23/11/2010	LOCAL SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	621.40
39922	23/11/2010	MAINCOAST PTY LTD	RATES REFUND FOR ASSESSMENT A3011	36.29
39923	23/11/2010	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	545.25
39924	23/11/2010	REST SUPER	SUPERANNUATION CONTRIBUTIONS	494.97
39925	23/11/2010	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	176.12
39926	23/11/2010	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	198.72
39927	23/11/2010	TERRITORY THRIFTY CAR RENTAL	VEHICLE FOR SUPERVISOR - KALUMBURU 1/09/10 - 1/10/10	3,432.58
39928	23/11/2010	TASPLAN	SUPERANNUATION CONTRIBUTIONS	171.71

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
39929	23/11/2010	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	1,041.43
39930	24/11/2010	MISS FRANZISKA EPPLER	SWEK CITIZENSHIP AWARD 2011	300.00
39932	26/11/2010	COCA-COLA AMATIL	SOFT DRINKS FOR RE-SALE - KNX LEISURE CENTRE	872.40
39941	30/11/2010	ROZANNE CHULUNG	REFUND OF BOND PAID RECEIPTED TO MUNI IN ERROR	200.00
TOTAL MUNI CHEQUE PAYMENTS				152,077.67

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
87	1/11/2010	BCITF	BCITF COLLECTIONS - AUGUST 2010	51,302.20
88	1/11/2010	BUILDERS' REGISTRATION BOARD OF W.A.	BRB COLLECTIONS - SEPTEMBER 2010	1,102.00
89	16/11/2010	DARREN BRUCE FULCHER	REFUND BOND	370.00
90	16/11/2010	DALY & SHAW BUILDING P/L	REFUND BOND	370.00
91	16/11/2010	FRANMOR CONSTRUCTIONS PTY LTD	REFUND BOND	350.00
92	16/11/2010	MAGLION ENTERPRISES	REFUND BOND	270.00
93	16/11/2010	NKANDU BELTZ	REFUND BOND	500.00
94	16/11/2010	SEAN BYRNES	REFUND BOND	50.00
95	16/11/2010	WYNDHAM FAMILY SUPPORT	REFUND BOND	100.00
96	16/11/2010	WAYNE CAHILL	REFUND BOND	20.00
97	16/11/2010	WUNAN FOUNDATION INC.	REFUND BOND	652.70
98	16/11/2010	BCITF	BCITF COLLECTIONS - OCTOBER 2010	13,885.70
99	16/11/2010	BUILDERS' REGISTRATION BOARD OF W.A.	BRB COLLECTIONS - OCTOBER 2010	689.00
100	30/11/2010	ALLIGATOR AIRWAYS PTY LTD	REFUND BOND	50.00
101	30/11/2010	DARREN BRUCE FULCHER	REFUND BOND	270.00
102	30/11/2010	KEN LIDDICOAT	REFUND BOND - 29 BOOBIALLA	1,100.00
103	30/11/2010	KIMBERLEY GREEN CONSTRUCTIONS	REFUND BOND	810.00
104	30/11/2010	WARRICK & MELLISSA BOOT	REFUND BOND	250.00
TOTAL TRUST CHEQUE PAYMENTS				72,141.60

DATE	NAME	DESCRIPTION	AMOUNT
03/11/2010	PAYROLL	PAYROLL	158250.45
17/11/2010	PAYROLL	PAYROLL	174514.47
		TOTAL PAYROLL PAYMENTS	<u>332,764.92</u>

	NAME	DESCRIPTION	AMOUNT
01/11/2010	DIRECT DEBIT	RENT 11 KWINANA STREET	1235
01/11/2010	DIRECT DEBIT	FEES - BPAY	74.7
01/11/2010	DIRECT DEBIT	CBA MERCHANT FEE	22
15/11/2010	DIRECT DEBIT	FEES - BPOINT	29.01
15/11/2010	DIRECT DEBIT	SG FLEET AUSTRAL	1088.88
18/11/2010	DIRECT DEBIT	MASTERCARD PAYMENT	9215.37
25/11/2010	DIRECT DEBIT	RENT 12/33 KONKERBERRY DRIVE	2166.67
26/11/2010	DIRECT DEBIT	NOVATED LEASE	1270.46
26/11/2010	DIRECT DEBIT	EXTRA PAYMENT MASTERCARD	10000
02/11/2010	DIRECT DEBIT	VISA PAYMENT	2104.64
04/11/2010	DIRECT DEBIT	WESTNET P/L - INTERNET	1049.29
Nov-10	DIRECT DEBIT	RENT 19B BOOBIALLA WAY	1540
Nov-10	DIRECT DEBIT	RENT 9B PLUM COURT	3900
Nov-10	DIRECT DEBIT	BANK FEES	1777.84
Nov-10	DIRECT DEBIT	16 KIMBERLEY STREET	2461.34
		TOTAL DIRECT DEBIT PAYMENTS	<u>37,935.20</u>

12.2.3 Budget Review 30 November 2010

DATE:	14 December 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:	FM.05.3
ASSESSMENT NO:	N/A

PURPOSE

To consider and adopt the budget review for the period 1 July 2010 to 30 November 2010.

BACKGROUND

At the 20 October 2010 Ordinary Council Meeting Council resolved:

Minute No: 9308
Moved: Cr D Ausburn
Seconded: Cr J Parker

That Council allocates a budget of \$550,000 to a new project "Whitegum Park Redevelopment" to be funded from savings in budgeted projects and transfer from the Parks Reserve with the details of the project savings to be identified in a budget review to be presented to Council at the December 2010 Council Meeting.

CARRIED UNANIMOUSLY: (8/0)

This report is to fulfil the requirements of this decision.

STATUTORY IMPLICATIONS

A budget review is required to be conducted between 1 January and 31 March of each year under Regulation 33A of the Local Government (Financial Management) Regulations 1996. The budget review in this item is not this statutory review.

POLICY IMPLICATIONS

No Policy Implications apply in the preparation of the report.

FINANCIAL IMPLICATIONS

The budget review is to reallocate funds to new and existing projects where new information is available or circumstances and/or priorities have changed.

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.

CONCLUSION/COMMENT

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

Comments in relation to budget amendments are included as a note to the review.

ATTACHMENTS

The Budget Review for the period 1 July 2010 to 30 November 2010 will be provided separately.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council consider and adopt the budget review for the period 1 July 2010 to 30 November 2010.

The Officer withdrew the item due to pending Ministerial approval on the proposed amendments.

12.3 INFRASTRUCTURE SERVICES

12.3.1 Purchase of Loader for Kununurra Landfill Site

DATE:	14 December 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Tony Cheng, Director of Infrastructure
REPORTING OFFICER:	Tony Cheng, Director of Infrastructure
FILE NO:	52.09.07
ASSESSMENT NO:	N/A

PURPOSE

For Council to confirm the purchase of a new loader for the Kununurra Landfill Site.

BACKGROUND

In Nov 2008 the Shire took over the direct management of the Kununurra Landfill Site. The Shire engaged a contractor to regularly push and cover the material on site. The estimated cost of continuing to have a contractor push and cover as per our license requirement was \$140,000p/a.

Due to the high cost of hire and the restaffing of the landfill site, it was deemed financially beneficial for the Shire to consider the outright purchase of a loader for the site. As this had not been budgeted for, an item was presented to Council in November 2009 with the following outcome:

COUNCIL DECISION

Minute No. 8924

Moved:Cr D Ausburn

Seconded:Cr R Addis

That Council:

- agree to fund the purchase of a second hand loader and immediate repairs as detailed estimated at \$73,000 (excluding GST) from the Waste Management Reserve.*
- agree to the purchase of a 966D CAT loader Reg 1BYE709 for \$65,000 (plus GST) from Ord River Contracting*

CARRIED UNANIMOUSLY: (7/0)

The 2010-11 budget includes the purchase of a new loader to be used primarily at the Kununurra landfill site for the amount of \$400,000, with a trade in value on the old loader at \$65,000. Officers have sourced quotes using the WALGA preferred supplier listing from CAT. Quotes were sort for a CAT 950H and a CAT IT62ITC from Caterpillar Australia.

STATUTORY IMPLICATIONS

The Local Government (Functions and General) Regulations 1996 apply.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The quotes received are summarised as follows: -

950H

Selling Price Excluding G.S.T	\$416,000.00
Plus G.S.T.	\$41,600.00
Selling Price Including G.S.T.	\$457,000.00

IT62

Selling Price Excluding G.S.T	\$416,000.00
Plus G.S.T.	\$41,600.00
Selling Price Including G.S.T.	\$457,000.00

Within the budget, it has been noted that there is an expected trade in price for the current loader set at \$65,000. It is unlikely that the trade in price will be lower than this but officers are still awaiting a full appraisal and trade in price for the loader.

It should be noted by Council that because the ex GST price is \$16,000 above the budgeted amount, the officer is seeking Councils agreement to allow the additional funds to be supplemented via delegation from the CEO from the landfill site reserve fund.

STRATEGIC IMPLICATIONS

Environment

Key Result Area 4

“Ensure that the Shire contributes to the unique environment in a sustainable and realistic manner”

Dot point two “Waste management services meet legislative and sustainable objectives”

Dot point five “Remediate and improve areas impacted through Shire activity”

COMMENT

Both loaders quoted can be licensed to be driven on the road (largest class available).

Estimated time of arrival

950H - In Stock 4-6 weeks

IT62 - No stock 24-28 weeks

CAT has a local based technician who can undertake all servicing and replacement requirements.

The whole of life cost of the two machines is attached. In summary at the 6 year mark for the 950H the Shire can expect to incur a high cost for reconditioning of the engine and power train assembly (noted at \$ 210,413). A similar fee will be incurred at the 7 year mark for the IT62 (noted at \$296,542).

Summary for the whole of life cost is below:

	1 yr	2 yrs	3 yrs	4 yrs	5 yrs	6 yrs	7 yrs
950 H	\$8,128. 00	\$18,619. 89	\$41,787. 67	\$112,707 .79	\$166,775 .41	\$377,189 .29	\$471,420 .39
IT6 2	\$8,128. 00	\$27,661. 00	\$46,221. 00	\$109,024 .00	\$176,635 .00	\$215,210 .00	\$511,752 .00

The per hour cost of usage of the 950H will be \$37.41p/h and for the IT62 will be \$40.62p/h. It has been estimated that the two machines will complete a 7 year cycle and approximately 12,600 hours.

When taking into account the ETA, whole of life cost and the per hour cost to run the machines, it is believed that the most beneficial choice to Council would be the 950H. This would be assuming a 5 year trade-in timeframe on the machine.

ATTACHMENTS

Attachment 1: Quotation for CAT machinery will be provided separately.

Attachment 2: Cost Life Benefit will be provided separately.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Agree to the purchase of a new 950H CAT loader as per the quotation from a WALGA preferred supplier.
2. Delegate authority to the CEO to allow the additional funds required to purchase the loader outside the budgeted amount from the landfill site reserve fund.

COUNCIL DECISION

Minute No: 9366

Moved: Cr J Moulden

Seconded: Cr J Parker

That Council:

- 1. Agree to the purchase of a new 950H CAT loader as per the quotation from a WALGA preferred supplier.**
- 2. Delegate authority to the CEO to allow the additional funds required to purchase the loader outside the budgeted amount from the landfill site reserve fund.**

CARRIED UNANIMOUSLY: (7/0)

12.4 DEVELOPMENT SERVICES

12.4.1 Proposed Bed And Breakfast Accommodation – Lot 1293 Great Northern Highway, Wyndham

DATE:	14 December 2010
PROPONENT:	D and P Muirson
LOCATION:	Lot 1293 Great Northern Highway, Wyndham
AUTHOR:	Daniel Bouwer, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	0.1.0233.02
ASSESSMENT NO:	A0233

PURPOSE

For Council to consider an application for planning consent for bed and breakfast accommodation in a private dwelling in Wyndham.

BACKGROUND

The Shire has received an application for planning consent to establish a bed and breakfast at Lot 1293, Great Northern Highway, Wyndham, approximately 200 metres east of Wedge Street. The proposal includes using four bedrooms within the existing dwelling for the bed and breakfast accommodation, as shown at Attachment 1.

The proposal is identical to that approved by the Shire on 3 September 2008, which has since lapsed. At that time, the Shire had granted approval for the use subject to conditions relating to the maximum number of bedrooms; visitor parking, and compliance with health and building regulations.



STRATEGIC IMPLICATIONS

The key objective of the Local Planning Strategy is contained in clause 6.5 Tourism and Recreation:

- To facilitate the growth and development of tourism and tourism-related opportunities within the population centres and throughout the Shire.

The ways in which this objective can be achieved have been identified in the Local Planning Strategy as:

- To ensure the Planning Scheme is flexible in allowing tourism and tourist-related development within Kununurra, Wyndham and Lake Argyle, as well as within the balance of the Shire, and ensure that potential impacts of the development are thoroughly considered in line with specific *criteria*.
- *To ensure the objective of the local planning strategy is achieved the planning scheme must be applied with a degree of flexibility.*

STATUTORY IMPLICATIONS

The subject site is within the Special Rural Zone. The objectives of this Zone are to provide land for people who wish to reside on a small rural holding, maintain the rural/residential character of the land and prohibit the use of any land that may adversely affect the amenity of the surrounding land uses. There are, nevertheless, no development standards specified for this type of land use in the Town Planning Scheme.

The use proposed by the applicant is not listed in the zoning table of the Wyndham Town Planning Scheme No. 6. The Council has previously resolved this issue and determined the use to be an 'AA' use that does not require advertising (Special Council Meeting 2 September 2008 – Item 7.1).

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications. All fees have been paid by the applicant.

COMMUNITY CONSULTATION

There is no requirement for this application to undergo any advertising as it was resolved in the Council meeting on 2 September 2008 that the bed and breakfast land use is an AA use. AA land uses do not need to undergo advertising.

COMMENT

The proposal is identical to that previously approved by Council. It complies with all relevant Town Planning Scheme provisions and it will not affect the character or amenity of the area.

It is recommended that the Council approves this application subject to conditions to ensure:

- The approval is for the use of a maximum of four bedrooms for bed and breakfast accommodation.
- That the use complies with the Shire's health local laws, in particular section 8 – Lodging Houses.

ATTACHMENT

Plans of the proposal

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

Grants planning consent for the use of Lot 1293 Great Northern Highway, Wyndham for bed and breakfast accommodation subject to the following conditions:

- a. The approval is for the use of a maximum of four bedrooms for bed and breakfast accommodation.
- b. All visitor parking shall be contained on site at all times.
- c. Compliance with all relevant Shire health and building regulations and local laws.

COUNCIL DECISION

Minute No: 9367

Moved: Cr J Parker

Seconded: Cr D Ausburn

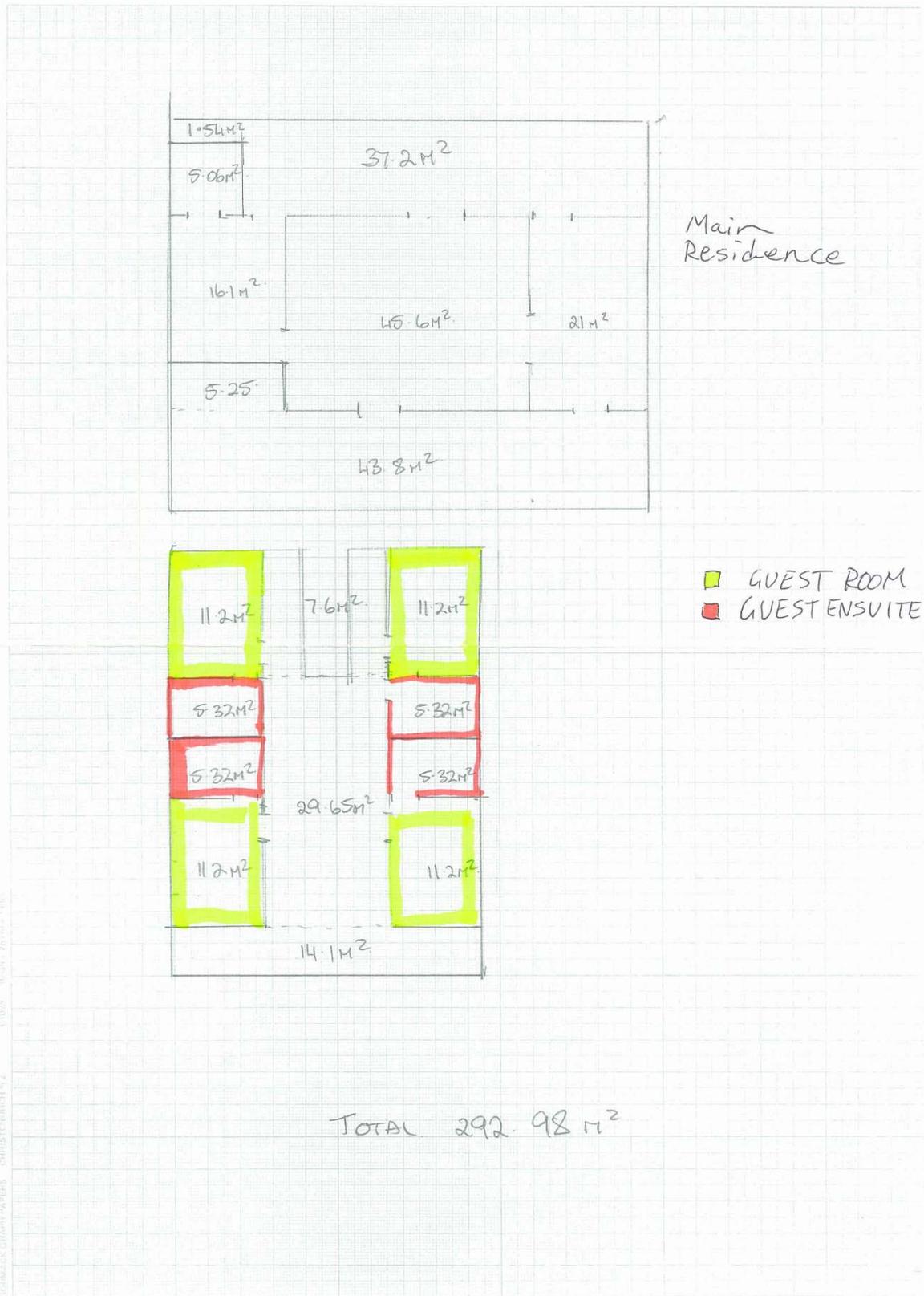
That Council:

Grants planning consent for the use of Lot 1293 Great Northern Highway, Wyndham for bed and breakfast accommodation subject to the following conditions:

- a. The approval is for the use of a maximum of four bedrooms for bed and breakfast accommodation.**
- b. All visitor parking shall be contained on site at all times.**
- c. Compliance with all relevant Shire health and building regulations and local laws.**

CARRIED UNANIMOUSLY: (7/0)

ATTACHMENT 1 – Plans of the Proposal



12.4.2 Proposed Single House – Lot 4 O’Donnell Street, Wyndham

DATE:	14 December 2010
PROPONENT:	Paul Cavanagh
LOCATION:	Lot 4 O’Donnell Street, Wyndham
AUTHOR:	Daniel Bouwer, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	0.1.0484.02
ASSESSMENT NO:	A484

PURPOSE

For Council to consider an application for planning consent for a single house at Lot 4 O’Donnell Street, Wyndham.

BACKGROUND

An application for planning consent was lodged in October 2010 for a single house at Lot 4 O’Donnell Street Wyndham. The proposal involves the relocation of a raised 153 square metre house from Lot 1775, to be used on Lot 4 for residential purposes, as shown in Attachment 1.

The land is located about 1 kilometre south of Wyndham Port and has an area of 898 square metres. Road access to the land is available from both O’Donnell Street and from Foreshore Road.



STRATEGIC IMPLICATIONS

There are no strategic implications associated with this item.

STATUTORY IMPLICATIONS

A single house is an 'AA' use in the Town Centre Zone, which needs Council's consent. The land is located in a designated heritage area under the Town Planning Scheme. The Town Planning Scheme stipulates that "alteration (whether internal or external), the demolition, the adaption or modification of any building or structure" also requires planning consent of Council.

POLICY IMPLICATIONS

Design Guidelines for O'Donnell Street Wyndham Port

The main objective of the O'Donnell Street Wyndham Port Design Guidelines is to "maintain the character of O'Donnell Street by use of robust materials and details that reflect on the maritime history and extreme climate".

