



**MINUTES OF ORDINARY MEETING OF COUNCIL
HELD ON 13 DECEMBER 2011**

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: _____

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- **Proximity Interest**

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. PETITIONS

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION

Minute No. 9642

Moved: Cr J Parker

Seconded: Cr J McCoy

That Council grant Cr K Torres and Cr C Gore-Birch Gault leave of absence for Ordinary Council Meeting 24 January 2012.

Carried Unanimously 8/0

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 22 NOVEMBER 2011

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 22 November 2011.

COUNCIL DECISION

Minute No. 9643

Moved: Cr J Parker

Seconded: Cr J McCoy

That Council confirms the Minutes of the Ordinary Council Meeting held on 22 November 2011.

Carried Unanimously 8/0

8.2 CONFIRMATION OF MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS OF 22 NOVEMBER 2011

RECOMMENDATION

That Council confirms the Minutes of the Annual General Meeting of Electors held on 22 November 2011.

COUNCIL DECISION

Minute No. 9644

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

That Council confirms the Minutes of the Annual General Meeting of Electors held on 22 November 2011.

Carried Unanimously 8/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Cr J Moulden
Reminds Councillors to follow the Standing Orders at meetings and urges Councillors and Chief Executive Officer to submit a brief list of functions relating to their role, shows accountability to community. Anything done in an official capacity is worthwhile to have on public record.

10. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1 MINUTES OF AUDIT (RISK AND FINANCE) COMMITTEE MEETINGS

RECOMMENDATION

That Council accepts the Unconfirmed Minutes of Audit (Risk and Finance) Committee held on 3 December 2011.

COUNCIL DECISION

Minute No. 9645

Moved: Cr J Parker

Seconded: Cr J McCoy

**That Council accepts the Unconfirmed Minutes of Audit (Risk and Finance)
Committee held on 3 December 2011.**

Carried Unanimously 8/0

12. REPORTS

12.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 Matters Arising from Audit (Risk and Finance) Committee

Meeting Held on 3 December 2011

DATE:	13 December 2011
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:	GN.05.2

PURPOSE

To consider recommendations from Council's Audit (Risk and Finance) Committee.

BACKGROUND

The Audit (Risk and Finance) 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 (Risk and Finance) 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

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Audit (Risk and Finance) 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 (Risk and Finance) 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 (Risk and Finance) Committee. The agenda and minutes of the Audit (Risk and Finance) Committee are available to the public.

ATTACHMENTS

There are no attachments associated with this report.

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

That a comprehensive risk review report on the Valentine Falls Estate be provided to Council in February 2012.

COUNCIL DECISION

Minute No. 9646

Moved: Cr J McCoy

Seconded: Cr A Horn

That Council:

- 1) 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.**
- 2) 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.**
- 3) that a comprehensive risk review report on the Valentine Falls Estate be provided to Council in February 2012.**

Carried Unanimously 8/0

12.2 CORPORATE SERVICES

12.2.1 List of Accounts Paid from Municipal Fund and Trust Fund

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Sandy Griffiths, Finance Officer Asanka Jayakody, Team Leader Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	FM.09.5

PURPOSE

To present the listing of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

BACKGROUND

Council delegated to CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund at the Ordinary Council Meeting of 16th August 2011.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

CD\GOV6113 – Payments from Municipal Fund and Trust Fund.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Governance, Key Result Area 5,
Council's financial position and forward planning is sound

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

In accordance with statutory requirements, 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

Attachment 1 – List of Accounts Paid from Municipal Fund and Trust Fund

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives and accepts the listing of accounts paid from the Municipal and Trust fund, being:

Municipal EFT113647 – EFT113840 (03 Nov – 29 Nov 11)	\$ 1,427,939.78
Municipal cheques 40738 - 40804 (03 Nov – 24 Nov 11)	\$ 1,419,815.41
Trust cheques 223 - 239 (04 Nov – 29 Nov 11)	\$ 42,710.92
Trust EFT 500171 - 500186 (01 Nov – 25 Nov 11)	\$ 19,080.00
Payroll (02 Nov – 30 Nov 11)	\$ 549,028.66
Direct bank debits (01 Nov - 30 Nov 11)	<u>\$ 32,299.81</u>
TOTAL	\$ 3,490,874.78

COUNCIL DECISION

Minute No. 9647

Moved: Cr D Ausburn

Seconded: Cr K Torres

That Council receives and accepts the listing of accounts paid from the Municipal and Trust fund, being:

Municipal EFT113647 – EFT113840 (03 Nov – 29 Nov 11)	\$ 1,427,939.78
Municipal cheques 40738 - 40804 (03 Nov – 24 Nov 11)	\$ 1,419,815.41
Trust cheques 223 - 239 (04 Nov – 29 Nov 11)	\$ 42,710.92
Trust EFT 500171 - 500186 (01 Nov – 25 Nov 11)	\$ 19,080.00
Payroll (02 Nov – 30 Nov 11)	\$ 549,028.66
Direct bank debits (01 Nov - 30 Nov 11)	\$ 32,299.81
TOTAL	\$ 3,490,874.78

Carried Unanimously 8/0

LIST OF ACCOUNTS SUBMITTED TO COUNCIL 13 DECEMBER 2011

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT113647	03/11/2011	KUNUNURRA DISTRICT HIGH SCHOOL	PHOTOCOPIER USAGE JULY - SEPTEMBER 2011 - KUNUNURRA LIBRARY	\$564.25
EFT113648	03/11/2011	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	\$171.83
EFT113649	03/11/2011	AUST LOCAL GOVERNMENT JOB DIRECTORY	ANNUAL SUBSCRIPTION 11/12	\$797.50
EFT113650	03/11/2011	AUSTRAL MERCANTILE COLLECTIONS	LEGAL FEES - OCTOBER 2011	\$329.36
EFT113651	03/11/2011	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	\$194.40
EFT113652	03/11/2011	AQUATIC WEED HARVESTER AUSTRALIA	MOTOR CUTTING BLADES - P485	\$581.28
EFT113653	03/11/2011	ARGYLE MOTORS	SERVICE - P313 & P478	\$706.05
EFT113654	03/11/2011	BEST WESTERN HALLS CREEK MOTEL	ACCOM & MEALS YOUTH OFFICER - MOODITJ TRAINING - 27-30/09/11	\$640.00
EFT113655	03/11/2011	BOAB REFRIGERATION AND AIRCON	NEW INVERTER SPLIT SYSTEM - WYNDHAM POOL OFFICE	\$3,003.00
EFT113656	03/11/2011	BROADCAST AUSTRALIA PTY LTD	FACILITIES LEASING - GWN TV KUNUNURRA 22/06/11 - 22/08/11	\$46.76
EFT113657	03/11/2011	BUDGET RENT A CAR	CAR - EUTHANASIA ANIMALS TRAINING - PERTH 21-27/09/11	\$340.25
EFT113658	03/11/2011	BEAUREPAIRES	GRADER TYRE - P477	\$1,830.00
EFT113659	03/11/2011	CPS WEAR PARTS	BLADES, BOLTS & NUTS - P477	\$1,599.75
EFT113660	03/11/2011	DEPARTMENT OF AGRICULTURE AND FOOD	INSPECT PALLET OF TREES - NT/WA BORDER	\$55.00
EFT113661	03/11/2011	DEPARTMENT OF TRANSPORT	ANNUAL JETTY LICENCE 11/12 - MAMBI ISLAND & SKULL ROCK	\$67.26
EFT113662	03/11/2011	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS	\$37.30
EFT113663	03/11/2011	EAST KIMBERLEY REAL ESTATE	WATER - 2/1 PLUM COURT - 30/03/11 - 26/07/11	\$51.05
EFT113664	03/11/2011	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION - MANAGER ENGINEERING 27/08/11 - 21/10/11	\$1,193.04
EFT113665	03/11/2011	IBAC PLUMBING PTY LTD	NEW PUMP - CELEBRITY TREE PK KNX, SHOWER TAP - KNX LEISURE CENTRE	\$1,884.52
EFT113666	03/11/2011	IML LOGISTICS	CHLORINE FREIGHT - WYNDHAM POOL	\$2,554.12
EFT113667	03/11/2011	J BLACKWOOD & SON LIMITED	VARIOUS BATTERIES, SAFETY GLOVES - KNX AIRPORT, GREASE -P479	\$279.74
EFT113668	03/11/2011	JSW HOLDINGS PTY LTD	CRACKER DUST - LILLY CREEK LAGOON	\$484.00
EFT113669	03/11/2011	JAB INDUSTRIES	EXCAVATOR - D2 DRAINAGE, CUMBUNGI REMOVAL - LAKE KNX	\$50,099.50
EFT113670	03/11/2011	KIMBERLEY GROUP TRAINING	KUNUNURRA ADMINISTRATION TRAINEESHIP - 22/09/11 - 5/10/11	\$394.35
EFT113671	03/11/2011	KIMBERLEY MARKETING	ITEMS FOR RESALE - KNX AIRPORT, CONSUMABLES - COUNCIL CHAMBERS	\$1,585.66
EFT113672	03/11/2011	KUNUNURRA BETTA ELECTRICAL & GAS	WATER CHILLER - COMMUNITY DEVELOPMENT OFFICE	\$199.95
EFT113673	03/11/2011	KUNUNURRA LOCK & KEY	GATE 7 DIGITAL LOCK - KUNUNURRA AIRPORT	\$181.50

EFT113674	03/11/2011	KUNUNURRA MEDICAL	PRE-EMPLOYMENT MEDICAL – STAFF MEMBER WYNDHAM DEPOT	\$110.00
EFT113675	03/11/2011	KUNUNURRA TYREPOWER	NEW TYRE - P471	\$254.00
EFT113676	03/11/2011	KEVIN HANNAGAN	REIMB. - AUSTRALIAN INSTITUTE MANAGEMENT MEMBERSHIP RENEWAL	\$185.00
EFT113677	03/11/2011	KIMBERLEY COMMUNICATIONS	BLUE TOOTH KIT - P471	\$59.95
EFT113678	03/11/2011	L-3 COMMUNICATIONS AUSTRALIA PTY LTD	EXPLOSIVES VERIFICATION KIT - SAMPLE TRAPS - KUNUNURRA AIRPORT	\$833.80
EFT113679	03/11/2011	L.G.R.C.E.U	PAYROLL DEDUCTIONS	\$17.40
EFT113680	03/11/2011	LOCAL GOVERNMENT MANAGERS AUST.	2011 LGMA ANNUAL STATE CONFERENCE - DIRECTOR CORPORATE SERVICES	\$1,065.00
EFT113681	03/11/2011	MARITIME CONSTRUCTIONS PTY LTD	RETENTION - COMPLETION OF WYN JETTY CONSTRUCTION T19-09/10	\$331,391.94
EFT113682	03/11/2011	MAXXIA	PAYROLL DEDUCTIONS	\$5,040.08
EFT113683	03/11/2011	MOMAR AUSTRALIA PTY LTD	BLISTER GRAFFITI REMOVER - VARIOUS PARK LOCATIONS	\$893.20
EFT113684	03/11/2011	NORDIG EARTHMOVING	MOWER SLASHING - LILY CREEK FORESHORE	\$4,840.00
EFT113685	03/11/2011	NOEL HAMMOND	REIMBURSEMENT OF RE-LOCATION COSTS	\$1,374.48
EFT113686	03/11/2011	ORIA ORCHARDS	FLOWER DELIVERY KUNUNURRA OFFICE - 31/10/11	\$15.00
EFT113687	03/11/2011	ORICA AUSTRALIA PTY LTD	70KG CHLORINE BOTTLES - WYNDHAM SWIMMING COMPLEX	\$1,049.40
EFT113688	03/11/2011	ORD IRRIGATION COOPERATIVE LTD	SLASHING - ROAD VERGES - IVANHOE ROAD	\$12,782.00
EFT113689	03/11/2011	PIERCE POOL SUPPLIES	STARTING BLOCK COVERS - WYNDHAM POOL	\$1,858.45
EFT113690	03/11/2011	PUBLIC LIBRARIES WESTERN AUSTRALIA	PUBLIC LIBRARIES WESTERN AUSTRALIA MEMBERSHIP - 11/12	\$150.00
EFT113691	03/11/2011	RED ELEVEN - RED 11 PTY LTD	COMPUTER EQUIPMENT - INFORMATION SERVICES - KUNUNURRA	\$145.50
EFT113692	03/11/2011	SEARLES MECHANICAL REPAIRS	INVERTER SOLAR LIGHTS - ERSKIN HILL - WYNDHAM AIRPORT	\$198.00
EFT113693	03/11/2011	SETON AUSTRALIA PTY LTD	SIGNS - REFURBISH - WYNDHAM DEPOT	\$166.10
EFT113694	03/11/2011	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	\$70.00
EFT113695	03/11/2011	SUNNY SIGN COMPANY PTY LTD	STREET & DIRECTIONAL SIGNAGE - VARIOUS ROADS - KUNUNURRA	\$1,004.39
EFT113696	03/11/2011	TNT AUSTRALIA PTY LIMITED	FREIGHT - WATER SAMPLES	\$296.72
EFT113697	03/11/2011	TOLL EXPRESS	FREIGHT - KUNUNURRA AIRPORT & KUNUNURRA LIBRARY	\$133.83
EFT113698	03/11/2011	TOP END MOTORS	SERVICE - P212	\$409.65
EFT113699	03/11/2011	UDLA - ARCHITECTURE	CONSULTANCY FEES - CELEBRITY TREE PARK PLAYGROUND	\$4,631.00
EFT113700	03/11/2011	WA LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	\$25,415.43
EFT113701	03/11/2011	WYNDHAM EARLY LEARNING CENTRE	SUCCESSFUL QUICK GRANT APPLICATION - 11/12	\$550.00
EFT113702	07/11/2011	SHIRE OF WYNDHAM EAST KIMBERLEY	BRB & BCITF COMMISSIONS ON COLLECTIONS 1/7/11 - 30/9/11	\$335.50
EFT113703	10/11/2011	AIRPORT LIGHTING SPECIALISTS	LIGHTING PARTS & FREIGHT - KUNUNURRA AIRPORT	\$7,125.53

EFT113704	10/11/2011	ALLCLEAN COMMERCIAL CLEANERS	CLEANING - VARIOUS KUNUNURRA LOCATIONS	\$26,851.50
EFT113705	10/11/2011	BLUE DAVIDSON SIGNS	SIGN WRITING - COUNCIL HONOUR BOARDS	\$225.00
EFT113706	10/11/2011	AUSTRAL MERCANTILE COLLECTIONS	LEGAL FEES - RATES - SEPTEMBER 2011	\$299.75
EFT113707	10/11/2011	ARGYLE ENGINEERING	REPAIR - CUMBUNGI HARVESTER - P485	\$576.73
EFT113708	10/11/2011	ARGYLE MOTORS	SERVICE - P211, P113, P108, P379, NEW BATTERY - FIRE FAST ATTACK IVBFB	\$2,432.32
EFT113709	10/11/2011	CENTURION TRANSPORT	FREIGHT - VARIOUS MUNICIPALE CONVENIENCES - WYNDHAM	\$431.75
EFT113710	10/11/2011	CHEFMASTER AUSTRALIA	GARBAGE BAGS - KUNUNURRA	\$1,053.00
EFT113711	10/11/2011	CORPORATE EXPRESS	SUPPLIES - PUBLIC CONVENIENCES - KUNUNURRA & WYNDHAM	\$1,591.36
EFT113712	10/11/2011	EAST KIMBERLEY HARDWARE	MATERIALS TO MODIFY WOODCHIPPER, VARIOUS ITEMS - KNX AIRPORT	\$1,187.10
EFT113713	10/11/2011	FULTON HOGAN INDUSTRIES - WA	RESEAL - RUNWAY - KUNUNURRA AIRPORT	\$227,284.30
EFT113714	10/11/2011	IBAC PLUMBING PTY LTD	MAINTAIN AUTO TOILET - KONKERBERRY DRIVE - KUNUNURRA	\$301.40
EFT113715	10/11/2011	IRRIBIZ	VARIOUS RETICULATION PARTS	\$28.17
EFT113716	10/11/2011	J BLACKWOOD & SON LIMITED	MAINTAIN ACE SUPPLIES - LOADER - KUNUNURRA LANDFILL - P488	\$44.61
EFT113717	10/11/2011	JH COMPUTER SERVICES	PRINTER OFFICE SUPPLIES - KUNUNURRA OFFICE	\$461.00
EFT113718	10/11/2011	JSW HOLDINGS PTY LTD	HIRE OF TRUCK & TRAILER CARTAGE - LANDFILL SITE - KUNUNURRA	\$1,176.45
EFT113719	10/11/2011	JANET TAKARANGI	REIMBURSE - REMOTE COMMUNITIES PLAN MEETING 30/10/11 - 01/11/11	\$129.81
EFT113720	10/11/2011	KIMBERLEY PARTY HIRE	LABOUR HIRE - AQUATIC HARVESTER 03/10/11 - 31/10/11	\$4,340.00
EFT113721	10/11/2011	KUNUNURRA BETTA ELECTRICAL & GAS	MOBILE PHONES & ACCESSORIES - BUILDING SURVEYORS - KUNUNURRA	\$777.70
EFT113722	10/11/2011	KUNUNURRA PANEL BEATING WORKS	RELOCATE ABANDONED VEHICLE - ORD RIVER TO KUNUNURRA DEPOT	\$220.00
EFT113723	10/11/2011	KUNUNURRA SECURITY SERVICE	PASSENGER & BAG SCREENING - KNX AIRPORT - 31/08/11 - 06/09/11	\$14,492.50
EFT113724	10/11/2011	KIMBERLEY COMMUNICATIONS	NEW HAND HELD RADIOS - CFVBFB, REPAIR SATELITE SYSTEM -KNX DEPOT	\$1,767.00
EFT113725	10/11/2011	KUNUNURRA HOME & GARDEN	MAINTENANCE SUPPLIES - KUNUNURRA ADMIN. OFFICE	\$97.50
EFT113726	10/11/2011	LANDGATE	TENEMENTS VALUATIONS - 17/09/11 - 14/10/11	\$595.27
EFT113727	10/11/2011	MARGARET GRUNSELL	REIMBURSE FUEL - KIMBERLEY REGIONAL SHIRE VISITS	\$375.54
EFT113728	10/11/2011	MCLEAN ENTERPRISES PTY LTD	VARIOUS FREIGHT	\$60.50
EFT113729	10/11/2011	MOMAR AUSTRALIA PTY LTD	HEAVY DUTY CLEANING PRODUCTS - WYNDHAM	\$1,965.70
EFT113730	10/11/2011	NORSIGN PTY LTD	SIGNAGES - KING RIVER ROAD ENTRANCE TO KARUNJIE TRACK - KNX	\$891.00
EFT113731	10/11/2011	NOEL HAMMOND	FUEL - WANDRRA INSPECTIONS - P109	\$143.44
EFT113732	10/11/2011	NORTH WEST WELDING	REFURBISH FENCES - KUNUNURRA LANDFILL	\$6,154.50
EFT113733	10/11/2011	OLLIE'S IRRIGATIONS & PLUMBING	SPRINKLERS - SWIMMING COMPLEX - KUNUNURRA	\$688.97

EFT113734	10/11/2011	PARRY'S CREEK FARM	ACCOMMODATION & MEALS - PROPOSED REC OFFICER - WYNDHAM	\$180.50
EFT113735	10/11/2011	PJ & T ELLIS BUILDERS PTY LTD	FINAL PROGRESS CLAIM - WYNDHAM DEPOT UPGRADE	\$5,500.00
EFT113736	10/11/2011	ROYAL LIFE SAVING (WA BRANCH)	LIFEGUARD COURSE - FITNESS & LEISURE STAFF - KUNUNURRA & WYNDHAM	\$720.00
EFT113737	10/11/2011	RUBBER MULCH AUSTRALIA PTY LTD	30% DEPOSIT - SUPPLY AND DELIVERY LOOSE FILL - CELEBRITY TREE PARK	\$8,712.00
EFT113738	10/11/2011	SALEEBA ADAMS ARCHITECTS	CONCEPT DESIGN - WATERLILY PLACE - KUNUNURRA	\$6,600.00
EFT113739	10/11/2011	SHOAL AIR PTY LTD	AIRCRAFT CHARTER - EARLY ELECTION - KALUMBURU	\$2,186.50
EFT113740	10/11/2011	SJR CIVIL CONSULTING	CONCEPT DESIGN - MESSMATE WAY, KONKERBERRY DRIVE - KUNUNURRA	\$880.00
EFT113741	10/11/2011	SPINIFEX HOTEL	ACCOM - COUNCILLORS & CEO -ZONE/JOINT SHIRES 02/10/11 - 04/10/11	\$1,000.00
EFT113742	10/11/2011	SUE GAFFNEY	FUEL - P475 - YOUTH SERVICES KUNUNURRA	\$110.00
EFT113743	10/11/2011	THORLEY'S STORE	REFILL GAS BOTTLES - BASTION BBQ'S - WYNDHAM	\$117.00
EFT113744	10/11/2011	TOLL EXPRESS	VARIOUS FREIGHT	\$199.76
EFT113745	10/11/2011	TOP END MOTORS	SERVICE - P114	\$234.65
EFT113746	17/11/2011	4D LANDSCAPING SOLUTIONS	RETICULATION MAINTENANCE - 6 EUGENIA ST KUNUNURRA	\$2,112.00
EFT113747	17/11/2011	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	\$167.27
EFT113748	17/11/2011	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	\$194.40
EFT113749	17/11/2011	AVP COMMERCIAL POOLS	POOL EQUIPMENT - SWIMMING COMPLEX - WYNDHAM	\$983.40
EFT113750	17/11/2011	ALLCLEAN COMMERCIAL CLEANERS	LEASE TERMINATION - FULL CLEAN - GREYBOX CRESCENT -KUNUNURRA	\$880.00
EFT113751	17/11/2011	BERM BACKHOE HIRE	TRUCK HIRE - CYCLONE CLEAN UP - KUNUNURRA	\$4,840.00
EFT113752	17/11/2011	BLUE SEAS RESORT	ACCOM. - ASBESTOS TRAINING - HEALTH & REFUSE SITE STAFF 16-18/10/11	\$2,200.00
EFT113753	17/11/2011	CENTURION TRANSPORT	VARIOUS FREIGHT	\$60.06
EFT113754	17/11/2011	COLIN WILKINSON DEVELOPMENTS	PROGRESS PAYMENT # 4 - LOT 44 BELLA LANE - KUNUNURRA	\$235,758.99
EFT113755	17/11/2011	DIAMONDTECH PLUMBING AND GAS	GAS REGULATOR VALVE & COMPLIANCE BADGE - 28 EUGENIA STREET KNX	\$446.50
EFT113756	17/11/2011	DRYSDALE RIVER STATION	MEALS - KALUMBURU INSPECTIONS - INFRASTRUCTURE STAFF 13/10/11	\$231.00
EFT113757	17/11/2011	EMERSON STEWART PTY LTD	CONSULTING FEES - EGRET CLOSE & SKI BEACH	\$3,476.00
EFT113758	17/11/2011	FUJI XEROX AUSTRALIA P/L	PRINTING CHARGES -VARIOUS LOCATIONS	\$13,322.50
EFT113759	17/11/2011	FYSH GRADER HIRE	GRADING - RESEARCH, RIVERFARM & WEERO ROADS	\$5,940.00
EFT113760	17/11/2011	FRANMOR CONSTRUCTIONS PTY LTD	MULTIPLE GLASS WINDOWS & DOORS - KUNUNURRA YOUTH CENTRE	\$1,898.40
EFT113761	17/11/2011	FULLY JUICED ELECTRICS	REPAIR AIRCON - 67 KOOJARRA ST WYNDHAM	\$99.00
EFT113762	17/11/2011	HITACHI CONSTRUCTION MACHINERY	FILTER KIT & BELT - P477	\$759.32
EFT113763	17/11/2011	IBAC PLUMBING PTY LTD	REPAIR & REMOVE TAP CALCIUM BUILD UP - WYN RECREATION CENTRE	\$361.90