The Guidelines stipulate that the best protection for the heritage stock is achieved by occupancy and use. It is acknowledged that modern standards of safety, security, and comfort, may require some modifications to be made, however in such cases this should be done with minimum visible intrusion affecting the appearance of the building. Therefore, alterations or additions to existing buildings should use the same cladding and roofing materials as the original wherever possible.

FINANCIAL IMPLICATIONS

There are no financial implications. All fees have been paid by the applicant.

COMMUNITY CONSULTATION

The application has not been publicly advertised, however, it has been referred to the Wyndham Historical Society for advice. Any additional advice will be presented to Council.

COMMENT

The proposed development complies with all setback requirements in the Town Planning Scheme and Residential Design Codes, although vehicle access is proposed to be limited to Foreshore Road in order to ensure that the existing streetscape on O'Donnell Street is enhanced.

The applicant proposes to renovate the building with materials that respect its heritage and the heritage of the area, as outlined in the O'Donnell Street Wyndham Port Design Guidelines. Nevertheless, it is acknowledged that modern standards of safety, security, and comfort, may require some modifications to be made, particularly in response to requirements under the Building Code of Australia (BCA).

The applicant has indicated that the front portion of the property would be utilised for the purpose of tourism or commercial in the future, and ample room has been left to accommodate this.

This development will not affect the character or amenity of the neighbouring properties, however an additional condition is proposed to ensure that all utility areas are suitably screened from public view.

VOTING REQUIREMENT

Simple Majority

ATTACHMENTS

Site Plans and Elevations

OFFICER'S RECOMMENDATION

That Council, grants planning consent for the use and development of Lot 4 O'Donnell Street, Wyndham for a single house subject to the following conditions:

1. Revised plans must be submitted for approval that provide the following:
 - a. Dimensional floor plan and elevation.
 - b. External materials, which must be complementary to and consistent with the existing building and its original external material treatment.
2. That the building must be immediately tied down and must be brought to compliance with Building Code Australia 2010.
3. That all utility associated with the use of the dwelling, being for external storage and for clothes drying, must be properly screened from the public streets.
4. No vehicle access is permitted onto the site from O'Donnell Street, unless approval is given in writing from the Shire.

COUNCIL DECISION

Minute No: 9368

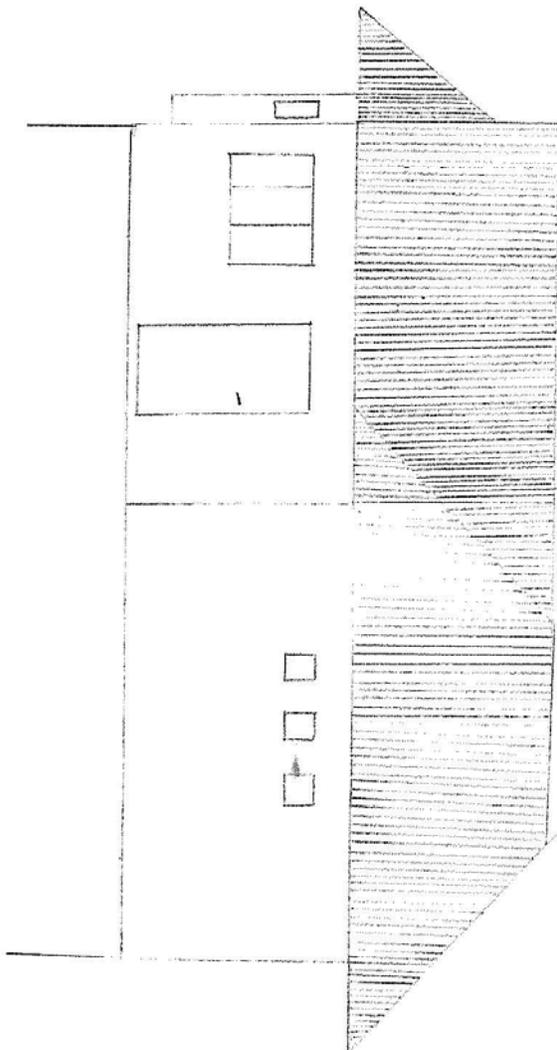
Moved: Cr K Wright

Seconded: Cr J Parker

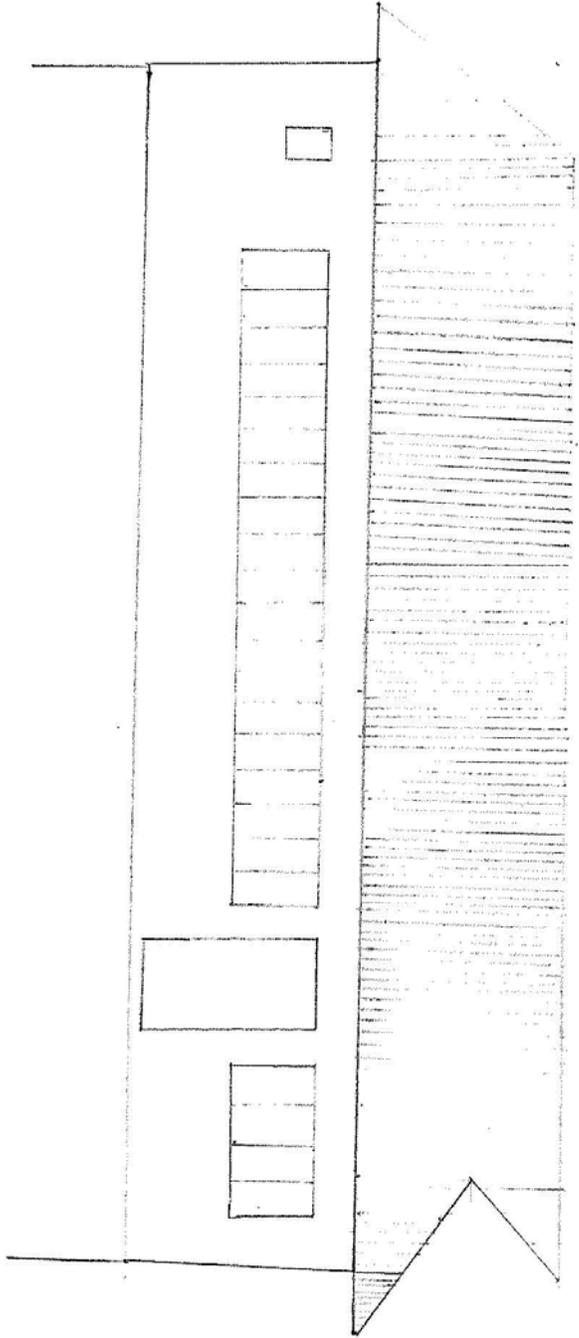
That Council, grants planning consent for the use and development of Lot 4 O'Donnell Street, Wyndham for a single house subject to the following conditions:

- 1. Revised plans must be submitted for approval that provide the following:
 - a. Dimensional floor plan and elevation.**
 - b. External materials, which must be complementary to and consistent with the existing building and its original external material treatment.****
- 2. That the building must be immediately tied down and must be brought to compliance with Building Code Australia 2010.**
- 3. That all utility associated with the use of the dwelling, being for external storage and for clothes drying, must be properly screened from the public streets.**
- 4. No vehicle access is permitted onto the site from O'Donnell Street, unless approval is given in writing from the Shire.**

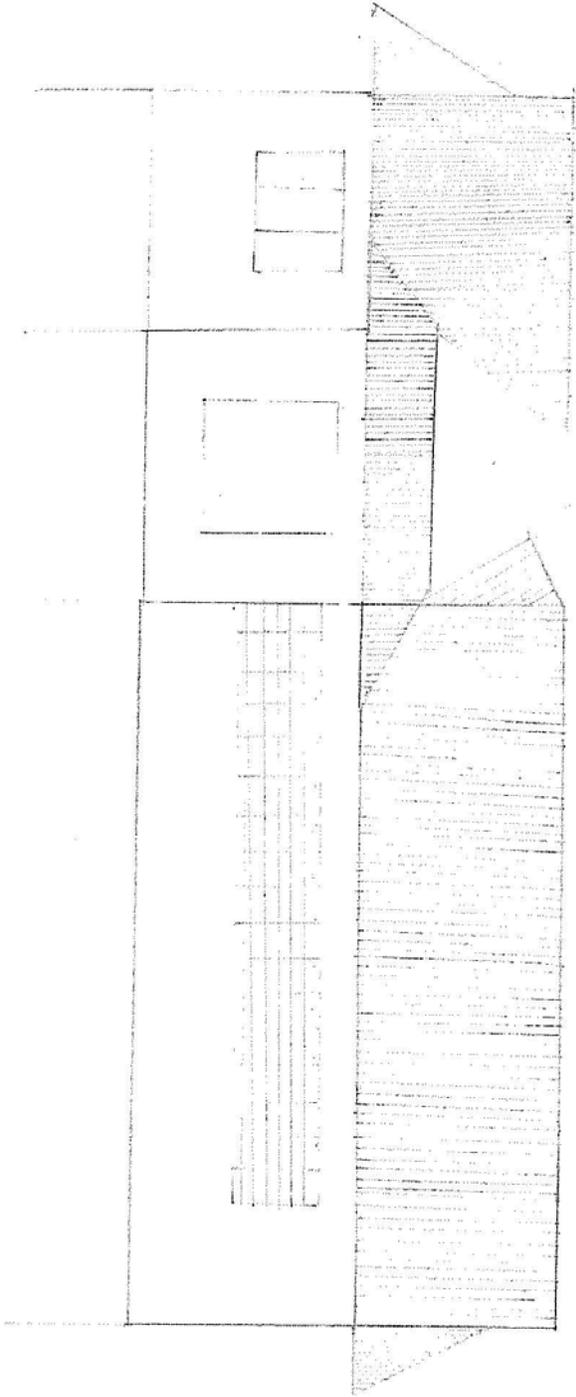
CARRIED UNANIMOUSLY: (7/0)



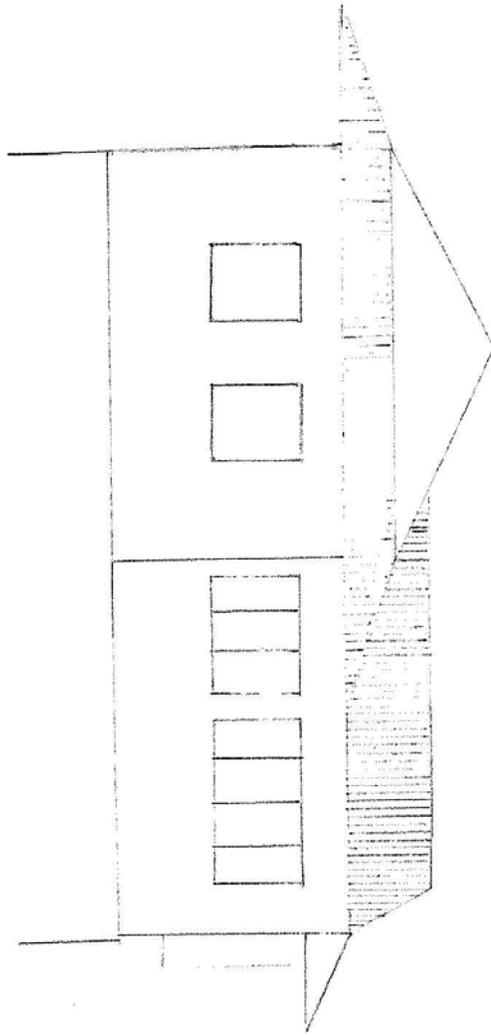
Eastern Elevation
Lot 4 25 O'Donnell Street



Northern Elevation



Southern Elevation
Lot 4 25 O'Donnell Street



Western Elevation
Lot 4 25 O'Donnell Street

12.4.3 Kununurra Agricultural Society's Caravan Park And Camping Ground License

DATE:	14 December 2010
PROPONENT:	Kununurra Agricultural Society
LOCATION:	Reserve 29799 Coolibah Drive
AUTHOR:	Kelly Cripps, Senior Environmental Health Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	01.2153.03
ASSESSMENT NO:	A2153

PURPOSE

For Council to consider terms of the Caravan Park and Camping Ground License held by the Kununurra Agricultural Society on Reserve 29799.

BACKGROUND

Reserve 29799 is vested with the Shire for community and recreation purposes. The Kununurra Agricultural Society has a lease over the Reserve and the purposes listed on the lease include entertainment, recreation, equestrian and agricultural show activities.

In 2001, Council approved the Kununurra Agricultural Society's use of the oval surrounds as a caravan park and camping ground during the peak tourist season. Justification for the approval was to accommodate big rigs and people travelling with pets when all other parks were full.

The license was extended beyond its temporary nature in 2006 when at its Ordinary Meeting on 21 November 2006, Council resolved the following:

Minute No 7557	
Moved: Cr K Wright	Seconded: Cr J Buchanan
1. That Council enter into negotiations with the Kununurra Ag Society to implement new licence subject to the following provisions:	
i.	The number of long term bays shall be no greater than 10.
ii.	The number of short term bays shall be no greater than 30.
iii.	The maximum stay for short term bays shall be three months [as per the Regulations].
iv.	The caravan park may operate between April 1st and November 30th. After this period the caravan park may only be occupied by the caretaker, and any caravaner or camper that cannot gain entry to another caravan park or camping ground due to ownership of pets or are vehicles are too large to gain entry to an alternate park.
v.	Only travellers with pets or large vehicles may occupy a bay at the caravan park /camping ground, except during the months of June, July and August when it shall not be necessary to have a pet or large vehicle to occupy the caravan park/camping ground.

<p><i>vi. Priority shall be given to owners of pets and/or large vehicles at all times the park is open.</i></p> <p>2. That Council direct Council officers to investigate compliance with the Caravan Parks and Camping Grounds Regulations 1997 for all other caravan parks in the Shire.</p> <p>3. Council delegate to CEO to achieve a negotiated outcome within the provisions of this recommendation.</p> <p style="text-align: right;">Carried Unanimously: 7/0</p>

With regard to provisions listed in point 1 of the above motion:

CONDITION	COMMENT
i. The number of long term bays shall be no greater than 10	These two conditions have been wrongly interpreted by the Agricultural Society to mean they could be licensed for a total of 40 sites.
ii. The number of short term bays shall be no greater than 30	In actual fact ablution facilities at the show ground only permit it to be licensed for a total of 30 sites.
iii. The maximum stay for short term bays shall be 3 months (as per regulations)	This condition is unnecessary as the 3 month maximum for short term sites is a requirement of the regulations.
iv. The caravan park may operate between April 1 st and November 30 th . After this period the caravan park may only be occupied by the caretaker, and any caravaner or camper than cannot gain entry to another caravan park or camping ground due to ownership of pets or vehicles too large to gain entry to an alternate park.	<p>This point inadvertently approves the Agricultural Society to operate a caravan park and camping ground for a full year subject to conditions outside of 1st April to 30th November.</p> <p>Council leaves itself open to reprimand by licensing the Agricultural Society as a caravan and camping ground when it did not comply fully with the regulations.</p> <p>Outside the peak tourist season, the need to provide a facility for travellers with pets or large vehicles is not necessary as there are two caravan parks that accept pets and there are ample sites in the permanent caravan parks for large rigs so these conditions are not justified.</p>
v. Only travellers with pets or large vehicles may occupy a bay at the caravan park/camping ground, except during the months of June, July and August when it shall not be necessary to own a pet or have a large vehicle to occupy the caravan park/camping ground.	<p>Again, the need to provide a separate permanent facility for travellers with pets or large vehicles outside of the peak tourist season is not necessary as there are two caravan parks that accept pets and there are ample sites in the permanent caravan parks for large rigs.</p> <p>If the main issue is finding sites in the peak tourist season then it would be more appropriate to license the Agricultural Society to operate at temporary camp ground.</p>
vi. Priority shall be given to owners of pets and/or large vehicles at all times the park is open.	This condition is difficult for the Agricultural Society to monitor and enforce.

In relation point 2 of motion 7557, Licensed Caravan Parks and Camping Grounds within the Shire are inspected by Environmental Health Officers at least annually.

In 2009, staff undertook a thorough audit of caravan parks following concerns that many were operating outside of their license and in contravention of the regulations. Problems were found at most Caravan Parks and this was presented to Council at its briefing on 9 March 2010. Most issues related to the number of sites being occupied and this affected their licensing for 2010/2011. The Kununurra Agricultural Society caravan park was included in the audit and there were a number of non compliances identified. A follow-up inspection was carried out on 22 July 2010.

In August 2010, the Shire received three written complaints regarding the Agricultural Society's Caravan Park and Camping Ground License. The complainants question how a license was issued without compliance with the applicable Regulations, and why there is a need for them to operate outside of the peak tourist season.

The fact that the caravan park does not comply with the legislation and is operating for the entire year is an issue of concern for Council.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)

The resolution of 21 November 2006 has the effect of licensing the Kununurra Agricultural Society caravan park for a full year and this was done contrary to requirements of the legislation.

Section 7 of the Act sets out how an application for license as a caravan park must be made, being:

1. An application made to the local government on the prescribed form.
2. Payment of the prescribed fee.
3. Provision of any information that the local government reasonably requires for a proper consideration of the application.

In addition, Section 7 states that a local government may grant or renew a licence and at any time may impose conditions on that license.

Any application for a permanent caravan park, amendment to an existing license or addition to an existing caravan park would require the provision of properly drawn to scale plans and specifications detailing and showing that the proposed facility complies with the Act and Regulations.

Legal advice obtained specifically in relation to this matter is provided at Attachment 1.

POLICY IMPLICATIONS

Clause 54 of the Regulations allows a local government to license caravan parks with lesser facilities for a temporary period. A draft policy on the licensing of temporary camp grounds was brought to Council at its Ordinary Meeting on 20 April 2010. At that meeting approval was given to advertise the draft policy for comment. A copy of the draft policy CPTH-3762 Licensing of Temporary Camp Grounds is provided as Attachment 2.

Due to the comments received and sensitive nature of the matter, the policy has not yet been brought back to council for final adoption. Further consultation with existing caravan park operators will occur early in 2011 to review issues raised, prior to it being considered for adoption by Council.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this matter.

STRATEGIC IMPLICATIONS

Governance: Compliance with legislative requirements.

COMMUNITY CONSULTATION

No community consultation has occurred with respect to this matter.

COMMENT

Outside the peak tourist season, the need to provide a facility for big rigs and travellers with pets is unnecessary as there are two caravan parks that accept pets and there are ample sites in permanent caravan parks for large rigs.

All caravan parks were visited by an Environmental Health Officer in the first week in September 2010 and it was clearly evident that there was ample room to accommodate large rigs. The caravan parks were also operating well below capacity. Therefore the need for the Kununurra Agricultural Society Caravan Park to be licensed for a full year to accommodate large rigs and pets cannot be justified.

The author of the agenda item of 21 November 2006 noted that there is no such category as a Temporary License in the legislation. Whilst this is correct, the Regulations do allow for Council to license a caravan park for a temporary period. This means that it is licensed as a Caravan Park and Camping Ground but the period of the license is restricted. A policy was developed earlier in the year to ensure consistency in the way temporary camp grounds were licensed. The draft policy can be used as a guide, but will be subject to revision early 2011.

The Kununurra Agricultural Society has not yet been issued with their Caravan Park and Camping Ground license for 2010/2011. Officers wanted to resolve the outstanding compliance matter before doing so.

ATTACHMENTS

Attachment 1 – Legal advice regarding the approval of the Agricultural Society as a Caravan Park and Camping Ground

Attachment 2 – Shire of Wyndham East Kimberley Draft Policy CPTH-3762 Licensing of Temporary Camp Grounds

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Issues the Kununurra Agricultural Society with a Caravan Park and Camping Ground license for 30 short term sites until 30 June 2011.
2. Advises the Kununurra Agricultural Society that prior to expiration of the license on 30 June 2011 it will be necessary for them to make application for approval to operate either;
 - a. A caravan park and camping ground in accordance with the Act and Regulations; or
 - b. A temporary park in accordance with Council policy.

COUNCIL DECISION

Minute No: 9369

Moved: Cr J Moulden

Seconded: Cr J Parker

That Council:

1. **Issues the Kununurra Agricultural Society with a Caravan Park and Camping Ground License for 30 short term sites until 30 June 2011, subject to the approval of Minister for Regional Development and Lands.**
2. **Advises the Kununurra Agricultural Society that prior to expiration of the license on 30 June 2011 it will be necessary for them to make application for approval to operate either;**
 - a. **A caravan park and camping ground in accordance with the Act and Regulations; or**
 - b. **A temporary park in accordance with Council policy.**

CARRIED UNANIMOUSLY: (7/0)

ATTACHMENT 1 - Legal advice regarding the approval of the Agricultural Society as a Caravan Park and Camping Ground

CIVIC LEGAL

Local Government Lawyers

Level 2
11 Mounts Bay Road
Perth
Western Australia 6000

Our Ref: GM/PMC556
Your Ref:

PO Box 7432
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Western Australia 6850

1 September 2010

(08) 9460 5060 T
(08) 9460 5066 F
admin@civiclegal.com.au

By Post and Email Ken.Lowth@swek.wa.gov.au

Environmental Health Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Attention: Ken Lowth

Dear Sir

Kununurra Agricultural Society Caravan Park & Camping Ground Licence

We refer to the above and your telephone conversation with Greg Mohen of our office and subsequent emails on 31 August 2010.

We confirm your instruction that:

1. In 2001 the Shire of Wyndham-East Kimberley ("SWEK") by Council resolution approved the issue and use of an annual Caravan Park & Camping Ground Licence ("the Licence") to the Kununurra Agricultural Society ("KAS") to use the Kununurra Agricultural Oval as a caravan park (the **Caravan Park**).
2. The Licence is up for renewal on 30 June of each year. Historically, the SWEK have just sent the KAS invoices for the licence renewal that have been paid.
3. We understand that an invoice for the renewal of the Licence was posted to the KAS on 28 May 2010, and that it was paid on 9 June 2010. KAS did not make a formal application for the renewal of the Licence.
4. The Caravan Park does not comply with the requirements previously imposed on the park, nor is it up to the standards required by the guidelines.
5. The two private caravan parks and the Caravan Park Association have complained to SWEK that the KAS should not be allowed to operate a non-compliant park and, further, should be limited to 1 April to 31 October each year, this being the tourist season when there is demand for more caravan park bays.
6. You wish to be able to accommodate the concerns expressed by the Caravan Park Association and impose various conditions on the licence. You request our advice

PARTNERS	CONSULTANTS	ASSOCIATES	SPECIAL COUNSEL
Gavan Kelly John Wojtowicz Anthony Quahe	Greg Mohen Brenton Oakley Alison Gibson	Christina Chang Matthew Reid Sze-Hwei Yen	Andrew Read

Registered Migration Agent No.: 9254751

 A member of the Simpson Kelly Group

Civic Legal Pty Ltd
ACN 114 272 758

whether you may now impose conditions on the Licence as part of the licence renewal process.

Our Advice

1. Caravans Parks and Camping Grounds Act 1995

- 1.1 Under section 6(1) of the *Caravans Parks and Camping Grounds Act 1995* ("the **Act**") a person must not operate a facility of a prescribed type, unless the person holds the appropriate licence under the Act.
- 1.2 Regulation 41 of the *Caravan Parks and Camping Grounds Regulations 1997* ("the **Regulations**") prescribes (amongst other things) caravan parks and camping grounds for the purposes of section 6(1) of the Act.
- 1.3 A local government has to power to grant, renew, or transfer a caravan park and camping ground licence; regulation 42 of the Regulations.
- 1.4 The procedure for an application for a licence (or its renewal) is set out in section 7 of the Act, reproduced below for ease of reference:

7. Application for the grant or renewal of a licence

- (1) *An application for the grant or renewal of a licence for a facility is to be —*
 - (a) *made to the local government in the appropriate prescribed form;*
 - (b) *accompanied by the appropriate fee prescribed; and*
 - (c) *accompanied by any information that the local government reasonably requires for a proper consideration of the application.*
- (2) *An applicant is to provide the local government with any further information that the local government by notice in writing requires the applicant to provide in respect of an application.*
- (3) *An applicant must, if required to do so by the local government, verify by statutory declaration any information contained in, or given in connection with, an application.*
- (4) *Subject to this section, a local government may grant or renew a licence and at any time may impose conditions on that licence.*
- (5) *Before granting a licence a local government must ensure that —*
 - (a) *the applicant has complied with the requirements of this Act;*
 - (b) *the applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.*

- (6) *A local government may refuse to renew a licence if —*
 - (a) *the licence holder has been convicted of an offence against this Act or any other written law relating to caravanning or camping which, in the opinion of the local government, renders the licence holder an unsuitable person to hold a licence;*
 - (b) *a condition imposed on the licence has been contravened;*
or
 - (c) *the licence was obtained by fraud or misrepresentation.*
 - (7) *Where a local government refuses to grant or renew a licence it must give notice in writing of that decision to the applicant.*
 - (8) *Notice of a decision under this section is to state that the applicant or licence holder is entitled to apply to the State Administrative Tribunal for a review of the decision.*
- (our emphasis)

The prescribed fee

- 1.5 Regulation 45(1) of the Regulations sets out the prescribed fee for an application for the grant or renewal of the licence (in this case \$200).
- 1.6 Regulation 45(2) of the Regulations provides that if an application for the grant or renewal of a licence is refused, the application fee is to be refunded to the applicant. The Regulation therefore contemplates that the licence fee may be invoiced and paid prior to an application being considered by SWEK, and subsequently accepted, rejected, or approved with conditions.
- 1.7 The fact that SWEK has already invoiced the KAS for the licence fee renewal (and this has been paid) will not, in our view, compromise SWEKs ability to require the KAS to now make an application for the licence renewal in the prescribed form, and to accept or reject that application or impose conditions on the renewal of the licence. The fee is to be refunded to KAS in the event the application for the licence renewal is rejected (subject to KAS lodging an appeal to the State Administrative Tribunal (“SAT”).

The prescribed form of application

- 1.8 Section 7(1)(a) of the Act provides that an application for the grant or renewal of the licence “is to be made” to the local government in the “prescribed form”. Use of the words “*is to be made*” implies an imperative. The KAS may only make an application for the licence renewal in the “prescribed form”.
- 1.9 Regulation 43(1) of the Regulations provides that an application for the grant or renewal of a licence is to be made in the form of Form 1 (set out in schedule 1 of the Regulations). We **enclose** a copy of Form 1 for ease of reference.

- 1.10 The issuing of the invoice by SWEK to the KAS for the licence renewal (and payment of the same) may not, in our view, constitute a valid application for the licence renewal. It is not in the prescribed form.
- 1.11 We consider that SWEK may now require that the KAS make the application for licence renewal using the prescribed Form 1, following which the SWEK may accept or refuse the application, or impose conditions.
- 1.12 Section 9(1) of the Act (Renewal after expiry) allows the local government to renew a licence despite the fact that it has expired. Under section 9(2) the licence is then taken to have been renewed that day in which the renewal was in fact effected.

Caravan park operators must comply with the Act and Regulations

- 1.13 Section 7(5) of the Act imposes a positive duty on the SWEK (and any other local government) to ensure that that the licence applicant has complied with the requirements of the Act before granting a licence. On the information we have before us, this does not appear to have occurred when the licence was originally granted in 2001. We consider the obligations under section 7(5) reinforces the duty of local government to ensure that the caravan park operators abide by (and continue to abide by) the Act and Regulations.
- 1.14 The caravan park licence to the KAS by the SWEK in 2001 may have been deficient in both content and form. KAS may have been allowed, as a consequence, to act outside the Act and Regulations.
- 1.15 It appears that at the time of granting the licence to the KAS the SWEK did not have a complete understanding of the Act and Regulations. We consider that, given the positive duty to act (express and implied) under section 7(5) of the Act, SWEK has a positive duty to rectify its previous error/misconception (if any) and act to now ensure that any caravan park is operated within the requirements of (amongst other things) the Act and Regulations. This may require that new conditions be imposed on an existing caravan park licence.

Conditions may be imposed at any time

- 1.16 Under section 7(4) of the Act, a local government may grant or renew a licence and, at any time, may impose conditions on that licence. We consider that SWEK clearly may impose conditions on the licence as part of its approval of the licence renewal application by the KAS.
- 1.17 Section 7(6) of the Act provides that a local government may refuse to renew a licence if the licence holder has been convicted of an offence, a condition imposed on the licence has been contravened, or the licence was obtained by fraud or misrepresentation. The word "may" implies that the local government has a discretion whether to so act or not. In our view section 7(6) is not meant to be an exhaustive list, but merely a guide. If the intent was that these three occurrences were to constitute the only grounds for the refusal of a licence renewal, the section would have been drafted as "the local government may

refuse to renew a licence only if –". SWEK may elect to refuse to renew any application for a licence on grounds other than those listed in section 7(6) of the Act.

1.18 In any event, in the current circumstances SWEK is seeking to put conditions on the licence, as opposed to refusing the licence renewal application. If SWEK elects to refuse to renew the licence, then it must give written notice of that decision to the applicant; section 7 of the Act.

1.19 We note by way of observation that a local government may issue a temporary licence for a facility which is to remain in force for such period of less than one year as is provided in that licence; regulation 54 of the Regulations.

Appeal at the SAT

1.20 A decision by the SWEK to impose conditions on the licence renewal (or to reject the licence renewal application) is subject to an appeal at the SAT by the aggrieved applicant.

2. Options for SWEK

2.1 SWEK may require that KAS make an application for the renewal of licence using the prescribed Form 1. In our view the issuing of the invoice to the KAS (and payment of the same) may not constitute the renewal of the licence. The Act contemplates that such payment may be made prior to the consideration of a licence renewal application by a local government.

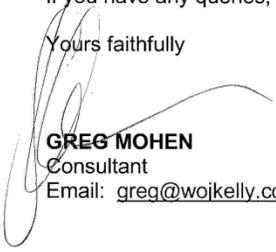
2.2 The SWEK may then impose conditions on the licence as part of its approval process.

2.3 We consider that the SWEK may feasibly take the approach with the KAS that it is in fact doing all that it can to assist KAS in retaining the Licence, given the opposition voiced by the Caravan Park Association and local caravan parks, and the fact that the licence should not perhaps have been granted in its current form, and the powers of the SWEK to impose conditions under the Act, and SWEK's positive obligations to so act.

2.4 SWEK may, in any event, issue infringement notices to the KAS pursuant to the Act for any infringement of the requirements of that Act and the Regulations.

If you have any queries, please do not hesitate to contact the writer.

Yours faithfully



GREG MOHEN
Consultant
Email: greg@wojkelly.com.au

Form 1. Application for Grant or Renewal of Licence

<p><i>Caravan Parks and Camping Grounds Act 1995, sec. 7(1)(a)</i> APPLICATION FOR GRANT OR RENEWAL OF LICENCE</p>

To	Local government:		
Facility name or proposed name			
Applicant/s <small>[Each applicant to provide these details.]</small>	Family name:		
	Other names:		
	Postal address	No.:	Street name:
		Suburb:	Postcode:
	Phone numbers (H):		(W):
	Fax number:	Email:	
Land on which the facility is situated or is to be situated	Address: or Land description:		
Land owner/s <small>[1. Only necessary if applicant does not own the land referred to above. 2. Details to be provided in respect of each land owner.]</small>	Family name:		
	Other names:		
	Postal address	No.:	Street name:
		Suburb:	Postcode:
	Phone numbers (H):		(W):
	Fax number:	Email:	
Declaration <small>[Making a false statement may be an offence]</small>	I/We declare that all details in this form are true and correct.		
	Signature of applicant/s:		Date:

ATTACHMENT 2 – Shire of Wyndham East Kimberley Draft Policy CPHTH-3762 Licensing of Temporary Camp Grounds



Shire of Wyndham East Kimberley Council Policy Number: CP/HTH-3762 Licensing of Temporary Camp Grounds

OBJECTIVE:

- To provide guidelines on the approval of temporary camp grounds within the Shire of Wyndham East Kimberley

POLICY:

Scope & Limitations

This policy applies to all locations within the Shire of Wyndham East Kimberley.

The following are defined in the *Caravan Parks and Camping Grounds Regulations 1997*:

- 'Long Stay Site' means a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time
- 'Short Stay Site' means a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months
- 'Camp Site' includes to camp in a vehicle but not caravans.
- 'Overflow Site' may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval

Background

The *Caravan Park and Camping Grounds Regulations 1997* give discretion to Local Government on the granting of temporary licences for caravan parks and camping grounds.

Section 54 of the regulations states;

- " (1) A local government may grant a temporary licence for a facility which is to remain in force for such period of less than one year, as it provided in the licence.;
- (2) A local government is to endorse on a temporary licence for a facility as conditions of the licence-
- (a) The maximum number of sites that may be used at the facility;
 - (b) The maximum number of sites of particular types that may be used at the facility; and
 - (c) The services that are to be provided

Guiding Statement

1. TENURE

An application for a temporary facility must demonstrate legal entitlement or signed written permission from the owner to occupy the land.

2. NEED

The applicant shall detail the need for a temporary facility with particular due regard to;

- Providing justification for the temporary facility (why is it needed, who are the main users)

- Impact on existing caravan park and camping ground establishments within a 50km radius

3. ENVIRONMENT

The design and location of a temporary facility must be sensitive and complimentary to environmental areas. Where there are concerns regarding the impact of a proposal on environmentally sensitive areas, the Shire may seek comment from the Environmental Protection Authority, Department of Environmental and Conservation, or equivalent, prior to determining the application.

4. AMENITY

The Shire accepts that lower levels of amenity than those which could be typically expected within a permanent holiday or caravan park. However, all applications should as a minimum accord with standards prescribed in this policy and any other environment, health and building legislation.

5. SPECIFIC APPLICATION DETAIL

The following shall be provided with the application for a temporary facility licence;

- 2 sets of accurately scaled and dimensioned locality plans, site layout plans and floor plans of buildings or facilities
- The number of sites
- The maximum number of people expected to use the facility
- Information on how each of the minimum requirements set out in this policy are to be addressed and how the facility will be managed
- Details of any consultation with local businesses, community groups or government agencies
- Dates of operation

6. FEES

Fees for operating a temporary caravan and camping ground licence are determined in 'Schedule 3 - Fees' of the *Caravan Park and Camping Grounds Regulations 1997*.

7. MINIMUM REQUIREMENTS

Applications should demonstrate that the Nature Based camping facility meets the following minimum requirements:

7.1 ABLUTIONS

Ablution facilities shall be provided in accordance with the following table;

Sites	Toilets	Showers	Handbasins
1-10	2	2	2
11-20	4	2	2
20-30	4	4	4
30-40	6	4	4
40-50	6	6	6
50-60	8	6	6

Ablutions may either be stand alone unisex facilities or split 50/50 for male and female use.

- Temporary ablutions must be pumped out on a regular basis.
- Permanent ablutions must be connected to an on-site effluent disposal system approved by Shire's Environmental Health Officer.

It is the responsibility of the facility licence holder to ensure that ablutions are maintained in a clean and suitable manner.

Laundry and washing up facilities are not required.

7.2 WATER

There must be a centrally located tap with running water for use by all occupiers. A tap must be no more than 90m from any campsite.

Where a potable supply of water cannot be provided, taps must be clearly signed with the following or similar.



Where drinking water is not provided, all occupants must be clearly notified prior to staying at the facility.

7.3 ELECTRICITY

Generators to 2kva are permitted between the hours of 7am and 9.30pm

7.4 RUBBISH

While rubbish bins are not required to be provided, advertising and notice to campers arriving at the park must be provided through approved signage advising that campers must take their own waste with them and where they may deposit it.

If bins are provided they shall be located within 90m of every site and emptied as necessary, but at least once a week.

Rubbish bins are to be sealed to prevent infestation from insects and vermin.

7.5 FIRE FIGHTING EQUIPMENT

Where a facilities water supply is not adequate to operate fire hoses effectively, the facility may have;

- i) fire extinguishers accessible at all times within 90m of every site; or
- ii) a portable fire fighting unit with a minimum capacity of 1000L, which must be full and easily accessible at all times. The operational capacity of a fire fighter unit shall be demonstrated upon request by the Shire's Fire Control Officer or a FESA representative.

7.6 SETBACKS

Camp area shall be clearly defined and marked so it is clear to users where they shall and shall not camp.

There shall be no more than ten (10) people permitted to camp on a site at any one time

A maximum of one caravan, bus, campervan or tent is permitted per site.

A minimum of 3m is required between caravans, buses, campervans and tents on different sites.

Caravans, buses, campervan and tents must be set back at least 5m from the road.

7.7 CARETAKER'S RESIDENCE

A caretaker may reside at the temporary facility for the term of the temporary license.

If a caretaker is not on-site then an emergency point of contact must be nominated and provided to each occupier of the facility.

7.5 ADVERTISING AND COMMERCIAL ACTIVITIES

Advertising the temporary facility is not permitted.

Patrons are not permitted to conduct commercial or profit making business activities within the temporary facility.

8. LICENCE

Temporary facilities will only be issued a licence from the Shire of Wyndham East Kimberley once an Environmental Health Officer has inspected the site and determined that the facility meets minimum standards.

Outcomes

This policy has been developed to formalise existing temporary camping arrangements and provide guidance for their approval in the future. It aims to provide an acceptable standard of amenity for campers staying within a temporary facility. It provides guidance to staff, Councillors, government agencies, landowners, and the general public regarding the assessment of applications for temporary camp facilities.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997</i>
Industry Compliance	
Organisational Compliance	Delegations Manual
Process Links	

POLICY ADMINISTRATION

Directorate		Officer Title		Contact:	
Development Services		Environmental Health Officer		Ext: 118	
Date Effective	TBA				
Date Adopted	TBA	Last Reviewed	N/A		
Risk Rating	Low	Review Cycle	Tri-Annual	Next Due	TBA

12.4.4 Proposed Medical Centre Extension – Ord Valley Aboriginal Health Service

DATE:	14 December 2010
PROPONENT:	Bateman Grundmann Architects
LOCATION:	Lot 1125 and Lot 2229 Ironwood Drive, Kununurra
AUTHOR:	Jennifer Ninnette, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A1127P
ASSESSMENT NO:	A1127

PURPOSE

For council to consider an application for planning consent for an extension to a Medical Centre on Lots 1125 and 2229 Ironwood Drive, Kununurra.

BACKGROUND

The Shire has received an application for planning consent for the extension to the Ord Valley Health Service (OVAHS) medical centre for the purpose of establishing a Renal Dialysis Unit.

The proposed development is located over Lots 1125 and 2229 Ironwood Drive, located on the northern side of Ironwood Drive north of the education precinct, and abutting the Nulleywah Community.



Figure 1 - Location Plan

Lot 1125 is developed for the Ord Valley Aboriginal Health Service (OVAHS). The proposed development is intended as an extension to this medical centre, however will expand beyond Lot 1125 to occupy a portion of adjoining Lot 2229.

Both Lots are reserved lands with a management order held by the Aboriginal Land Trust (ALT), and as such agreement has been reached to enable the expansion of the medical centre, specifically to enable the establishment of the Renal Dialysis Unit as proposed in this application.

The proposed development is to construct a single storey building to be used as a Renal Dialysis Unit directly adjacent to the existing OVAHS medical complex. The Unit is proposed to consist of 6 treatment rooms, and associated offices, meeting rooms and utilities and is to be staffed by 4 nurses and 1 doctor at any one time.

A copy of the development plans are provided at Attachment 1.

The applicant proposes to construct 40 new car parking bays for the development, with 14 bays to be provided on-site and the remaining 26 bays proposed to be constructed within the Ironwood Drive road reserve.

It is proposed that the construction of the car parking bays will be carried out by the applicant and will comply with the Shire's specifications. The applicant has also agreed to maintain and manage the car park.

Council's consideration is sought in relation to the proposal to construct bays within the road reserve and to enter into a subsequent agreement for the ongoing management and maintenance of the proposed car park within the road reserve.

STRATEGIC IMPLICATIONS

The construction of the Kununurra Renal Dialysis Unit will allow people of the Kimberley Region to access dialysis services close to home and will improve the level of health services available in the region.

STATUTORY IMPLICATIONS

Land Administration Act

Lot 1125 is Reserve 31213 for the purpose of 'Health Clinic', with management order held by the ALT, and leased to OVAHS.

Lot 2229 is Reserve 31221 for the purpose of 'Use and Benefit of Aboriginies' with management order held by the ALT, and is developed for the Nulleywah Community.

Town Planning Scheme No. 7

Lot 1125 and Lot 2229 are both zoned Settlement under Town Planning Scheme No. 7 – Kununurra and Environs.

Lot 2229 forms part of the Nulleywah Community Layout Plan (CLP), and is identified for future residential use within the CLP.