EFT113764	17/11/2011	ICE AGE REFRIGERATION & AIRCON	AIR CON - KUNUNURRA ADMINISTRATION	\$88.00
EFT113765	17/11/2011	INTERIORS AUSTRALIA	DEPOSIT - FURNITURE - KUNUNURRA AIRPORT TERMINAL EXPANSION	\$54,279.50
EFT113766	17/11/2011	J BLACKWOOD & SON LIMITED	FUEL PUMP - WYNDHAM AIRPORT	\$371.80
EFT113767	17/11/2011	JORRITSMA H & CO	VARIOUS RETICULATION PARTS	\$190.00
EFT113768	17/11/2011	KIMBERLEY GROUP TRAINING	TRAINEESHIP - KUNUNURRA ADMINISTRATION 11/08/11 - 24/08/11	\$126.19
EFT113769	17/11/2011	KUNUNURRA LOCK & KEY	LOCK SMASHED OFF SAFE - KUNUNURRA LEISURE CENTRE	\$742.50
EFT113770	17/11/2011	KUNUNURRA MOBILE WELDING	REWELD HANDLES COURSE GRAIN FILTER LIDS - KNX LEISURE CENTRE	\$621.50
EFT113771	17/11/2011	KUNUNURRA PANEL BEATING WORKS WA	REMOVE ABANDONED VEHICLE	\$110.00
EFT113772	17/11/2011	KUNUNURRA REFRIGERATION & AIR CON	CLEAN AIR CONS - 6 EUGENIA ST KNX, WYN ADMIN & WYN RECREATION	\$1,026.46
EFT113773	17/11/2011	KUNUNURRA SECURITY SERVICE	SECURITY SCREENING SERVICES - KUNUNURRA AIRPORT	\$45,193.50
EFT113774	17/11/2011	KIMBERLEY COMMUNICATIONS	SATELLITE CABLING SBS TV - WYNDHAM	\$761.00
EFT113775	17/11/2011	KIMBERLEY HYDRAULICS	HYDRAULIC HOSE - P479	\$60.50
EFT113776	17/11/2011	KUNUNURRA CHAMBER OF COMMERCE	ECONOMIC FORUM REGISTRATION - ZONE SECRETARIAT	\$280.00
EFT113777	17/11/2011	KUNUNURRA PEST MANAGEMENT	PEST SPRAYING - WYNDHAM RECREATION CENTRE	\$110.00
EFT113778	17/11/2011	L.G.R.C.E.U	PAYROLL DEDUCTIONS	\$17.40
EFT113779	17/11/2011	LGIS INSURANCE BROKING	BUSH FIRE INSURANCE - 30/06/11 - 30/06/12	\$5,305.78
EFT113780	17/11/2011	LOCAL GOVERNMENT MANAGERS	2011 LGMA ANNUAL STATE CONFERENCE REGISTRATION - CEO	\$115.00
EFT113781	17/11/2011	METRO COUNT	PARTS METRO COUNT - VARIOUS ROADS DATA	\$2,327.60
EFT113782	17/11/2011	MPL LABORATORIES	ANALYSIS SUSPECTED ASBESTOS CEMENT PRODUCT - 16 KOOJARRA STREET	\$203.50
EFT113783	17/11/2011	MAXXIA	PAYROLL DEDUCTIONS	\$4,262.79
EFT113784	17/11/2011	NORTH WEST WELDING	FINAL PAYMENT - NEW REFUSE SITE FENCE	\$18,716.50
EFT113785	17/11/2011	OFFICE NATIONAL KUNUNURRA	VARIOUS STATIONERY - KUNUNURRA ADMINISTRATION	\$109.60
EFT113786	17/11/2011	ORD RIVER ELECTRICS	REPLACED ISOLATOR - KNX CHAMBERS & OUTSIDE LIGHT - KNX LEISURE CTR	\$1,414.97
EFT113787	17/11/2011	ORD FUEL SUPPLIES	GREASE - P488 & P485	\$315.26
EFT113788	17/11/2011	RED ELEVEN - RED 11 PTY LTD	FLIGHT DISPLAY SCREENS - KUNUNURRA AIRPORT - TERMINAL UPGRADE	\$37,199.47
EFT113789	17/11/2011	ROBERT DREW	REIMBURSE - RELOCATION EXPENSES	\$810.56
EFT113790	17/11/2011	SETON AUSTRALIA PTY LTD	TOILET SIGN - WYNDHAM DEPOT UPGRADE	\$94.60
EFT113791	17/11/2011	SHELF SUPPLY	SAFETY STEEL CAP BOOTS - KUNUNURRA DEPOT STAFF	\$538.00
EFT113792	17/11/2011	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	\$1,370.00
EFT113793	17/11/2011	SITE WARE DIRECT	HI VIS VISITEC SAFETY WEAR - KUNUNURRA DEPOT STAFF	\$324.72

EFT113794	17/11/2011	ST JOSEPH'S SCHOOL	QUICK GRANT APPLICATION	\$275.00
EFT113795	17/11/2011	SUSAN STANBURY	REIMBURSE ITEMS PURCHASED - WYNDHAM CHILD CARE	\$18.57
EFT113796	17/11/2011	TGSI PTY LTD	GRIT MASTER STAIR NOSING - DANGEROUS EDGE REPAIR - WYN ADMIN	\$357.50
EFT113797	17/11/2011	TNT AUSTRALIA PTY LIMITED	FREIGHT WATER SAMPLES	\$212.46
EFT113798	17/11/2011	TOP END MOTORS	SERVICE - P466	\$487.65
EFT113799	17/11/2011	WA LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	\$23,971.91
EFT113800	17/11/2011	WRIDGWAYS THE REMOVALISTS	FURNITURE & VEHICLE RELOCATION - HR MANAGER	\$8,932.00
EFT113801	23/11/2011	APPERLEY, KARYN	SALARY ADVANCE	\$600.00
EFT113802	24/11/2011	AUSTRALIA POST	POSTAGE - OCTOBER 2011 - KUNUNURRA	\$996.30
EFT113803	24/11/2011	ALLGEAR MOTORCYCLES & SMALL ENGINE	SERVICE & OIL, LUBE, SNIPPER CORD - P356	\$541.10
EFT113804	24/11/2011	AMBER BRIGGS	FOOD ACCOM & FUEL - POOL LIFE GUARD COURSE 05-08/10/11 - KATHERINE	\$633.57
EFT113805	24/11/2011	AQUENTA CONSULTING PTY LTD	QUANTITY SURVEYING SERVICES - PRE CONTRACT - KUNUNURRA AIRPORT	\$15,612.97
EFT113806	24/11/2011	ATTORNEY-GENERAL'S DEPARTMENT	AUSCHECK ASIC CHECKS - KUNUNURRA AIRPORT	\$404.00
EFT113807	24/11/2011	BOC GASES AUSTRALIAN LIMITED	WELDING GASES & BOTTLE RENTAL - OCTOBER 2011	\$268.44
EFT113808	24/11/2011	CALCUTT WATSON & ASSOCIATES	AAA CONVENTION & TECHNICAL W/SHOP - A/PORT OFFICER 14 -17/11/11	\$1,865.00
EFT113809	24/11/2011	CENTURION TRANSPORT	VARIOUS FREIGHT	\$397.76
EFT113810	24/11/2011	DATA #3 LICENSING SOLUTIONS	MICROSOFT WINDOWS SERVER ENTERPRISE LICENSE/SOFTWARE	\$2,073.16
EFT113811	24/11/2011	EAST KIMBERLEY PLUMBING	STORM WATER PIPING - AIRSIDE, KUNUNURRA AIRPORT	\$16,401.00
EFT113812	24/11/2011	ELECTRICAL INDUSTRIAL WHOLESALERS	VARIOUS ITEMS - SQUASH COURT UPGRADE - KNX	\$6,694.60
EFT113813	24/11/2011	FESA - EMERGENCY SERVICES LEVY	ESL INCOME LOCAL GOVERNMENT - 2011/12	\$5,044.99
EFT113814	24/11/2011	FUJI XEROX AUSTRALIA P/L	VARIOUS PRINTING CHARGES	\$70.84
EFT113815	24/11/2011	FORTE AIRPORT MANAGEMENT	PROJECT MANAGEMENT SERVICES - EAST KIMBERLEY REGIONAL AIRPORT	\$14,322.00
EFT113816	24/11/2011	FRANMOR CONSTRUCTIONS PTY LTD	MULTIPLE GLASS WINDOWS & DOORS - KUNUNURRA YOUTH CENTRE	\$1,458.15
EFT113817	24/11/2011	FULLY JUICED ELECTRICS	CABLE, INVERTER & CLAMPS - ERSKIN HILL - WYNDHAM AIRPORT	\$2,153.80
EFT113818	24/11/2011	GHD PTY LTD	DESIGN & DRAFTING - VICTORIA HWY CULVERT & LAKE ARGYLE RD SPILLWAY	\$29,025.15
EFT113819	24/11/2011	HITACHI CONSTRUCTION MACHINERY	ALTERNATOR - P477	\$124.74
EFT113820	24/11/2011	IMAGESOURCE	ENVELOPES - KUNUNURRA ADMINISTRATION	\$976.28
EFT113821	24/11/2011	KIMBERLEY COMMUNICATIONS	RESET CLASSIC FM - KUNUNURRA	\$77.00
EFT113822	24/11/2011	KUNUNURRA COURIERS	SPRING WATER - OCTOBER 2011 - REFUSE SITE	\$78.00
EFT113823	24/11/2011	LEISURE INSTITUTE OF WA	11/12 LIWA MEMBERSHIP - MANAGER RECREATION & LEISURE	\$105.00

EFT113824	24/11/2011	MERCURY FIRESAFETY PTY LTD	FIRE RESISTANT JACKETS - CROSSING FALLS BUSH FIRE BRIGADE	\$1,419.00
EFT113825	24/11/2011	MARGARET GRUNSELL	REIMBURSE FOOD PURCHASED - ZONE MEETING	\$26.10
EFT113826	24/11/2011	MCLERNONS	VARIOUS SHELVING UNITS - WYNDHAM DEPOT UPGRADE	\$1,391.00
EFT113827	24/11/2011	MOMAR AUSTRALIA PTY LTD	VARIOUS CLEANING PRODUCTS - GRAFFITTI REMOVAL - WYNDHAM	\$1,901.63
EFT113828	24/11/2011	OFFICE NATIONAL KUNUNURRA	PALLET PAPER - KUNUNURRA ADMINISTRATION	\$2,895.54
EFT113829	24/11/2011	ORD RIVER ELECTRICS	POWER HOUSE MAINS - WYNDHAM AIRPORT	\$1,557.03
EFT113830	24/11/2011	ORIA ORCHARDS	WEEKLY FLOWER DELIVERY - KUNUNURRA OFFICE - 07/11/11	\$15.00
EFT113831	24/11/2011	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	6 STN CONTROLLER - KONKERBERRY DRIVE	\$110.00
EFT113832	24/11/2011	QUICK CORPORATE AUSTRALIA	STATIONERY ORDER - KUNUNURRA ADMINISTRATION	\$996.28
EFT113833	24/11/2011	RAPISCAN SYSTEMS AUSTRALIA	SECURITY SCREENING TRAYS - KUNUNURRA AIRPORT	\$550.00
EFT113834	24/11/2011	SUE GAFFNEY	REIMBURSE PLANTS PURCHASED - YOUTH CENTRE	\$70.02
EFT113835	24/11/2011	SUNNY SIGN COMPANY PTY LTD	VARIOUS DIRECTIONAL SIGNAGE - VARIOUS LOCATIONS	\$1,560.49
EFT113836	24/11/2011	THE KIMBERLEY GRANDE	ACCOM SIMON FALLON - PROTEUS TRAINER 17 - 21/10/11	\$648.00
EFT113837	24/11/2011	THORLEY'S STORE	2 X 9KG GAS BOTTLES - BASTION BBQ'S WYNDHAM	\$78.00
EFT113838	24/11/2011	TOLL EXPRESS	VARIOUS FREIGHT	\$73.30
EFT113839	24/11/2011	VANDERFIELD MACHINERY PTY LTD	NEW JOHN DEERE FRONT DECK MOWER - BLADES - P481	\$34,121.36
EFT113840	29/11/2011	SHIRE OF WYNDHAM EAST KIMBERLEY	BRB & BCITF COMMISSION - 30/10/11	\$173.80
TOTAL MUNI EFT PAYMENTS				<u>\$1,427,939.98</u>

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
40738	03/11/2011	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	\$126.38
40739	03/11/2011	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$251.36
40740	03/11/2011	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	\$192.99
40741	03/11/2011	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$205.27
40742	03/11/2011	CBUS	SUPERANNUATION CONTRIBUTIONS	\$183.87
40743	03/11/2011	COLONIAL - PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$327.09
40744	03/11/2011	DEPARTMENT OF MINES AND PETROLEUM	11/12 ANNUAL DANGEROUS GOODS LICENCE - KNX LEISURE CENTRE	\$192.00
40745	03/11/2011	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	\$3,186.85
40746	03/11/2011	HORIZON POWER - NON ENERGY	INSTALL POWER - WATER LILLY - 20 SHIRE UNITS	\$1,181.95

40747	03/11/2011	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$803.26
40748	03/11/2011	ITC TIMBERLANDS PTY LTD	RATES REFUND	\$13,481.78
40749	03/11/2011	J AND B M FAIRCLOUGH	RATES REFUND	\$242.30
40750	03/11/2011	JOHN LESLIE ARTHUR	RATES REFUND	\$227.96
40751	03/11/2011	JULIE SUTHERLAND	REFUND LOST BOOK FEES - BOOK FOUND & RETURNED	\$22.00
40752	03/11/2011	KIMBERLEY POPULATION HEALTH	COMMUNITY QUICK GRANT 2011/12	\$495.00
40753	03/11/2011	LG SUPER	SUPERANNUATION CONTRIBUTIONS	\$1,288.61
40754	03/11/2011	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	\$366.77
40755	03/11/2011	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	\$206.22
40756	03/11/2011	PINDAN CONTRACTING PTY LTD	PROGRESS PAYMENT# 14 - KUNUNURRA AIRPORT - TERMINAL EXPANSION	\$553,531.98
40757	03/11/2011	QUADRANT	SUPERANNUATION CONTRIBUTIONS	\$304.67
40758	03/11/2011	REST SUPER	SUPERANNUATION CONTRIBUTIONS	\$955.29
40759	03/11/2011	ROSS AUSTIN BARKER	RATES REFUND	\$271.20
40760	03/11/2011	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	\$184.95
40761	03/11/2011	STAMFORD PLAZA ADELAIDE	ACCOM - ECONOMIC OFFICER - ECONOMIC DEVELOP FORUM 03-07/10/11	\$762.00
40762	03/11/2011	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$185.67
40763	03/11/2011	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	\$365.21
40764	03/11/2011	TASPLAN	SUPERANNUATION CONTRIBUTIONS	\$171.71
40765	03/11/2011	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	\$357.15
40766	03/11/2011	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	\$2,707.53
40767	03/11/2011	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	\$547.83
40768	03/11/2011	WYNDHAM COMMUNITY CLUB	ACCOM - CASUAL WYNDHAM RECREATION OFFICER 01 - 14/10/2011	\$1,400.00
40769	10/11/2011	CASH - PETTY CASH KNX AIRPORT	REIMBURSE PETTY CASH	\$70.40
40770	10/11/2011	DEPARTMENT FOR PLANNING AND INFRA	VARIOUS ANNUAL VEHICLE REGISTRATION - 11/12	\$555.00
40771	10/11/2011	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	\$27,323.49
40772	10/11/2011	NOEL BRYAN SMITH	RATES REFUND	\$255.44
40773	10/11/2011	WATER CORPORATION	HEAD WORKS - ADDITIONAL METERS - WYNDHAM STAFF HOUSING	\$13,303.35
40774	17/11/2011	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	\$90.62
40775	17/11/2011	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	\$126.38
40776	17/11/2011	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$452.87

40777	17/11/2011	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	\$194.23
40778	17/11/2011	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$205.27
40779	17/11/2011	CASH - PETTY CASH WYNDHAM OFFICE	REIMBURSEMENT PETTY CASH	\$196.10
40780	17/11/2011	CBUS	SUPERANNUATION CONTRIBUTIONS	\$184.58
40781	17/11/2011	COLONIAL - PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$268.34
40782	17/11/2011	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	\$33,408.69
40783	17/11/2011	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$725.45
40784	17/11/2011	KUNUNURRA PLAYGROUP INC	COMMUNITY QUICK GRANT 2011/12	\$500.00
40785	17/11/2011	LG SUPER	SUPERANNUATION CONTRIBUTIONS	\$1,288.61
40786	17/11/2011	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	\$390.86
40787	17/11/2011	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	\$207.57
40788	17/11/2011	QUADRANT	SUPERANNUATION CONTRIBUTIONS	\$304.67
40789	17/11/2011	REST SUPER	SUPERANNUATION CONTRIBUTIONS	\$873.70
40790	17/11/2011	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	\$180.21
40791	17/11/2011	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	\$189.10
40792	17/11/2011	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	\$392.66
40793	17/11/2011	TELSTRA	LANDLINE CHARGES	\$7,069.22
40794	17/11/2011	TASPLAN	SUPERANNUATION CONTRIBUTIONS	\$171.71
40795	17/11/2011	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	\$363.49
40796	17/11/2011	VICSUPER	SUPERANNUATION CONTRIBUTIONS	\$196.34
40797	17/11/2011	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	\$2,768.90
40798	17/11/2011	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	\$604.75
40799	23/11/2011	ANDREA WASER	SWEK CITIZENSHIP AWARD 2011	\$300.00
40800	24/11/2011	GRAND APARTMENTS CABLE BEACH RESORT	ACCOM CEO - REMOTE COMMUNITIES MEETING 30-31/10/11 - BROOME	\$796.00
40801	24/11/2011	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	\$506.40
40802	24/11/2011	MURRAY STREET LODGE HOTEL	ACCOM PROJECTS MANAGER WORKER COMP 14-29/09/11 - KNEE SURGERY	\$882.00
40803	24/11/2011	PINDAN CONTRACTING PTY LTD	PROGRESS PAYMENT # 15 - EAST KIMBERLEY REGIONAL AIRPORT	\$739,707.16
40804	24/11/2011	WA DEPARTMENT OF HEALTH	HEALTH DEPARTMENT APPLICATION FEE	\$35.00
			TOTAL MUNI CHEQUE PAYMENTS	<u>\$1,419,815.41</u>

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
223	04/11/2011	COLIN WILKINSON DEVELOPMENTS	BOND REFUND - FOOTPATH	\$300.00
224	04/11/2011	CROSS COUNTRY CONTRACTORS	BOND REFUND - PETER REID HALL HIRE	\$1,000.00
225	04/11/2011	DEPARTMENT FOR CHILD PROTECTION	BOND REFUND - WHITEGUM PARK	\$1,000.00
226	04/11/2011	KUNUNURRA PEOPLES CHURCH	BOND REFUND - YOUTH CENTRE	\$500.00
227	04/11/2011	LEIGH HARDINGHAM	BOND REFUND -FOOTPATH	\$400.00
228	04/11/2011	MG CORP	BOND REFUND - YOUTH CENTRE BUS	\$500.00
229	07/11/2011	DEPT OF TRANSPORT - PLATES SECTION	SPECIAL SERIES PLATE - ORD -1999	\$1,085.00
230	07/11/2011	BCITF	BCITF COLLECTIONS 1/7/11 - 30/9/11	\$24,137.37
231	07/11/2011	BUILDERS' REGISTRATION BOARD OF W.A.	BRB COLLECTIONS 1/7/11 - 30/9/11	\$1,103.50
232	15/11/2011	NBC ABORIGINAL CORPORATION	SERVICE PROVIDED TO MG CORP	\$5,720.00
233	15/11/2011	COLIN WILKINSON DEVELOPMENTS	BOND REFUND - FOOTPATH	\$300.00
234	29/11/2011	BCITF	BCITF COLLECTION 01/10/11 - 30/10/11	\$4,665.05
235	29/11/2011	BUILDERS' REGISTRATION BOARD OF W.A.	BRB COLLECTIONS 01/10/11 - 30/10/11	\$575.00
236	29/11/2011	ST JOSEPHS SCHOOL	BOND REFUND - YOUTH CENTRE HIRE	\$500.00
237	29/11/2011	DANIEL ROUSE	BOND REFUND - FOOTPATH	\$270.00
238	29/11/2011	DEPT OF TRANSPORT - PLATES SECTION	SWEK SPECIAL SERIES - 350WY	\$155.00
239	29/11/2011	MONSOON NIGHTS BELLY DANCING INC.	BOND REFUND - YOUTH CENTRE	\$500.00
TOTAL TRUST CHEQUE PAYMENTS				\$42,710.92

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
500171	01/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 01/11/11	\$500.15
500172	02/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 02/11/11	\$226.15
500173	03/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 03/11/11	\$756.95
500174	04/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 04/11/11	\$838.30
500175	07/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 07/11/11	\$1,119.60
500176	08/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 08/11/11	\$1,255.40
500177	10/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 10/11/11	\$706.05

500178	11/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 11/11/11	\$1,181.95
500179	15/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 15/11/11	\$928.95
500180	16/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING -16/11/11	\$21.00
500181	17/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 17/11/11	\$483.35
500182	18/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 18/11/11	\$1,119.15
500183	22/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 22/11/11	\$5,785.05
500184	23/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 23/11/11	\$618.30
500185	24/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 24/11/11	\$178.15
500186	25/11/2011	TRUST DPI CLEARING	TRANSPORT CLEARING - 25/11/11	\$3,361.50
TOTAL TRUST EFT PAYMENTS				\$19,080.00

DATE	NAME	DESCRIPTION	AMOUNT
02/11/2011	PAYROLL	PAYROLL	176,527.07
15/11/2011	PAYROLL	PAYROLL	5,417.59
16/11/2011	PAYROLL	PAYROLL	183,809.90
30/11/2011	PAYROLL	PAYROLL	183,274.10
TOTAL PAYROLL PAYMENTS			549,028.66

DATE	NAME	DESCRIPTION	AMOUNT
01/11/2011	DIRECT DEBIT	LEASE COSTS - 1 KOOJARRA STREET WYNDHAM	1,191.67
01/11/2011	DIRECT DEBIT	LEASE COSTS - 11 KWINANA STREET WYNDHAM	1,386.00
01/11/2011	DIRECT DEBIT	FEES - BPAY	103.16
03/11/2011	DIRECT DEBIT	16B, PLUM COURT, KUNUNURRA	2,600.00
15/11/2011	DIRECT DEBIT	VEHICLE LEASE - SG FLEET AUSTRAL	1,169.91
21/11/2011	DIRECT DEBIT	LEASE COSTS - 2/1 PLUM COURT KUNUNURRA	2,296.67
25/11/2011	DIRECT DEBIT	LEASE COSTS - 12/33 KONKERBERRY DRIVE KUNUNURRA	2,166.67
30/11/2011	DIRECT DEBIT	LEASE COSTS - 16/33 KONKERBERRY DRIVE KUNUNURRA	2,253.33
Nov 2011	DIRECT DEBIT	FEES - VISACARD	6,429.11
Nov 2011	DIRECT DEBIT	MASTERCARD PAYMENT	9,064.82

Nov 2011	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	2,680.60
Nov 2011	DIRECT DEBIT	BANK FEE	<u>957.87</u>
		TOTAL DIRECT DEBIT PAYMENTS	<u><u>32,299.81</u></u>

12.2.2 Monthly Financial Report

DATE:	6 December 2011
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

PURPOSE

For Council to note and accept the Monthly Financial Report for October 2011.

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 target.

STRATEGIC IMPLICATIONS

Governance, Key Result Area 5,
Council's financial position and forward planning is sound

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

Councils 2011/2012 Budget was adopted on 19 July 2011.

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

ATTACHMENTS

The associated attachment will be provided under separate cover.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the Monthly Financial Report for the month of October 2011.

COUNCIL DECISION

Minute No. 9648

Moved: Cr D Ausburn

Seconded: Cr C Gore-Birch Gault

That Council accepts the Monthly Financial Report for the month of October 2011.

Carried Unanimously 8/0



Shire of Wyndham East Kimberley

Monthly Financial Report 2011/2012

As at 31 October 2011

Presented to Council 13 December 2011

Contents:

- 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)

Financial Activity Legend:
Above Budget Expectations: ▲
Below Budget Expectations: ▼

Shire of Wyndham East Kimberley

Statement of Financial Activity Year to Date Actual v Year to Date Budget as at 31 October 2011

	YTD Actual 2011/12 \$	YTD Budget 2011/12 \$	YTD Variance 2011/12 \$	%	
Revenue					
General Purpose Funding	1,239,447	1,227,200	12,247	1%	▲
Governance	224,525	197,200	27,325	14%	▲
Law, Order, Public Safety	15,933	15,550	383	2%	▲
Health	9,326	7,900	1,426	18%	▲
Education and Welfare	50,594	48,015	2,579	5%	▲
Housing	58,752	50,100	8,652	17%	▲
Community Amenities	1,244,180	1,231,958	12,222	1%	▲
Recreation and Culture	189,982	187,150	2,832	2%	▲
Transport	1,333,095	1,319,200	13,895	1%	▲
Economic Services	39,489	39,400	89	0%	▲
Other Property and Services	58,645	11,500	47,145	410%	▲
	<u>4,463,969</u>	<u>4,335,173</u>	<u>128,796</u>	<u>3%</u>	<u>▲</u>
Expenses					
General Purpose Funding	(166,064)	(165,300)	(764)	0%	▲
Governance	(573,068)	(537,765)	(35,303)	7%	▲
Law, Order, Public Safety	(256,346)	(255,339)	(1,007)	0%	▲
Health	(97,991)	(96,050)	(1,941)	2%	▲
Education and Welfare	(128,616)	(127,294)	(1,322)	1%	▲
Housing	(216,261)	(196,458)	(19,803)	10%	▲
Community Amenities	(2,143,264)	(2,092,693)	(50,571)	2%	▲
Recreation & Culture	(1,297,606)	(1,285,202)	(12,404)	1%	▲
Transport	(1,894,393)	(1,889,407)	(4,986)	0%	▲
Economic Services	(307,043)	(261,654)	(45,389)	17%	▲
Other Property and Services	(73,938)	(54,053)	(19,885)	37%	▲
	<u>(7,154,591)</u>	<u>(6,961,215)</u>	<u>(193,376)</u>	<u>3%</u>	<u>▲</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	0	0	0	0%	▲
Movement in Accruals and Provisions	(114,956)	(114,956)	0	0%	▼
Depreciation on Assets	1,044,692	1,036,765	7,927	0%	▲
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▲
Purchase Land and Buildings	(2,438,699)	(2,433,000)	(5,699)	0%	▲
Purchase Infrastructure Assets - Roads	(186,705)	(177,500)	(9,205)	5%	▲
Purchase Infrastructure Assets - Footpaths	(193)	0	(193)	0%	▲
Purchase Infrastructure Assets - Drainage	(43,920)	(43,000)	(920)	0%	▲
Purchase Infrastructure Assets - Other	(1,420,725)	(1,411,464)	(9,260)	1%	▲
Purchase Plant and Equipment	(77,512)	(73,000)	(4,512)	0%	▲
Purchase Furniture and Equipment	(159,549)	(159,700)	151	0%	▼
Grants / Contributions for Development of Assets	883,758	883,525	233	0%	▲
Proceeds from Disposal of Assets	5,500	5,500	0	0%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(90,679)	(90,679)	(0)	0%	▲
Proceeds from New Debentures	0	0	0	0%	▼
Transfers to Reserves (Restricted Assets)	(31,557)	(31,500)	(57)	0%	▲
Transfers from Reserves (Restricted Assets)	0	0	0	0%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	7,677,243	7,677,243	0	0%	▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	8,652,575	8,766,192	(113,617)	1%	▼
Amount Required to be Raised from Rates	<u>6,296,499</u>	<u>6,324,000</u>	<u>(27,501)</u>	<u>0%</u>	<u>▼</u>

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity

Net Current Assets as at 31 October 2011

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

	YTD Actual 2011/12	Brought Forward 1 July 2011
CURRENT ASSETS		
Cash - Unrestricted	6,721,753	2,232,123
Cash - Restricted	8,148,631	8,117,074
Cash - Restricted Unspent Grants	0	4,200,124
Receivables	4,638,428	3,482,496
Inventories	15,523	15,002
	<u>19,524,335</u>	<u>18,046,818</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	(2,723,128)	(2,252,502)
Less: Cash - Restricted	<u>(8,148,631)</u>	<u>(8,117,074)</u>
NET CURRENT ASSET POSITION	<u><u>8,652,575</u></u>	<u><u>7,677,243</u></u>

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2011

Explanation of Material Variances

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

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

Operating

Recurrent Income - Excluding Rates ▲

General Purpose Funding ▲

No material variances to report

Governance ▲

Contributions - Projects/Business Planning - Kimberley Zone

\$ 22,700 ▲ Unbudgeted revenue received for Business Case development

Law, Order and Public Safety ▲

No material variances to report

Health ▲

No material variances to report

Education and Welfare ▲

No material variances to report

Housing ▲

Plum Court Kununurra - Rental Income

\$ 6,100 ▲ New lease for staff housing, offset against expenses. Budget will be applied at review.

Community Amenities ▲

No material variances to report.

Recreation and Culture ▲

No material variances to report.

Transport ▲

Vending Machine Revenue - East Kimberley Regional Airport

\$ 6,900 ▲ Overachieved revenue to annual budget, offset by higher expenditure to purchase goods. Budget to be adjusted at review.

Economic Services ▲

No material variances to report.

Other Property and Services ▲

Transfer in Long Service Leave Entitlements

\$ 44,700 ▲ Unbudgeted revenue received for staff benefits.

Recurrent Expenditure ▲

General Purpose Funding ▲

No material variances to report.

Governance ▲

Organisational Culture Training

\$ 22,800 ▲ Costs to be journalled to individual departments.

Law, Order and Public Safety ▲

No material variances to report.

Health ▲

No material variances to report.

Education and Welfare ▲

No material variances to report.

Housing ▲

Lease Costs - Parry Creek Farm Accommodation Wyndham

\$ 5,500 ▲ Temporary staff accomodation, offset against revenue. Budget will be applied at review.

Lease Costs - Plum Court Kununurra

\$ 7,800 ▲ New lease for staff housing, offset against revenue for and surrender of another lease included in adopted budget. Budget will be applied at review.

Community Amenities ▲

Weaver Plain Flood Mitigation

\$ 27,600 ▲ Extra expenditure on additional strengthening of concrete. To be adjusted at review.

Recreation and Culture ▲

No material variances to report.

Transport ▲

No material variances to report.

Economic Services ▲

Town Entry Statements Kununurra - Tourism & Area Promotion

\$ 44,200 ▲ Return of grant. Budget value currently carried in capital, to be adjusted at review.

Other Property and Services ▲

No material variances to report.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2011

(continued)

Non Cash Expenditure and Revenue

Adjustments and Accruals

No material variances to report.

Capital

Purchase Infrastructure Assets - Other

▲

Wyndham Recreational Jetty	\$	29,400	▲	Overspent to annual budget. To be reviewed.
Town Entry Statements Kununurra - Tourism & Area Promotion	\$	44,200	▼	Return of grant. Budget value carried in capital, but expended as operating. To be adjusted at review.
Whitegum Park Redevelopment	\$	17,100	▲	Additional lighting required within toilet block. Will require budget amendment at review.

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity Budget Remaining to Collect/Spend as at 31 October 2011

	YTD Actual 2011/12 \$	Annual Budget 2011/12	Budget Remaining 2011/12 \$	%	
Revenue					
General Purpose Funding	1,239,447	4,046,649	2,807,202	69%	▼
Governance	224,525	484,320	259,795	54%	▼
Law, Order, Public Safety	15,933	114,507	98,574	86%	▼
Health	9,326	46,500	37,174	80%	▼
Education and Welfare	50,594	125,500	74,906	60%	▼
Housing	58,752	887,889	829,137	93%	▼
Community Amenities	1,244,180	2,162,878	918,698	42%	▼
Recreation and Culture	189,982	584,500	394,518	67%	▼
Transport	1,333,095	4,392,596	3,059,501	70%	▼
Economic Services	39,489	354,000	314,511	89%	▼
Other Property and Services	58,645	109,904	51,259	47%	▼
	<u>4,463,969</u>	<u>13,309,243</u>	<u>8,845,274</u>	<u>66%</u>	<u>▼</u>
Expenses					
General Purpose Funding	(166,064)	(535,060)	(368,995)	69%	▼
Governance	(573,068)	(2,577,379)	(2,004,311)	78%	▼
Law, Order, Public Safety	(256,346)	(620,666)	(364,320)	59%	▼
Health	(97,991)	(409,222)	(311,231)	76%	▼
Education and Welfare	(128,616)	(402,614)	(273,997)	68%	▼
Housing	(216,261)	(560,822)	(344,561)	61%	▼
Community Amenities	(2,143,264)	(5,012,413)	(2,869,149)	57%	▼
Recreation & Culture	(1,297,606)	(3,916,755)	(2,619,149)	67%	▼
Transport	(1,894,393)	(5,524,938)	(3,630,544)	66%	▼
Economic Services	(307,043)	(1,043,908)	(736,865)	71%	▼
Other Property and Services	(73,938)	(116,075)	(42,137)	36%	▼
	<u>(7,154,591)</u>	<u>(20,719,851)</u>	<u>(13,565,260)</u>	<u>65%</u>	<u>▼</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	0	(760,643)	(760,643)	100%	▼
Movement in Accruals and Provisions	(114,956)	0	114,956	0%	▼
Depreciation on Assets	1,044,692	2,916,607	1,871,915	64%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▲
Purchase Land and Buildings	(2,438,699)	(12,152,323)	(9,713,624)	80%	▼
Purchase Infrastructure Assets - Roads	(186,705)	(10,172,894)	(9,986,189)	98%	▼
Purchase Infrastructure Assets - Footpaths	(193)	0	193	0%	▲
Purchase Infrastructure Assets - Drainage	(43,920)	(740,000)	(696,080)	94%	▼
Purchase Infrastructure Assets - Other	(1,420,725)	(3,595,166)	(2,174,442)	60%	▼
Purchase Plant and Equipment	(77,512)	(1,170,500)	(1,092,988)	93%	▼
Purchase Furniture and Equipment	(159,549)	(728,400)	(568,851)	78%	▼
Grants / Contributions for Development of Assets	883,758	16,105,764	15,222,006	95%	▼
Proceeds from Disposal of Assets	5,500	1,173,002	1,167,502	100%	▼
Proceeds from Sale of Land Held for Resale	0	300,000	300,000	100%	▼
Repayment of Debentures	(90,679)	(1,114,499)	(1,023,820)	92%	▼
Proceeds from New Debentures	0	1,650,000	1,650,000	100%	▼
Transfers to Reserves (Restricted Assets)	(31,557)	(462,024)	(430,467)	93%	▼
Transfers from Reserves (Restricted Assets)	0	2,630,648	2,630,648	100%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	7,677,243	7,280,968	(396,275)	-5%	▲
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	8,652,575	98,800	(8,553,775)	-8658%	▲
Amount Required to be Raised from Rates	<u>6,296,499</u>	<u>6,348,867</u>	<u>52,368</u>	<u>1%</u>	<u>▼</u>

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

INVESTMENT POLICY F17

RESULTS AS AT 31 OCTOBER 2011

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

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

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

"Term to Maturity Framework"

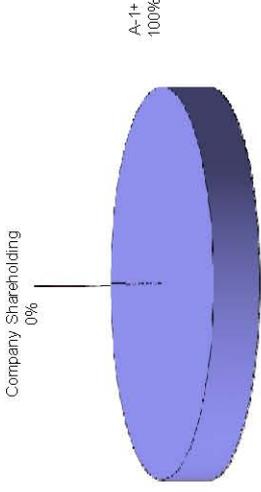
Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100% max 40% min
Portfolio % > 1 year	60%
Portfolio % > 3 year	35%
Portfolio % > 5 year	25%
Individual Investment Maturity Limits	
ADI	5 years
Non ADI	3 years

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

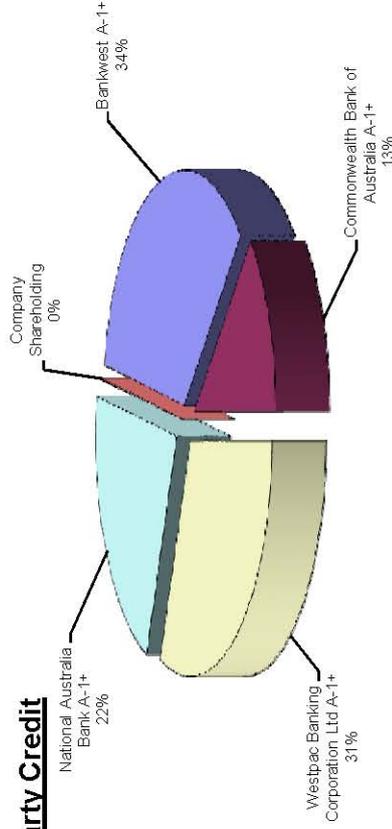
EXPLANATION OF VARIANCES:

(1) 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. Council minute 9484 of 21 June 2011 confirms Councils intention to continue listing with the Company for the purposes of disposal and review status in twelve months (June 2012) if still held. A Council decision is required for the disposal of the shares.

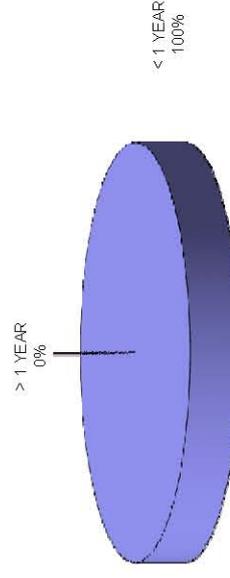
Overall Portfolio



Counterparty Credit



Term to Maturity



12.3 INFRASTRUCTURE SERVICES

12.3.1 Messmate Way / Konkerberry Roundabout

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Kevin Hannagan, Director Infrastructure
REPORTING OFFICER:	Kevin Hannagan, Director Infrastructure
FILE NO:	RD.07.6

PURPOSE

To update Councillors on the redesign and costing of Messmate Way / Konkerberry Roundabout.

BACKGROUND

Council has in its 2011/12 Capital Works Budget expenditure of \$155,000 and income (from Kimberley Regional Road Group, Black Spot funding) of \$46,727. The project was to renew the road pavement.

After a survey of the existing roundabout it has been found that the original design does not meet current standards for 'as of right' use traffic. The roundabout is being damaged as it is too small for today's sized vehicles. The survey has identified that there are a number of services in near proximity to the roundabout making design complex.

A design has been completed and costing of the proposed roundabout is \$400,000.

Council Officers have made a Kimberley Regional Road Group 2012/13 funding application of \$266,667 (2/3 MRWA, 1/3 SWEK) towards this project.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

The Black Spot funding will not be accessed if Council is successful in receiving Kimberley Regional Project Grant funding for next year. This will mean that the 2011/12 Council Budget will have a net \$108,273 not expended. Should Council be successful in receiving RPG funding it will need to budget a further \$25,060 in the 2012/13 Capital works budget. It also may be possible to commence the project in the current financial year using existing 2011/12 budget if 2012/13 RPG and 2012/13 SWEK Budget are assured.

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Infrastructure, Key Result Area 1, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Road network that is safe and meets its functional requirements

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

ATTACHMENTS

Attachment 1 – Construction and Set-out Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Approves the re-design drawings of Messmate Way / Konkerberry Roundabout to meet current standards for 'as of right' use traffic as presented at Councillor Briefing of 6 December 2011.
- 2) Endorses Council Officers making application to the Kimberley Regional Road Group (KRRG) for two thirds funding (\$266,667 MRWA / \$133,333 SWEK) towards the \$400,000 project.
- 3) Endorses not proceeding with previous KRRG Black Spot funding of \$46,727 should revised funding submission at item 2 be successful.
- 4) Endorses using 2011/12 SWEK Capital Works Funding of \$108,273 to commence the project during the 2011/12 financial year.
- 5) Provides additional funding of \$25,060 in the 2012/13 Budget towards completing the project.

COUNCIL DECISION

Minute No. 9649

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council:

- 1) **Approves the re-design drawings of Messmate Way / Konkerberry Roundabout to meet current standards for 'as of right' use traffic as presented at Councillor Briefing of 6 December 2011.**
- 2) **Endorses Council Officers making application to the Kimberley Regional Road Group (KRRG) for two thirds funding (\$266,667 MRWA / \$133,333 SWEK) towards the \$400,000 project.**
- 3) **Endorses not proceeding with previous KRRG Black Spot funding of \$46,727 should revised funding submission at item 2 be successful.**
- 4) **Endorses using 2011/12 SWEK Capital Works Funding of \$108,273 to commence the project during the 2011/12 financial year.**
- 5) **Provides additional funding of \$25,060 in the 2012/13 Budget towards completing the project.**

Carried 7/1

**For: Cr D Ausburn, Cr J McCoy, Cr C Gore-Birch Gault,
Cr J Parker, Cr J Moulden, Cr K Torres, Cr A Horn
Against: Cr R Dessert**

12.4 DEVELOPMENT SERVICES

12.4.1 Development Services September 2011 Quarterly Report

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Julia Hall, Development Services Coordinator
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	GR.06.1

PURPOSE

For Council to note the Development Services September Quarterly Report for the period of 1 July 2011 to 30 September 2011.

BACKGROUND

The Shire's Development Services Department is responsible for enforcing compliance with Australian and Western Australian State Acts, Regulations and legislation on behalf of the Shire, including *the Environmental Protection Act 1994*, the *Planning and Development Act 1995*, *Building Code of Australia* and the *Food Act 2008*. Each quarter the Development Services Department provide a report of activities conducted within the quarter regarding the implementation aspects of these Acts and Regulations.

STATUTORY IMPLICATIONS

The statutory implications of this report are overarching compliance to the:

- *Local Government Act 1995*
- *Local Government (Miscellaneous Provisions) Act 1960*
- *Planning and Development Act 2005*
- *Town Planning Regulations 1967*
- *Planning and Development Regulations*
- *Local Planning Schemes*
- *Local Laws*
- *Environmental Protection Act 1994*
- *Environmental Protection and Biodiversity Act 1999*
- *Environmental Protection (Noise) Regulations 1997*
- *Building Regulations 1989*
- *Building Code of Australia*
- *Residential Design Codes Western Australia*
- *Food Act 2008*
- *Health Act Western Australia 1911*
- *Caravan and Camping Grounds Regulations 1997*
- *Food Regulations 2009*
- *Health (Aquatic Facility) Regulations 2007*
- *Dog Act 1976*
- *Control of Vehicles (Off-road areas) 1978*
- *Litter Act 1979*

POLICY IMPLICATIONS

The policy implications of this report are overarching compliance to the:

- *Local Planning Policies*
- *Council Policies*
- *Development control Policies*
- *Local Laws*

FINANCIAL IMPLICATIONS

During the period of 1 July 2011 to 30 September 2011 the construction value of the 35 Building Licences issued for the September Quarter was \$14,326,507.00.

STRATEGIC IMPLICATIONS

The strategic implications of this report are overarching compliance to the

- *Shire of Wyndham East Kimberley Strategic Plan 2008*
- *Local Planning Strategy*
- *Strategic Planning Policies*

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The September 2011 quarter showed the involvement of Development Services in a diverse range of major and minor projects and planning including Wyndham Work Camp, Integrated Planning Framework including the Community Strategic Plan (EK@25), East Kimberly Regional Airport Master Plan and the Ord Expansion Area Rezoning.

The Local Planning Scheme Review is in the process of being finalised which has included a review workshop with Councillors. There are also a number of amendments to the existing Town Planning Schemes that are presently being processed.

The construction value of the Building Licences issued for the September Quarter was \$14,326,507.00 and in comparison with the figures for the same time last year, the construction value has decreased for this period by 25%.

The routine assessment of premises was carried out on food shops, itinerant food vendors, caravan park and camping grounds, lodging houses, public buildings, hairdressers and beauty therapy businesses. Public swimming pools were sampled monthly in accordance with *Health (Aquatic Facility) Regulations 2007*.

Statistics for Ranger Services reflect the increased number of illegal campers moved on and for the impound and the destruction of dogs.

ATTACHMENTS

Attachment 1 – Development Services September 2011 Quarterly Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Notes the Development Services Quarterly Report for the period of 1 July 2011 to 30 September 2011.

COUNCIL DECISION

Minute No. 9650

Moved: Cr D Ausburn

Seconded: Cr C Gore-Birch Gault

That Council:

- 1) **Notes the Development Services Quarterly Report for the period of 1 July 2011 to 30 September 2011.**

Carried Unanimously 8/0

Cr D Ausburn leaves meeting room at 6.16pm.

Development Services Quarterly Report July - September 2011

Major projects and planning

Major projects and planning initiated and/or completed for the September 2011 quarter include:

- Coolibah Estate
- Wyndham Work Camp
- Lakeside Park Residential Estate expansion
- Weaber Plain (Stage 2) Industrial Estate
- Integrated Planning Framework including Community Strategic Plan (EK@25)
- Water Lily Place Housing Development
- Ord Expansion Area Rezoning
- Town Planning Scheme Review
- Wyndham Rural Residential Development
- Community Leases
- East Kimberley Regional Airport Master plan

Minor Projects and planning

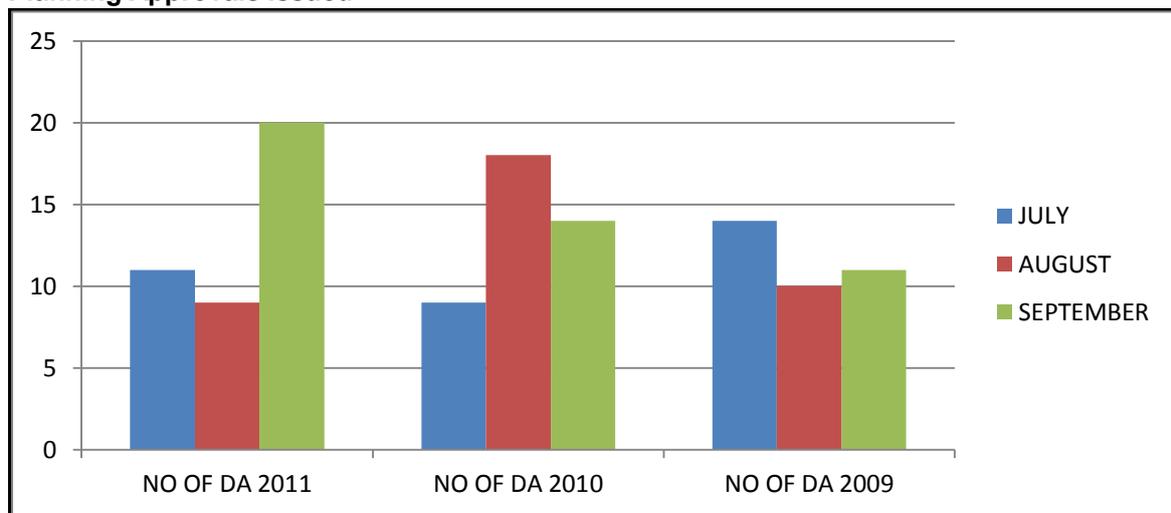
Minor projects and planning initiated and/or completed for the September 2011 quarter include:

- Request for quotations for plans to upgrade the Celebrity Tree Park Boat Ramps
- Survey work and dealings with the Department of Regional Development and Lands to facilitate the development of the East Kimberley Volunteer Marine Rescue facility.

Planning Approvals

The Shire issued 40 planning approvals for the September 2011 quarter, which is 30% greater than for the previous quarter with a peak in approvals in the month of September, which is consistent with the previous years.

Planning Approvals Issued



Local Planning Scheme Review

Shire Officers have engaged with consultants to assist and prepare the Shire's new (consolidated) Planning Scheme which was subject to a workshop with Councillors and is proposed to be reported to a meeting early in the New Year.

Amendments

Shire officers processed the following Amendments in the September 2011 Quarter:

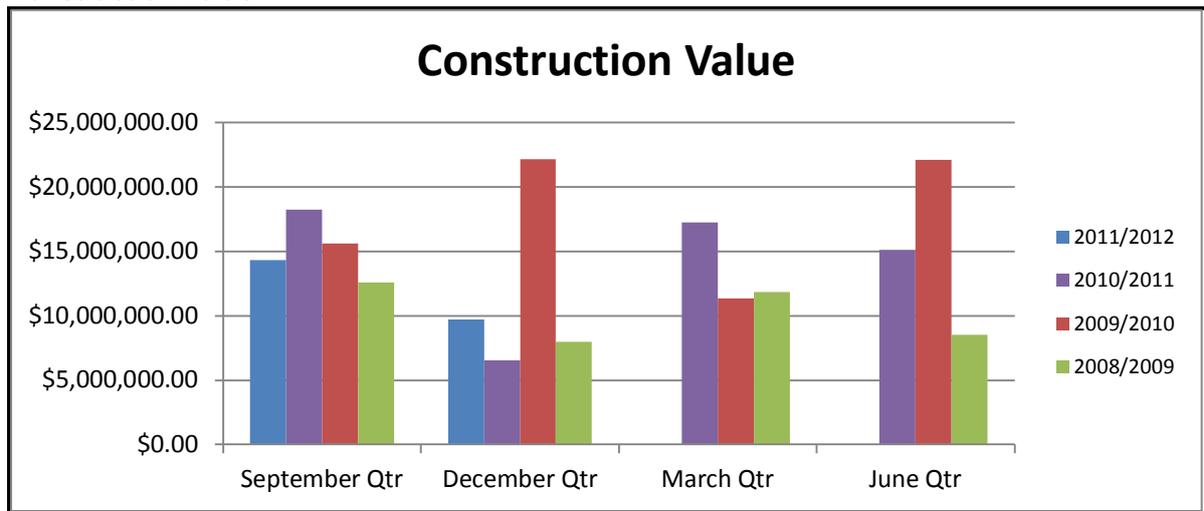
- Amendment 38 to TPS No 7 – Recoding Lots between Mistletoe Street and Barringtonia Avenue
- Amendment 39 to TPS No 7 – Modification to Scheme Text

Building

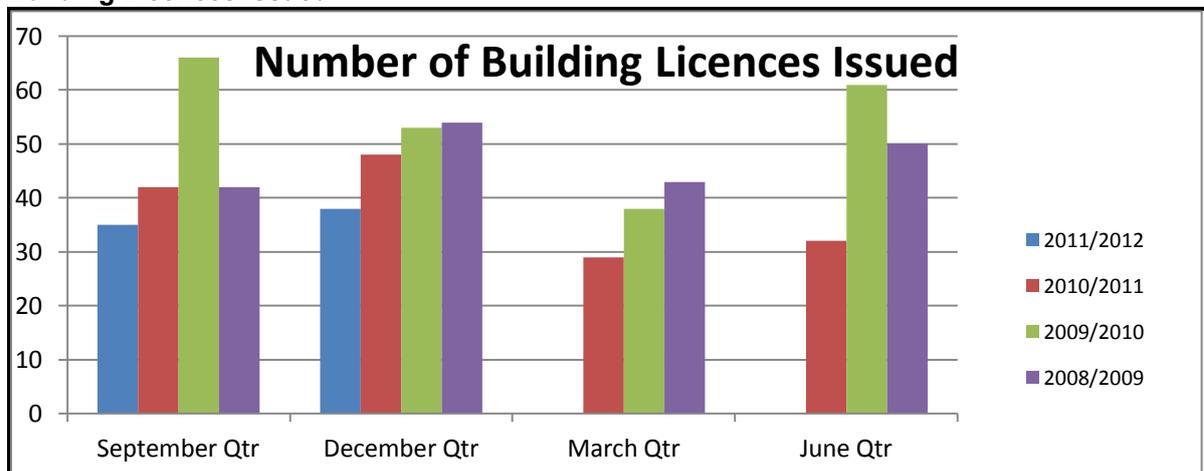
The construction value of the 35 Building Licences issued for the September Quarter was \$14,326,507.00.

In comparison with the figures for the same time last year, the construction value has decreased for this period by 25% whilst the number of building licences has decreased by 10%. This is shown on the figures and tables below.

Construction Value



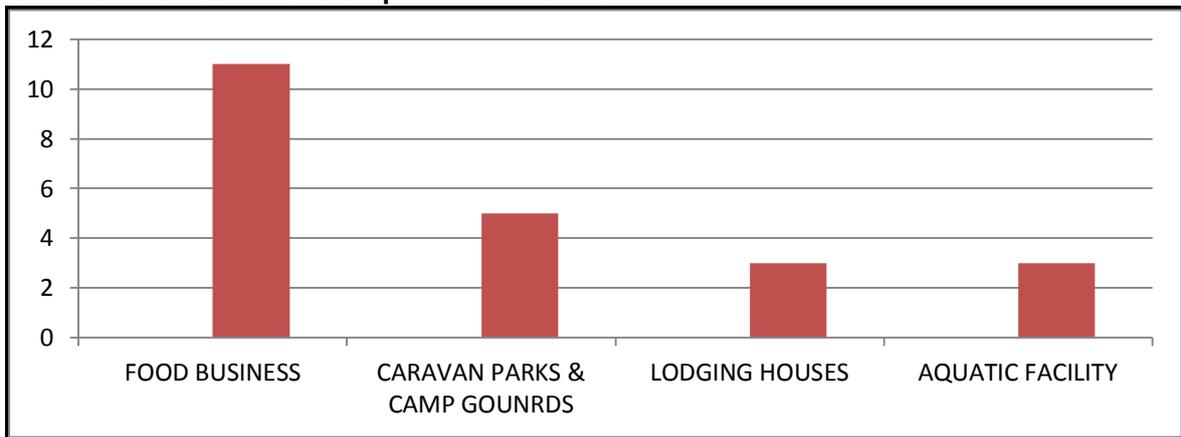
Building Licences Issued



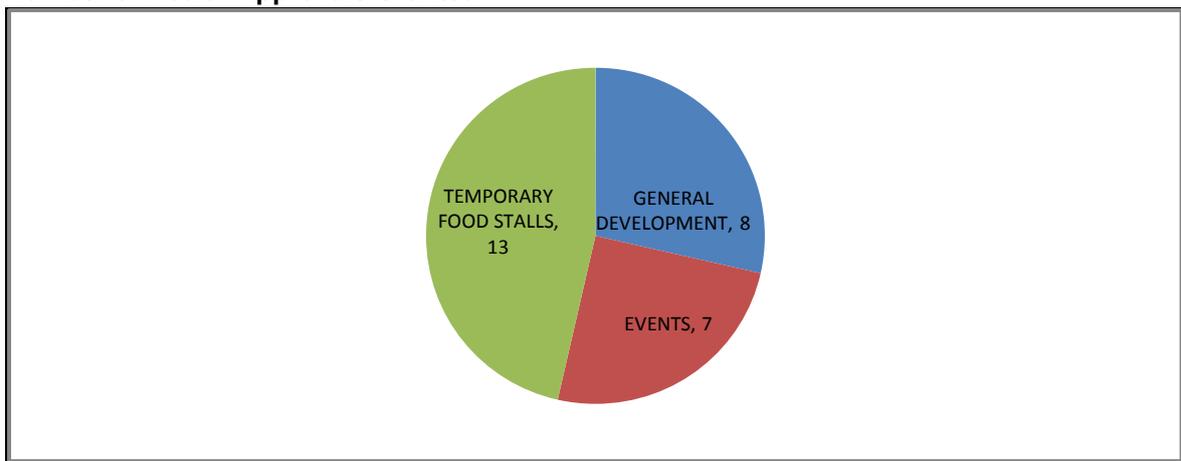
Environmental Health

Routine assessment of premises bound by the *Health Act 1911* and other health related legislation ensures high environmental health standards are maintained in the Shire. Those routinely assessed are food shops, itinerant food vendors, caravan park and camping grounds, lodging houses, public buildings, hairdressers and beauty therapy businesses. Frequency of assessment is determined by the potential health risk of business activities and past inspection history.