Although Lot 1125 is included in the Settlement zoning it is not part of Nulleywah Community, and as such a use is not identified within the Community Layout Plan. It is considered that the inclusion of this lot in the Settlement Zone is an anomaly of the current Scheme, and should instead be reserved for Public Purpose. It is expected that this change will be incorporated into the new Local Planning Scheme (No. 8) currently being prepared.

A formal land use agreement between the ALT and OVAHS is being prepared to allow the development to extend onto Lot 2229.

Parking

The car parking requirements in the Scheme stipulate that 4 bays are required per each medical practitioner, and therefore the proposed development requires 20 bays to be provided.

In a previous planning approval (DA103/09), the Shire approved an earlier extension to the medical centre, shown on the site plan as 'Proposed Education Unit', which required an additional 7 parking bays to be provided onsite. To date, these parking bays have not been constructed as per the approved plan, and cannot be constructed in the intended location due to the latest extension proposed. As such it is intended that these bays be incorporated into the parking calculation of the latest application.

This latest application also proposes to redevelop/replace 5 existing parking bays onsite which also requires to be incorporated into the parking calculation.

Therefore the total number of parking bays required for this development is 32, and the application proposes to provide 14 bays onsite, and 26 bays within the adjoining road reserve.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The applicant has paid all fees.

The parking within the road reserve will be constructed, managed and maintained at the cost of the proponent and/or OVAHS.

COMMUNITY CONSULTATION

No community consultation is required in regards to the proposed development.

COMMENT

It is considered that the proposed development complies with the provisions of the Town Planning Scheme, however Council's consideration is required in relation to the proposal to construct and provide 26 car parking bays within the Ironwood Drive road reserve.

A minimum of 32 bays (including the relocation of 7 bays) are required to be provided for this development, however the applicant proposes to provide 40 bays, to be constructed and maintained to the Shire's specifications, i.e. 8 more than required).

Discussions with the Shires Infrastructure Directorate have determined that 90° parking bays will be more appropriate and practical than either parallel or angle parking in this instance, given the existing one way traffic movement onto the OVAHS site and low volumes of traffic along this section of Ironwood Drive, but will be subject to a review of the detailed plans and specifications.

The development of car parking in the road reserve, as proposed, is supported on the basis that:

- OVAHS is a facility available to the public and not a commercial development,
- The applicant is proposing to provide and construct 8 more car parking bays than is required.
- The applicant and is willing to manage and maintain the car park, including to provide public liability insurance.
- The proposed car park will not have a deleterious impact on car parking availability to existing enterprise in the vicinity, and
- The proposed car park will improve an existing arrangement, which is currently unattractive and poorly drained.

It is recommended that the application be approved subject to conditions, including the requirement for a memorandum of understanding to be entered into with the proponent to ensure appropriate ongoing management and maintenance of the offsite car parking area within the Ironwood Drive road reserve.

ATTACHMENTS

Site Plan and Floor Plan

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for the extension to the Medical centre (Renal Dialysis Unit) on Lots 1125 and Ironwood Drive, Kununurra, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications on the plans or required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. A minimum of 32 car parking bays shall be provided for the development.
3. A Memorandum of Understanding shall be entered into with the Shire of Wyndham East Kimberley in relation to the management and maintenance of off-

- site car parking, and shall include a requirement maintain with an insurer, approved by the Shire, public liability insurance to the sum of not less than \$10 million for the off-site car park.
4. A full set of engineering drawings to the specifications of the Shire, including detailed road, landscaping, drainage (including a stormwater management study) and parking information, must be lodged with Shire's Infrastructure Directorate for approval prior to commencement of construction.
 5. An application for commercial crossover to be submitted to Shire's Infrastructure Directorate.
 6. A landscaping plan being submitted prior to the occupation of the building, with all land indicated as landscaped area on those plan(s) being developed and maintained thereafter to the approval of the local government.
 7. Prior to occupation of the buildings, areas set aside for parking and access, including within the Ironwood Drive road reserve, must be constructed, drained and line marked to the satisfaction of the Shire.

COUNCIL DECISION

Minute No: 9370

Moved: Cr D Ausburn

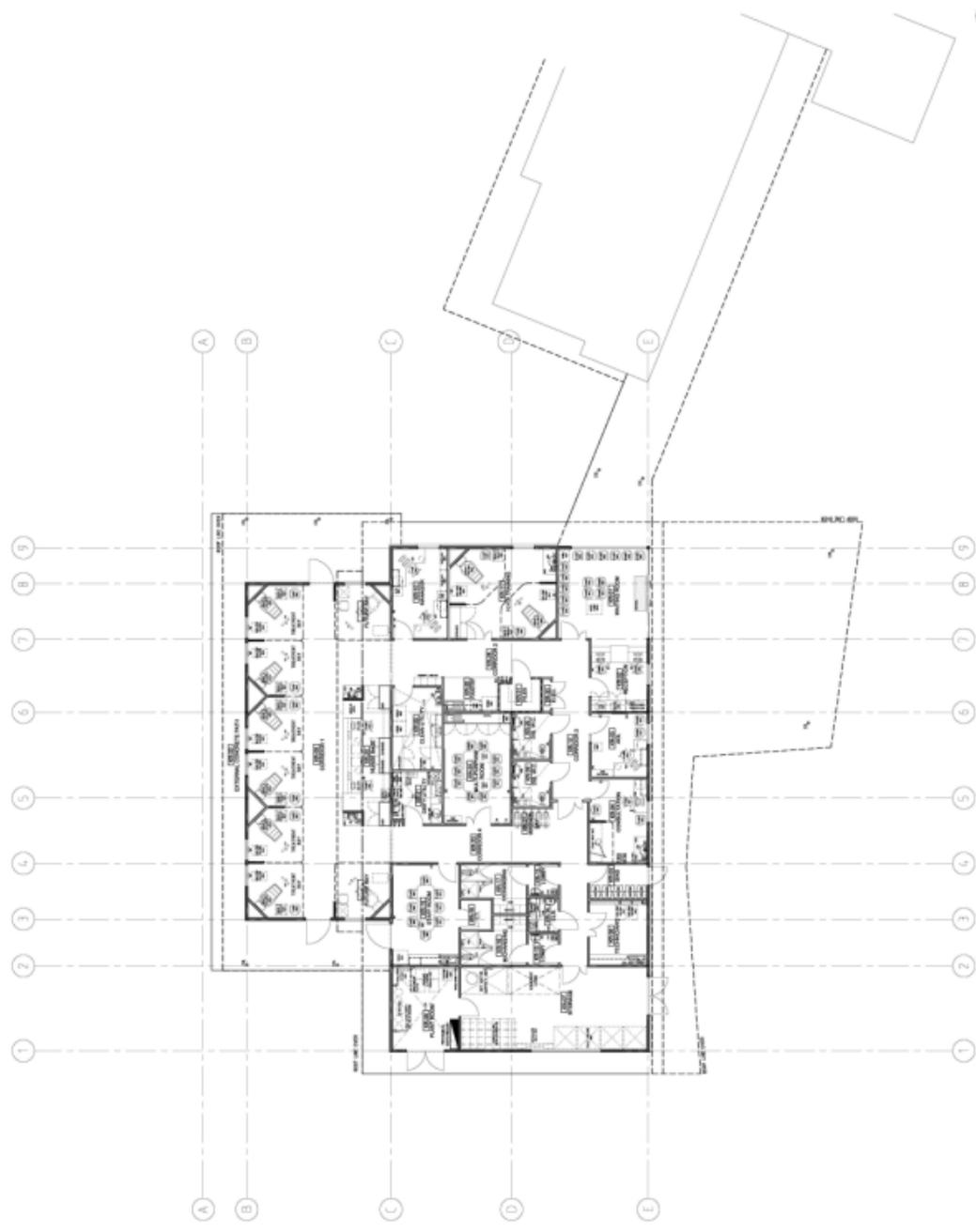
Seconded: Cr K Torres

That Council grants planning consent for the extension to the Medical centre (Renal Dialysis Unit) on Lots 1125 and Ironwood Drive, Kununurra, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications on the plans or required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. A minimum of 32 car parking bays shall be provided for the development.
3. A Memorandum of Understanding shall be entered into with the Shire of Wyndham East Kimberley in relation to the management and maintenance of off-site car parking, and shall include a requirement maintain with an insurer, approved by the Shire, public liability insurance to the sum of not less than \$10 million for the off-site car park.
4. A full set of engineering drawings to the specifications of the Shire, including detailed road, landscaping, drainage (including a stormwater management study) and parking information, must be lodged with Shire's Infrastructure Directorate for approval prior to commencement of construction.
5. An application for commercial crossover to be submitted to Shire's Infrastructure Directorate.
6. A landscaping plan being submitted prior to the occupation of the building, with all land indicated as landscaped area on those plan(s) being developed and maintained thereafter to the approval of the local government.
7. Prior to occupation of the buildings, areas set aside for parking and access, including within the Ironwood Drive road reserve, must be constructed, drained and line marked to the satisfaction of the Shire.

CARRIED UNANIMOUSLY: (7/0)

NO.	REVISION	DATE	BY
1	ISSUED FOR PERMIT	08/14/10	WJ
2	ISSUED FOR CONSTRUCTION	08/14/10	WJ
3	ISSUED FOR CONSTRUCTION	08/14/10	WJ
4	ISSUED FOR CONSTRUCTION	08/14/10	WJ
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19	ISSUED FOR CONSTRUCTION	08/14/10	WJ
20	ISSUED FOR CONSTRUCTION	08/14/10	WJ



PRELIMINARY
NOT FOR CONSTRUCTION

10 Rockwood Drive
Birmingham, AL 35203
205-988-1111
www.gsa.com

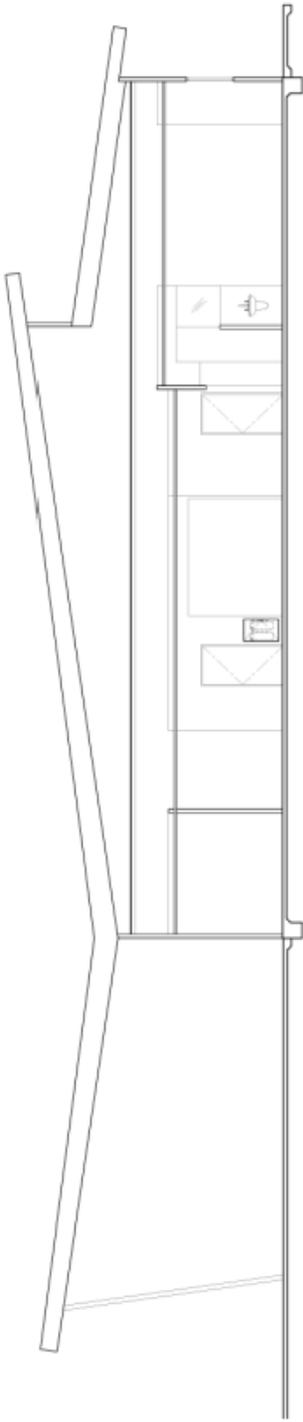
Government of Western Australia
Department of Primary and Fisheries
Building Management and Works

RENAL DIALYSIS UNIT
IRONWOOD DRIVE
PERTH
GROUND FLOOR PLAN

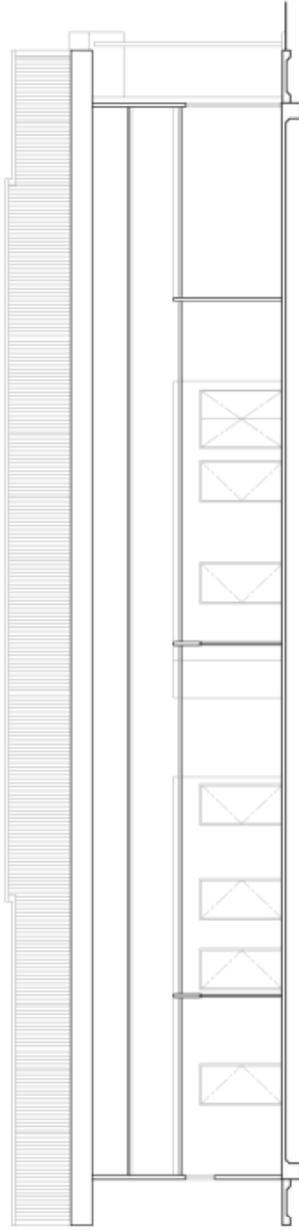
PROJECT NO: 10000000000000000000
DRAWING NO: 10000000000000000000
DATE: 08/14/10
SCALE: A.201 J

DATE PLOTTED: 08/14/10
PLOTTER: HP DesignJet 5000

1	REVISIONS	DATE	BY
2	REVISIONS	DATE	BY
3	REVISIONS	DATE	BY
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10	REVISIONS	DATE	BY



SECTION A-A
SCALE 1:50



SECTION B-B
SCALE 1:50

PRELIMINARY
NOT FOR CONSTRUCTION

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Government of Western Australia
 Department of Treasury and Finance
 Building Management and Works

REMAI DIALYSIS UNIT
 RICHMOND DRIVE
 KUNJURRA

SECTIONS
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 DATE: 13/12/10
 PROJECT NO: 130
 REVISED: A.401 C

12.4.5 T07-10/11 Design And Construct For Staff Housing In Kununurra And Wyndham

DATE:	14 December 2010
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Lots 42 and 44 Coolibah Estate, Kununurra and Lot 829 Koolama Street, Wyndham
AUTHOR:	Nick Kearns, Director Development Services
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	66.59.07
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider tenders received for T07-10/11 – Design and Construct for Staff Housing in Kununurra and Wyndham.

BACKGROUND

Councillors will recall deciding on selection criteria for tendering for the construction of staff housing in Kununurra and Wyndham at the October 2010 Ordinary Council Meeting (Item 12.4.6). That tender has since been advertised and two tenders were received, from Maglion Enterprises Pty Ltd, and from Colin Wilkinson Developments Pty Ltd. The attached confidential Evaluation Report, which has been distributed under separate cover, provides a summary of all actions undertaken to date and an evaluation of each tender submission for the purpose of selecting a preferred contractor for the project.

STRATEGIC IMPLICATIONS

Governance: Compliance with legislative requirements.

STATUTORY IMPLICATIONS

The tender has been processed in line with applicable provisions of the *Local Government Act 1995*, and the *Local Government (Functions and General) Regulations 1996*.

POLICY IMPLICATIONS

The tender has been processed in line with Council policy *F19 – Purchasing and Tendering Policy*.

FINANCIAL IMPLICATIONS

The project has been costed and allowed for in the 2010/11 budget.

COMMUNITY CONSULTATION

Nil

COMMENT

It is recommended that Council adopts the recommendation as contained in the confidential Evaluation Report to award contract T07 – 10/11 Design and Construct for Staff Housing in Kununurra and Wyndham.

ATTACHMENTS

Evaluation Report T07 – 10/11 Design and Construct for Staff Housing in Kununurra and Wyndham (provided under separate confidential cover)

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopts the recommendation as contained in the confidential Evaluation Report for contract T07 – 10/11 Design and Construct for Staff Housing in Kununurra and Wyndham.

COUNCIL DECISION

Minute No: 9371

Moved: Cr J Moulden

Seconded: Cr J Parker

That Council adopts the recommendation as contained in the confidential Evaluation Report for contract T07 – 10/11 Design and Construct for Staff Housing in Kununurra and Wyndham.

CARRIED UNANIMOUSLY: (7/0)

12.4.6 East Lily Creek, Kununurra – Local Structure Plan

DATE:	14 December 2010
PROPONENT:	LandCorp
LOCATION:	Victoria Highway, Kununurra
AUTHOR:	Nick Kearns, Director Development Services
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.04.45
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the adoption of the East Lily Creek Local Structure Plan, pursuant to Clause 6.6.5 of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs.

Council at its meeting of 21 September 2010 considered the draft Local Structure Plan for East Lily Creek and determined that it was satisfactory for the purposes of advertising. Specifically, Council resolved as follows:

“That Council:

- 1. Pursuant to the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs resolves that the East Lily Creek Structure Plan is satisfactory for advertising for agency and public comment.*
- 2. Directs Shire staff to advertise the East Lily Creek Structure Plan for agency and public comment for a period of 60 days pursuant to Clause 6.6.4 of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs.”*

BACKGROUND

The draft East Lily Creek Local Structure Plan (LSP) will facilitate residential development within the area located on the eastern side of Victoria Highway, Kununurra. The project area is bound by the East Lily Creek to the north, Mirima National Park to the east, the Aboriginal Youth Hostel to the south and residential development (Lakeside Park Estate) to the west. The following describes the key design elements of the proposed Structure Plan:

- The site is located to the west of Mirima National Park which provides a landscape backdrop. To address the interface with the park, road frontage has been provided along the edge of the development with lots fronting the National Park for outlook and passive surveillance, whilst avoiding development directly abutting the park.
- East Lily Creek, to the immediate north of the site, provides a vegetated buffer with opportunities for a natural outlook for residents. View corridors are available

from the internal road network to landscape features north and south of the development area.

- Victoria Highway provides a considerable physical barrier and will be adequate until such time as the proposed Kununurra Heavy Haulage Route is constructed. Visual buffering to the highway in the meantime however has been factored into the design. There is considerable vegetation existing within the road reserve and in the land to the immediate east of the road reserve and the Structure Plan seeks to retain this vegetation wherever possible.
- Drainage is a considerable issue for the land, with a number of existing drainage lines traversing the site in an east-west direction. These drainage areas have been retained within the structure plan within dedicated drainage/open space corridors. These corridors will create an opportunity for shading and cooling effects, as well as providing a natural outlook for residential lots.
- The current water tower is proposed to remain and the plan accommodates the current water pipes within public open space (POS) and road easements, while providing an altered access road that better connects to the Structure Plan area.
- A significant view corridor exists along Hibiscus Road in Lakeside, toward Mirima National Park. This view corridor has been preserved through the Structure Plan through an east-west open space corridor.
- The site includes a small number of significant Boab and Pandanus groves. Where possible, these will be integrated into road reserves and POS areas. Where this is not possible and where of an appropriate size and condition, they will be relocated to alternative locations within the plan area.

A copy of the LSP, as advertised, was previously provided to Councillors at the December Briefing Session, although additional copies are available upon request.

CONSULTATION

In accordance with Council's previous resolution in relation to this matter, the draft Structure Plan was advertised for a period of 60 days, from the 7 October 2010 to the 7 December 2010 by way of letters to relevant Government agencies, in addition to an advertisement in the local newspaper, the Kimberley Echo.

Five submissions were received, of which three were from Government agencies, one from a service agency and one submission from Urbis Planning Consultants on behalf of the proponent.

Copies of the submissions are shown at Attachment 1.

SCHEDULE OF SUBMISSIONS

1. Name and Postal Address: Department of Water – Kimberley Region	
Summary of Submission	Staff Comment
<ul style="list-style-type: none"> • Proponent to finalise DWMS and LWMS to the satisfaction of the Department of Water (DoW), prior to approval of the Structure Plan. • Requests Structure Plan to be deferred until DWMS/LWMS can be assessed and approved. 	<ul style="list-style-type: none"> • The DoW has now assessed and approved the D&LWMS for the East Lily Creek Local Structure Plan; however the Shire is awaiting final advice.
<ul style="list-style-type: none"> • DoW has identified the following incorrect information and/or omission of relevant information: • Section 2.3.3 Water Management – the required documentation is a D&LWMS and is required prior to Structure Plan approval. The purpose of the strategy is to demonstrate the area is capable of supporting urban development, demonstrate how the proposed urban structure will address water use and management in the context of local water and environmental requirements and identify land areas required for water management. • Section 2.3.3 Surface Water – the proposed area is located within the Ord River and Tributaries Surface Water Area and the Ord Irrigation District proclaimed under the Rights in Water and Irrigation Act, 1914. There is a drainage line that runs through the north east corner of the proposal area • Section 2.9.6 Water Management – the required documentation is a D&LWMS. 	<ul style="list-style-type: none"> • The requested modifications are considered to be relatively minor, with no major implications for development. The changes will be made prior to referral of the Structure Plan to the Western Australian Planning Commission.