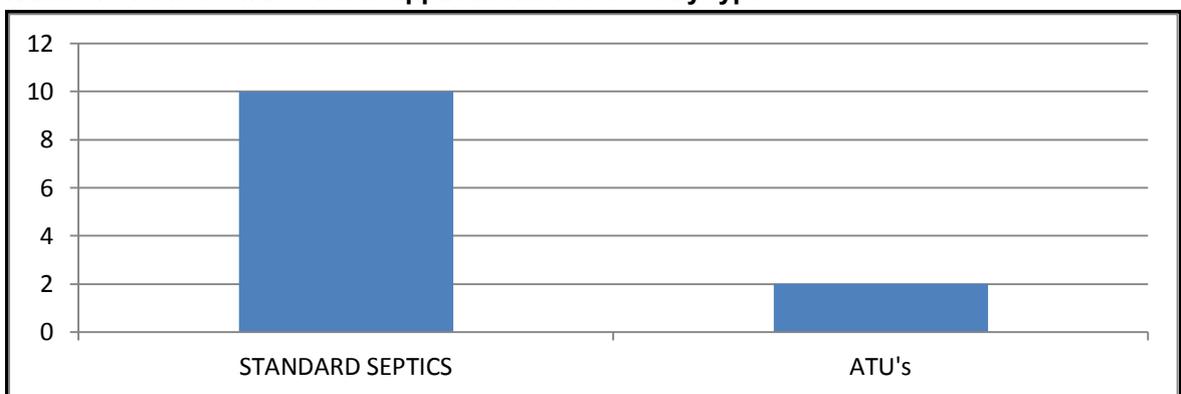
Number of Routine Health Inspections Conducted



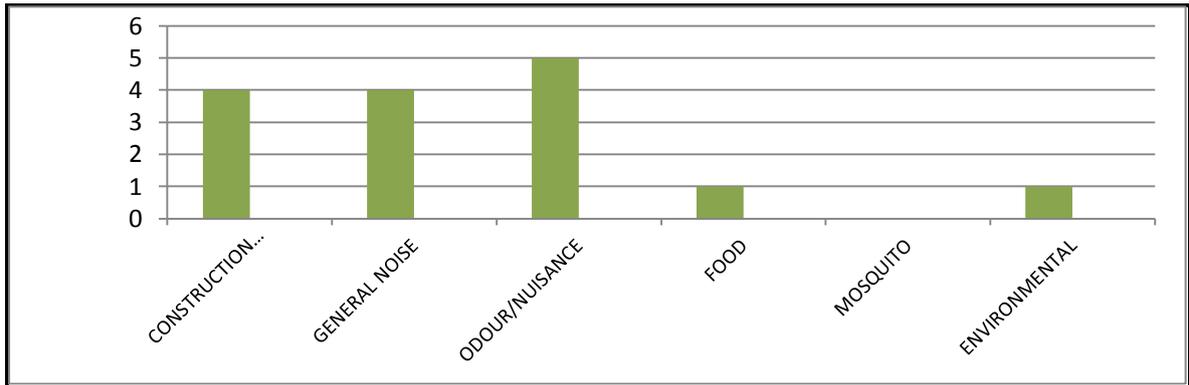
Number of Health Approvals Granted



Number of Onsite wastewater applications received by type



Number of Health Complaints received by type

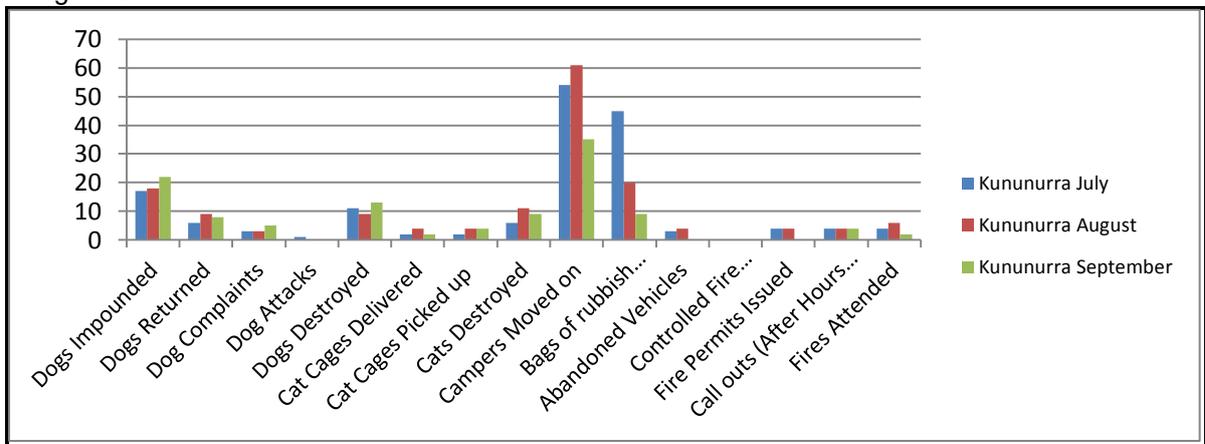


Overall there was an increase in the total number complaints since last quarter. Over half the complaints were related to noise and half of these again were directly related to construction noise occurring outside of acceptable hours. All complaints have been actioned or are pending further investigation.

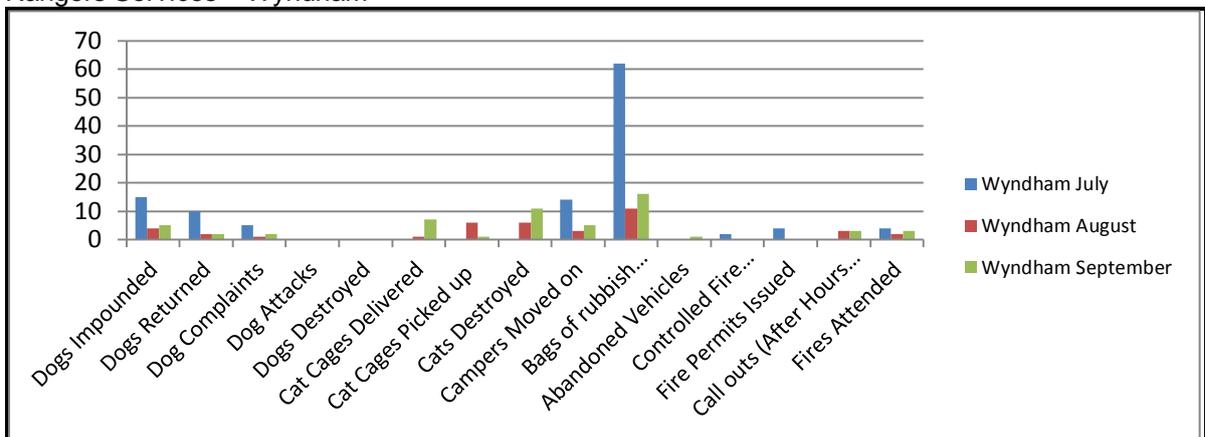
Rangers

The September 2011 quarter reflects previous trends in Ranger Services. Councillors will note an increase in the number of dogs impounded (and destroyed) within this period. The statistics for Kununurra also show a sharp increase in the number of campers moved on in July and August and in Wyndham peaking in the month of July.

Rangers Services – Kununurra



Rangers Services – Wyndham



12.4.2 Proposed Change of Use to Office – 6 Cottontree Avenue, Kununurra

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Dean Pettit, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A1158P
ASSESSMENT NO:	A1158

PURPOSE

For Council to consider an application for planning consent for a change of use to an Office at Lots 1165-1167, 6 Cottontree Avenue, Kununurra.

BACKGROUND

An application for planning consent was lodged on 2 December 2011 for an office at Lots 1165 to 1167, 6 Cottontree Avenue, Kununurra. The proposal involves the internal refurbishment of the existing bakery (refer to Attachment 1).

The development is located opposite Gulliver's Tavern and next to Valentines Pizzeria as shown on Figure 1 below.

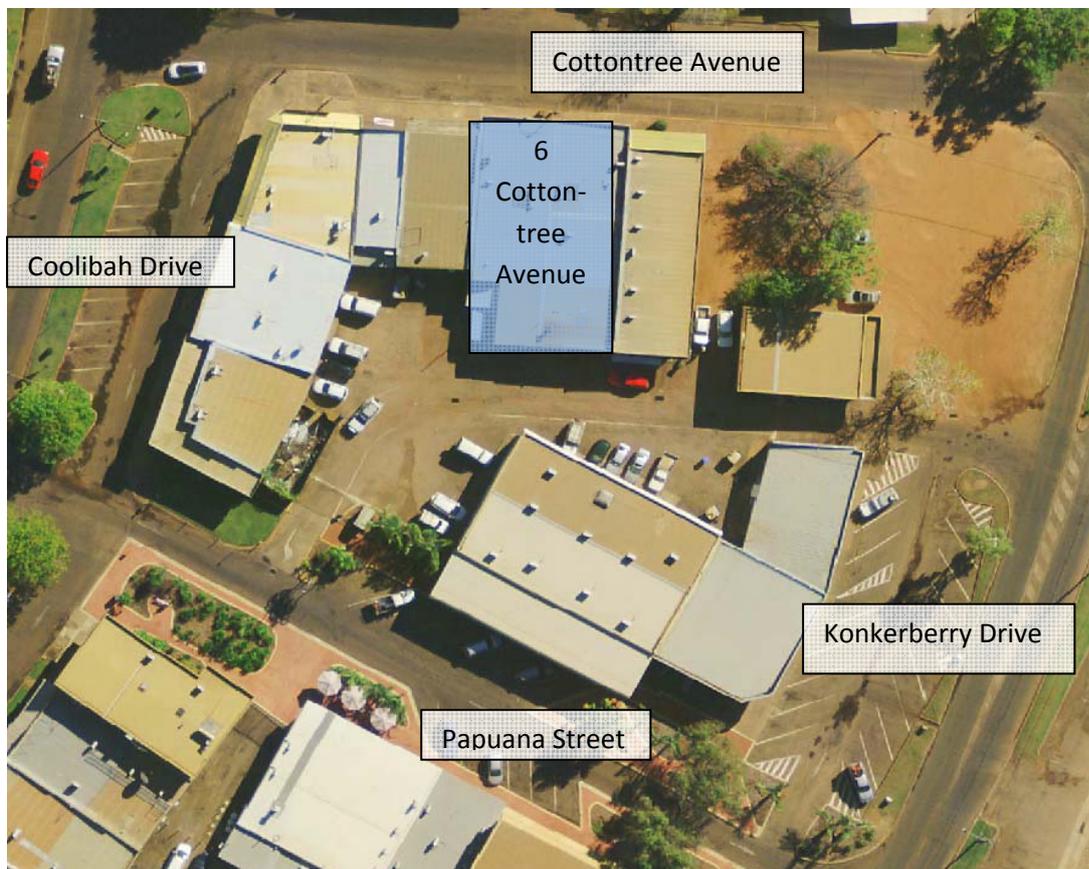


Figure 1 – Site location

History of the land and the application

The property at 6 Cottontree Avenue is 474m², comprises of Lots 1165 to 1167 and was developed in 1973 as a bakery and tea rooms. The bakery has been operating under different guises since that time and was purchased by the current owners in 1995. Since then the land has been used as a lunch bar, and more recently as a wholesale bakery which, under the Town Planning Scheme would be defined as Industry – General.

Car Parking

There are 9 bays along Cottontree Avenue within Shire's road reserve and additional bays to the rear of the property constructed within Shire's right-of-way (road reserve).

The applicant acknowledges that they do not satisfy the parking requirements for the proposal under the Town Planning Scheme, and has provided reasons why the shortfall should be permitted. These reasons are as follows:

- *During the hours when the office will be operating the parking bays are usually empty;*
- *Valentines Pizzeria opens from 5pm each day and will not attract customers when the office is open;*
- *The Commonwealth Bank has private on-site parking; and*
- *Gulliver's Tavern is not open until 12pm, has a predominately evening clientele and also has on-site parking.*

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra and Environs

The land is zoned *Town Centre* under the *Town Planning Scheme No. 7 – Kununurra & Environs*. The use of office is permitted given that it complies with the relevant standards and requirements laid down in the Scheme.

5.10.1 Town Centre Zone - Objectives

- (c) *To apply appropriate development and land use controls to ensure the development is to a satisfactory standard*

5.10.5 Consideration for Planning Approval

In considering an application for planning approval for a proposed development (including additions and alterations to existing development) in the town centre zone, the Council shall have regard to the following:

- f) Function of the building*
- g) Relationship to surrounding development*
- h) Parking and landscaping requirements*
- i) Other characteristics to be considered by Council*

The current use of Industry – General is a non-conforming use.

Car Parking Requirements

- 8.1.1 Car parking shall be provided for each development in accordance with the requirements of the Residential Planning Codes and Table 2 of this Scheme. In this table an Office is to provide one bay for every 40m². The former wholesale bakery use (classified as General Industry under the Scheme) is considered to have a*

'credit' of 5 bays. The change of use to an Office, however would require 12 bays, representing therefore, a shortfall of 7 parking bays.

Discretion to waiver or vary standards for car parking is available to Council at Clause 5.5 of the Town Planning Scheme.

5.5 DISCRETION TO MODIFY DEVELOPMENT STANDARDS

5.5.1 If a development, other than a residential development, the subject of an Application for Planning approval, does not comply with a standard or requirement prescribed by the Scheme in Table 2 with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit provided such use is a permitted or discretionary use in Table 1.

5.5.2 The power conferred by this Clause may only be exercised if the Council is satisfied that:

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirement or standard will not be unreasonably departed thereby*

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The proposal meets all requirements of the Town Planning Scheme, except as that applies to parking, being with respect to a shortfall of 7 parking bays. It also provides for a 'conforming' use within the zone, as opposed to the currently authorized 'non-conforming' Industry – General.

Having regard to the 'satisfaction' matters listed in Clause 5.5.2, the following advice is provided:

- The group of commercial buildings predate the current planning controls with respect to car parking. It may be viewed as unreasonable to apply current controls in this instance;
- This commercial area appears to have been constructed purposefully to accommodate a mix of customer and staff parking as well as rear loading;
- Ample parking is available both at the rear and front of the premises;
- In line with the information supplied by the applicant, it could be argued that a proportion of surrounding businesses generally operate outside the hours the proposed office will operate; and
- It's only a small shortfall of parking.

Discretion to modify standards with respect to this parking shortfall is not considered to be inconsistent with the orderly and proper planning of the locality. The change of uses would be anticipated in this area. The minor reduction in parking, furthermore, would not be considered to have any appreciable or adverse impact on nearby properties. Neither does the request represent an unreasonable departure from the standards specified.

It is recommended that the application be approved subject to conditions with respect to the storage of waste on site and that all loading/unloading be conducted from the rear of the premises, similar to those applied to the Subway application at 112b Coolabah Drive, Kununurra (Item 12.4.2, 18 October 2011 Ordinary Council Meeting).

ATTACHMENTS

Attachment 1 – Development plans and proposal letter

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for the use of Lot 1165-1167, 6 Cottontree Avenue, Kununurra for an Office subject to the following conditions:

- 1) All development shall occur in accordance with the submitted plans unless otherwise required or directed by the following conditions. Any modifications to the proposed development must be submitted to Council for re-assessment and issuance of a revised planning approval. The land and any buildings on the land shall not be used or occupied unless all conditions of planning consent have been and continue to be complied with.
- 2) Waste is to be stored on site.
- 3) All loading/unloading shall be conducted only from the rear of the site and shall not obstruct traffic.

COUNCIL DECISION

Minute No. 9651

Moved: Cr R Dessert

Seconded: Cr K Torres

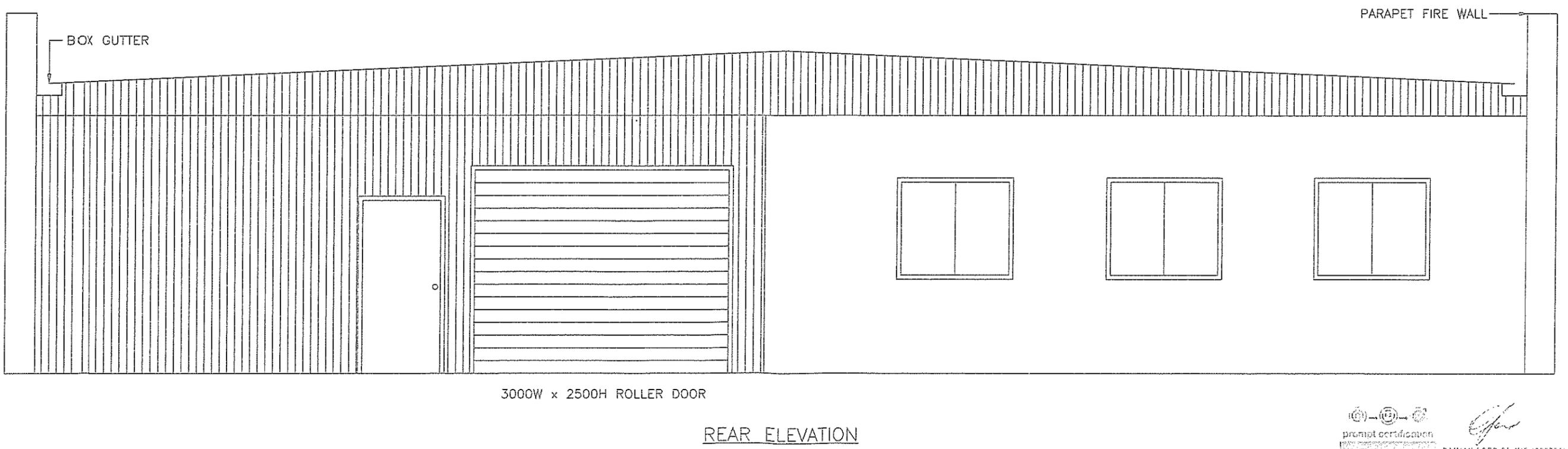
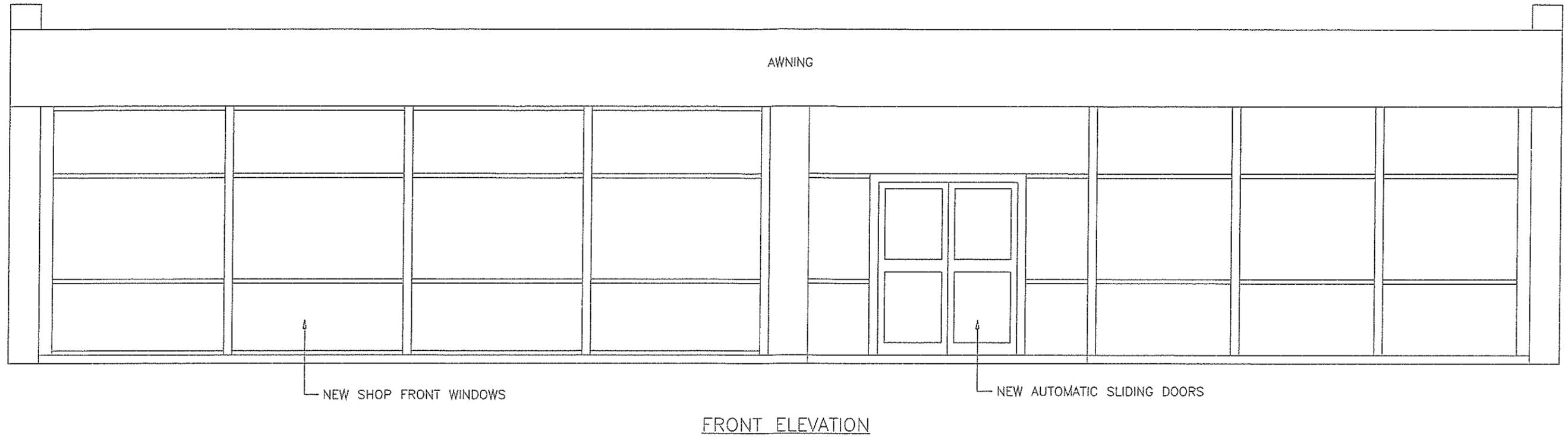
That Council grants planning consent for the use of Lot 1165-1167, 6 Cottontree Avenue, Kununurra for an Office subject to the following conditions:

- 1) All development shall occur in accordance with the submitted plans unless otherwise required or directed by the following conditions. Any modifications to the proposed development must be submitted to Council for re-assessment and issuance of a revised planning approval. The land and any buildings on the land shall not be used or occupied unless all conditions of planning consent have been and continue to be complied with.**
- 2) Waste is to be stored on site.**
- 3) All loading/unloading shall be conducted only from the rear of the site and shall not obstruct traffic.**

_Carried Unanimously 7/0

Cr D Ausburn returns to meeting room at 6.17pm.

Attachment 1 - Development plans





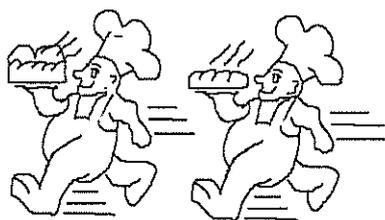
 prompt certification



 DAMIAN FORD BE MIE (308784)

 10-10-2011

REV 0	title ELEVATIONS scale 1:100 155-E02	project PROPOSED RENOVATIONS 6 COTTONTREE AVE KUNUNURRA	client FRANMOR CONSTRUCTIONS builder FRANMOR CONSTRUCTIONS	NICKAD	DESIGN DRAFTING P.O. Box 2189 Kununurra WA 6743
Ordinary Council Meeting Minutes		13 December 2011	Page 51 of 138		



Kimbercrust Bakery
3 Konkerberry Drive
PO Box 969
KUNUNURRA WA 6743
Phone: (08) 9169 1664
Fax: (08) 9168 1377
kimbercrust@westnet.com.au

Kimbercrust Bakery

2 December 2011

Dear Jenny

Re: 6 Cottontree Avenue, Kununurra WA 6743

Please find enclosed our application for planning approval/change of use.

We previously operated the building as a Bakery / Lunch bar with seating for 36 patrons and we have owned and operated the business since 1995.

The premises at the time being a lunch bar/takeaway was operational between 5am – 9pm and was allocated 4 parking bays to the front of the premises and 5 parking bays to the rear which was adequate.

The company slowly moved away from front of house service to become wholesale.

In our application for change of use to ``office`` we wish to point out that the parking required for this be considered,(being a Govt Dept that is interested in the building office hours are usually 8am to 4pm).

Valentines Pizzeria located next door does not open until 5pm each day; Gulliver's Tavern does not open until 12pm each day but operationally has more of an evening trade and has parking to the side of their premises.

The Commonwealth Bank utilises their own private car park off Cottontree Ave.

During the day there is very little car parking happening in Cottontree and that the bays are usually empty.

Thanking you for considering this request.

If you have any quires or would like to discuss further please do not hesitate to contact our office.

Kind regards

A handwritten signature in black ink, appearing to be 'D' followed by a flourish.

Glenn & Di Ausburn

12.4.3 Kimberley Training Facility – Lot 107 Kentia Way, Kununurra

DATE:	13 December 2011
PROPONENT:	Kimberley Group Training
LOCATION:	Lot 107 Kentia Way, Kununurra
AUTHOR:	Dean Pettit, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A7090P
ASSESSMENT NO:	A7090

PURPOSE

For Council to consider an application for planning consent for a training facility on Lot 107 Kentia Way, Kununurra.

BACKGROUND

An application for planning consent was lodged on 25 August 2011 for a training facility at Lot 107 Kentia Way, Kununurra. The proposal involves the development of a new training facility and administration offices (refer to Attachment 1).

The land is 2500m² in area and backs onto a drainage reserve. The development is located two lots away from Kimberley Waste Services, opposite Norforce (Department of Defence) and is in the Weaber Plain Light Industrial area as shown on Figure 1 below.

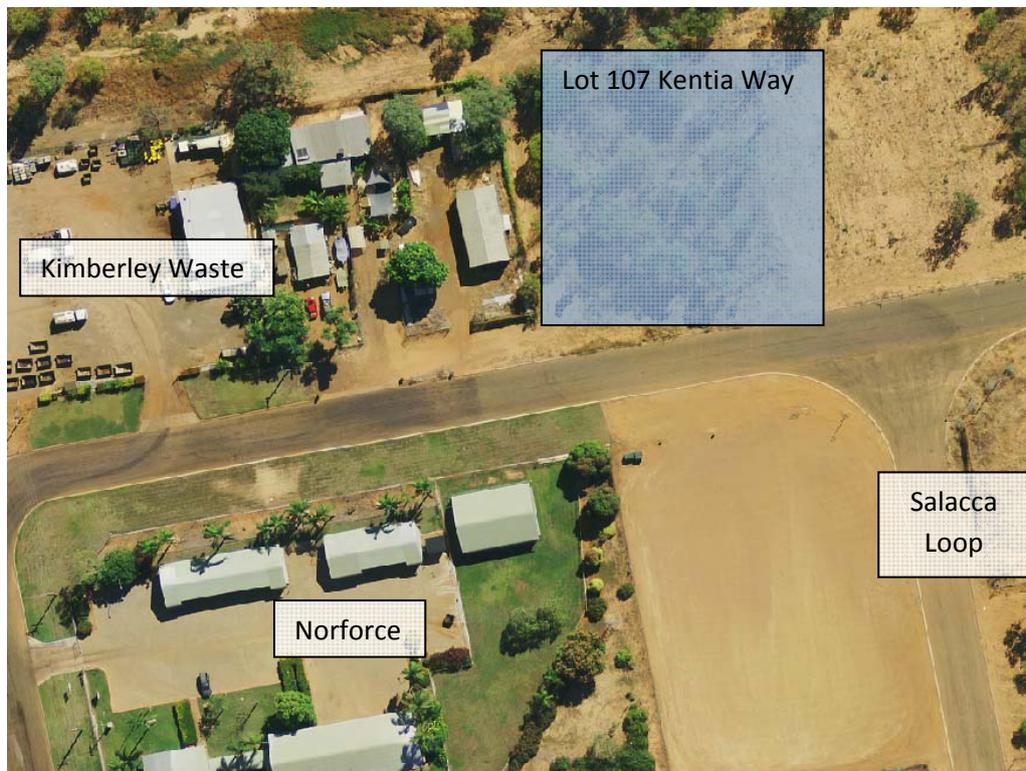


Figure 1 – Site location

Proposal

The applicant, Kimberley Group Training is developing a training facility which will involve the construction of one administration and one skills training building. Administration staff who manage and coordinate the operations of the organisation will be housed in a number of offices on-site, and the six training rooms will be used to conduct manual arts skills training for employment within a range of industries including the manufacturing and service industry (specifically with employers within the construction, mining and engineering sector).

The applicant's current premises is located within Kununurra's Town Centre, and the applicant has stated that they believe moving all administrative and training work to the new location will improve the quality of facilities and training that they offer (refer to Attachment 2). Combined with the proposed shuttle service offered to trainees which will operate from town, the applicant has stated that the proposed out of town location will provide fewer distractions and it is hoped to result in better trainee retention.

The development will provide 19 parking bays including one universal access bay. A 3 metre wide landscaping strip along the front of the property and paved, universal access will be developed into each building. The applicant has stated that attractive landscaping will also be developed within and around the proposed car park.

It is acknowledged that anticipated wastewater volumes from the proposed development exceed limitations set out in the *WA Draft Country Sewerage Policy*. The applicant is currently liaising with the Department of Health to obtain approval for a waste water treatment system to be located on-site, and further information will be presented to the Shire's Environmental Health Officer regarding this matter.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra and Environs

The land is zoned *Light Industrial* under the *Town Planning Scheme No. 7 – Kununurra and Environs*. An *Educational Establishment* is defined in the Scheme as a "premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre." An *Educational Establishment* is an 'AA' use and is permitted in the light industrial zone given that it is consistent with the relevant standards and requirements laid down in the Scheme and is approved by Council.

5.13 Light Industrial Zone - Objectives

- (a) *To provide for areas for the establishment of light industrial pursuits such as small scale manufacturing, service industry pursuits, prefabrication and vehicle repair and storage;*

8.1 Car Parking Requirements

- 8.1.1 Car parking shall be provided for each development in accordance with the requirements of the Residential Planning Codes and Table 2 of this Scheme. Table 2 lists the parking requirement for an office as one bay for every 40m². The development is required to provide a minimum of 18 parking bays.*
- 8.1.2 The minimum internal dimensions of any car bay for non-residential development shall be 5.5m long x 2.8m wide.*

- 8.1.4 *The minimum width of access drives shall be described in Table 4 - the minimum width for a two-way access drive (i.e. aisle) is to be 6.5m for 90 degree parking bays.*

POLICY IMPLICATIONS

The land is located within the policy area for *Local Planning Policy 3 - Weaber Plain Light Industrial Area Design Guidelines* (Attachment 2). Relevant provisions include:

- 2.1 *The front elevation of all new buildings shall be designed and/or complemented with landscaping to present an attractive façade to the street to the satisfaction of the local authority.*
- 2.2 *The entrance points to buildings must provide protection for pedestrians by way of a fixed awning, verandah, canopy or colonnade.*
- 2.4 *All building shall accord with the following minimum boundary setback distances, unless otherwise specified in the Building Code of Australia (BCA):*
- | | |
|---|-------------------|
| <i>Minimum front (street) boundary distance</i> | <i>- 9 metres</i> |
| <i>Minimum side boundary distance</i> | <i>- 3 metres</i> |
| <i>Minimum rear boundary distance</i> | <i>- 3 metres</i> |
- 2.6 *Where offices are incorporated into the development windows shall be installed on at least two sides to allow breeze paths and remove heat build-up. Furthermore, all windows must be provided with an adequate form of shade protection (i.e. fixed awning or canopy, verandah, mature vegetation) to avoid direct sunlight entering the office building.*
- 2.10 *All service, storage and bin areas are not to be located within the front boundary setback distance.*
- 2.11 *A minimum 3 metre (wide) landscaping strip shall be provided across the frontage of the property.*

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The proposal meets all requirements of the Town Planning Scheme and Local Planning Policy 3, except as that applies to the proposed rear setback. The Shire's Building Surveyor has however deemed the nil rear setback sufficient (under the *National Construction Code*) and also noting that a 40m wide drainage reserve exists to the rear of the property.

The land use of an Education Establishment is consistent with the objectives of the Light Industrial zone under the Town Planning Scheme.

It is recommended that the application be approved but subject to conditions to address:

- The location of the proposed effluent waste system;
- Bin enclosure areas;
- Construction of car parking area; and
- Landscaping.

ATTACHMENTS

Attachment 1 – Development Plans and proposal documents

Attachment 2 – Local Planning Policy 3, Weaber Plain Light Industrial Area Design Guidelines

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for the use and development of Lot 107 Kentia Way for an Educational Establishment (Training Facility) subject to the following conditions:

- 1) Revised plans must be submitted and approved by the Shire. When approved the plans will be endorsed and form part of the approval. The plans must be drawn to scale (three copies), be in line with the plans submitted with the application, but be modified to show:
 - a. Effluent waste system; and
 - b. Bin enclosure areas.
- 2) The provision of a minimum 18 parking bays (including one universal access bay), clearly indicated and drained;
- 3) Prior to occupation of the development areas set aside for vehicle access, including driveways and vehicle crossings as shown on the endorsed plans, must be, to the satisfaction of the Council;
 - a. Constructed and surfaced with an all-weather seal coat to meet the applicable Australian standards; and
 - b. Drained to a legal point of discharge;
- 4) No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Infrastructure Services Director prior to submission of the building application;
- 5) The front elevation of the buildings shall be designed and/or complemented with landscaping to present an attractive façade to the street to the satisfaction of the local authority. As such:

- a. A minimum 3 metre (wide) landscaping strip shall be provided across the frontage of the property; and
 - b. The buildings must not be occupied until the landscaping is completed in line with the approved landscaping plan and areas must be maintained thereafter to the satisfaction of the local government;
- 6) All loading/unloading shall be conducted within the site;
 - 7) Waste is to be stored on site, is to be located behind the front setback and is to be screened from the street; and
 - 8) An application for crossovers shall be submitted to Shire's Infrastructure Services Department

COUNCIL DECISION

Minute No. 9652

Moved: Cr K Torres

Seconded: Cr C Gore-Birch Gault

That Council grants planning consent for the use and development of Lot 107 Kentia Way for an Educational Establishment (Training Facility) subject to the following conditions:

- 1) **Revised plans must be submitted and approved by the Shire. When approved the plans will be endorsed and form part of the approval. The plans must be drawn to scale (three copies), be in line with the plans submitted with the application, but be modified to show:**
 - a. **Effluent waste system; and**
 - b. **Bin enclosure areas.**
- 2) **The provision of a minimum 18 parking bays (including one universal access bay), clearly indicated and drained;**
- 3) **Prior to occupation of the development areas set aside for vehicle access, including driveways and vehicle crossings as shown on the endorsed plans, must be, to the satisfaction of the Council;**
 - a. **Constructed and surfaced with an all-weather seal coat to meet the applicable Australian standards; and**
 - b. **Drained to a legal point of discharge;**
- 4) **No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Infrastructure Services Director prior to submission of the building application;**
- 5) **The front elevation of the buildings shall be designed and/or complemented with landscaping to present an attractive façade to the street to the satisfaction of the local authority. As such:**

- a. **A minimum 3 metre (wide) landscaping strip shall be provided across the frontage of the property; and**
 - b. **The buildings must not be occupied until the landscaping is completed in line with the approved landscaping plan and areas must be maintained thereafter to the satisfaction of the local government;**
- 6) All loading/unloading shall be conducted within the site;**
 - 7) Waste is to be stored on site, is to be located behind the front setback and is to be screened from the street; and**
 - 8) An application for crossovers shall be submitted to Shire's Infrastructure Services Department**

Carried Unanimously 8/0

22nd September 2011

Dean Pettit
Planning Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Dear Sir/Madam,

PROPOSED OFFICES AND TRAINING ROOMS - LOT 107 KENTIA WAY, KUNUNURRA

This letter is in response to addressing the correspondence received via mail dated the 6th of September 2011 from the Planning Officer regarding the development of an office within the light industrial zone.

The first point that Kimberley Group Training were required to clarify is the development of offices in a light industrial area. Kimberley Group Training is operating on rented premises at the current expense of \$90,000 per annum. The current premises do not have the space to conduct necessary training involving manual arts skills, such as using hand tools and operating small machinery and any other practical skills training relevant to the vocational pathway.

Pre-employment training is a critical component of the organisation in terms of preparing job-seekers for sustainable employment. Our target group experiences a range of barriers which requires a holistic approach in order to achieve positive outcomes. This includes a mix of work-readiness and life skill workshops as well as technical skills relevant to their chosen vocation. The proposed skills centre would enable our clients to be supported with intensive case management and training tailored to the individual's employment needs in a friendly and culturally appropriate environment.

The proposed offices and training rooms in the light industrial area will be occupied by staffs that coordinate and manage the day to day business operations. As a not for profit organization Kimberley Group Training are not financially viable to operate and maintain two separate premises to conduct these training courses and reside administration employees. Furthermore, KGT believe that having the training facility isolated from distractions in town would improve overall engagement and retention.

The original site plans have been reviewed and the caretaker's dwelling has been withdrawn from the design. Application plans for the dwelling may be submitted in future with the issues addressed accordingly. Please see attached updated version of the site design.

Should you have any further queries or concerns please feel free to contact the writer on 0458 450 035 to discuss further.

Kind regards



Shan Shanmuganathan
Chief Financial Officer

Kununurra Head Office Commonwealth Building, Konkerberry Drive, PO Box 1342, Kununurra WA 6743
P (08) 9168 3808 F (08) 9168 3810 E kgt@kgt.org.au

Broome Office Cnr Weld & Fredrick Street, PO Box 1172, Broome WA 6725
P (08) 9192 8877 F (08) 9192 8811 E kgtbroome@kgt.org.au

Halls Creek Office 4/33 Neighbour Street, PO Box 250 WA 6770 P (08) 9168 6962 F (08) 9168 6963

proposed training facility
 lot 107 kentia way
 weaber plain industrial estate
 kununurra



view from kentia way

site data & analysis

r. p. d.	lot 107 kentia way kununurra	index to sheets	
proposal	group training facility & administration office	RD10123	description
local authority - shire of wyndham		SK.1	face sheet
site area	- 2500 sqm	SK.2	site plan
site cover	- 805.5 sqm (32.2%)	SK.3	administration floor plan
		SK.4	administration elevations
		SK.5	training centre floor plan
		SK.6	training centre elevations
		SK.7	colour & material schedule
car parking			
office -			
1 bay/40sqm GFA			
total required - 17.4 bays (696.0sqm)			
total provided - 19 bays inc. 1 PWD bay			



kimberly group training inc.

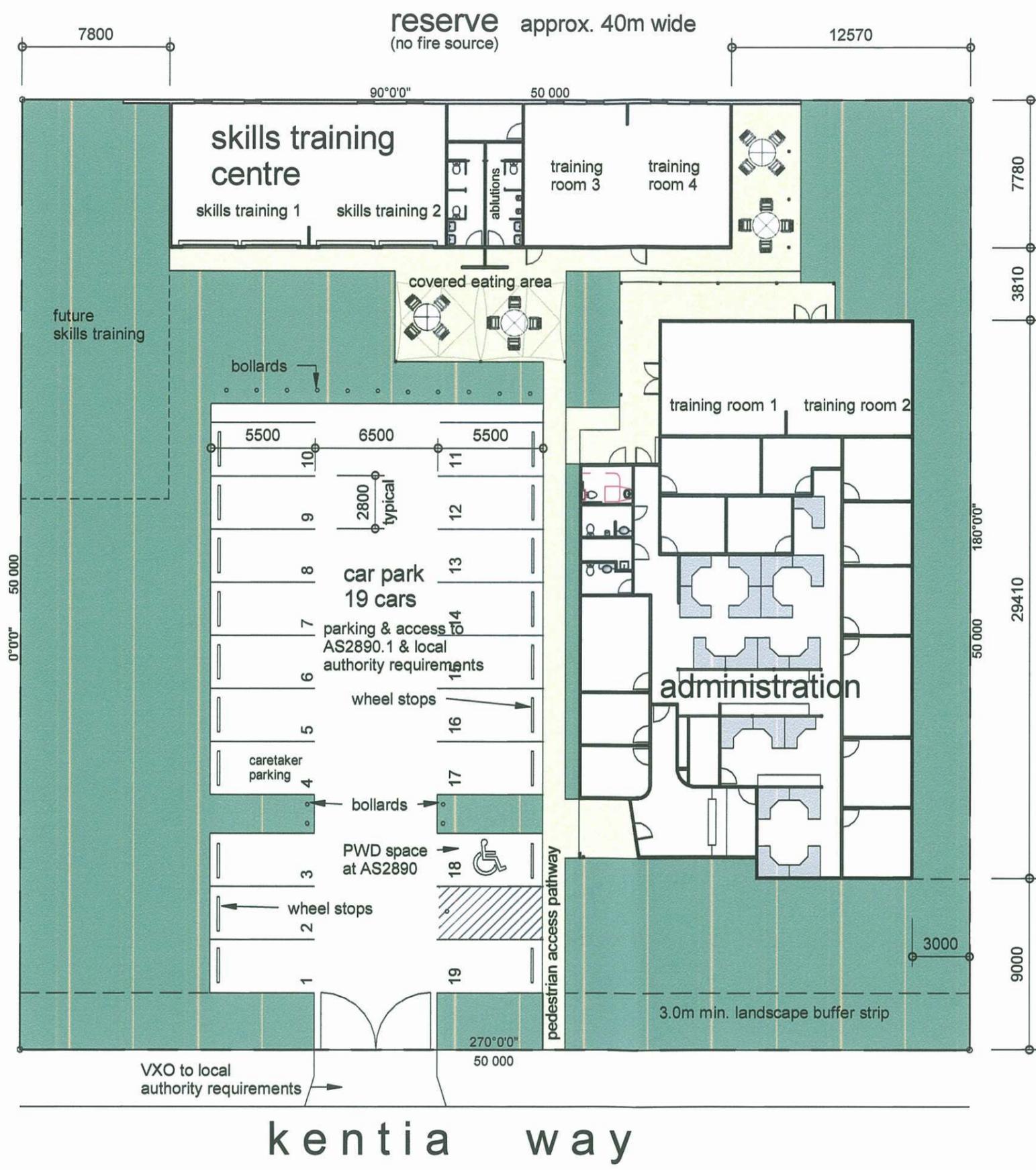
SK.1

face sheet

proposed training facility lot 107 kentia way, kununurra



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SK.2

site plan

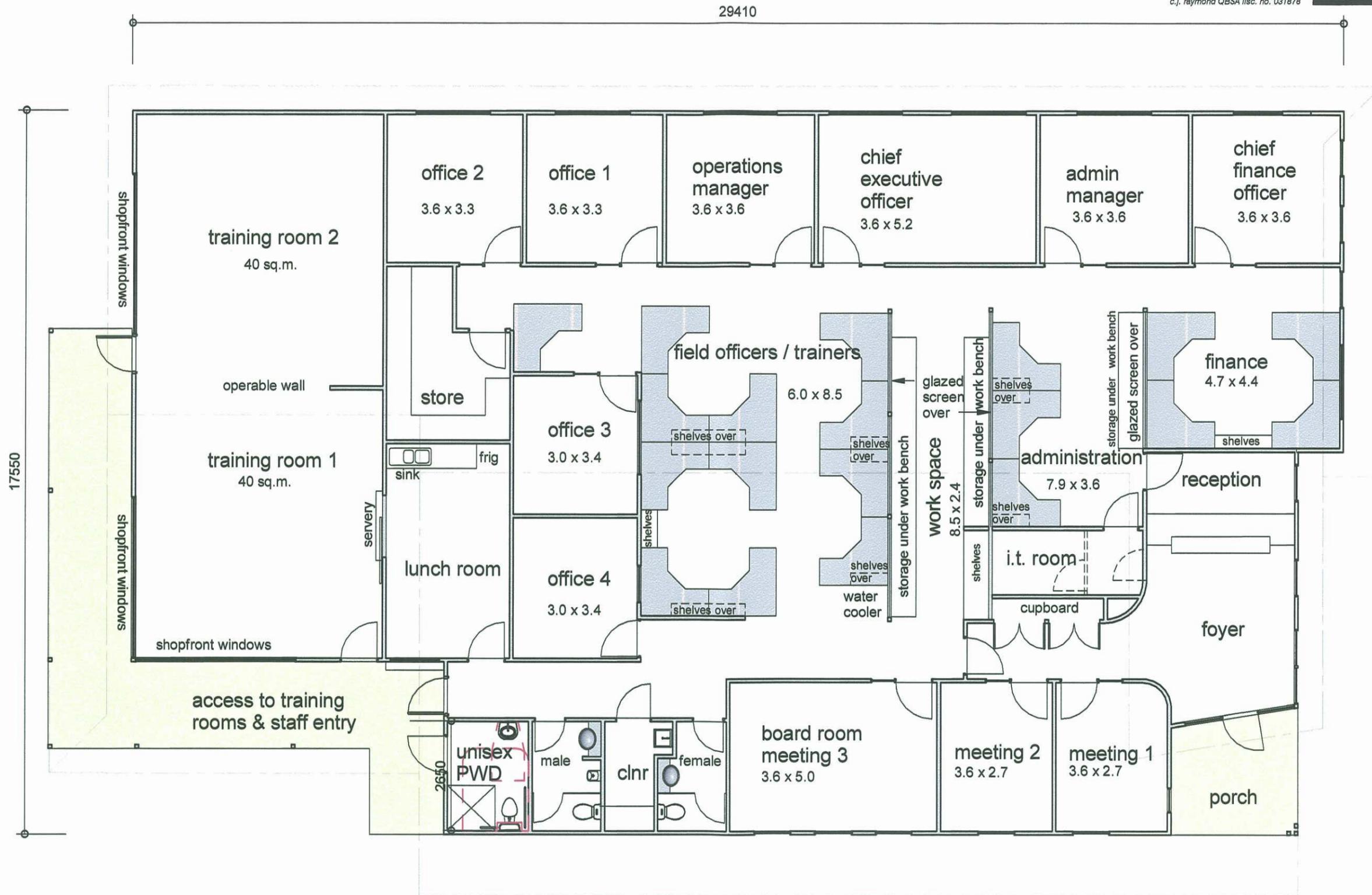
proposed training facility lot 107 kentia way, kununurra



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13 December 2011

RD10123 : december_2010
 issue 05 15/09/11
 drawn - r.b.h.



floor plan

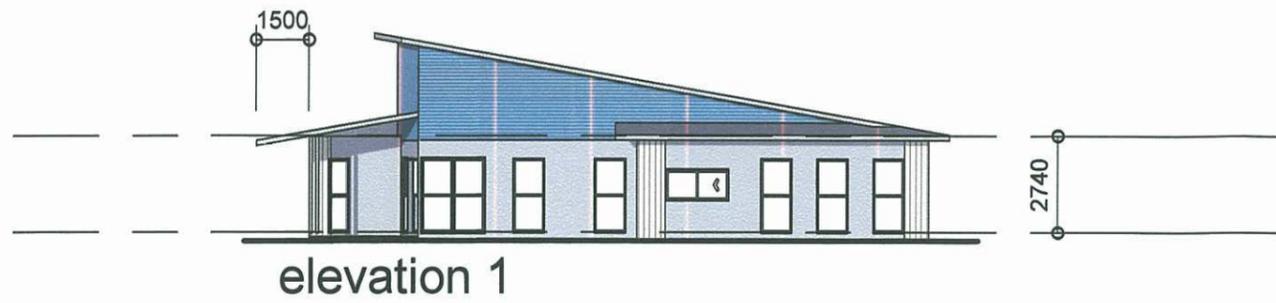
SK.3

administration floor plan

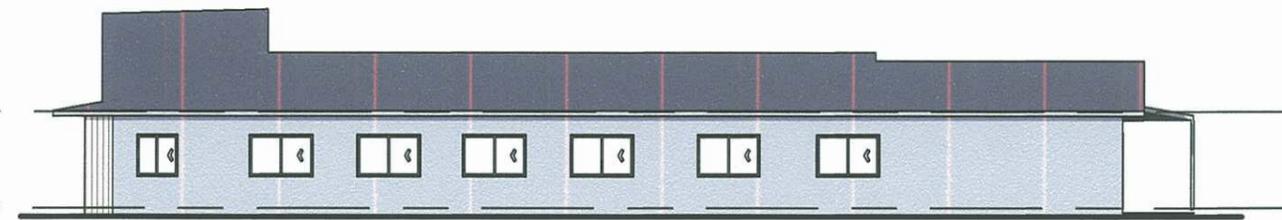
proposed training facility lot 107 kentia way, kununurra

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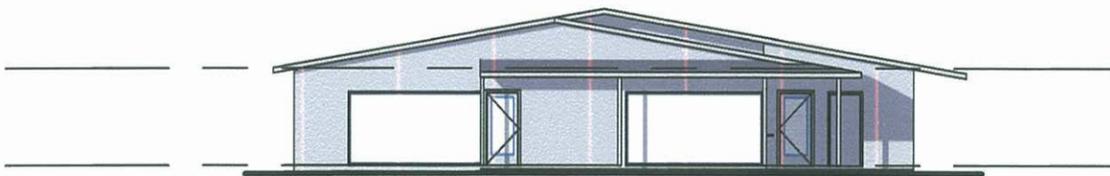
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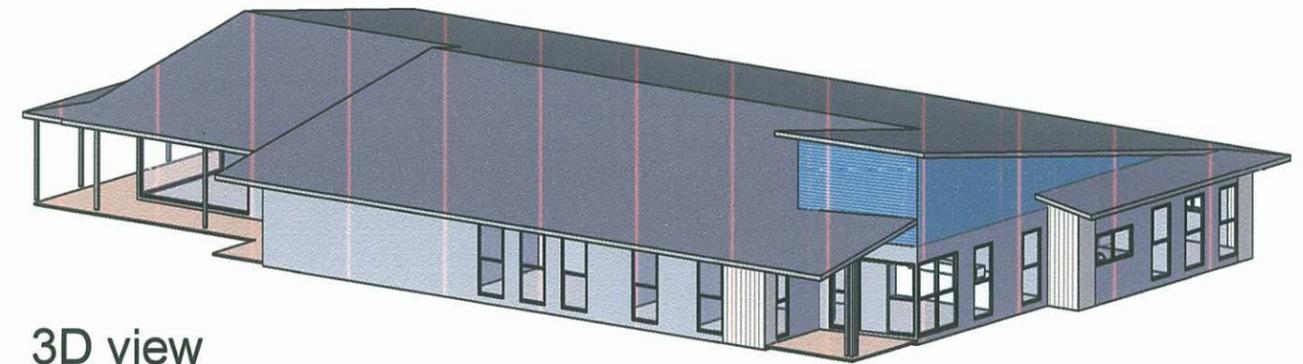
elevation 1