2. Name and Postal Address: Main Roads WA – Kimberley Region	
Summary Submission	Staff Comment
<ul style="list-style-type: none"> Reviewed proposal in consideration to the traffic impact along Victoria Highway and require the developer to provide a detailed traffic impact study for the proposed development and adoption of its recommendations, prior to planning approval. The study should include all adjacent roads, intersections and pedestrian movements which are impacted upon by the development. Following review of these requirements, MRWA is to be advised of the Shire's comments on the development proposal, proposed program for planning approvals and the building works. 	<ul style="list-style-type: none"> Council staff have since discussed this matter directly with Main Roads WA and it is understood that there had been a misunderstanding and that Main Roads WA had assumed a third road connection directly opposite to Hibiscus Drive. This is being clarified by the proponent through their traffic consultants and therefore it is unlikely that there will be any significant issues associated with traffic moving in and out of the estate. A traffic impact study is, in any case, being prepared by the proponent, which will also inform future subdivision proposals.
3. Name and Postal Address: Telstra	
<ul style="list-style-type: none"> No objection 	<ul style="list-style-type: none"> Noted
Summary Submission	Staff Comment
4. Name and Postal Address: Department of Education	
Summary Submission	Staff Comment
<ul style="list-style-type: none"> Advised that a primary school site is not warranted within the estate. They have, nevertheless, indicated a preference to develop a primary school within the Lakeside Park estate. 	<ul style="list-style-type: none"> The comments, which raise no issues of concern for the proposal, are noted and comments with regard to the siting of a new primary school have been forwarded to LandCorp.
5. Name and Postal Address: Urbis on behalf of LandCorp	
Summary Submission	Staff Comment
<ul style="list-style-type: none"> LandCorp have requested design modifications to the layout plan to reduce the areas originally nominated for grouped housing development. LandCorp propose to introduce split R30/40 coding into the LSP, when two or more lots (nominated for group housing) are amalgamated. 	<ul style="list-style-type: none"> Council Officers had raised the proportion of group housing lots as a concern within the advertising period – for the purpose of including additional single dwelling sites. Some of the nominated single dwelling sites were also considered narrow and inhibiting to builders for the purpose of responding to

	<p>climate sensitive (design) issues. The modified layout achieves this and makes some additional minor refinements to the overall layout.</p> <ul style="list-style-type: none"> • This split coding will ensure a high standard of design and consideration for wider impacts (within the estate) in the event of any of the group housing sites being amalgamated.
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COMMENT ON ISSUES RAISED IN SUBMISSIONS

1. Local Water Management Strategy

The proponent has prepared a District and Local Water Management Strategy (D&LWMS) for the East Lily Creek Local Structure Plan as required by the Department of Water and in accordance with the Western Australian Planning Commission's *Better Urban Water Management Guidelines* (2008). The Department of Water has indicated informally that it has no outstanding issue with the document, but it will need to be finalised prior to the LSP being approved.

The matter of drainage is a key consideration for the East Lily Creek site. The proposed drainage regime can be described as follows:

- To maintain pre-development hydrology, it is proposed to drain the site via a network of open channels located in road corridors or behind proposed lots. A cut-off drain to separate discharge from Mirima National Park is proposed along parts of the eastern boundary. Hydrologic and hydraulic simulations have been undertaken to locate and size these drains.
- To manage water quality and quantity, it is proposed to baffle the drains with low level stone weirs that allow temporary detention storage and settlement of sediments. Vegetation of outlet structures to further treat stormwater before discharging to the downstream environment is also proposed.
- Further detailed drainage design will dictate the detail of alignments and drainage widths. Urban Water Management Plans (UWMPs) will be prepared either in support of applications for subdivision and development or as conditions of approval.

Overall, the matter of water management and drainage is considered to be adequately addressed for this level of planning documentation. Officers will continue to work with the proponent in addressing these elements through the detailed subdivision and construction phase of the project, in addition to any elements contained within the D&LWMS.

2. Traffic Management

Main Roads WA (MRWA) has requested the proponent prepare a Traffic Impact Study for the Structure Plan area, but this has largely been on the misunderstanding that a third access to the Victoria Highway had been proposed, which would have been almost directly opposite Hibiscus Drive.

Only one additional road access, at the southern end of the estate is proposed. This new road access will be almost 350 metres away from the access into the Aboriginal Hostel, and almost 500 metres away from the existing road access into Garrjang Village. There are also no other road accesses (into Lakeside Park) opposite this southern road connection.

Shire Officers are confident that the addition of the new southern road connection point will not raise significant issues of concern with respect to traffic movements on Victoria Highway or for vehicle access into either the Lakeside Park estate, or the nearby Aboriginal Hostel. The Traffic Impact Study will, nevertheless, be prepared for the purpose of evaluating future subdivision proposals.

3. Requested Design Modifications

LandCorp (Urbis on behalf of LandCorp) in its submission on the LSP has sought to modify some portions of the advertised Structure Plan. In summary LandCorp is seeking the following modifications:

- To reduce a number of medium density (R30 and R40) areas (both single residential and grouped housing sites) to lower densities (R20);
- Remove a large grouped housing site and replace this area with a single row of lower density residential lots (abutting the Victoria Highway and a dedicated 5m drainage reserve) and introduce another small residential street block; and
- Introduce a split R30/40 residential coding into the structure plan.

The following section describes and considers these requested modifications in detail.

Proposed Residential Density and Design Modifications

LandCorp has advised that it has undertaken further detailed investigations in relation to determining a residential mix for the East Lily Creek LSP. These investigations have considered climate responsive design, local building design requirements and market demands. As a result of these investigations, and discussion with Council Officers, LandCorp has sought to reduce a number of the medium density areas (R30 and R40) to lower densities (R20). Furthermore, it has sought to reduce the number of grouped housing sites and replaced these areas with predominantly single residential development.

From a design perspective, the only change being sought is in relation to the central portion of the Structure Plan that is bound by two linear open spaces to the north and south. In this location a large grouped housing site has been replaced with a single row of lower density residential lots (abutting the Victoria Highway although separated by a dedicated 5m drainage reserve). An additional small street-block, consisting of low and

medium densities has also been introduced in this location to replace the large grouped housing site.

LandCorp has provided the following in support of these proposed density and design changes:

“In taking our residential lot mix investigations into account, we have formulated an alternative design response that we consider addresses all key design drivers, whilst remaining consistent with the fundamental design principles and intentions of the existing LSP. This design response however has resulted in some minor changes to proposed residential densities and slight modifications to the proposed movement network.

Attachment 2 (which is in their document) identifies those areas of the advertised Structure Plan subject to the proposed modifications, in direct comparison with the current Structure Plan. Whilst there are now fewer medium density areas, the Structure Plan still provides for a wide variety of densities and housing options in the form of small lot single residential product and some grouped housing sites. Shire Officers will also note that although the plan still provides for some, the number of Grouped Housing sites has been reduced, as specifically requested by planning staff. Furthermore, the proposed medium density areas are now considered to be more appropriately located in terms of their ability to take advantage of areas of higher amenity (i.e. open space areas).

In relation to the proposed design modifications, the alternative design is directly in response to the Shire’s desire to have the number of grouped housing sites within the LSP area reduced in order to provide a greater lot mix; particularly in terms of single residential development. ”

In considering the proposed residential density and design modifications, Council Officers have worked closely with LandCorp and its representatives in striving to achieve a residential density mix that satisfies both climatic and market demand requirements.

Officers are satisfied that the modified LSP provides for an adequate and considered range of densities and housing options (including affordable housing options). Officers will continue to work with LandCorp during the subdivision design phase to ensure the objectives of the LSP are achieved.

In relation to the proposed design modification, Council staff did discuss a number of alternative design options to the Grouped Housing sites with LandCorp and are supportive of the rationalisation of some of these sites. Specifically for the central portion of the Structure Plan, the removal of the grouped housing site and replacement with predominantly single residential development (and one smaller grouped housing site) is considered to be positive from a lot mix and housing diversity perspective.

Council Officers do have some concerns in relation to the interface treatment between the proposed single residential lots immediately abutting the Victoria Highway, however following discussions with LandCorp, consider that matters such surveillance, fencing, noise etc can be addressed through sub divisional requirements.

Split Coding

LandCorp has also sought to introduce a split R30/40 residential coding into the structure plan. The intention for this coding being the higher code would apply when two or more lots are amalgamated. Specifically it is proposed that the following provisions be introduced into Part One (Statutory Provisions) of the Structure Plan:

“1.6.1 Residential R30/40

For land coded Residential R30/40, where two or more lots are amalgamated, the resulting lot may be developed for group or multiple dwellings at the higher R40 coding.”

LandCorp has stated that the primary intention of this split coding is to encourage the provision of greater diversity in housing and more affordable housing options within the Structure Plan area.

Copies of the submissions are provided at Attachment 1, and include a plan showing the proposed change in lot density provisions and split coding was attached to the submission lodged by Urbis on behalf of LandCorp.

4. Tourist uses relevant to Lot 502.

Although not a submission, Shire Officers in discussion with MG Corporation recommend the designation of Lot 502 (DP 66350), being the 1 hectare lot on the south side of the main access road into the estate (and between the Victoria Highway and the Garrjang Village) for tourist purposes. This is shown on Attachment 2. The designation of tourist uses, which will be reflected in the ultimate zoning of the land, will provide flexibility to both the Shire and MG Corporation to develop tourist and associated commercial uses and also enable medium density residential development – in a manner which is compatible with the shared management of the adjoining (future) tourist park, and with nearby residential uses.

STRATEGIC IMPLICATIONS

Local Planning Strategy

The Structure Plan is consistent with the recommendations of the Local Planning Strategy in providing for residential development within close proximity to the Kununurra town centre and to encourage a diverse range of built form outcomes that reflect the population catchment, climate and lifestyle.

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

The Strategic Directions document focuses on consolidating the existing urban footprint of the town, through redevelopment of the existing town centre, as well progressing planned development east of Lily Creek.

Statement of Roles and Responsibilities

The East Lily Creek project area is one of the four ‘LandCorp Current Kununurra Projects’, nominated for priority land release. Approvals for the area are proposed to be

finalised by April next year in readiness to commence construction in the 2011 dry season.

STATUTORY IMPLICATIONS

The East Lily Creek Structure Plan is required to be prepared having regard to the Overall Planning Area provisions for East Lily Creek, as set out in Clause 6.2 of Town Planning Scheme No. 7 - Kununurra and Environs (TPS 7).

It should be noted that these provisions are proposed to be revised through Amendment No. 37 to TPS 7 (currently being advertised) to ensure that planning for the East Lily Creek precinct appropriately responds to the site context and demand for new residential land. Whilst Amendment No.37 is not yet gazetted, it is considered to be a “seriously entertained planning proposal” and consist with orderly and proper contemporary planning. Accordingly, there is no statutory reason why Council cannot determine the proposed Structure Plan as being satisfactory for the purposes of referral to the Western Australian Planning Commission (WAPC) for endorsement, noting, however that final approval is proposed to be delegated to the Shire’s Chief Executive Officer, upon written agreement from the Department of Water, Main Roads WA, and subject to the revisions nominated in this report.

POLICY IMPLICATIONS

There are no direct policy implications for the Shire.

FINANCIAL IMPLICATIONS

There are no direct financial implications for the Shire.

COMMENT

The East Lily Creek Local Structure Plan is considered to appropriately respond to the subject site’s physical opportunities and constraints and will assist in satisfying the demand for residential land in Kununurra. The Structure Plan is consistent with the existing State and Local Planning framework, with the site specifically identified as being appropriate for residential development in statutory and strategic planning documents of the Shire.

The modifications being sought by the proponent and as recommended by Officers are considered to be minor in nature and do not materially alter the intent of the advertised LSP. Accordingly, it is not considered that the changes being sought necessitate re-advertising of the LSP.

It is recommended that the Council adopts the East Lily Creek Structure Plan, in principle and delegate its approval of the document to the Chief Executive Officer upon written acceptance of the plan from the Department of Water and from Main Roads WA.

ATTACHMENTS

Attachment 1 – Submissions

Attachment 2 – Lease Plan highlighting Lot 502 (MG/Shire managed land)

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Adopts, in principle, the East Lily Creek Local Structure Plan as updated in response to:
 - a. Submissions from the Department of Water and from Main Roads WA.
 - b. Reducing the number of medium density lots within the estate.
 - c. Introducing split R30/40 residential coding.
 - d. Designating Lot 502 (DP 66350) for Tourist Purposes.

2. Authorises the Chief Executive Officer to adopt the updated East Lily Creek Local Structure Plan in accordance with Clause 6.7.5 of Town Planning Scheme No. 7 upon written agreement from the Department of Water and Main Roads WA, and to forward the adopted Local Structure Plan to the Western Australian Planning Commission for endorsement.

COUNCIL DECISION

Minute No: 9372

Moved: Cr J Moulden
Seconded: Cr K Torres

That Council:

1. **Adopts, in principle, the East Lily Creek Local Structure Plan as updated in response to:**
 - a. Submissions from the Department of Water and from Main Roads WA.**
 - b. Reducing the number of medium density lots within the estate.**
 - c. Introducing split R30/40 residential coding.**
 - d. Designating Lot 502 (DP 66350) for Tourist Purposes.**

2. **Authorises the Chief Executive Officer to adopt the updated East Lily Creek Local Structure Plan in accordance with Clause 6.7.5 of Town Planning Scheme No. 7 upon written agreement from the Department of Water and Main Roads WA, and to forward the adopted Local Structure Plan to the Western Australian Planning Commission for endorsement.**

CARRIED UNANIMOUSLY: (7/0)

ATTACHMENT 1 – Submissions



Government of Western Australia
Department of Water



looking after all our water needs

Your ref: 43.04.45: TP1813
Our ref: RF8104, SRS27969
Enquiries: Kellie Loge, Ph: 9166 4113

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

Doc No.	072458
Date	16 NOV 2010
Officer	
Response	
File	
Cross Ref.	

Dear Mr Gaffney

East Lily Creek Structure Plan, Kununurra

Thank you for referring the structure plan for the East Lily Creek Residential development in Kununurra to the Department of Water for comment. The Department of Water requires the following additional information to be able to assess the structure plan:

- In accordance with the requirements of *Better Urban Water Management (WAPC 2008)*, the proponent must prepare a District and Local Water Management Strategy (D&LWMS) for the development to the satisfaction of the Department of Water, prior to approval of the Structure Plan. The Department has received a draft D&LWMS from the proponent and therefore requests approval for the Structure Plan is deferred until the D&LWMS can be assessed. The Department of Water will endeavour to complete the assessment of the Strategy and notify the Shire of Wyndham East Kimberley by the 7th December as per your request.

The Department of Water has assessed the Structure Plan and has identified some incorrect information and/or omission of relevant information. The information in the following sections should read as follows:

- Section 2.3.3 Water Management – the required documentation is a D&LWMS and is required prior to Structure Plan approval. Ongoing groundwater monitoring will be required.
- Section 2.3.3 Surface Water – the proposal area is located within the Ord River and Tributaries Surface Water Area and the Ord Irrigation District proclaimed under the *Rights in Water and Irrigation Act, 1914*.
- Section 2.9.9 Water Management – the required documentation is a D&LWMS and the purpose of the strategy is to demonstrate the area is capable of supporting urban development, demonstrate how the proposed urban structure will address water use and management in the context of local water and environmental requirements and identify land areas required for water management.

If you require further information or have any queries, please contact Kellie Loge in the Kununurra Office on 9166 4113.

Yours sincerely

Dave Munday
Regional Manager - Kimberley
16 November 2010

Kimberley Region
27 Victoria Highway Kununurra Western Australia 6743
PO Box 625 Kununurra Western Australia 6743
Telephone (08) 9166 4100 Facsimile (08) 9426 4818
www.water.wa.gov.au
wa.gov.au

KUNUNURRA



ABN: 50 860 676 021

Enquiries: Gary Bradshaw on 91584 325
Our Ref: 05/6893
Your Ref: 43.04.45:TP1813

Doc No.	072378
Date	05 NOV 2010
Officer	
Response	
File	
Cross Ref.	

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

ATTENTION: Jennifer Ninyette

Dear Sir

EAST LILY CREEK STRUCTURE PLAN - KUNUNURRA

I refer to your correspondence of 18 October 2010 regarding the proposed East Lily Creek structure plan.

We have reviewed this proposal in consideration to the traffic impact along Victoria Highway and would require the developer to provide a detailed traffic impact study for the proposed development and adoption of its recommendations, prior to planning approval. The study should include all adjacent roads, intersections and pedestrian movements which are impacted upon by the development.

Following your review of our requirements, could you please advise this office of the Shire's comments on the development proposal, proposed program for planning approvals and the building works.

If you require any further information please contact Gary Bradshaw on 91584 325. In reply please quote file reference 05/6893.

Yours faithfully

Peter Podlaha
Regional Manager
Kimberley Region

01 November 2010

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

Melinda Byrne

From: Walkerden, Norm F [Norman.F.Walkerden@team.telstra.com]
Sent: Monday, 25 October 2010 11:55 AM
To: Mail
Subject: EAST LILY CREEK STRUCTURE PLAN - KUNUNURRA

Attn: Jennifer Ninyyette

Ref: 43.04.45: TP1813

EAST LILY CREEK STRUCTURE PLAN – KUNUNURRA

Thank you for your correspondence re above. At this point in time Telstra has no objection to make regarding the structure plan.

Regards,

Norm Walkerden

Forecasting & Area Planning Western,
Integrated Network Planning, Network and Technology
Postal: Locked Bag 2525 Perth WA 6001
Phone: 08 9491 6272 **Fax:** 08 9221 5730
Email Norman.F.Walkerden@team.telstra.com

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Government of Western Australia
Department of Education

Your ref :
Our ref : D10/0749318
Enquiries :

Ms Jennifer Ninnette
Planning Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Doc No	072582
Date	02 DEC 2010
Officer	
Respons	
File	
Cross	

Dear Ms Ninnette

EAST LILY CREEK STRUCTURE PLAN

Thank you for your correspondence dated 23 November 2010 regarding the East Lily Creek Structure Plan.

The Department of Education has reviewed the proposed structure plan and notes that a possible primary school site has been identified on the Kunel opportunities and constraints map. The Department advises that in conjunction with the anticipated lot yield of 285 for the area there is no necessity for a primary school site location within this structure plan.

The Department's preference for a primary school location is on the western side of the Victoria Highway south of Lily Creek in an area identified as Stage 7 Lakeside.

The Department would welcome further discussion with the Shire on the precise location of the primary school as well as the anticipated lot yield for residential development in the future.

Yours sincerely

MICHAEL COOPER
A/PRINCIPAL CONSULTANT
STRATEGIC ASSET PLANNING

29 November 2010

151 Royal Street, East Perth Western Australia 6004



30 November 2010

Mr Nick Kearns
Director Development Services
Shire of Wyndham-East Kimberley
PO Box 614
KUNUNURRA WA 6407

Dear Sir,

Submission: East Lily Creek Local Structure Plan, Kununurra

We refer to the abovementioned Local Structure Plan and on behalf of our client LandCorp, would like to thank the Shire of Wyndham-East Kimberley (SWEK) for providing us with the opportunity to comment on this important project.

As SWEK is aware, Urbis has been working closely with Council staff in the preparation of various Structure Plans, Scheme Amendments and Subdivision Applications for a number of residential and industrial LandCorp projects in Kununurra, in striving to provide urgently required land, in most cases by the end of the 2011 'dry season.'

The East Lily Creek land parcel has been identified for some time as being an appropriate site for residential expansion within Kununurra. With Lakeside Park, the only other active residential estate within Kununurra, close to being completed and demand for residential lots increasing in parallel with the expansion of the agricultural land associated with the Ord Expansion Project, the timing is now appropriate for the delivery of further residential land within the town.

As Council staff are aware, during the advertising period of the Structure Plan, LandCorp has undertaken extensive investigations in determining an appropriate lot mix for East Lily Creek. These investigations have considered climate responsive design elements, market demand/local building requirements and the incorporation of specific Kununurra based design requirements. As an outcome of these investigations, we are seeking to modify the Local Structure Plan (LSP) design and some of the residential density provisions on the LSP map and in Part One of the report. These proposed modifications will be considered in further detail later in this submission.

Overall, the following submission outlines the proposed modifications to the Structure Plan (and associated rationale for these changes), a general overview of some of the key elements of the Local Structure Plan and a rationale as to why Council should adopt the plan in accordance with the provisions of Town Planning Scheme No.7 (TPS 7).