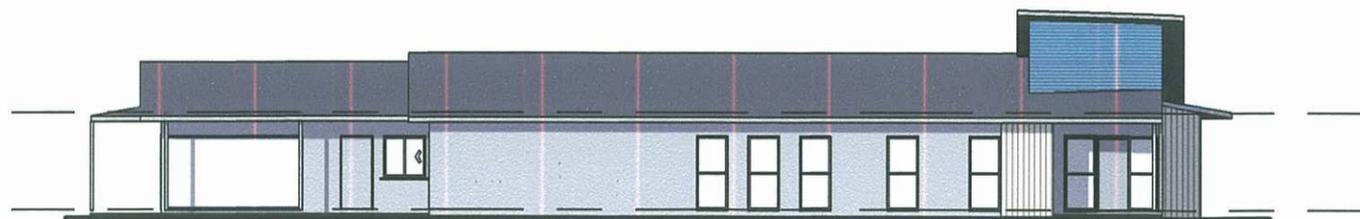
elevation 2



elevation 3



3D view



elevation 4

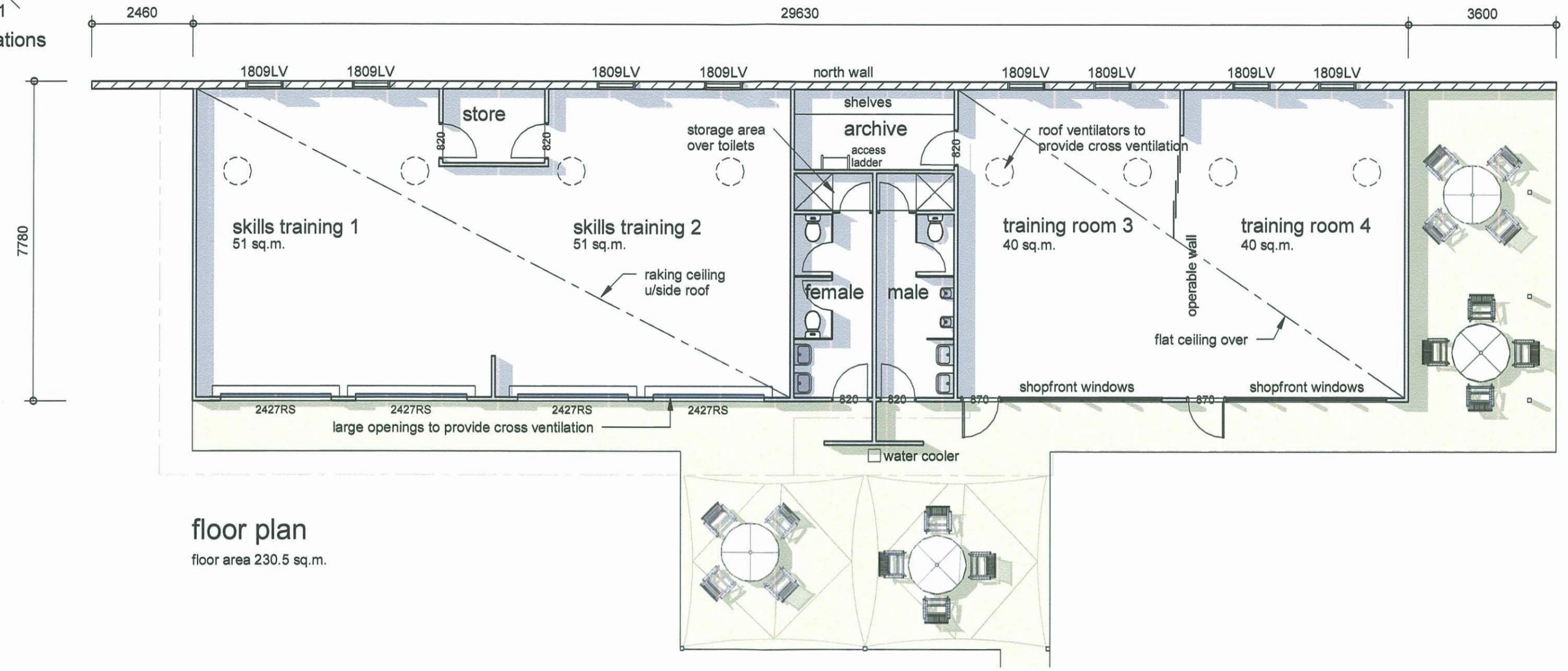
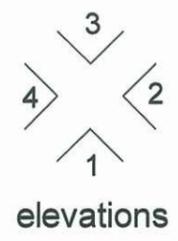
SK.4

administration elevations

proposed training facility lot 107 kentia way, kununurra



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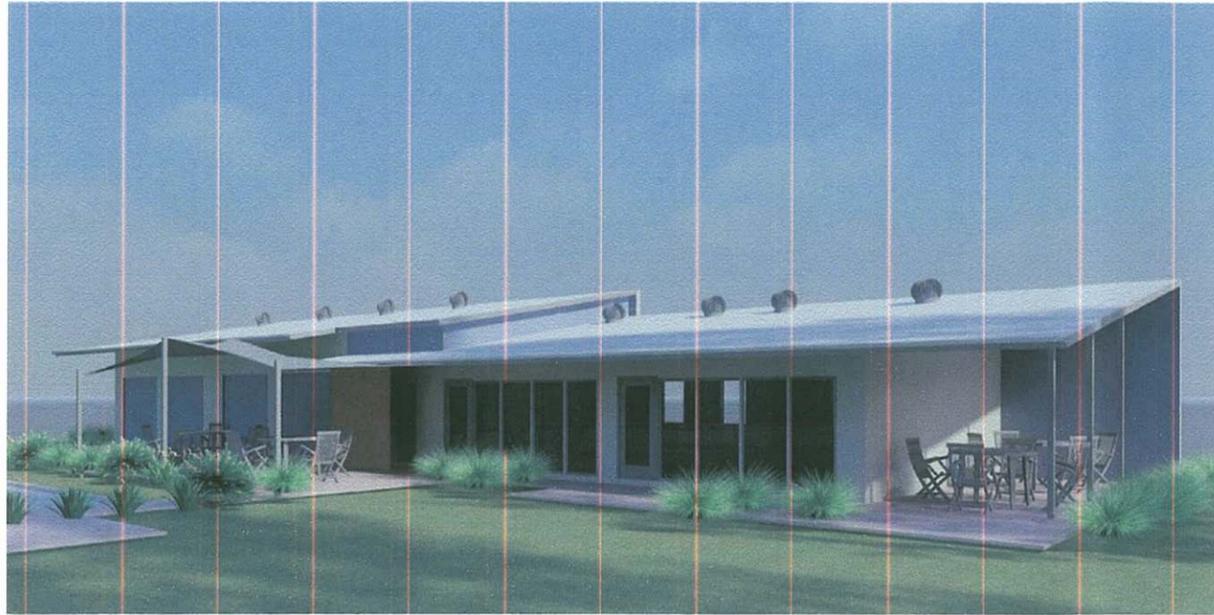


SK.5

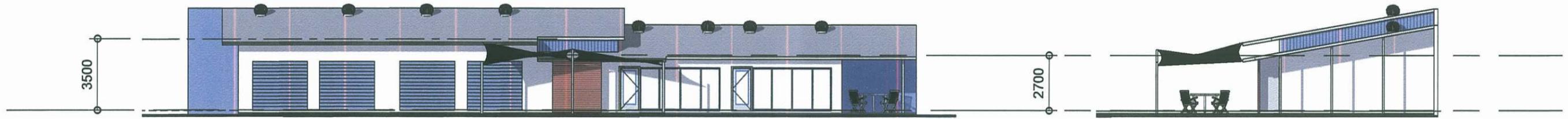
training centre floor plan

proposed training facility lot 107 kentia way, kununurra



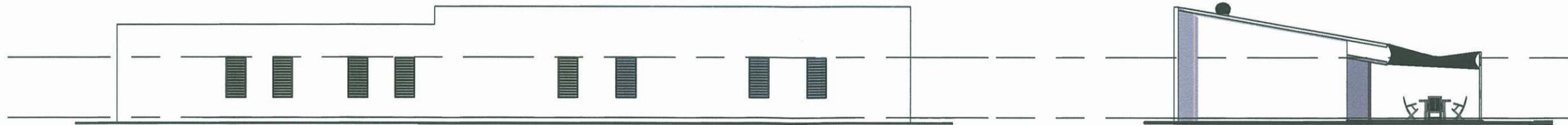


training centre perspective



elevation 1

elevation 2



elevation 3

elevation 4

SK.6

training centre elevations

proposed training facility lot 107 kentia way, kununurra



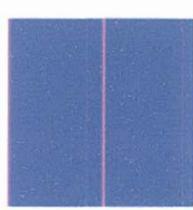
*note: this proposal is subject to site survey and development approval(s) from the relevant authority.
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main body wall - B1
 RESENE 'half foggy grey'
 N80-007-098



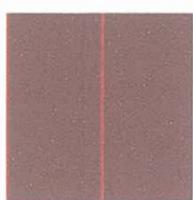
main body wall- B2
 RESENE 'tom tom'
 BR64-013-030



feature colour F1
 RESENE 'hendrix'
 B49-044-275



feature colour F2
 RESENE 'danube'
 B64-073-252



feature colour F3
 RESENE 'charisma'
 049-090-058



roof/fascia/gutter/flashing
 Colorbond 'Windspray'



window frames/p.c. fencing
 black powder coat

SK.7

colour & material schedule

proposed training facility lot 107 kentia way, kununurra



*note: this proposal is subject to site survey and development approval(s) from the relevant authority.
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Attachment 2 – Local Planning Policy 3 – Weaber Plains LIA

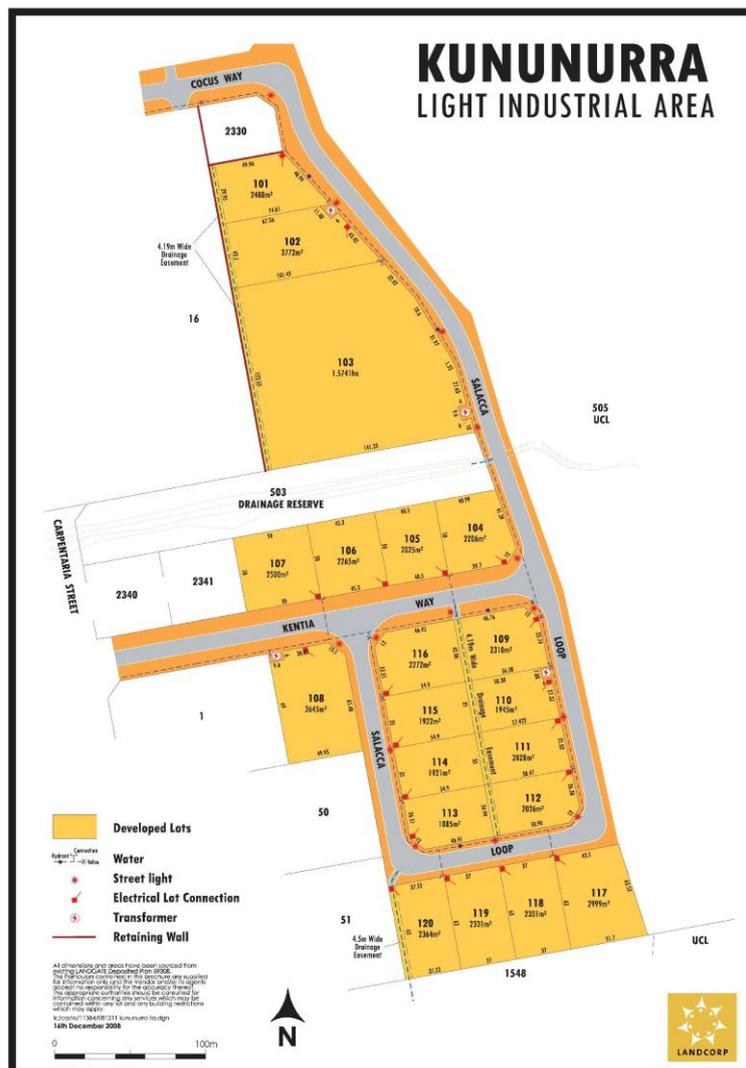
POLICY NO:	LPP 3
DIVISION:	Development Services
SUBJECT:	Weaber Plain LIA Design Guidelines
ENABLING LEGISLATION:	Town Planning Scheme No 7 - Kununurra & Environs

OBJECTIVE:

These guidelines apply to the Weaber Plain Light Industrial Area Design Guidelines and effectively form the basis for the design of buildings and quality landscaping to ensure an appropriate standard of development is achieved.

These Guidelines have been prepared to provide:

- Best practice standards for industrial development is applied given the close proximity of the Mirima National Park;
- Industrial Development is neither unsightly or poorly planned;
- Development is of a high standard in the interests of protecting the investment of developers and owners;
- All development is based of climate responsive siting. Energy and water efficient design and fit out.



POLICY:

1.0 Introduction

These guidelines are “in addition” to all other statutory requirements pertaining to building development, design and construction. For any instances where these design guidelines are found to conflict with the statutory requirements of other authorities i.e. requirements of the Local Authority in accordance with Town Planning Scheme No 7 or Building Code of Australia, the statutory requirements are to take precedence. These design guidelines apply to the current and future stages of development within the Weaber Plain Light Industrial Area.

2.0 Development Standards

- 2.1 The front elevation of all new buildings shall be designed and/or complimented with landscaping to present an attractive façade to the street to the satisfaction of the local authority.
- 2.2 The entrance points to buildings must provide protection for pedestrians by way of a fixed awning, verandah, canopy or colonnade.
- 2.3 The development of a caretakers dwelling (subject to Shire approval) shall be consistent in materials choice to all industrial buildings on a lot and take the form of a residential building located to the rear portion of the property.
- 2.4 All building shall accord with the following minimum boundary setback distances, unless otherwise specified in the Building Code of Australia (BCA):
 - Minimum front (street) boundary distance - 9 metres
 - Minimum side boundary distance - 3 metres
 - Minimum rear boundary distance - 3 metres
- 2.5 Lighting for all new development shall be based on high efficiency systems (ie T5 Triphospor Fluorescent lighting).
- 2.6 Where offices are incorporated into the development windows shall be installed on at least two sides to allow breeze paths and remove heat build up. Furthermore, all windows must be provided with an adequate form of shade protection (ie fixed awning or canopy, verandah, mature vegetation) to avoid direct sunlight entering the office building.
- 2.7 All office buildings shall be insulated to the standards of the BCA climate zone 1.
- 2.8 The use of roof colours with a solar absorbency rating greater than 0.55 (most dark colours) is not supported.
- 2.9 All impervious areas including vehicle crossovers and internal car parking, service, manoeuvring and lay down areas must be constructed paved and suitably drained standard to the local government specifications.
- 2.10 All service, storage and bin areas are not to be located within the front boundary setback distance.

- 2.11 A minimum 3 metre (wide) landscaping strip shall be provided across the frontage of the property.

3.0 Suggested Design Solutions

- 3.1 The use of light coloured materials with a solar absorptency of less than 0.35 is encouraged. This includes colourbond colours including Classic Cream, Surf-mist, Paperbark, Evening Haze, Shale Grey, Sandbank and Dune.
- 3.2 If installing air-conditioning an inverter split system is recommended to an energy rating of 5 stars.
- 3.3 Where practical mechanical ventilation should be incorporated into the building design.
- 3.4 For advice on appropriate selection of native plants advice should be sought from the Shire's Environmental Officer.

ADOPTED: 18/8/09
REVIEWED:
AMENDED:

12.4.4 Development Application, Portion of Reserve 50467, Lot 506, Kununurra

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Katya Tripp, Strategic Planner
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A7562P
ASSESSMENT NO:	A7562

PURPOSE

For Council to consider a development application for portion of Reserve 50467, Lot 506, Commercial Boating Facility, Kununurra.

BACKGROUND

Land at Lot 506 is Crown land reserved for the purpose of tourism with management order issued to the Shire of Wyndham East Kimberley.

The site is located at the Lake Kununurra Commercial Boat Facility, off Millington Drive between the local landmarks known as Swim Beach and Ski Beach (refer to Attachment 1).

The submission received (Attachment 2 and 3) is from the lease holder, Triple J, whom has a 21 year lease for the purpose of water based tourism on Lake Kununurra expiring in May 2030. The development application is for retrospective approval of on site development as shown on the site development plan.

Proposal

The development proposal is for infrastructure associated with the operation of water based tours on Lake Kununurra. As shown on the site plan the proposal is for a boat ramp, a shed, two floating pontoons, a pump and a car park/turn around area. As detailed in their submission, all passengers will be transported to and from the site by coach. Toilets are contained on board the vessel which negates the need for ablutions on site.

Triple J's main office is located in town and acts as the booking and administration area for the business. Daily refuse is also disposed of at this main office.

The lease stipulates a building setback of 5m from the licenced foreshore area. A site inspection determined the shed to be located a minimum of 8m from the licenced foreshore area of Lake Kununurra and 1m from the licenced foreshore area of the inlet. As manager of the licenced area it is within the Shire's authority to waive or grant a concession for this building setback requirement.

Reticulated grass areas are shown on the site plan yet the lease stipulates a minimum 3 metre wide landscaped front setback to suitably screen structures to the street. A site visit determined there is suitable screening of the development from the river yet no screening of the development from the road.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra and Environs

The land of Lot 506 is reserved *Parks and Recreation* under *Town Planning Scheme No. 7 – Kununurra and Environs*. The adjoining licenced area, Lot 512, is reserved as *Special Foreshore*.

Matters to be considered by the Council

2.2.1 Where an application for Planning Approval is made with respect to land within a Reserve, the Council shall have regard to the ultimate purposes intended for the reserve.

Determination of Planning Approval

11.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the scheme, to the purpose for which the land in the locality is used, and to the orderly and proper planning of the locality and the preservation of amenities of the locality, may refuse to approve any application for Planning Approval or may grant it approval unconditionally or subject to such conditions as it thinks fit.

Unauthorised Existing Developments

11.6 1 The Local Government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the scheme.

Car Parking Requirements

8.1.1 Car parking shall be provided for each development in accordance with the requirements of the Residential Planning Codes and Table 2 of this Scheme.

Lease Provisions

The lease provides for the premises to be used for the purpose of the Lessee's Business being "...those activities and operations that are necessary for the conduct of a tourism business and recreation enterprise which enterprise is restricted to and only operates waterborne craft on lake Kununurra...."

Design Guidelines are also included in schedule 2 of the lease and are shown in attachment 5.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

Lot 506 is recognised in the Council adopted Lake Kununurra Foreshore and Aquatic Use Plan as within the Commercial Boating Facility. Development Guidelines as contained within this plan (Attachment 4) apply to this property as they will do to the neighbouring properties.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The land to be developed is reserved *Parks and Recreation* and has remained as such prior to the creation of these lots for the purpose of a commercial boat facility. A change to the use of this reserve can be considered a part of the preparation of the draft *Local Planning Scheme No.8*. The Lake Kununurra Foreshore Plan 2011 identifies this land for use as a Commercial Boating Facility, State Land Services recognises the land to be used for the purpose of tourism and the lease also stipulates the land is to be used for the purpose of water based tourism on Lake Kununurra.

The surrounding land use, namely lots 505, 507, 508 and 509 are also part of the commercial boat facility and therefore the proposed development is in keeping with the use of the surrounding locality.

The development of the lot for access to water was anticipated due to its water front location, and the requirement of a water based tourism venture as identified in the lease. Amenity is preserved through screening of the development from the river and the recommended screening of the development from the road.

It is recommended that the building setback requirement as detailed in the lease be waived for the distance between the shed and the inlet. The shorter distance was required to enable the tractor to easily manoeuvre when moving the vessels from the water to the shed. Additionally, due to safety and security reasons, it is not practical for pedestrians to be walking between the shed and the vessels. With adequate screening provided along the river the decreased building setback along the inlet does not impact on the visual amenity of the site.

Aside from the reduced distance between the shed and the inlet, the development meets both the design guidelines contained in the lease and the development guidelines contained in the Foreshore Plan. As detailed in the development guidelines for the foreshore plan the lessee should submit a plan for the licenced foreshore area that details what actions they will be undertaking to protect this foreshore buffer and its bank.

Table 2 of *Town Planning Scheme No. 7 – Kununurra and Environs* does not provide for tourism use yet as coaches will be transferring passengers to and from the site and as staff will need to park on the site it is recommended that a minimum of 3 car parking spaces and two coach parking space be provided. As indicated on the site plan, the parking and turn around area is more than adequate to accommodate this minimal level of traffic.

The site is neat and tidy with the development suited to the purpose of the water based tourism business. The development is in keeping with the use of the surrounding land and, having regard to the use of coaches for patrons, adequate parking is also provided.

Shire officers recommend that planning consent be granted for the development with a conditions that the site plan is updated to show distances of buildings to lot boundaries, landscaping of the front setback, three car parking spaces and two coach parking spaces including turn around and an action plan for protection of the licenced foreshore area.

ATTACHMENTS

- Attachment 1 – Location plan
- Attachment 2 – Development site plan
- Attachment 3 – Submission letter
- Attachment 4 – Development guidelines – Foreshore plan
- Attachment 5 – Design guidelines – Lot 506 lease

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for the use and development for boat storage, jetties, boat launching, passenger utilities and associated works (commercial tour boat operation) of Lot 506, Portion of Reserve 50467, Kununurra, subject to the following conditions:

1. Revised plans must be submitted and approved by the Shire. When approved the plans will be endorsed and form part of the approval. The plans must be drawn to scale (three copies), be in line with the plans submitted with the application, but be modified to show:
 - a) A minimum of three on-site car and two on-site bus parking spaces to meet Australian Standard 2890 (this may involve the widening of car spaces to a width of 2.8 metres);
 - b) Dimensions of the vehicle and bus turn around area;
 - c) Landscaping of the front 3 metre setback to screen the development from the road;
 - d) Distances of buildings to lot boundaries;
2. Location of access points (crossovers) from the Millington Drive access road must be designed in accordance with Shire specifications. An application to the Shire's Infrastructure Department must be made.
3. Submission of an action plan for management and protection of the licenced foreshore area detailing:
 - a) what the area will be used for;
 - b) how the area will be protected from erosion;
 - c) any structures that will be located on the area; and
 - d) what activities will and will not take place on the area.
4. Landscaping and treatments to the site should ensure the development presents well to the road and the river, as well as providing reasonable amenity for the development. Landscaping to the front and the rear of the lot must provide a screen to the property when travelling along the road or the river.
5. Obtain separate Council approval for the erection of any advertising signs.

COUNCIL DECISION

Minute No. 9653

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council grants planning consent for the use and development for boat storage, jetties, boat launching, passenger utilities and associated works (commercial tour boat operation) of Lot 506, Portion of Reserve 50467, Kununurra, subject to the following conditions:

- 1. Revised plans must be submitted and approved by the Shire. When approved the plans will be endorsed and form part of the approval. The plans must be drawn to scale (three copies), be in line with the plans submitted with the application, but be modified to show:
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 - b) Dimensions of the vehicle and bus turn around area;**
 - c) Landscaping of the front 3 metre setback to screen the development from the road;**
 - d) Distances of buildings to lot boundaries;****
- 2. Location of access points (crossovers) from the Millington Drive access road must be designed in accordance with Shire specifications. An application to the Shire's Infrastructure Department must be made.**
- 3. Submission of an action plan for management and protection of the licenced foreshore area detailing:
 - a) what the area will be used for;**
 - b) how the area will be protected from erosion;**
 - c) any structures that will be located on the area; and**
 - d) what activities will and will not take place on the area.****
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- 5. Obtain separate Council approval for the erection of any advertising signs.**

Carried Unanimously 8/0

Commercial Boat Facility - Kununurra

Created 22 Nov 2011

15° 47' 29"S

15° 47' 29"S



128° 41' 58"E

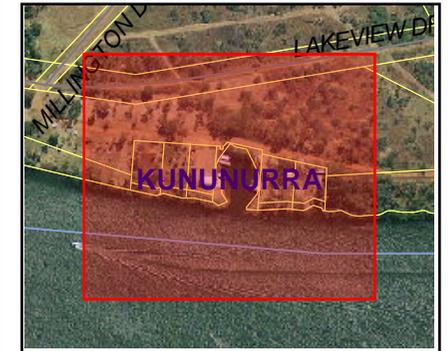
128° 42' 17"E

128° 41' 58"E

128° 42' 17"E

15° 47' 37"E

15° 47' 37"E



Scale: 1:2,000

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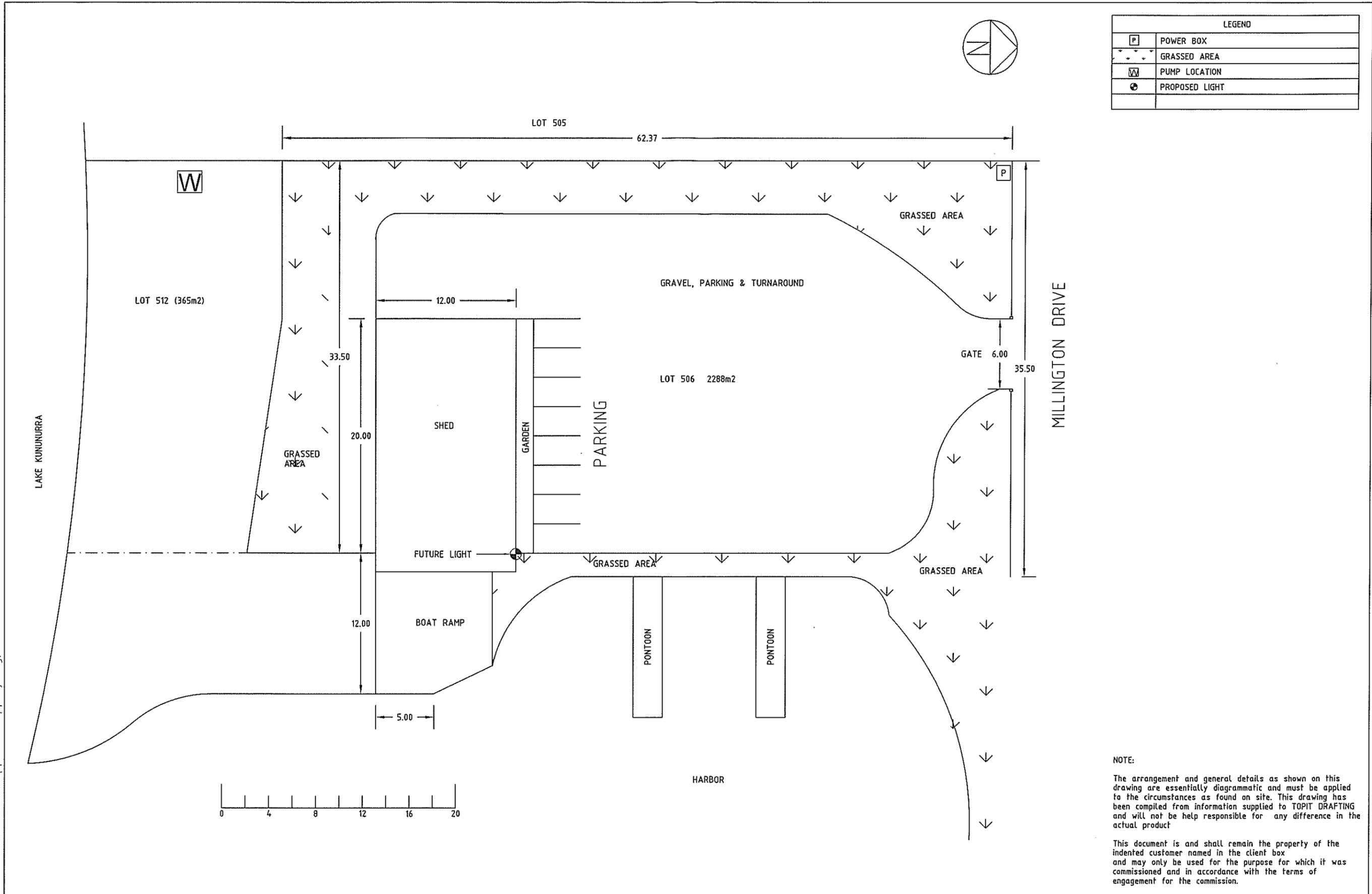
Map Projection: GDA 94 (Lat/Long)

Datum: Geocentric Datum of Australia 1994

1 Midland Square
 Midland WA 6056
 (08) 9273 7341
 customerservice@landgate.wa.gov.au
 www.landgate.wa.gov.au



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LEGEND	
[P]	POWER BOX
[W]	PUMP LOCATION
[•]	PROPOSED LIGHT

NOTE:
 The arrangement and general details as shown on this drawing are essentially diagrammatic and must be applied to the circumstances as found on site. This drawing has been compiled from information supplied to TOPIT DRAFTING and will not be held responsible for any difference in the actual product.

This document is and shall remain the property of the indented customer named in the client box and may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission.

<p>Brent Henshaw 0425 646 277 brenthenshaw@live.com</p>				<p>TOPIT Drafting 13 December 2011 MECHANICAL / AS CONSTRUCTED / IRRIGATION / LANDSCAPE</p>		<p>DRAWING No tripplejtours</p>		<p>CLIENT TRIPPLE J TOURS</p>	
<p>Ordinary Council Meeting Minutes</p>				<p>SHEET 1 OF 1</p>		<p>PROJECT LOT 506</p>		<p>Page 76 of 138</p>	
REV	ISSUED	BY	REVISION DESCRIPTION						
A	09/11/2011	BH	ISSUED FOR INFORMATION						

Planning Department

Kununurra Office

Shire of Wyndham East Kimberley

Triple J Tours under lease Portion of Foreshore Reserve 50467 Lot 506 Lake Kununurra request approval of a development application for tourism boat tour purposes.

The Site is 2288m² and, as the site map illustrates, we run our Boat tour operation on Lake Kununurra and the Ord River to Lake Argyle from this point.

All passengers departing from Kununurra or returning to Kununurra are picked up by coach transport from this point.

We have a floating jetty arrangement to secure the boats, with no access to these by passengers. All boats are front loading off our turfed area.

We have our own concrete boat ramp facility for launching and servicing of vessels, which are done on site by our mobile workshop.

The dome structure has a substantial concrete slab beneath it @ 150mm in thickness and 25mpa concrete strength. It has all footings for structure as can be seen by the photo's included, at a size of 600mm X 900mm.

There is power to the site dome and to a reticulation pump that has a water licence already in place.

All screen vegetation is native and reticulated by an automated sprinkler system. The grassed area is under automatic reticulation as well.

We do propose energy efficient soft lighting at the boat ramp end of the some (see site map) to light boats at night for disembarking passengers.

Due to only Triple J vehicles and buses being parked on site, parking has been kept to a minimum (refer site map).

With passengers either arriving immediately to do a tour or at the conclusion of the tour, departing immediately, our passengers spend next to no time at the facility. They literally get straight on or off a coach. This has enabled us not to require ablution facilities due to all vessels having those onboard.

Our boat toilet facilities are then pumped into a holding tank for Kimberley Waste collection as required.

The refuelling process is quite simple. We have our own fuel truck that refuels boats on site early in the morning and never refuels whilst passengers are on site.

All rubbish is taken from site and boats each evening and dropped into a skip bin at our main office/yard facility in Kununurra.

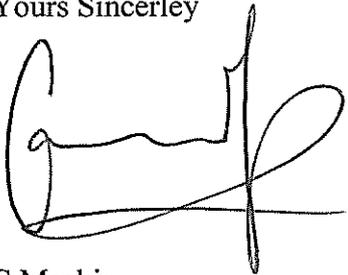
At present we have an old sign on the ground showing this as a Triple J Tours site next to our automated gate. This is something that needs to be addressed. As the site map shows, our pylon sign would be free standing on the front fence. We will apply for this next year when we determine exact site dimensions etc.

There is no vegetation to be removed from site and in fact if anything, we will add native vegetation.

There are no earthworks to be undertaken at the site and all water is shed through natural site drainage.

Please contact Cam Mackie at Triple J Tours should you require any further information.

Yours Sincerley

A handwritten signature in black ink, appearing to read 'Cam Mackie', with a large, stylized flourish extending from the end of the signature.

C Mackie

4.1.1 DEVELOPMENT GUIDELINES

Development guidelines have been prepared to ensure consistent development along the foreshore that enables public access, preservation of the foreshore and is in tune with the natural assets of the area. These should be included in a Council Planning Policy. It is recommended that this policy be applied to the whole of the Lake Kununurra and Lily Lagoon foreshores. These guidelines have been developed in response to State legislation, policies and guidelines.

Development guidelines for the foreshores of Lake Kununurra and Lily Creek Lagoon, including all other associated inlets are:

- DG1 A minimum buffer area of 10 m from the high water mark (full supply level) to be maintained for pedestrian access and passive recreational purposes with no permanent structures apart from a pathway and associated pedestrian facilities. Greater buffers may be used for specific areas as determined by the lessor (landowner) in consultation with State Government departments.
- DG2 The use of muted colours that are sympathetic to the natural surrounds.
- DG3 Where greater than 50% of the 10 m foreshore buffer is licensed to an adjoining lease holder, the lessee shall be responsible for preparing an action plan for that buffer area that guides their management of the whole of the foreshore buffer and its bank. This action plan must be submitted for approval by the relevant management authority.
- DG4 All revenue collected from foreshore leases is to be used to maintain the public foreshore area and its associated facilities.
- DG5 All works to the foreshore banks shall use only materials approved by the relevant management authority.
- DG6 Toilets, or other buildings, expelling liquid wastes should be connected to sewage or alternative waste disposal units and be approved by the Shire, Department of Water and Department of Environment and Conservation.
- DG7 Vehicle entry to the foreshore shall be restricted to authorised personnel only, through the use of bollards, chains or other fencing materials as approved.
- DG8 Signs are to be visually unobtrusive and kept to a minimum.
- DG9 Appropriate access routes along and to the foreshore, including pedestrian paths, cycle paths dual use paths and pedestrian access buffers, are to be developed and maintained by the Shire.

- DG10 Foreshore locations capable of sustaining recreational pressures without environmental degradation shall be provided for recreational use.
- DG11 Views and vistas from within the foreshore precinct to the broader landscape and from the river and opposite banks to the foreshore are to be preserved.
- DG12 All existing areas of remnant riparian indigenous vegetation are to be protected and where possible enhanced.
- DG13 Degraded natural areas are to be rehabilitated by regenerating indigenous vegetation communities.
- DG14 Only top end native vegetation as approved by the management authority shall be used within the foreshore zone.
- DG15 Aboriginal and European heritage associations of the foreshore precincts are to be acknowledged, respected and protected.
- DG16 The water quality of the river and the groundwater resource within each precinct shall be preserved through adhering to the principles of water sensitive urban design including on site disposal of all stormwater where possible.
- DG17 Ecological corridors should be established to link natural areas in a continuous manner.
- DG18 Plans for structures within the waterways are to be submitted for approval by the Water Corporation to ensure protection of the dam infrastructure.

Key Development Recommendations

- DR1 Pursue detailed investigation and planning for the development of residential areas as identified in the precinct plans.
- DR2 Pursue detailed investigation and planning for the development of Stage Two of the Commercial Boating Facility.
- DR3 Ensure a Council Planning Policy is developed that encompasses the Foreshore Development Guidelines above.
- DR4 Develop a local Structure Plan for Crossing Falls and Packsaddle/Jabiru Road developments.
- DR5 Ensure any development along the foreshore allows for continued or increased public access and recreation.
- DR6 Ensure the foreshore is preserved for community enjoyment and that any development is sympathetic with the natural environment.
- DR 7 Ensure all development is consistent with the Foreshore Development Guidelines and is designed to be sympathetic to the natural values of the foreshore.

6. **Design Guidelines**

POLICY:

6.1 **Introduction**

These guidelines are in addition to all other statutory requirements pertaining to building development, design and construction. For any instances where these design guidelines are found to conflict with the statutory requirements of the Lessor or other authorities i.e. the Local Planning Scheme or Building Code of Australia, the statutory requirements are to take precedence. These design guidelines apply to the Premises and Foreshore Area where applicable

6.2 **Development Standards**

Building and Works:

- (a) All new buildings must be designed and constructed to the Lessor's specifications and be inclusive of:
- All external building materials to be of a muted colour that blends with the surrounding natural environment (non reflective materials must be used).
 - The following setbacks: 3 metres to the front and side boundaries and 5 metres to the licensed Foreshore Area.
 - Baffled lighting to reduce light spill from the premises.
 - Subsoil drainage around the perimeter of buildings (water sensitive urban design).
- (b) All impervious areas including vehicle crossovers and internal car parking, service, manoeuvring and lay down areas must be constructed and suitably drained to the Lessor's specifications.
- (c) All parking (private and customer) to be contained within the site and capable of accommodating coaches.
- (d) The development of a caretakers dwelling (subject to Lessor approval) shall have a total internal floor area of less than 100m², be generally consistent in materials choice to other buildings on the lot and must not be of a fully temporary transportable form (ie caravan, semi trailer, motor home etc).

Landscaping and Private Storage:

- (a) The front setback (minimum 3 metre wide) must be landscaped to the Lessor's satisfaction and must suitably screen all structures to the street.
- (b) All service, storage and bin areas must not be located within the front boundary setback of 3m and must be suitably screened from the public view (street and waterway).
- (c) All areas used for private or personal storage must be screened from the street and waterways to the Lessor's satisfaction.

Boundary Fencing:

- (a) The licensed Foreshore Area must not be fenced.
- (b) All Boundary fencing must be black chain mesh with no barbed or razor wire.

Environmental Protection:

- (a) All wastewater shall be disposed of in accordance with the Health (Treatment of Sewage and disposal of effluent and liquid waste) Regulations 1974, The WA Department of Health's Draft Country Sewerage Policy 2003, and the Department of Water's Water Quality Protection Note 70: Wastewater treatment and disposal – domestic systems. All systems must be approved by Shire's Environmental Health Officer or the WA Department of Health.
- (b) All dangerous goods (including fuel) stored and handled on site are to comply with the Dangerous Goods Safety Act 2004 and associated regulations and are to be stored and managed to the satisfaction of the Lessor. All lessees to have an emergency spill (Contamination Event) management plan in place including the storage of necessary containment equipment.
- (c) A 15 meter buffer from the Lake is to be maintained and stabilised using local native vegetation and grasses to the satisfaction of the Lessor and relevant Government agencies.

Suggested Design Solutions:

- (a) The use of light coloured materials with a solar absorbency of less than 0.35 is encouraged. This includes colourbond colours including Classic Cream, Surf-mist, Paperbark, Evening Haze, Shale Grey, Sandbank and Dune.
- (b) Where practical mechanical ventilation should be incorporated into the building design.
- (c) For advice on appropriate selection of native plants advice should be sought from the Lessor's Environmental Officer.
- (d) It is the Lessee's responsibility to provide safe and defined access for patrons in and around the premises.
- (e) Lighting for the premises to be based on high efficiency systems (ie T5 Triphosphor Fluorescent lighting).
- (f) The use of energy efficient building design including solar hot water, shading of buildings, breezeways, landscaping, and photovoltaic cells.

12.4.5 Proposed Amendment to Local Planning Policy 3

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Weaber Plain Stage 2, Weaber Plain Road, Kununurra
AUTHOR:	Dean Pettit, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	43.02.01

PURPOSE

For Council to consider approving an amendment to *Local Planning Policy No. 3 – Weaber Plain Light Industrial Area Design Guidelines*.

BACKGROUND

Under *Town Planning Scheme No. 7 – Kununurra and Environs* (TPS 7) the Weaber Plain Light Industrial Area (WPLIA) is zoned for light industrial purposes. The first stage located south of Cocus Street has been developed by LandCorp over the last 3 years. With Stage 1 of the estate almost at capacity, LandCorp recently sought and received subdivision approval for Stage 2 of WPLIA, with new titles expected to be issued in February 2012.

Design guidelines were prepared for Stage 1 with the objective of providing developers with guidance on planning criteria that would result in a high standard of development. These guidelines were adopted by Council as *Local Planning Policy No. 3 – Weaber Plain LIA Design Guidelines* (LPP 3), and have generally been well received by the industrial operators. With the progression of Stage 2, LandCorp are now seeking to ensure the same design consistency across the entire WPLIA.

Accordingly, the only modification being sought as part of this amendment is the replacement of the existing location plan with a new plan to extend the subject area to include Stage 2 of the WPLIA (refer to Attachment 1).

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra and Environs (TPS7)

The extent to which the amended LPP 3 will apply will be that of the “Light Industrial” zoned land in accordance with TPS 7.

As required by Clause 12.6.4(f) of TPS 7, any amendment to an existing Local Planning Policy requires the policy to be initially adopted by Council, advertised for a period of not less than 21 days and then reconsidered by Council for final adoption in accordance with the provisions 12.6.4 (a) to (d).

POLICY IMPLICATIONS

This proposal is seeking to amend existing *Local Planning Policy No. 3 Weaber Plain LIA Design Guidelines* in accordance with the abovementioned scheme provisions.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

Local Planning Strategy (LPS)

The proposed Design Guidelines are generally consistent with the recommendations of the Local Planning Strategy (LPS) in relation to Industrial Development. The LPS outlines that industrial land should be supplied to accommodate for a range of uses to service the economy and demand. The amendment to LPP 3 will ensure a consistent approach to design for industrial development as it extends north from Stage 1 of the WPLIA.

COMMUNITY CONSULTATION

The proposed Local Planning Policy will be advertised to the public and affected landowners for 21 days, before being referred back to Council for decision.

COMMENT

The proposed amendment to *Local Planning Policy 3 – Weaber Plain Light Industrial Area Design Guidelines* will ensure existing design guidelines are applied consistently across the entire Weaber Plains LIA.

The guidelines give a level of certainty to both the proponent and Council that a minimum standard of development will be achieved. Developers will equally know from the initial stages of investigation what is required of them and can plan accordingly when preparing site plans and development applications – ahead of lodging applications for planning and building approval.

It is recommended that Council resolve to amend LPP3 and publically advertise in accordance with Clause 12.6.4 of TPS 7.

ATTACHMENTS

Attachment 1 – Area Location Map

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Amends Local Planning Policy 3 – Weaber Plain Light Industrial Area Design Guidelines by extending the application area of the Policy to cover Stage 2 of the Weaber Plain Light Industrial Area; and
- 2) Publically advertises the amended Local Planning Policy 3 - Weaber Plain Light Industrial Area Design Guidelines in accordance with Clause 12.6.4 of Town Planning Scheme 7 (Kununurra and Environs).

COUNCIL DECISION

Minute No. 9654

Moved: Cr D Ausburn

Seconded: Cr K Torres

That Council:

- 1) Amends Local Planning Policy 3 – Weaber Plain Light Industrial Area Design Guidelines by extending the application area of the Policy to cover Stage 2 of the Weaber Plain Light Industrial Area; and**
- 2) Publically advertises the amended Local Planning Policy 3 - Weaber Plain Light Industrial Area Design Guidelines in accordance with Clause 12.6.4 of Town Planning Scheme 7 (Kununurra and Environs).**

Carried Unanimously 8/0

Attachment 1 – Area Location Map

WEBER PLAIN LIGHT INDUSTRIAL AREA



12.5 COMMUNITY DEVELOPMENT

No reports.

12.6 CHIEF EXECUTIVE OFFICER

12.6.1 Council Meeting Dates 2012

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Therese Whalan, Executive Assistant
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	GN.05.4

PURPOSE

For Council to adopt Ordinary Council Meeting dates for 2012.

BACKGROUND

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

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

Councillors have indicated the preference to have four meetings in Wyndham and eight meetings in Kununurra, with Briefing sessions occurring two weeks prior to Ordinary Council meetings.

STATUTORY IMPLICATIONS

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

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

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Governance, Key Result Area 5, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

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

Ordinary Council Meetings are held on the third Tuesday of each month, Briefing sessions to be held on the first Tuesday of the month, with variation in January and December to accommodate the holiday season and avoid many absences from Council. Field trips of the Shire are intended to be performed for 50% of the Briefing Sessions, with dates to be determined based on Shire project opportunities.

Council Meeting dates and Briefing Sessions are proposed as follows:

Month (2012)	Location	Briefing Sessions <i>Tuesday 5:00pm</i>	Ordinary Council Meetings <i>Tuesday 5:00pm</i>
January	Kununurra	No Briefing Session	24 January
February	-	7 February Wyndham	21 February Kununurra
March	Wyndham	6 March	20 March
April	Kununurra	3 April	17 April
May	Wyndham	1 May	15 May
June	Kununurra	5 June	26 June
July	Wyndham	3 July	17 July 2012
August	Kununurra	7 August	21 August
September	Kununurra	4 September	18 September
October	Wyndham	2 October	16 October
November	Kununurra	6 November	20 November
December	Kununurra	4 December	18 December

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council confirms the following dates and locations of Ordinary Council Meetings in 2012:

- Tuesday, 24 January, Kununurra
- Tuesday, 21 February, Kununurra
- Tuesday, 20 March, Wyndham
- Tuesday, 17 April, Kununurra
- Tuesday, 15 May, Wyndham
- Tuesday, 26 June, Kununurra
- Tuesday, 17 July, Wyndham
- Tuesday, 21 August, Kununurra
- Tuesday, 18 September, Kununurra
- Tuesday, 16 October, Wyndham
- Tuesday, 20 November, Kununurra
- Tuesday, 18 December, Kununurra

Moved: Cr D Ausburn

AMENDMENT TO MOTION

Moved: Cr J Parker

Proposed change to December meeting – 1 week earlier:

- **Tuesday 11 December 2011**

COUNCIL DECISION

Minute No. 9655

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council confirms the following dates and locations of Ordinary Council Meetings in 2012:

- **Tuesday, 24 January, Kununurra**
- **Tuesday, 21 February, Kununurra**
- **Tuesday, 20 March, Wyndham**
- **Tuesday, 17 April, Kununurra**
- **Tuesday, 15 May, Wyndham**
- **Tuesday, 26 June, Kununurra**
- **Tuesday, 17 July, Wyndham**
- **Tuesday, 21 August, Kununurra**
- **Tuesday, 18 September, Kununurra**
- **Tuesday, 16 October, Wyndham**
- **Tuesday, 20 November, Kununurra**
- **Tuesday, 11 December, Kununurra**

Carried Unanimously 8/0

12.6.2 Delegated Authority Report

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Julie-Anne McGuinness, Governance Support Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	PL.02.1

PURPOSE

To report to Council on the use of Delegated Authority by Officers for the period 1 November to 30 November 2011.

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.

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

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Governance, Key Result Area 5, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

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

ATTACHMENTS

Attachment 1 – 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 2011.

COUNCIL DECISION

Minute No. 9656

Moved: Cr D Ausburn

Seconded: Cr K Torres

That Council receives the Delegated Authority Report for the period 1 November to 30 November 2011.

Carried Unanimously 8/0

Attachment 1 – Delegated Authority Report

PLANNING DELEGATED AUTHORITY APPROVALS - 1 - 30 November 2011

Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Assess't Number	Approval Date	Comment
DA59/11	P	5/07/2011	Dave & Christine Thorneycroft	Dave & Christine Thorneycroft	115 Salacca Loop, Kununurra	Shed and Caretakers Dwelling	7103	1/11/2011	Approved by Nick Kearns
DA112/11	P	24/10/2011	Lone Eagle WA Pty Ltd	Lone Eagle	Lot 314 Cnr Cyril Kleining Drive, Kununurra	Office and Passenger Lounge	7160	7/11/2011	Approved by Nick Kearns
DA114/11	P	25/10/2011	Wayne & Linda Paul	Clive Wayne Paul & Linda Frances Cunningham	Lot 133 Drysdale Approach, Kununurra	Single Dwelling	7350	8/11/2011	Approved by Nick Kearns
DA119/11	HOCC	17/10/2011	Jennifer Kroeger	Jennifer Kroeger	Lot 1048 Woolybutt Place, Kununurra	Home Occupation renewal - Boab Babies	847	8/11/2011	Approved by Dean Pettit
DA104/11	P	22/09/2011	Colin Bailey & Syd Allan	Colin Bailey & Syd Allan	26 Ivanhoe Road, Kununurra	Warehouse & Storage facility	7121	14/11/2011	Approved by Nick Kearns
DA116/11	P	31/10/2011	Wes Jilley	Wes Jilley	Lot 1262 Beefwood Street, Kununurra	Shed	894	14/11/2011	Approved by Nick Kearns

DA120/11	P	8/11/2011	Michael Britza	Michael Britza & Wendy Jones	Lot 17 Egret Close, Kununurra	Shed	2303	14/11/2011	Approved by Nick Kearns
DA124/11	P	17/11/2011	Brenda King	Connell, Buttle & King	Lot 32 Egret Close. Kununurra	Caretakers/Bed & Breakfast	7074	18/11/2011	Approved by Nick Kearns
DA113/11	HOCC	24/10/2011	Melissa Whalley	Anthony Whalley	Lot 81 Ironwood Drive, Kununurra	Home Occ- body piercing	1242	21/11/2011	Approved by Nick Kearns
DA117/11	P	4/11/2011	S & R Fewster	Warraminga P/L	Lot 557 Coolibah Drive, Kununurra	Signage - Bali flags, rear wall and roof sign.	1084	21/11/2011	Approved by Nick Kearns
DA121/11	P	8/11/2011	Jill Williams	McWaters Holdings Pty Ltd	Lot 103 Salacca Loop, Kununurra	Workshop Shed	7095	28/11/2011	Approved by Nick Kearns
DA123/11	P	14/11/2011	Ben Marr	McLean Enterprises	Lot 24 Ivanhoe Road, Kununurra	Workshop Shed	7266	28/11/2011	Approved by Nick Kearns

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 NOVEMBER 2011

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
117/2011	14/09/2011	3/11/2011	Warraminga Pty Ltd	Associated Shop Fitters (Reg Abbott)	Lot 557 (Shop112B) Coolibah Drive Kununurra	Class 6 café shopfitout/ refurbishment	Add	\$75,000.00	
118/2011	29/09/2011	7/11/2011	LV Hancock	SC&DN Jonsen (lessees)	Lot 271 Mulligans Lagoon Road Kununurra	Class 10 A Non-Habitable shed	New	\$25,000.00	
119/2011	14/10/2011	7/11/2011	Steve & Elise Petty	Top End Building Company	Lot 36 Weaber Plain Road Kununurra	Class 1A dwelling additions & renovations	Add	\$249,000.00	15/15 days
120/2011	18/08/2011	7/11/2011	Ord Irrigation Co-op / Shire of Wyndham-East Kimberley	Ord Irrigation Co-op	Loc 892 Carlton Hill Road (Channel Reserve)	Class 10B - Communications Tower	New	\$33,000.00	
121/2011	24/10/2011	9/11/2011	Des & Laurie Daniel	Chris Daniel t/as Bodan Constructions Pty Ltd	Lot 831 (54) Koolama Street Wyndham	Class 10A Verandah addition	Add	\$55,000.00	13/15 days
122/2011	4/11/2011	18/11/2011	Outback Spirit Tours (Sub-lease) Kandiwal Aboriginal Community	Telstra (Land Access & Environment)	Doongan Loc 25 (Reserve 41265) Kandiwal Mitchell Plateau	Class 10B - Communications Tower	New	\$4,860.00	9/15 days

123/ 2011	8/11/2011	18/11/2011	Michael Britza	Michael Britza	Lot 17 Egret Close Kununurra	Class 10A Non- habitable Garage with attached carport	New	\$18,000.00	7/15 days
124/ 2011	4/11/2011	18/11/2011	Baptist Union of WA	Mike Moore	Lot 2430 (50) Coolibah Drive Kununurra	Class 10A - Patio over existing stairwell	New	\$2,000.00	9/15 days
125/ 2011	16/11/2011	18/11/2011	Brenda King, T & B Connell and R & W Buttle	Glendale Homes Pty Ltd	Lot 32 Egret Close Kununurra	Class 1A dwelling	New	\$156,000.00	1/15 days
126/ 2011	15/11/2011	21/11/2011	Argyle Diamond Mines	OTOC/ Construct Joint Venture	Argyle Diamond Mine Lissadell Loc 618 Via Lissadell Road	Class 1B Accommodation units (30 x 4 person)	New	\$6,000,000.00	3/15 days
127/ 2011	16/11/2011	21/11/2011	Peter & Susan Cottle	Kununurra Pools & Spas	Loc 528 Riverfarm Road Kununurra	Class 10B - Swimming Pool	New	\$50,000.00	2/15 days
128/ 2011	12/10/2011	22/11/2011	Michael Terry	Michael Terry	Lot 2320 (7) Cocus Way Kununurra	Class 10A Shade Sail	New	\$1,200.00	
129/ 2011	21/11/2011	29/11/2011	A Maher & J Bell	Darren Fulcher t/a DE Carpenters	Lot 334 Argentea Avenue Kununurra	Class 1A dwelling with attached Class 10A garage & outdoor living	New	\$410,000.00	5/15 days
130/ 2011	15/11/2011	29/11/2011	D Pearce	D Pearce	Lot 1212 (16) Bloodwood Drive Kununurra	Class 10B - Swimming Pool	New	\$20,000.00	9/15 days
131/ 2011	14/11/2011	30/11/2011	McLean Enterprises	Ben Marr	Lot 24 Ivanhoe Road Kununurra	Class 7A - carport lean to addition to existing Class 7B/8	Add	\$32,945.00	11/15 days
132/ 2011	30/11/2011	30/11/2011	Hugh Mason	Hugh Mason	Lot 120 (13) Barding	Class 10B -	New	\$30,000.00	1/15 days

2011					Loop Kununurra	Swimming Pool			
133/ 2011	25/11/2011	30/11/2011	Wes Jilley	Wes Jilley	Lot 1262 (11) Beefwood Street Kununurra	Class 10A Garage	New	\$25,000.00	2/15 days
134/ 2011	8/11/2011	30/11/2011	McWaters Holdings Pty Ltd	McWaters Holdings Pty Ltd	Lot 103 (18) Salacca Loop Kununurra	Class 7B/8 Commercial Production and Storage building	New	\$55,000.00	15/15 days
								\$7,242,005.00	

THERE WERE NO SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 NOVEMBER 2011

THERE WERE NO DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 NOVEMBER 2011

CERTIFICATES OF CLASSIFICATION ISSUED UNDER DELEGATED AUTHORITY – 1 – 30 NOVEMBER 2011

CERT CLASS#	DATE	Building Licence	ASSESS NO.	Building Class	OWNER	BUILDER	BRB / OB NO	LOCATION	DESCRIPTION
012/2011	16.11.11	148/2004	A5495P	1A, 10A, 7B/8	Michael Terry	Michael Terry	Owner Builder NO BRB JURISDICTION	Lot 2320 Cocus Way Kununurra	Class 1A dwelling, Class 10A Non- habitable shed/store & Class 7B/8 Commercial Production & Storage Shed
013/2011	29.11.11.	140/2004	A5577P	7B/8	Simon & Bronte O'Kane	Simon & Bronte O'Kane	Owner Builder NO BRB JURISDICTION	Lot 1260 (8) Kimberley Street Wyndham	Class 7B/8 - Commercial Production & Storage Building.