Design Elements

The following points describe the key design elements of the proposed LSP:

- With the Mirima National Park providing a landscape backdrop to the subject site, road frontage has been provided as an edge treatment with lots fronting the park to ensure an outlook and surveillance;

- East Lily Creek itself is to the immediate north of the Structure Plan area. Medium density development is proposed in the far north of the Structure Plan to take advantage of amenity associated with the creek. Again road frontage will be provided as an edge to the creek which will ensure the creek area is accessible to all residents. Medium density codings in general have been provided for in order to take advantage of amenity associated with the national park and proposed open space areas.
- The LSP design responds primarily to the sites irregular shape and climate responsive design requirements (as will be outlined further in this submission).
- Whilst an awkward shaped site, the overall movement network is still both permeable and legible. The design provides two full movement access locations to Victoria Highway, with the northern access point being the primary entry/exit to the cell.
- The treatment of drainage is a critical issue. The Structure Plan provides for a series of east-west drainage corridors (predominantly within POS) and north south swales (predominantly within road or dedicated drainage reserves).
- As required as part of the Ord Final Agreement, a large group housing site has been provided for within the Structure Plan area.
- Two east-west aligned open space areas have been provided to ensure view corridors up to the ranges within Mirima National Park and for drainage purposes. The open space area to the north also has a dual function of drainage and providing active open space leading down to the East Lily Creek.

Overall it is considered that the proposed LSP responds well to the physical opportunities and constraints of the site.

Proposed Modifications to Advertised Local Structure Plan

As previously mentioned, LandCorp has undertaken substantial investigations in determining an appropriate residential lot mix for East Lily Creek.

As part of this process, we have liaised closely with a number of local builders (comments from builders are included as **Attachment 1**) and given detailed consideration to climatic requirements (in conjunction with our co-consultants CODA Architects); whilst acknowledging the Western Australian Planning Commission's (WAPC) likely desire for the provision of a variety of lot sizes and shapes to ensure a variety of housing stock (including provisions for some affordable housing types).

The key findings of these investigations can be summarized as follows:

- If provided, 20m+ frontage lots should be on a north-south axis to allow for maximization of eaves, accommodation of breeze paths and planting for shading.
- All lots should be between 30-35m in depth (regardless of orientation and frontage width) to allow for rear breezeways, useable outdoor living areas, planting for shading/cooling purposes and spacious front setbacks.
- From a climatic design response perspective, the preference is for the 16-18m and 13-15m frontage lots to be on an east-west axis in order to minimize the length of building exposed to the mid-afternoon westerly sun.
- The preferred lot frontages from a building design perspective are 16-18m. Most builders do however have designs that can be accommodated within 13-15m frontages; without having to provide a rear laneway.

- There are designs for larger frontages but generally no more than 20m frontages are required or desirable. The provision of 20m+ frontages in order to accommodate boats etc (as occurs in coastal areas such as Broome) is not seen to be as relevant in Kununurra as the level of boat ownership is lower and as most boating is undertaken on Lake Argyle, boats tend to be smaller watercraft only (e.g. dinghies) – therefore not requiring large side accessways.
- Smaller lot product should be located in order to take advantage of areas of higher amenity (i.e. POS, National Park etc).
- A range of lot sizes and types should be provided to enable a range of housing types, housing choice and affordable options.

In taking these investigations into account, we have formulated an alternative design response that we consider addresses all key design drivers, whilst remaining consistent with the fundamental design principles and intentions of the existing LSP. This design response however has resulted in some minor changes to proposed residential densities and slight modifications to the proposed movement network. **Attachment 2** identifies those areas of the advertised Structure Plan subject to the proposed modifications, in direct comparison with the current Structure Plan.

As Shire Officers will note, for the most part, the revised LSP is seeking to reduce some medium density (R30 and R40) areas (single residential and grouped housing sites) to lower densities (R20). Whilst there are now fewer medium density areas, the Structure Plan still provides for a wide variety of densities and housing options in the form of small lot single residential product and some grouped housing sites. Shire Officers will also note that although the plan still provides for some, the number of grouped housing sites has been reduced as specifically requested by planning staff. Furthermore, the proposed medium density areas are now considered to be more appropriately located in terms of their ability to take advantage of areas of higher amenity (i.e. open space areas).

Furthermore, the revised Structure Plan has introduced a split coding of R30/40, with the intention being the higher coding would apply when two or more lots are amalgamated. Specifically, in order to provide some statutory rigor to this coding it is proposed that the following provisions be introduced into Part One (Statutory Provisions) of the Structure Plan:

"1.6.1 Residential R30/40

For land coded Residential R30/40, where two or more lots are amalgamated, the resulting lot may be developed for group or multiple dwellings at the higher R40 coding."

The intention of the split coding is to encourage the provision of a greater diversity in housing and more affordable housing options within the estate.

From a design perspective the only minor change being sought is in relation to the central precinct of the Structure Plan that is bound by the two linear open spaces to the north and south. Here we have sought to remove a large grouped housing site and replace this area with a single row of lower density residential lots (abutting the Victoria Highway and a dedicated 5m drainage reserve) and introduce another small residential street block. This alternative design is directly in response to the Shire's desire to have the number of grouped housing sites within the LSP area reduced in order to provide a greater lot mix; particularly in terms of single residential development. A common form of fencing will be installed along the rear of these lots.

Overall we consider the proposed changes to the as advertised structure plan do not alter the intent of the original structure plan and the modifications being sought will only enhance the sound planning and design principles embedded in the original design.



Water Management

In accordance with the Western Australian Planning Commission's *Better Urban Water Management Guidelines*, LandCorp's consultant team has prepared a Local Water Management Strategy for the Structure Plan area. We understand that the Department of Water (Perth and Regional office) has commenced review of this documentation and that there are no initial concerns.

In summary, the proposed drainage for the structure plan area can be described as follows:

- A drainage corridor is to be located within the road reserve of the roads running parallel to the Victoria Highway. As such, these roads have been given a 23 metre reserve width.
- To maintain pre-development hydrology, it is proposed to drain the site via a network of open channels located in road corridors or behind proposed lots. A cut-off drain to separate run-off from Mirima National Park is proposed along portions of the eastern boundary. Hydrologic and hydraulic simulations have been undertaken to locate and size these drains.
- To manage water quality and quantity, it is proposed to baffle the drains with low level stone weirs that allow temporary detention storage and settlement of sediments. Vegetation of outlet structures to further treat stormwater before discharging to the downstream environment is also proposed.
- Groundwater levels will be controlled through the use of open drains and subsoil drainage pipes, spaced appropriately for the soil conditions. Where subsoil spacing or soil conditions warrant, clean fill will be imported to raise surface levels.
- A Management Plan/Monitoring Policy will be prepared to address drainage issues upstream of the East Lily Creek subdivision, coming from the Mirima National Park.

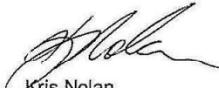
Conclusion

The Structure Plan presented to Council is considered to be a robust and thorough technical document which highlights the suitability of this area for residential development. In summary, we consider that Council should adopt the local Structure Plan for East Lily Creek for the following reasons:

- The development ultimately facilitated by the Structure Plan will respond to the increasing demand for residential land in the Kununurra region;
- The site is strategically well placed in terms of its close proximity to the Kununurra Townsite, existing residential estates, the proposed heavy haulage route, regional road network and agricultural surrounds.
- The proposal is consistent with TPS 7, Draft TPS 8 and the existing Local Planning Strategy;
- The structure plan design is site, climate and market responsive and will ultimately facilitate the delivery of a range of lot sizes and housing options (including more affordable housing options);
- The design, wherever possible, seeks to retain existing vegetation in road reserves and open space areas;
- The proposal adequately considers the key issues of drainage and water management; and
- The proposed modifications submitted are not considered to materially alter the intent of the Local Structure Plan and enhance the sound planning and design principles embedded in the original Structure Plan design.

To this end, we respectfully request Council's adoption of the East Lily Creek Local Structure Plan in accordance with clause 6.7.5 of the TPS 7.

Yours sincerely,



Kris Nolan
Senior Consultant

Advertised and suggested modified layout plan showing suggested residential density and split coding



EAST LILY CREEK STRUCTURE PLAN REVISIONS

KUNEL

DATE 30.11.2010

DWG NO 001

REV -

SCALE NTS



Level 1, 55 St Georges Terrace, Perth, WA 6000 Australia

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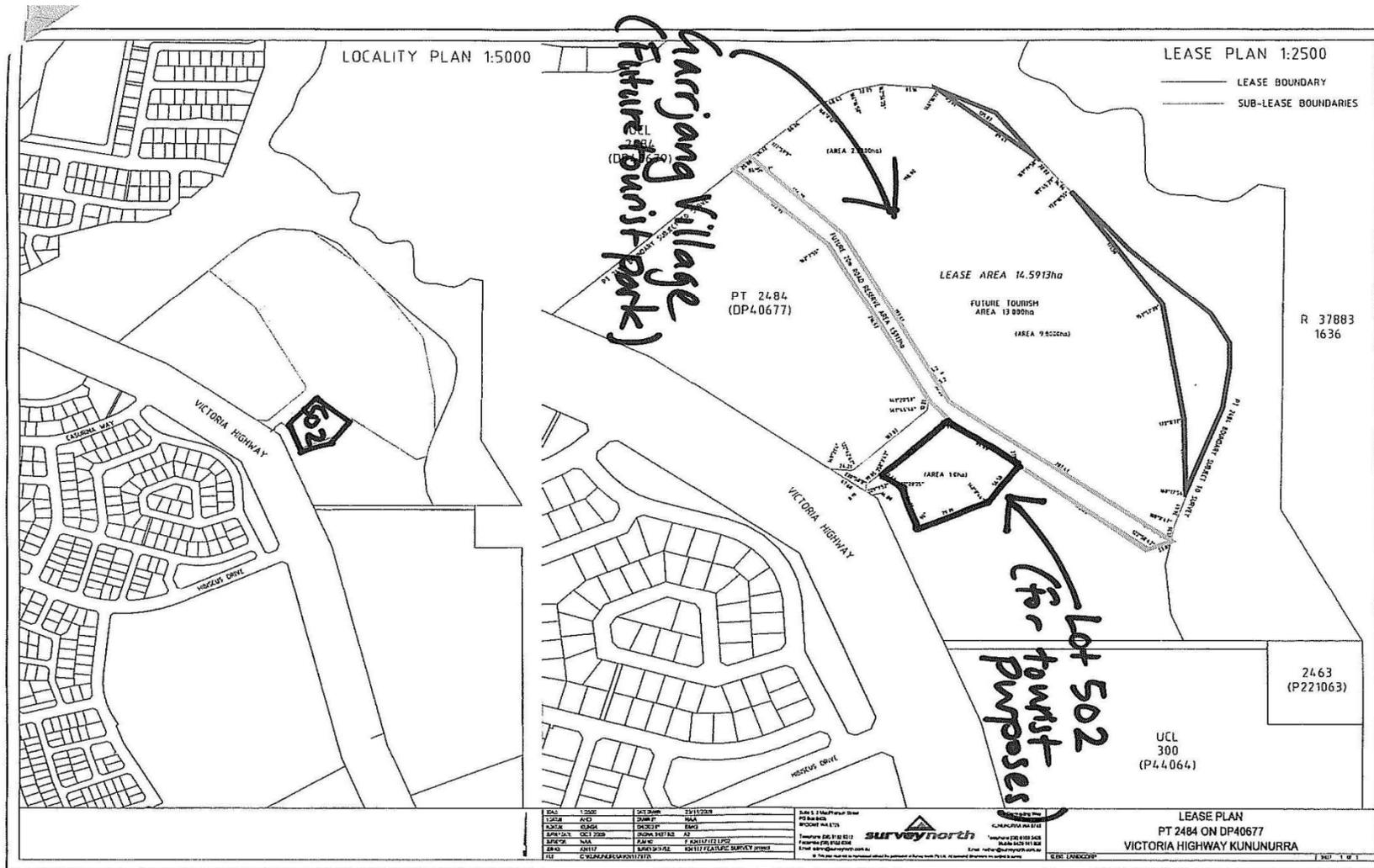
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ATTACHMENT 2 – Lease Plan highlighting Lot 502 (MG/Shire managed land)

MG/Shire land suggested for tourist purposes - Lot 502 (DP 66350)



12.4.7 Weaber Plain Stage 2, Kununurra – Local Structure Plan

DATE:	14 December 2010
PROPONENT:	LandCorp
LOCATION:	Weaber Plain Road, Kununurra
AUTHOR:	Nick Kearns, Director Development Services
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.31.36
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider the adoption of the Weaber Plain Stage 2 Local Structure Plan (LSP), pursuant to Clause 6.6.5 of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs.

Council at its meeting of 21 September 2010, considered the draft Local Structure Plan (LSP) for the Weaber Plain (Industrial Estate) Stage 2 and determined that it was satisfactory for the purposes of advertising. Specifically, Council resolved as follows:

“That Council:

- 1. Pursuant to the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs resolves that the Weaber Plain Stage 2 Structure Plan is satisfactory for advertising for agency and public comment.*
- 2. Directs Shire staff to advertise the Weaber Plain Stage 2 Structure Plan for agency and public comment for a period of 60 days pursuant to Clause 6.6.4 of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7 – Kununurra and Environs.”*

BACKGROUND

The draft LSP has been prepared to facilitate the subdivision and development of a light industrial area. The key components of the LSP are as follows:

- The LSP area comprises 13.6 hectares and will ultimately provide for approximately 20 light industrial lots.
- It is anticipated that these lots will range in size from approximately 2000m² to 5000m², catering for a broad range of light industrial uses.
- All proposed lots will be serviced by a single internal ring-road system with a single direct access to Weaber Plain Road. Separate access will be provided to the future Main Roads depot site, which will be located in the south of the Structure Plan area; Weaber Plain Road is the major northern entry point to the Kununurra town site and will connect the LSP area to the proposed Kununurra Heavy Haulage Route. Being located off Weaver Plain Road provides ease of access for employees and visitors travelling from the town centre and to the surrounding agricultural area and regional road network.
- The proposed LSP will facilitate an extension of the existing Weaber Plain Light Industrial Estate (Stage 1) to the south.

- The LSP proposes to retain the existing corridor of vegetation within the Weaber Plain Road reserve and this will provide a visual buffer from the road to the new development. The proposed LSP also seeks to retain existing vegetation, wherever possible, within road reserves and green corridors.
- The LSP is supported by technical documentation and information in relation to Water Management, Wastewater disposal and site remediation. These elements are discussed in more detail in this report.
- Drainage generally runs from the Mirima National Park north-west across the site. The current drainage corridor south of the future Main Roads site will be retained and additional drainage will be accommodated to the west of the site within road reserves.
- The site is located at the foothills of the Mirima National Park. The LSP acknowledges the importance of clearly defined boundaries to protect the park.
- The northern portion of the eastern boundary of the Structure Plan area abuts a sand quarry lease area. This land, once remediated, will provide a land use buffer to the ridge outcrops to the east within the Mirima National Park. The southern portion of the eastern boundary abuts a portion of vegetated land that has been intentionally excluded from the development area in order to again provide a buffer to these ridges.
- The proposed public purpose drainage corridor, running east-west through the site, south of the Main Roads Western Australian (MRWA) depot site, will also provide for a fauna corridor from Mirima National Park to the M1 channel.
- The Main Roads site has a predetermined site plan and access point to Weaber Plain Road. Officers understand that Main Roads will develop this site independently.

A copy of the LSP, as advertised, was previously provided to Councillors at the December Briefing Session, although additional copies are available upon request.

CONSULTATION

In accordance with Council's resolution, the draft LSP was advertised for a period of 60 days from the 14 October 2010 to the 14 December 2010 by way of letters to relevant Government agencies, in addition to an advertisement in the local newspaper, the Kimberley Echo.

The Shire has received only one submission to date, from the Department of Water, which is provided at Attachment 1. The Department of Water, in that submission, has asked that a District and Local Water Management Strategy (D&LWMS) be approved prior to the adoption of the LSP. They also highlighted some minor corrections to the document, as they relate to the number of lots proposed and the area proposed to be developed.

The proponent has prepared a District and Local Water Management Strategy (D&LWMS) for the Weaber Plain Stage 2 Local Structure Plan as required by the Department of Water and in accordance with the Western Australian Planning Commission's *Better Urban Water Management Guidelines* (2008). The Department of Water has indicated informally that it has no outstanding issue with the document, but will need to be finalised prior to the LSP being approved. In relation to drainage, though, the following is proposed:

- Maintaining the pre-development hydrology.
- Providing a major swale running parallel to the Weaber Plain road reserve.

- Constructing low level stone weirs to enable temporary drainage detention, along with some vegetation for filtration.
- Using a mix of open drains and subsoil drainage pipes.
- Preparing a drainage management plan to address existing drainage issues within stage 1 of the estate.

STRATEGIC IMPLICATIONS

Kununurra Local Planning Strategy

With regard to the Weaber Plain Light Industrial area, the Local Planning Strategy identifies the following:

- The Light Industrial Area should be implemented subject to appropriate Structure Planning that specifically addresses buffer distances from rural residential areas and the geological formations of the area; and
- Ensure the minimisation of land use conflicts.

Being separated from the nearest rural residential area by 2.3 kilometres and having an interface with only the future Main Roads Depot site and the existing light industrial land to the south, it is considered that the Structure Plan addresses these requirements adequately.

Kununurra Strategic Directions: Draft Development Concept Plan and Strategic Land Use Plan

The Kununurra Strategic Directions document supports the continuation of Light Industry along the eastern side of Weaber Plain Road in proximity of the heavy haulage route, with preference for transport and logistic type uses.

The Strategic Directions document also requires future development within this precinct to appropriately respond to the Mirima National Park. Again, it is considered that the proposed Structure Plan satisfies these requirements.

Statement of Roles and Responsibilities

The Weaber Plain (Stage 2) project area is one of the four 'LandCorp Current Kununurra Projects', nominated for priority industrial land release. Approvals for the area are proposed to be finalised by March next year in readiness to commence construction in the 2011 dry season.

STATUTORY IMPLICATIONS

The draft Weaber Plain Stage 2 Structure Plan is required to be prepared having due regard to the statutory requirements for Weaber Plain Light Industrial Area, set out in Clause 6.3 of TPS 7.

The following table outlines how the proposed Structure Plan addresses the specific requirements of TPS 7:

Scheme Requirement	Local Structure Plan Response
Setback from steep sandstone ridges.	The Structure Plan area is set back a minimum of 100m from the ridge faces.
Inclusion of an open space buffer between the eastern boundary and the ridge face.	Whilst not provided formally as public open space, the 100m+ setback area is for the most part, heavily vegetated.
Landscape buffer provided between Weaber Plain Road and the western boundary of the development.	As previously mentioned, this landscape buffer is provided for in an extended Weaber Plain road reserve.
Strategic Access Points to the Industrial Area from Weaber Plains Road.	The Structure Plan provides for one access point to Weaber Plain Road. The access point is appropriately separated from Cocus Street to the south and the proposed access to the MRWA site. One access point to Stage 2 of the estate is considered appropriate given the anticipated low traffic volumes associated with the development.
Retention of isolated rock outcrops in open space reserves.	The Main Roads Depot site design allows for the retention of the only rocky outcrop within the Structure Plan area.
Retention of drainage lines in specified reservations.	A dedicated east-west drainage corridor in the far south of the LSP area is provided for.
Provision of a range of lot sizes providing for varying industrial needs.	The Structure Plan layout will facilitate the creation of a variety of lot sizes within the Weaber Plain Industrial Area.
Servicing of Lots.	The LSP area will be predominantly serviced by extensions to existing services within Stage 1 of Weaber Plains estate. As previously mentioned, wastewater will be disposed of via on-site systems.
Provision of a Wildlife Corridor linking Mirima National Park to the M1 Irrigation Channel.	The southern east-west drainage corridor will provide both a drainage and fauna movement function. Furthermore, it is expected that development will not proceed any further north than that of Stage 2 and therefore the sand mining lease area will (once remediated), and land to its north, will provide the primary wildlife corridor through to the M1.

POLICY IMPLICATIONS

There are no direct policy implications for the Shire.

FINANCIAL IMPLICATIONS

There are no direct financial implications for the Shire.

ATTACHMENTS

Submission from Department of Water

COMMENT

The Weaber Plain Stage 2 Local Structure Plan is considered to appropriately respond to the subject site's physical opportunities and constraints and will assist in satisfying the shortage of industrial land within Kununurra. The LSP is consistent with the existing State and Local Planning framework. Specifically, the site has also been identified as being appropriate for light industrial development in both statutory and strategic planning documents of the Shire.

It is recommended that the Council adopts the Weaber Plain 2 Local Creek Structure Plan, in principle and delegate its approval of the (updated) document to the Chief Executive Officer upon written acceptance of the plan from the Department of Water.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Adopts, in principle, the Weaber Plain 2 Local Structure Plan, as updated in response to the submission from the Department of Water.*
- 2. Authorises the Chief Executive Officer to adopt the updated Weaber Plain 2 Local Structure Plan in accordance with Clause 6.7.5 of Town Planning Scheme No. 7 upon written agreement from the Department of Water, and to forward the adopted Local Structure Plan to the Western Australian Planning Commission for endorsement.*

COUNCIL DECISION

Minute No: 9373

Moved: Cr J Moulden

Seconded: Cr J McCoy

That Council:

- 1. Adopts, in principle, the Weaber Plain 2 Local Structure Plan, as updated in response to the submission from the Department of Water.***
- 2. Authorises the Chief Executive Officer to adopt the updated Weaber Plain 2 Local Structure Plan in accordance with Clause 6.7.5 of Town Planning Scheme No. 7 upon written agreement from the Department of Water, and to forward the adopted Local Structure Plan to the Western Australian Planning Commission for endorsement.***

CARRIED: (6/1)

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

Against: Cr R Dessert

ATTACHMENT 1 – Submission from Department of Water



Government of Western Australia
Department of Water



looking after all our water needs

Your ref:
Our ref: RF8105, SRS28139
Enquiries: Kellie Loge, Ph: 9166 4113

Nicholas Deeks
Principal Waterways Engineer
GHD
239 Adelaide Terrace
PERTH WA 6004

Dear Mr Deeks

Weaber Plain Stage 2 LIA - District and Local Water Management Strategy

Thank you for referring the draft District and Local Water Management Strategy (D&LWMS) for the Weaber Plain Stage 2 Light Industrial development in Kununurra to the Department of Water for comment. The Department of Water has assessed the Strategy and provides the following comments:

- The area of development is to be consistent with that described in the Structure Plan. The Structure Plan has been prepared for a parcel of land comprising of Unallocated Crown Land of 13.6 hectares (part lot 501) Weaber Plain Rd Kununurra. Figure 2 – Weaber Plain LIA Stage 2 Structure Plan Map shows 20 lots excluding the Main Roads WA proposed redevelopment. At page 31 is an estimate of the lot yields (Table 3 reproduced hereunder) shows that is to be only 18 lots. The inconsistency must be rectified and the two documents (Structure Plan and D&LWMS) should contain the same information. Is the development 13.6 or 18.58ha? This is important because it is necessary to determine the pre and post development peak flows.

Table 3 – Land Areas and Estimated Lot Yields

Lot type	Area	Lots
Light Industrial	4.98 hectares	18
MRWA Depot site	13.6 hectares	N/A
TOTAL	18.58 hectares	18

- The principles and objectives stated in item 1.1 are endorsed.
- More information is required in section 5.1.2. For the 1 in 1 year ARI events the lot owner should be committed to detain the first 15mm of rainfall on site before permitting overflow into the road system.
- A description of how the stormwater is to be conveyed on the kerbed roads and its entry into the road swales is required. DoW recommends that no pipes should be used to convey stormwater except where it is required to be transferred across road intersections or under the Weaber Plain Road.
- Subsoil drains must have a free draining outlet and a concept plan of the subsoil drainage network should be provided.
- The location of proposed culverts within the proposed development and under the Weaber Plain road should be shown.
- No subsoil drainage pipes should be laid at the rear of lots.

Kimberley Region
27 Victoria Highway Kununurra Western Australia 6743
PO Box 625 Kununurra Western Australia 6743
Telephone (08) 9166 4100 Facsimile (08) 9426 4818
www.water.wa.gov.au
wa.gov.au

2010/10/21

- The proposed groundwater monitoring plan is supported and it is suggested that at least 3 observation bores are installed as soon as practical. It is noted that 2 bores are to be installed and it is suggested that the 3rd bore be placed on the western boundary. Monitoring bores should be established to determine depth to groundwater, existing groundwater quality and direction of flow. Monitoring should be conducted pre-development and for 3 years post development.
- The stormwater drainage concepts for the Main Roads WA redevelopment site should also be included in the D&LWMS because it indicates how the surface stormwater is to be conveyed off site.
- One perennial drainage channel runs through the north east section of the proposal area (as shown on the enclosed map). The D&LWMS needs to identify that this channel has been considered in determining the layout of drainage.
- The Geotechnical study should have been completed prior to the submission of the D&LWMS. This study must be completed prior to the submission of the Urban Water Management Plan (UWMP).
- A stronger commitment is required in relation to groundwater not being used as a water supply source. If it is required the D&LWMS should state that the developer will conduct the necessary hydrogeological studies to determine if the supply is adequate and sustainable.
- A stronger commitment is required in relation to the landholders implementing water efficiency measures. In addition, the UWMP will need to contain firm commitments for the implementation of water efficiency measures.
- Need to include information on the review of the D&LWMS and UWMP should the site/design layout be changed.

The inclusion of the following information in the draft D&LWMS is not required:

- Indigenous heritage
- Potential relocation of the DWSPA and its subsequent development
- Risk to the town water supply
- Development of the Kimberley Regional Water Plan.

The Department of Water will notify the Shire of Wyndham East Kimberley once the D&LWMS has been finalised and approved so that Structure Plan approval can proceed.

If you require further information or have any queries, please contact Kellie Loge in the Kununurra Office on 9166 4113.

Yours sincerely



Dave Munday
Regional Manager - Kimberley

29 November 2010

Enc.

CC: Gary Gaffney, Shire of Wyndham East Kimberley

12.5 COMMUNITY DEVELOPMENT

12.5.1 Kununurra Alcohol Accord

DATE:	14 December 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:	CS.08.1
ASSESSMENT NO:	N/A

PURPOSE

For Council to consider a request from the Kununurra Alcohol Accord, to both support the formalisation of the Accord and to provide secretariat functions for the Accord and its meetings.

BACKGROUND

The Kununurra Alcohol Accord has been established for a number of years. In the past 6 to 12 months, under the leadership and chairing of the Police and as a result of proposed liquor restrictions, attendance at meetings has grown to consistently include a wide range of stakeholders. Cr Di Ausburn and Karyn Apperley, Director Community Development attend the Accord meetings on a regular basis, with other Shire officers also attending on occasions. Other regular Accord attendees include representatives from the licensed premises (Gulliver's Tavern, Kununurra Hotel, Liquor Land and others), Police, DCP, Kununurra District Hospital, Community Drug and Alcohol Service and Ord Valley Health Service.

At the 2 November 2010 Alcohol Accord meeting, a request was made for the Shire to support the formalisation of the Accord and to provide secretariat support.

The Department of Gaming, Racing and Liquor identifies that Liquor Accords are a co-operative arrangement aimed at developing safe and well managed environments in and around licensed premises in the local context. They are part of an overall strategy that seeks to achieve a standard of practice that assists in fostering a responsible drinking culture, ensures safety in the local community and promotes effective communication and problem solving between licensees and key stakeholders. Each Liquor Accord is focused on resolving local issues within a local area. Although individual Accords may have similar elements, there are no two the same. Liquor Accords may include representatives from licensed premises, businesses, councils, police, government departments and other community organisations.

The intended outcomes of Liquor Accords include:

- Reducing anti-social behaviour in and around licensed premises;
- Reducing alcohol-related violence, ill-health and other harm;
- Increasing the responsible service of alcohol;
- Improving licensees and club operators, managers and staff knowledge of legislative obligations;
- Reducing alcohol-related road trauma;

- Facilitating and maintaining positive communication between stakeholders;
- Enhancing community cooperation and understanding of the various roles and resources of government agencies;
- Enhancing community engagement in various controls and strategies that affect their community; and
- Improving local amenity through the development of proactive and effective responses to local issues.

Councillors received a briefing on liquor accords on Tuesday 7 December 2010. Discussion regarding the Kununurra Alcohol Accord's request for secretariat functions to be provided by the Shire included the view that the Shire should consider providing this function on a time limited (2 year) and rotational basis. Another view expressed was that the Council is the only Accord member who is an elected representative body. Given the critical importance of reducing alcohol related harm in the local community, and as Council is the only bi-partisan member of the Accord, it was suggested that the Shire provide both chairing and secretariat functions for the Alcohol Accord.

STATUTORY IMPLICATIONS

The *Liquor Control Act 1988*, section 64 provides for a definition of an approved liquor accord and for the Director of Liquor Licensing to approve a liquor accord to impose conditions under section 64.

64. Power of licensing authority to impose, vary or cancel conditions

- (1a) *The licensing authority may impose, vary or cancel a condition under subsection (1) —*
- (a) *of its own motion; or*
 - (b) *on the application of the licensee; or*
 - (c) *at the written request of the parties to a liquor accord.*
- (1b) *In subsection (1a) —*
- liquor accord** *means a written agreement or other arrangement —*
- (a) *that is entered into by 2 or more licensees in a local community, and persons who represent the licensing authority, departments of the Public Service, State agencies or local government, and other persons; and*
 - (b) *that has the purposes of minimising the harm caused in the local community by the excessive consumption of liquor and promoting responsible practices in the sale, supply and service of liquor in the local community; and*
 - (c) *that is approved by the Director.*

However, as outlined in the Liquor Accords and section 64 proceedings Policy, Department of Gaming, Racing and Liquor (Attachment 1), approval of the Director is not required to establish a Liquor Accord, which is the case for the Kununurra Liquor Accord.

POLICY IMPLICATIONS

There are no current Shire policy implications associated with this report. The Department of Gaming, Racing and Liquor Policy regarding Liquor Accords and section 64 proceedings (Attachment 1) describes what liquor accords are, the intended outcomes of accords, process for approval of an accord by the Director of Liquor Licensing and making a section 64 request.

FINANCIAL IMPLICATIONS

Provision of secretariat functions for the Kununurra Alcohol Accord would need to be provided within existing resources of the Shire's Community Development team.

The Shire receives a small annual grant, approximately \$1,000, from the WA Office of Crime Prevention to support activities that promote community safety. These funds could be utilised for costs associated with a planning forum and/or a contribution towards printing costs associated with a community communication strategy, or other purposes to support the activities of the Accord.

STRATEGIC IMPLICATIONS

Council's current Strategic Plan, KRA2 Community, identifies the following objective of:

Partnerships addressing social issues in our community.

The negative impacts associated with alcohol misuse, including alcohol related harm and violence, are significant community issues both locally and nationally.

COMMUNITY CONSULTATION

Membership of the Kununurra Alcohol Accord includes representatives from licensed premises, other businesses, local government, police, government departments and other community service providers and organisations.

Broad community consultation is not considered necessary in relation to the request from the Accord for formalisation and Shire secretariat functions.

The development of a community communication strategy is strongly recommended as part of a strategic planning forum and development of an action plan for the Accord.

COMMENT

In addition to the information provided in other sections of this report, Council may wish to consider that the Wyndham Alcohol Accord has not operated in some time. However recently, Wyndham licensees and Kununurra licensees submitted the "Kununurra/Wyndham Liquor Accord – September 2010" to the Director of Liquor Licensing for his consideration regarding proposed alcohol restrictions for Kununurra and Wyndham.

Therefore, if Council is to provide resources and support for the Kununurra Alcohol Accord, and given that alcohol misuse is also of community concern in Wyndham as well as Kununurra, the inclusion of Wyndham stakeholders in a Shire wide Alcohol Accord would be a way of supporting community responses across the Shire's towns of direct service delivery.

ATTACHMENTS

Liquor Accords and section 64 proceedings Policy, Department of Gaming, Racing and Liquor, effective 27 October 2008.

VOTING REQUIREMENT

Simple majority.

OFFICER'S RECOMMENDATION

That Council:

1. Support the formalisation of the Kununurra Alcohol Accord;
2. Provide secretariat functions for the Kununurra Alcohol Accord for a period of 2 years from 2011, on agreement that the Accord:
 - a. Rotates the chair and secretariat functions between members on a 2 yearly basis;
 - b. Undertakes a planning forum in early 2011, with an external facilitator, to develop a written agreement including key actions and goals;
 - c. Expands the Alcohol Accord to include Wyndham stakeholders; and
3. Endorse Cr Di Ausburn's current representation and nominate one other Councillor representative for membership of the Kununurra Alcohol Accord.

Cr D Ausburn nominated Cr J Moulden for the vacant Councillor representative position for membership of the Kununurra Alcohol Accord. Cr J Moulden accepted.

COUNCIL DECISION

Minute No: 9374

Moved: Cr J Parker
Seconded: Cr J McCoy

That Council:

1. **Support the formalisation of the Kununurra Alcohol Accord;**
2. **Provide secretariat functions for the Kununurra Alcohol Accord for a period of 2 years from 2011, on agreement that the Accord:**
 - a. **Rotates the chair and secretariat functions between members on a 2 yearly basis;**
 - b. **Undertakes a planning forum in early 2011, with an external facilitator, to develop a written agreement including key actions and goals;**
 - c. **Expands the Alcohol Accord to include Wyndham stakeholders; and**
3. **Endorse Cr Di Ausburn's current representation and elected Cr John Moulden as the other Councillor representative for membership of the Kununurra Alcohol Accord.**

CARRIED UNANIMOUSLY: (7/0)

**ATTACHMENT 1 - Liquor Accords and section 64 proceedings Policy,
Department of Gaming, Racing and Liquor, effective 27
October 2008.**



Government of **Western Australia**
Department of **Racing, Gaming & Liquor**

Policy

Liquor Accords and section 64 proceedings

[Effective: 27 October 2008]

Disclaimer

This Policy is designed to provide information in regard to the subject matter covered, and with the understanding that the Director of Liquor Licensing is not passing legal opinion or interpretation or other professional advice. The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.

Introduction

Section 64 of the *Liquor Control Act 1988* ("the Act") provides that the licensing authority may impose, vary or cancel a condition of licence of its own motion; on the application of the licensee; or at the written request of the parties to a Liquor Accord.

This publication provides guidance on what constitutes a liquor accord and under what circumstances an accord may seek conditions of licence to be imposed, varied or cancelled.

What is a 'liquor accord'

For the purposes of section 64 the Act, a "liquor accord" means a written agreement or other arrangement:

- a) that is entered into by 2 or more licensees in a local community, and persons who represent the licensing authority, departments of the Public Service, State agencies or local government, and other persons; and
- b) that has the purposes of minimising and preventing the harm caused in the local community by the excessive consumption of liquor, and promoting responsible practices in the sale, supply and service of liquor in the local community; and
- c) that is approved by the Director of Liquor Licensing.

Liquor accords are a co-operative arrangement aimed at developing safe and well managed environments in and around licensed premises in the local context. They are part of an overall strategy that seeks to achieve a standard of practice that assists in fostering a responsible drinking culture; ensures safety in the local community; and promotes effective communication and problem solving between licensees and key stakeholders.

Each liquor accord is focussed on resolving local issues within a local area. Although individual Accords may have similar elements, there are no two the same.

Liquor accords may include representatives from licensed premises, businesses, councils, police, government departments and other community organisations.

Level 1, 87 Adelaide Terrace, East Perth, Western Australia, 6004
Postal Address: PO Box 6119, East Perth, Western Australia, 6892
Tel: (08) 9425 1888 Facsimile: (08) 9325 1041 Country Callers: 1800 634 541
Email: rgl@rgl.wa.gov.au Web Site: www.rgl.wa.gov.au

The intended outcomes of liquor accords include:

- reducing of anti-social behaviour in and around licensed premises;
- reducing alcohol-related violence, ill-health and other harm;
- increasing the responsible service of alcohol;
- improving licensees and club operators, managers and staff knowledge of legislative obligations;
- reducing alcohol-related road trauma;
- facilitating and maintaining positive communication between stakeholders;
- enhancing community cooperation and understanding of the various roles and resources of government agencies;
- enhancing community engagement in various controls and strategies that affect their community; and
- improving local amenity through the development of proactive and effective responses to local issues.

Approval of an Accord

Prior to considering a request from a liquor accord to impose conditions, the Director must be satisfied that the accord is a bona fide accord group, established consistent with the provisions set out in section 64(1b).

Therefore, in order to obtain this approval, the liquor accord will be required to submit the following information to the Director:

- evidence of a written accord agreement or policy;
- details of the formal signatories to that accord agreement;
- the date when the accord was established;
- details of the frequency of meetings; attendance at those meetings; and evidence that proper records are kept in respect of meetings; and
- details as to the accord review and evaluation process.

Please note: a liquor accord only requires the Director's approval where it wishes to seek the imposition or variation of conditions under section 64. That is; a liquor accord does not require this approval in order to become established.

Making a request under section 64

Where a liquor accord determines that in order to achieve agreed outcomes in the local context, it may be in the public interest for conditions to be imposed on licences within that liquor accord community or district, the liquor accord may lodge a written request with the licensing authority.

In lodging that request, the liquor accord will be required to submit the following information:

- details of the problems that the proposed conditions are intended to address;
- evidence that supports the assertions made about those problems;
- details of who has been consulted (for example; the police, local government, public health agencies; etc) and their position regarding the conditions;
- information on how the proposed conditions are expected to address the problems;
- expected duration of the proposed conditions if imposed;
- details of the intended review and evaluation strategy in respect of the proposed conditions; and
- evidence that the liquor accord members have agreed to the request being made (that is; the minutes of meeting must reflect the discussion and agreed outcome, etc).

*Liquor Accords and section 64 proceedings
A Policy of the Director of Liquor Licensing*

In considering the proposed conditions, liquor accords should have regard to harm minimisation issues and strategies, and be careful not to engage in anti-competitive practices.

It should be noted that the absolute discretion to impose, vary or cancel a condition of licence lies with the licensing authority. In this regard, conditions will only be imposed, varied or cancelled where the licensing authority considers it is in the public interest to do so, consistent with the purpose and objects of the Act. In addition, the *Public Interest Assessment Policy* details information sources and reports that decision makers may have regard to in forming their decisions.

DIRECTOR OF LIQUOR LICENSING

Effective date: 27 October 2008
Reviewed: 7 May 2007

12.5.2 Kununurra Community Library Concept Design

DATE:	14 December 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:	CS.07.4
ASSESSMENT NO:	N/A

PURPOSE

For Council to endorse the final concept plan for the new joint use Kununurra Library to be located on the Kununurra District School site at the corner of Coolibah Drive and Mangaloo St, and to consider the request from the Department of Education for car parking arrangements for the new joint use library facility.

BACKGROUND

The development of the new Kununurra School Community Library on the Kununurra District High School site (corner Coolibah Drive and Mangaloo Street), is occurring as part of the East Kimberley Development Package Education component.

Development of the concept plan has been undertaken over the past 6 months and Councillors have previously received information regarding the KDHS site master plan and joint use library concept plan.

A Library sub-committee has been formed to focus on the detailed Library design to be developed following finalisation of the concept plan.

Andy Loveridge, Principal Project Manager, Department of Treasury and Finance, Building Management and Works, and John Nichols, BG Architects provided an overview and presentation of the final Library concept design plan to Councillors at a briefing on Tuesday 7 December 2010.

Related to the endorsement of the final Library concept plan is a request received on 17 November 2010 from the Department of Education regarding car parking arrangements for the new joint use Library facility.

To enable the new Library to be constructed as per the final concept plan, off site public car parking is required. The Department of Education has requested that Council consider utilising the current 'kiss and drop' parking area on Coolibah Drive for public car parking for library users. This parking area contains approximately 25 parking bays. In addition, a disability access parking bay is required within reasonable and compliant distance of the Library entrance. Therefore, a designated parking bay on Mangaloo St in the existing area of parallel on-street parking will be required.

As a result of the Traffic Engineering Report commissioned by the project architects, the Department of Education has confirmed that there will be adequate school staff parking on the school site due to existing staff parking provisions and an additional 20 bays being developed at the north end of the site.

STATUTORY IMPLICATIONS

Under the *Library Board of Western Australia Act 1951*, approval must be sought from the Library Board for the development of new public library facilities. The Shire sent a letter to the Board in November 2010 requesting approval which will be considered at the Board's next meeting.

There is nothing to suggest that the Library Board will not provide the formal approval required by the Act.

POLICY IMPLICATIONS

There are no specific policy implications associated with this report.

FINANCIAL IMPLICATIONS

The cost of additional signage for the Coolibah Drive parking area and construction of a compliant disability parking bay on Mangaloo St is estimated to be approximately \$15,000 to \$18,000. A proposed condition of Council approval of use of the Coolibah Drive parking area for public library parking is that the Department of Education meets these costs through the existing project budget and makes the necessary arrangements for the agreed and approved works to be undertaken and completed to the Shire's satisfaction.

STRATEGIC IMPLICATIONS

The development of a new and expanded school and community library is consistent with the Council's Strategic Plan Key Result Area 2 – Community:

To develop the strengths and potential of our community now and into the future

and including the objective to:

Provide and promote public library services.

COMMUNITY CONSULTATION

Community consultation for the Library concept plan was undertaken in July 2010 during the Kimberley Writers Festival and also in August and September through a half page article in the Kimberley Echo and an item on the Shire website home page inviting comment. No specific comments were received from the public during this consultation period.

COMMENT

At the 7 December 2010 briefing, discussion identified the request from the Department of Education could be met with conditions as outlined in the Recommendation section of this report.

ATTACHMENTS

Attachment 1 – Kununurra Community Library Final Concept Plan
Attachment 2 – Kununurra District High School site and proposed public library parking areas.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the final concept floor plan for the new Kununurra Community Library as provided at Attachment 1.
2. Agree to the request from the Department of Education to provide public library car parking on the following conditions:
 - a. That the Department of Education, through the existing project budget, meet all costs associated with changed car parking arrangements on Coolibah Drive and Mangaloo Street;
 - b. That the Department of Education make the necessary arrangements for the agreed and approved parking works to be undertaken;
 - c. That the existing 'kiss and drop' signage be maintained in the Coolibah Drive parking area;
 - d. That, in addition, 2 hour parking limit signs be erected in the car parking area on Coolibah Drive;
 - e. That, in addition, 'parents with prams' signage be erected at the 3 closest parking bays to the corner of Mangaloo St on the school boundary side of the Coolibah Drive car parking area;
 - f. That a compliant parallel pull-in disability access parking bay be constructed on Mangaloo St; and
 - g. That the Department of Education submit the plans for disability access parking for approval by the Shire prior to works commencing.

Moved: Cr D Ausburn

Seconded: Cr J McCoy

That Council:

1. Endorse the final concept floor plan for the new Kununurra Community Library as provided at Attachment 1.
2. Agree to the request from the Department of Education to provide public library car parking on the following conditions:
 - a. That the Department of Education, through the existing project budget, meet all costs associated with changed car parking arrangements on Coolibah Drive and Mangaloo Street;
 - b. That the Department of Education make the necessary arrangements for the agreed and approved parking works to be undertaken;
 - c. That the existing 'kiss and drop' signage be maintained in the Coolibah Drive parking area;
 - d. That, in addition, 2 hour parking limit signs be erected in the car parking area on Coolibah Drive;

- e. That, in addition, 'parents with prams' signage be erected at the 3 closest parking bays to the corner of Mangaloo St on the school boundary side of the Coolibah Drive car parking area;
- f. That a compliant parallel pull-in disability access parking bay be constructed on Mangaloo St; and
- g. That the Department of Education submit the plans for disability access parking for approval by the Shire prior to works commencing.

Amendment

Moved: Cr R Dessert

Seconded:

Amend the motion by adding point 3 That the Department of Education and the Shire identifies additional parking closer to the front entry of the Library.

Motion lapses for want of a seconder

The motion on the table was put.

COUNCIL DECISION

Minute No: 9375

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council:

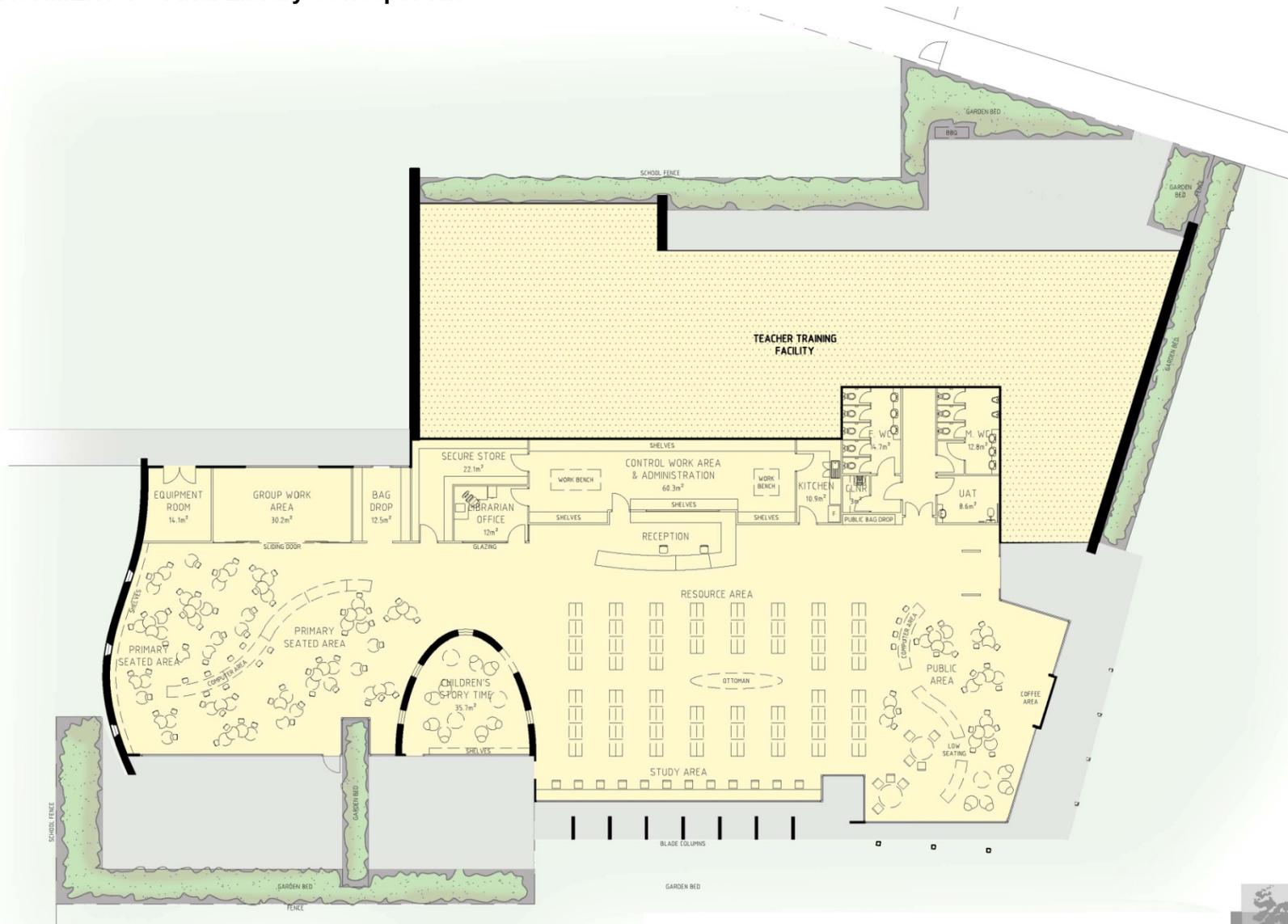
1. Endorse the final concept floor plan for the new Kununurra Community Library as provided at Attachment 1.
2. Agree to the request from the Department of Education to provide public library car parking on the following conditions:
 - a. That the Department of Education, through the existing project budget, meet all costs associated with changed car parking arrangements on Coolibah Drive and Mangaloo Street;
 - b. That the Department of Education make the necessary arrangements for the agreed and approved parking works to be undertaken;
 - c. That the existing 'kiss and drop' signage be maintained in the Coolibah Drive parking area;
 - d. That, in addition, 2 hour parking limit signs be erected in the car parking area on Coolibah Drive;
 - e. That, in addition, 'parents with prams' signage be erected at the 3 closest parking bays to the corner of Mangaloo St on the school boundary side of the Coolibah Drive car parking area;
 - f. That a compliant parallel pull-in disability access parking bay be constructed on Mangaloo St; and
 - g. That the Department of Education submit the plans for disability access parking for approval by the Shire prior to works commencing.

CARRIED: (6/1)

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

Against: Cr R Dessert

ATTACHMENT 1 – Final Library Concept Plan



SK-04 SHARED LIBRARY RESOURCE CENTRE & TEACHER'S TRAINING FACILITY - OPTION 1
 KUNUNURRA DISTRICT HIGH SCHOOL, KUNUNURRA
 SCALE 1:200 @ A3
 REV D - 22.07.10
 JOB NO. 09066.7



ATTACHMENT 2 – Kununurra District High School site and proposed public library parking areas



12.6 CHIEF EXECUTIVE OFFICER

12.6.1 Use of Common Seal

DATE:	14 December 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 10 November to 6 December 2010.

Information is presented to inform Council on those documents to which the Shire's Common Seal has been applied. In the time period specified above, the following documents have had the Shire of Wyndham East Kimberley Common Seal applied:

Date of Use	Document	Officer
15/11/2010	Form A5 Transfer of Land Lot 181 on DP 28266	Gary Gaffney
17/11/2010	Notification Under Section 70A - lot 200 on DP 67199	Jennifer Ninnette

STATUTORY IMPLICATIONS

Local Government Act 1995

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

COMMENT

It is the Officer's recommendation that Council formally receive a report on use of the Shire's Common Seal.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council received the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 10 November to 6 December 2010.

COUNCIL DECISION

Minute No: 9376

Moved: Cr D Ausburn

Seconded: Cr K Torres

That Council received the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 10 November to 6 December 2010.

CARRIED UNANIMOUSLY: (7/0)

12.6.2 Delegated Authority Report

DATE:	14 December 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 November to 30 November 2010.

BACKGROUND

Use of Council approved Delegated Authority by Officers is reported to Council on a monthly basis.

The attached tables outline use of Delegated Authority by relevant Officers for the above period.

STATUTORY IMPLICATIONS

Local Government Act 1995 - Sect 5.46

5.46. Register of, and records relevant to, delegations to CEO's and employees.

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

COMMUNITY CONSULTATION

Not Applicable

COMMENT

The attached report outlines the use of Delegated Authority by relevant Council Officers for endorsement by Council.

ATTACHMENTS

Delegated Authority Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Delegated Authority Report for the period 1 November to 30 November 2010.

COUNCIL DECISION

Minute No: 9377

Moved: Cr D Ausburn

Seconded: Cr K Torres

That Council receives the Delegated Authority Report for the period 1 November to 30 November 2010.

CARRIED UNANIMOUSLY: (7/0)

Attachment 1: Delegated Authority Report

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 November 2010

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
157/2010	25/10/2010	3/11/2010	Ngnowar Aerwah Aboriginal Corporation	Wyndham Excavations	Lot 1370 Great Northern Highway, Wyndham	Class 10B Swimming Pool & fence	New	\$40,000.00	6/15 days
158/2010	28/10/2010	5/11/2010	C Pearson & T Cox	C Pearson & T Cox	Lot 189 (8) Quondong Street, Kununurra	Class 10B Swimming Pool & fence	New	\$20,000.00	5/15 days
159/2010	12/10/2010	5/11/2010	B Hartmann	Gary Holben trading as Ecoefficient Homes	Lot 375 Tamarind Meander, Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living	New	\$465,000.00	17/15 days
160/2010	3/11/2010	5/11/2010	Slingair Pty Ltd	Slingair Pty Ltd	Lot 319 Laine Jones Drive, Kununurra	Class 10B Sea Container	New	\$4,400.00	1/15 days
161/2010	28/10/2010	8/11/2010	David Cross	David Cross	Lot 367 Gregorii Street, Kununurra	Class 10A shed	New	\$6,000.00	6/15 days
162/2010	27/10/2010	11/11/2010	Waringarri Aboriginal Arts Corporation	Top End Building Company Pty Ltd	Lot 2229 & 30 Speargrass Road, Kununurra	Renovations & Extensions to existing Class 6, 7B/8 buildings	Add	\$1,256,887.50	10/15 days
163/2010	13/08/2010	15/11/2010	A & D Moncrieff	A & D Moncrieff	Lot 20 Curlew Court, Kununurra	Class 10A Carport and shed under existing verandah	Add	\$7,000.00	
164/2010	1/11/2001	16/11/2010	Hamish & Anita Sutherland	Gary Holben t/a Ecoefficient Homes	Lot 266 Hibiscus Drive, Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living.	New	\$295,000.00	10/15 days

165/2010	21/06/2007	17/11/2010	K & P Slingsby	Darren Fulcher	Loc 209 Riverfarm Road, Kununurra	Class 10A Garage	Add	\$11,000.00	
166/2010	20/07/2010	18/11/2010	K & P Slingsby	Darren Fulcher	Loc 209 Riverfarm Road, Kununurra	Class 1A - Addition to existing dwelling	Add	\$140,000.00	
167/2010	12/10/2010	23/11/2010	Martin Senzio	Gary Holben t/a Ecoefficient Homes	Lot 382 (8) Tamarind Meander, Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living and Class 10A shed	New	\$465,000.00	
168/2010	19/11/2010	23/11/2010	EKADC Pty Ltd	S & M Dahms	Lot 1669 (108) Casuarina Way, Kununurra	Class 10B Above Ground Pool	New	\$2,000.00	1/15 days
169/2010	12/10/2010	30/11/2010	Ryan Chinnery	Ryan Chinnery	Lot 210 Casuarina Way, Kununurra	Class 1A dwelling with attached Class 10A garage & outdoor living	New	\$350,000.00	
170/2010	23/11/2010	30/11/2010	E Pucci	E Pucci	Lot 235 (14) Livistona Street, Kununurra	Class 10A shed	New	\$5,500.00	4/15 days
171/2010	25/11/2010	30/11/2010	Shire of Wyndham East Kimberley	Shire of Wyndham East Kimberley	Lot 2464 (Res 28875) Victoria Highway, Kununurra	Class 10A shed	New	\$80,000.00	2/15 days
								\$3,147,787.50	

DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 November 2010

DEMO LIC#	DATE APPLIC RECVD	DATE LICENCED	ASSESS NO.	OWNER	BUILDER/ DEMOLITION CONTRACTOR	BUILDER ADDRESS	DEMO CLASS (1, 2 or 3 - WARA)	WAD CLASS/ LIC NO	LIC No.	LOCATION	Comments (Asbestos)
DL 018/ 2010	8/11/2010	12/11/2010	A42	ITC Timberland Ltd	PO Box 7046 Richmond, VIC	Nateis Contracting	5 Spence Court Leeming, WA 6149	2	WAD 248	Loc 232/233 Research Station Road, Kununurra	Demolition of 2x Accommodation transportables & tropical roof
DL 019/ 2010	12/11/2010	16/11/2010	A2152	Shire of Wyndham - East Kimberley	PO Box 614 Kununurra	Shire of Wyndham - East Kimberley	PO Box 614 Kununurra	N/A	N/A	Lot 74 (Reserve 29220) Whitegum Street, Kununurra	Demolition of Class 10A ablution block

SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 November 2010

SIGN LIC#	DATE APPLIC RECVD	DATE LICENCED	ASSESS NO.	OWNER	ADDRESS	BUILDER/ CONTRACT OR	BUILDER ADDRESS	LOCATION	DESCRIPTI ON	PLANNING APPROVAL
SL 006/ 2010	15/11/2010	16/11/2010	A3191	DP Thorne & TM Clancy	PO Box 381 Kununurra	Lanny Garrett	PO Box 1562 Kununurra	Lot 2244 (4) Coolibah Drive, Kununurra	2 x Wall Signs	N/A exempt sign
SL 007/ 2010	22/11/2010	23/11/2010	A2148	ROAD RESERVE		East Kimberley Family Violence Hub	PO Box 283 Kununurra	Lot 2446 Coolibah Drive Kununurra "Post Office Access Road"	Temporary Banner Sign	N/A exempt sign
SL 008/ 2010	22/11/2010	23/11/2010	A2860	ROAD RESERVE		Combined Churches of Kununurra	C/- PO Box 1369 Kununurra	Junction of Messmate Way & Victoria Highway	Temporary Portable sign	N/A exempt sign

CERTIFICATES OF CLASSIFICATION ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 November 2010

CERTIFICATE OF CLASSIFICATION	DATE	BUILDING LICENCE NO	ASSESS NO.	BUILDING CLASS	OWNER	BUILDER	LOCATION	DESCRIPTION
CC 016/ 2010	16/11/2010	BL 131/2010	A1661	1B, 3 & 7B/8	Top End Properties	Steve Barr (trading as Barrcon Australia Pty Ltd)	Lot 94 (39) Bandicoot Drive Kununurra	Class 5 - office addition to existing commercial building

THERE WERE NO FORMAL NOTICES RAISED PURSUANT TO LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960 FOR ISSUE BY THE CEO UNDER DELEGATED AUTHORITY – 1 – 30 November 2010

COMMUNITY QUICK GRANTS DELEGATED AUTHORITY APPROVALS – 1 November – 30 November 2010

Approval Date	Organisation	Purpose of Quick Grant	Total Project Cost	Amount Requested	Amount Approved
15 Nov 2010	Kununurra Combined Churches	Contribution to Community Carols by Candlelight event (non-denominational with non religious themes included e.g. Santa)	\$3,000	\$500	\$500
18 Nov 2010	Waringarri Football Club	In-kind Contribution to KLC Hall Hire for Fundraising Disco	\$800	\$180	\$180

12.7 ELECTED MEMBER REPORTS

Cr Di Ausburn

17/11/2010	KCCI Meeting
02/12/2010	Volunteer of the Year Meeting Liquor Accord (Shire) White Gum Park Community Consult Ord Expansion Evening
05/12/2010	Carols by Candle Light - Councillor representation as a Boab Nut
07/12/2010	Liquor Accord Briefing (Shire)
14/12/2010	Opening St John Transfer Facility, Minister Crean Council Meeting

Cr J Moulden

22/11/2010	Rotary Meeting, Celebrity Tree Park
30/11/2010	Electors Council Meeting
01/12/2010	Community Reference Group Meeting
08/12/2010	Minister Grylls Goomig Channel Opening
10/12/2010	SWEK Christmas Party – Wyndham
14/12/2010	Opening Patient Transfer Facility, Minister Crean

COUNCIL DECISION

Minute No: 9378

Moved: Cr K Torres

Seconded: Cr J Moulden

That Council accepts the Councillor Reports as presented.

CARRIED UNANIMOUSLY: (7/0)

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

That Council requests the Chief Executive Officer to:

1. Enter into negotiations with the Kununurra Agricultural Society Inc with a view to determining their ongoing requirements in relation to Reserve 29799, and;
2. Write to the Minister Regional Development and Lands requesting approval to enter into a lease over reserve 29799 with the Kununurra Agricultural Society Inc for a term of 10 years with a 10 year option, at the discretion of either party, for the purpose of recreation, equestrian and agricultural show activities, and caravan park and camping ground.

COUNCIL DECISION

Minute No: 9379

Moved: Cr J Moulden

Seconded: Cr J Parker

That Council requests the Chief Executive Officer to:

1. Enter into negotiations with the Kununurra Agricultural Society Inc with a view to determining their ongoing requirements in relation to Reserve 29799, and;
2. Write to the Minister Regional Development and Lands requesting approval to enter into a lease over reserve 29799 with the Kununurra Agricultural Society Inc for a term of 10 years with a 10 year option, at the discretion of either party, for the purpose of recreation, equestrian and agricultural show activities, and caravan park and camping ground.

CARRIED UNANIMOUSLY: (7/0)

16. MATTERS BEHIND CLOSED DOORS

COUNCIL DECISION

Minute No: 9380

Moved: Cr J Parker

Seconded: Cr K Torres

That Council moves behind closed doors at 6:56pm to consider confidential item 16.1 Airline Debtors – Confidential Information.

CARRIED UNANIMOUSLY: (7/0)

16.1 Airline Debtors – Confidential Information

DATE:	14 December 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:	
ASSESSMENT NO:	Nil

PURPOSE

To report to Council on the reporting and payment pattern of current Airline Debtors for the period of January 2009 to August 2010.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receive the report on Airline Debtors and refer the matter back to the Audit Committee for monitoring.

COUNCIL DECISION

Minute No: 9381

Moved: Cr J Moulden

Seconded: Cr K Torres

That Council moves behind closed doors at 6:56pm to consider confidential item 16.1 Airline Debtors – Confidential Information.

CARRIED UNANIMOUSLY: (7/0)

COUNCIL DECISION

Minute No: 9382

Moved: Cr J Parker

Seconded: Cr K Torres

That Council moves from behind closed doors at 7:09pm.

CARRIED UNANIMOUSLY: (7/0)

17. CLOSURE

With all matters of business complete the Shire President declared the meeting closed at 7:10pm.