FORMAL NOTICES RAISED PURSUANT TO LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

FOR ISSUE BY THE CEO UNDER DELEGATED AUTHORITY – 1 – 30 NOVEMBER 2011

Date	Assess No	Owner	Owner Address	Section No Notice issued under from the Local Government (Miscellaneous Provisions) Act 1960	Property Address	Description of structure	Cause of Objection
07.11.11	A7P	Paul Cavanagh	PO Box 74 Wyndham	Notice 401(1)C	Lot59 (9) Baker Street Wyndham	Class 1A dwelling	unauthorised structure
07.11.11	A484P	Paul Cavanagh	PO Box 74 Wyndham	Notice 401(1)C	Lot 4 (25)O'Donnell Street Wyndham	Class 1A dwelling	unauthorised structure
09.11.11	A495P	Marten Ynema	PO Box 300 Wyndham	Notice 401(1)C	Lot 897 (56) Koolama Street Wyndham	Class 10A shade sail	unauthorised structure

COMMUNITY QUICK GRANTS DELEGATED AUTHORITY APPROVALS – 1 NOVEMBER – 30 NOVEMBER 2011

Approval Date	Organisation	Purpose of Quick Grant	Total Project Cost	Amount Requested	Amount Approved
01/11/2011	Surfrider – Kimberley Branch	Blue Light disco	\$1740	\$500 (\$120 In-kind)	\$500
01/11/2011	St Joseph's KNX	End of Year Concert	\$1000.00	\$500 (In-kind)	\$500
07/11/2011	St Joseph's WYN	Squash Coaching Session & Swim	\$405	\$250	\$250

12.6.3 Outcomes of Annual General Meeting of Electors 2011

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Julie-Anne McGuinness, Governance Support Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	CM.13.1

PURPOSE

To consider the outcomes of the Annual General Meeting of Electors, 22 November 2011.

BACKGROUND

The presentation of the Annual Report 2010-2011 to electors occurred on 22 November 2011. The report includes an update on the Shire's annual performance from the Chief Executive Officer, Gary Gaffney and Shire President, Cr Fred Mills.

The purpose of the report is to provide an overview of the operational milestones in the key result areas of Governance, Infrastructure, Community, and Economic Development which have occurred in the last financial year and an outline of the plan for the future of the district. The report includes a detailed financial report and independent audit report for the financial year.

The Annual Report was accepted by Council at the Annual Meeting of Electors 22 November 2011:

Council Decision
Minute No. 9615

Moved: Cr D Ausburn
Seconded: Cr K Torres

That Council accepts the 2010-2011 Annual Report of the Shire of Wyndham East Kimberley including Shire President's Report, Chief Executive Report and Independent Audit Report.

Carried unanimously 5/0

No members of the public were present in the gallery during the Annual General Meeting of Electors.

STATUTORY IMPLICATIONS

The *Local Government Act 1995, Division 5 – Annual reports and planning* dictates that Council prepare a formal annual report for each financial year.

5.54 Acceptance of Annual Reports

1) Subject to subsection (2), the annual report for a financial year is to be accepted by the local government no later than 31 December after that financial year.

It is advised that the outcomes of the meeting be presented to Council at the next Ordinary Meeting for consideration.

It is a statutory requirement to hold an Annual General Meeting of Electors, and for Council to consider the outcomes of this meeting at the next possible meeting.

5.33. Decisions made at electors' meetings

(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

(a) at the first ordinary council meeting after that meeting;

or

(b) at a special meeting called for that purpose, whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Governance, Key Result Area 5, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Communication of Council roles and activities
- Compliance with legislative requirements

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item. Members of the public are welcome to attend the annual meeting (as advertised) however this year there was nil attendance in the gallery. Despite this rate of attendance, a number of copies of the report have been collected from the Shire offices demonstrating a level of interest within the community.

COMMENT

The purpose of this item is to consider the outcomes of the Annual Meeting of Electors. Primarily due to the absence of members of public, no formal questions were asked of Council and the item was passed with all 5 elected members in support of accepting the Shire of Wyndham East Kimberley Annual Report 2010-2011.

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the only business at the Annual General Meeting of Electors 22 November 2011 was the acceptance of the Annual Report. No questions or resolutions were proposed either before or during the meeting. No further action is required in regard to the Annual General Meeting of Electors.

COUNCIL DECISION

Minute No. 9657

Moved: Cr D Ausburn

Seconded: Cr K Torres

That Council notes the only business at the Annual General Meeting of Electors 22 November 2011 was the acceptance of the Annual Report. No questions or resolutions were proposed either before or during the meeting. No further action is required in regard to the Annual General Meeting of Electors.

Carried Unanimously 8/0

12.7 ELECTED MEMBER REPORTS

Cr Ralph Addis

- | | |
|-------------|---|
| 18 November | Regional Development Council teleconference about Royalties for Regions Action Agenda funding round |
| 22 November | Dinner and meeting with Ian Fletcher, Executive Chairman, Regional Development Council |
| 24 November | Councillor Training session with WALGA |
| 24 November | Kununurra District High School Awards night presentation on behalf of Council |
| 3 November | Audit (Finance & Risk) Committee meeting |
| 3 November | Council Town Planning Scheme Review workshop |
| 7 November | Regional Development Council meeting in Perth |

Cr Di Ausburn

- | | |
|-------------|---|
| 24 November | Councillor Training |
| 28 November | Community Australia day meeting |
| 6 December | Airport Completion Tour
Briefing Session |
| 8 December | KVC Board Meeting |
| 13 December | Ordinary Council Meeting |

Cr John Moulden

- 1 December Petrol sniffing meeting
 Kimberley Zone meeting, Kununurra
 Kimberley Regional Collaborative Group meeting, Kununurra
- 3 December Audit committee
 Local Planning Scheme workshop, Urbis
- 5 December WALGA meeting Perth, service delivery to remote communities
- 13 December Meeting with the Hon. Ken Baston
 Meeting with the Department of Transport Regional Manager,
 Wyndham

Cr C Gore-Birch Gault

- 8 December Meeting to discuss issues at Warriu Park, Wyndham

Cr J Parker

- 8 December Meeting to discuss issues at Warriu Park, Wyndham

Cr J McCoy

- 8 December Meeting to discuss issues at Warriu Park, Wyndham

COUNCIL DECISION

Minute No. 9658

Moved: Cr J Parker

Seconded: Cr A Horn

That Council notes the Elected Member Reports from 22 November – 13 December 2011.

Carried Unanimously 8/0

12.8 CHIEF EXECUTIVE OFFICER REPORTS

The Chief Executive Officer attended the following meetings:

- 20 November 2011 Meeting with Indigenous Coordination Centre and Department of Health and Aging to discuss Opal fuel product.
- 1 December 2011 Meeting with representatives of Kimberley Zone and Regional Collaborative Group
- 1 December 2011 Meeting with Gary Angel from Department of Local Government as well as Kimberley Zone CEO's in relation to Remote Service Delivery
- 5 December 2011 Meeting with Youth Services Network
- 5 December 2011 Meeting with Australian Building Construction Commission
- 7 December 2011 Meeting with the WA Dams Sub-committee (Shadow Cabinet)

COUNCIL DECISION

Minute No. 9659

Moved: Cr J Parker

Seconded: Cr C Gore-Birch Gault

That Council notes the Chief Executive Officer Reports from 22 November – 13 December 2011.

Carried Unanimously 8/0

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

15.1 PROPOSED MIXED USE DEVELOPMENT – LOT 250 COOLIBAH DRIVE, KUNUNURRA

DATE:	13 December 2011
PROPONENT:	Hodge Collard Preston Architects
LOCATION:	Lot 250 Coolibah Drive, Kununurra
AUTHOR:	Jennifer Ninyette, Senior Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A791P

PURPOSE

For Council to consider an application for planning consent for a mixed use development on Lot 250 Coolibah Drive, Kununurra.

BACKGROUND

Lot 250 Coolibah Drive is located on the western side of Coolibah Drive opposite White Gum Park, and has street frontages to both Coolibah Drive and Agate Lane.

Lot 250 is rectangular in shape but quite narrow with an area of 3081m², and is surrounded by the aquatic centre, Town Oval and a largely undeveloped church owned property to the north. A location plan is provided as Attachment 1.

The development proposed consists of a two storey mixed use building fronting Coolibah Drive, which will comprise of commercial area on the ground floor and 9 units on the second storey, as well as 6 two storey townhouses located at the rear of the property. A copy of the proposed site plan is shown at Attachment 2.

This site was previously utilised for the FESA/Town Fire Station and Old Scout Hall, however these original lots have been sold and amalgamated to create Lot 250. The original structures are still on site and will need to be demolished to enable the proposed redevelopment of the site.

Development Proposed

The mixed use component of the development accounts for approximately 1415m² of the site area.

The commercial component of the mixed use building is proposed to have a floor space of 684m². The applicant has not indicated whether the commercial development will be for offices and/or retail, as tenancy and proposed use at this stage is unknown, however it would be anticipated to be a mixture of offices and small retail. The application also proposes an alfresco area adjoining the terrace styled mixed use building, to be located within the Coolibah Drive road reserve.

The 9 units on the second storey consist of 5 single bedroom units and 4 double bedroom units, each with balconies overlooking Coolibah Drive and/or Agate Lane.

Each single bedroom unit has a floor area of approximately 59m² and comprises a kitchenette, living area, laundry, bathroom and balcony. Each double bedroom unit has a floor area of approximately 89m² and comprises a kitchen, living area, laundry, two bathrooms and balcony.

The site plan shows 12 car parking bays on site to be associated with the mixed use building, and with 24 parking bays, including one disabled bay, and loading bay within Council's road reserve.

Floor plans and elevations of the mixed use building are provided as Attachment 3.

The two storey townhouses proposed will utilise the remaining (approx) 1665m² of Lot 250 with driveway access from Agate Lane.

Each townhouse will contain three bedrooms, along with three bathrooms and kitchen, dining, living and laundry facilities, and alfresco area.

Plans of the proposed townhouses are provided as Attachment 4.

Each townhouse is also provided with a storage room and double garage, and two visitor bays are provided, in accordance with Residential Design Codes requirements.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7

The site is zoned 'Town Centre' under the Shire of Wyndham - East Kimberley Town Planning Scheme No.7 (Scheme), for which the use and development of mixed use commercial and residential units is permitted.

Clause 5.10.4 of the Scheme states that group residential development within the 'Town Centre' zone may be permitted in accordance with the provisions and standards of the R50 density code outlined in the Residential Design Codes. This is providing the development is compatible with the surrounding land use.

The Residential Design Codes are a policy prepared and adopted under the Planning and Development Act. Clause 5.7 of the Town Planning Scheme adopts the codes. As they are adopted under the Scheme, the Codes take on the effect of Scheme provisions.

Part VIII of the Town Planning Scheme also outlines the car parking standards and provisions required for development within the Scheme area for commercial purposes, with the opportunity to make cash payment in lieu of the provision of all or any of the required number of car parking spaces at the Council's discretion. Parking standards for residential purposes is guided by the Residential Design Codes.

The Scheme provides under Clause 8.4.2 that cash in lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the Scheme, plus the value of the area of the land which would have been occupied by the parking spaces.

Accordingly, the Town Planning Scheme Table 2 – Development Standards prescribes for a commercial office development that one car parking bay is to be provided for every 40m² of Gross Floor Area or part thereof. Notwithstanding this requirement, Clause 5.5 of the Town Planning affords the Council discretion to modify the development standards in Table 2 as it sees fit.

If utilised as office space a total of 17.1 car parking bays are required to be provided, and if utilised for retail space a total of 34.2 car parking bays will be required.

The application has been submitted with the intent that all parking for the commercial space will be provided within Council's road reserve, with the site plan showing 24 parking bays off site, which is approximately one bay per every 30m² of floor area.

As such Council's consideration is required as to whether they will allow the developer to construct bays within the road reserve in lieu of providing parking on-site and whether Council will permit a rate of one bay per every 30m² to cater for a mix of office/retail use.

Clause 5.10.3 of the Scheme relates to service areas and states that areas for the loading and unloading of vehicles carrying goods and commodities to and from the premises should be provided on-site, of a size of not less than 10m² and be designed so that all entry and exit movements from and to the adjoining street or right of way system will be in a forward direction. The loading bay proposed meets the minimum area required however the applicant is seeking to provide the loading bay within Council's road reserve, and therefore also requires the consideration of Council.

Clause 5.10 of the Scheme outlines the characteristics that Council shall have regard to when considering applications for planning approval within the Town Centre zone which include:

- The colour and texture of external building materials.
- Building size, height and bulk, and roof pitch.
- Setback and location of the building on its lot.
- Architectural style and design details of the building.
- Function of the building.
- Relationship to surrounding development.
- Parking and landscaping requirements.

Residential Design Codes

The Residential Design Codes (R Codes) provides a comprehensive basis for the control, through local government, of residential development throughout Western Australia.

Under the R Codes, the proposed townhouses are classified as grouped dwellings and the proposed units above the commercial space within the mixed use building are classified as multiple dwellings. As such, these different classes of residential development are assessed separately below.

TOWNHOUSE DEVELOPMENT – GROUPED DWELLINGS

Under the Residential Design Codes the setback to the rear and side boundary is determined subject to the height and length of the facing wall and where major openings (windows/doors) are located within these walls to address building bulk and privacy issues.

The setback of townhouse 6 from the (diagonal) western boundary is proposed to vary from 1.1 – 3.6 metres, however, as the wall is 6.5m in height and there is a major opening (bedroom window) the required setback is 3 metres. Therefore a minor concession is required to allow this, however as this boundary adjoins the Town Oval, there are not considered to be any issues of concern in regard to building bulk or overlooking, and the setback could instead provide improved surveillance of this area.

The setback of the townhouses from the southern boundary is proposed to be 3 metres, however as the wall is 6.5m in height, just over 24m in length and has major openings the required setback is 6 metres. This boundary immediately adjoins an area of Shire managed reserve which serves an important drainage function, and historically has been used for pedestrian and vehicular access to and from Town Oval, and an area of antisocial behaviour. Therefore it is considered that a reduced setback in this instance is appropriate as it will provide surveillance within this area which will minimise opportunities for concealment or entrapment.

There are a number of second storey bedroom windows which directly face each other (Townhouse 2 and Townhouse 3, Townhouse 4 and Townhouse 5) creating a privacy issue between the dwellings within the site. The privacy provisions of the Residential Design Codes generally recommend that windows should be offset to limit adjacent views into windows, however this normally relates to neighbouring properties, not dwellings within the development. This distance proposed between the windows is 1.8m.

Each townhouse has been provided with two parking spaces in accordance with the R Codes, and there are also 2 visitor bays, which are all provided onsite.

The townhouses otherwise comply with the provisions of the Residential Design Codes.

SECOND STOREY UNITS - MULTIPLE DWELLINGS

The proposed second storey units have been orientated to maximise street frontages for balconies to provide for surveillance of Agate Lane, Coolibah Drive and White Gum Park.

The balconies proposed are shown to be 7.05m² (1.5 x 4.7) for each single bedroom unit and 7.22m² (1.9 x 3.8) for double bedroom units. The R Codes states that balconies should as a minimum be 10m² or be of a sufficient size to serve as a functional space, i.e. be wide enough to accommodate outdoor seating/furniture to encourage activity and use. As such, it is considered that the proposed balconies have measurements that are adequate to accommodate a small table and chairs.

Parking requirements for multiple dwellings within mixed use development are based on the size of the dwelling and the availability of on-street and other off-street parking, however parking areas associated with retail/commercial uses are to be clearly separated and delineated from residential parking.

As a minimum, on-site parking provision for small units (under 75m² or 1 bedroom) is 1 parking space per dwelling, for medium size units (75 -110m²) is 1.25 spaces per dwelling, with 0.25 visitor bays to be provided per dwelling, to be rounded up to the nearest whole number. The R Codes also stipulate the number of bicycle spaces required to be provided as 1 per each 3 dwellings for residents and 1 bicycle space per each dwelling for visitors.

As such, 13 on-site parking spaces (10 for residents and 3 visitor bays) and 4 bicycle spaces are required to be provided for the residential units within the mixed use development.

The application proposes to provide 12 parking bays, with a minimum of 10 bays to be identified for residential use, and 7 bicycle spaces on site.

This means that the majority of parking for the commercial development is proposed to be within Council's road reserve, with only a maximum of 2 on-site bays having potential use associated with the commercial area, as it is considered that the 3 visitor bays required can be used reciprocally within the road reserve.

The proposed multiple dwellings generally comply with the provisions of the Residential Design Codes.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The application fee of \$12,018 has been paid.

The cost of construction of the proposed parallel and visitor parking bays and footpath within Council's road reserve and required reconstruction and drainage works within Agate lane will be borne by the developer.

STRATEGIC IMPLICATIONS

It is considered that the proposed mixed use for commercial and residential is consistent with the objectives of the Shire of Wyndham East Kimberley Local Planning Strategy (LPS), however that Council consideration is required to determine whether the development provisions are adequate.

Additionally, it is considered that the proposed development will promote further redevelopment of the Town Centre area(s), and the residential component will provide improved surveillance of surrounding public and commercial areas.

COMMUNITY CONSULTATION

Under Town Planning Scheme No. 7 – Kununurra and Environs, Office and Shop are permitted ('P') use classes and Grouped Dwellings is a discretionary ('AA') use class within the Town Centre zone neither of which are required to be advertised.

Delegated Authority has been granted to the Chief Executive Officer to approve Group Dwelling developments within the Residential and Town Centre Zones.

COMMENT

It is considered that dispensation for some required parking to be provided within the Agate Lane road reserve can be supported, subject to all parking for residential tenants being onsite, the Shire being satisfied in regards to delivery access and waste and utility areas, as redevelopment of the site would achieve a more desirable outcome for the town centre.

While Agate Lane performs an important drainage function, vehicular use of Agate Lane is low, with the road only providing access to the subject site, which is currently unutilised, and providing as an exit from the car park/bus bay area adjoining the Visitor Centre. Therefore development of parking within the Agate Lane road reserve will not impede other surrounding use or development, but additional parking in this area can benefit surrounding uses such as for the Saturday markets and other events or gatherings at White Gum Park.

It is noted that, historically, the central business area of the Town Centre was designed and has been developed with buildings built up to boundaries, and commercial parking and loading areas being provided within Council's road reserve, to provide for the efficient use of land and public car parking, separate from service access areas.

The application proposes to place bollards at the end of Agate Lane to prevent vehicular access through the drainage area to prevent it from becoming a vehicular thoroughfare or shortcut to Town Oval. However, pedestrian access will be possible which will essentially provide a linkage from recreational facilities (Town Oval and courts) to White Gum Park.

It is considered that retaining this pedestrian linkage will benefit the residents of the proposed units, with the residents in turn would offer passive surveillance of this pathway. Redevelopment of the site will also alleviate the antisocial issues currently occurring in this due to the rear of the site currently being overgrown and unutilised.

It is anticipated that substantial work will be required to be undertaken on Agate Lane and the drainage area to provide the parking proposed and address drainage, landscaping, lighting and pedestrian access for which the construction and cost should be borne by the developer, which is considered to be a more acceptable solution as an alternative to the shire requesting a cash in lieu payment.

The developer has confirmed in writing that he will improve the overland drainage within the Agate Lane road reserve, and will bear all works relating to Agate Lane including parking and footpaths. A written submission provided by consultants on behalf of the developer, which addresses a number of issues raised by the Shire in assessing the application, is provided at Attachment 5.

It is also anticipated that, as a result of the new works within Agate Lane, a retaining wall will be required along the southern boundary of the road reserve, resulting in the need to remove and relocate fencing adjoining the public swimming pools. As such it is considered that the developer will also need to contribute to the replacement and/or realignment of any affected fencing. It is also noted that some works proposed and required to be undertaken are within the Coolibah Drive road reserve, such as three proposed parallel bays and footpaths.

From an aesthetics point of view, the proposed development is considered to provide an attractive streetscape, with articulation of the building on the primary and secondary streets, and an active terrace style frontage that provides casual surveillance of, and connection to, public areas. Passive surveillance is also provided from the balconies of the second storey units over the road reserve and to White Gum Park.

The application proposes that the awning overhang the boundary, which is considered to be functional, to provide shade and protection from weather, as well as providing for visual interest along the street.

An alfresco area within the road reserve is proposed, and is recommended to be supported in the form of a raised extended deck, however is subject to Council's consideration, and if approved will need to be separate structurally from the main building.

It is recommended that dispensation for car parking be granted by Council, on the basis that:

- The developer bears the cost for the construction of parking within the road reserve, including footpaths, landscaping and required reconstruction of the road.
- The road would remain trafficable by the general public and retain its drainage function as well as allowing opportunity for future redevelopment of adjoining public land.
- The developer will contribute and/or undertake works to improve the interface of the development site with adjoining public areas, such as improved pedestrian linkages and landscaping.

- As the proposed commercial development component does not provide for rear vehicular access or rear loading areas, and the car parking ratio applied is for a mix of 'office' and 'shop' use, the opportunity for retail uses will need to be limited to a maximum floor area, and will be limited to small retail.

It is also recommended that the approval be conditioned to:

- Limit the use to office or small retail, with the use of small retail subject to the discretion of Council.
- Require the developer to enter into an agreement for the reconstruction of Agate Lane, to include:
 - Provision of a sufficient loading bay
 - Provision of a minimum of 20 car parking bays within the Agate Lane road reserve, and minimum of 2 parallel car parking bays within the Coolibah Drive road reserve.
 - Construction of adequate footpaths within both Agate Lane and Coolibah Drive
 - Designed to accommodate and stormwater drainage

ATTACHMENTS

Attachment 1 – Location Plan

Attachment 2 – Site Plan

Attachment 3 – Mixed Use Building – Floor Plans and Elevations

Attachment 4 – Townhouses – Floor Plans and Elevations

Attachment 5 – Planning comment provided by applicant

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grant planning consent for the development of Commercial Office, 9 x Multiple Dwellings and 6 x Grouped Dwellings on Lot 250 Coolibah Drive, Kununurra, subject to the following conditions:

1. All development shall be in accordance with the attached approved plan(s) dated 13th December 2011 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. The commercial space shall be used for office use only and portion may only be permitted to be used for small retail purposes upon further application being lodged with the Shire.
3. The provision of a minimum of 34 parking bays is required for this development. With the exception of visitor bays, all residential parking is required to be provided onsite.
4. Provision of a minimum of 20 parking bays within the Agate Lane road reserve to be constructed to the specifications and satisfaction of the local government.

5. Provision of a minimum of 2 parallel parking bays, including 1 disabled bay, within the Coolibah Drive road reserve, to be constructed to the specifications and satisfaction of the local government.
6. Construction of footpath(s) within the Agate Lane and Coolibah Drive road reserves, as shown on the approved site plan, at the cost of the developer.
7. Prior to the granting of a building licence for the development, the developer must enter into a binding agreement with the Shire with respect to the work to be carried out as a result of the use of the road reserve in Agate Lane and Coolabah Drive.

The agreement is to be based on the principle that conditions 4 and 5 have been agreed to by Council as an alternative to agreeing, under clause 8.4.1 of the Shire's Town Planning Scheme No 7 (TPS 7), to accept a cash-in-lieu payment for the shortfall in the required number of car parking spaces. In accordance with that principle clause 8.4.2 of TPS 7, which provides that a cash-in-lieu payment is not to be less than the cost of constructing the required number of parking spaces plus the value of the area of land which would have been used for those parking spaces, is to be met through the total cost of the work to be carried out as a result of the use of the road reserve being no less than the cost of constructing the parking bays provided under conditions 4 and 5 plus the value of the land to be used for those parking bays. The cost of the construction of the parking bays and the value of the land is to be determined in accordance with clauses 8.4.3 and 8.4.4 of TPS 7 and clause 8.4.7 will apply to any dispute with respect to the determination of the cost and the value.

The agreement must –

- a) Identify the design and specifications for the condition 4 and 5 parking bays shown of the approved plans;
 - b) Include the location, pavement, kerbing, line marking and signage for the parking bays in the identified design and specifications;
 - c) Identify the design and specification for a reconstruction of Agate Lane;
 - d) Include excavation works, sealed pavement, kerbing, line marking and stormwater drainage and lighting in the identified design and specifications for the reconstruction of Agate lane;
 - e) Ensure the design for the reconstruction of Agate Lane accommodates and improves egress from the existing bus bay onto the Lane and relocation or replacement of the fencing along the boundary with the adjoining public land;
 - f) Provide for the landscaping design and footpath design, specification and location to implement the conceptual design in the approved plans;
 - g) Provide for practical completion and defects liability period requirements including an appropriate indemnity for the Shire against liability for any loss or cost arising from the works to be carried out under the agreement; and
 - h) Provide that the cost the agreement, and any cost to the Shire that is associated with the agreement, is to be met by the developer.
8. All works, services, facilities, reinstatements and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the Applicant's expense unless otherwise negotiated.
 9. All services, both above and below ground, shall be accurately located for alignment and/or level prior to the commencement of works. The cost of any damage or relocation of services as a result of the works shall be borne by the applicant.

10. During the course of constructing the works the applicant shall be responsible for all aspects of the works, including public safety and shall ensure adequate barricades, signage and other warning devices are in place at all times. Prior to commencement of the works the applicant shall submit a traffic management plan for works affecting external roads.
11. All land indicated as landscaped area on the approved plan(s) being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.
12. All plumbing pipes shall be ducted within the walls of the building.
13. Roof downpipes must not openly discharge onto the ground or paved surface. All downpipes must discharge into a suitable piped stormwater drainage system.
14. During construction stage adjoining lots are not to be disturbed without the consent of the owner/s in writing;
15. All parking, driveway and access areas shall be constructed, sealed, drained and signed to the satisfaction of the local government.
16. All side and rear fencing shall consist of solid panel type construction to a maximum height of 1.8 metres.
17. The bin enclosure is to be built of similar, or complementary, materials as the walls of the predominant building, and the entrance is to be screened via gates to the satisfaction of the local government.
18. Prior to the buildings being occupied, details of all onsite waste storage and collection must be approved by the local government and shall include allowance for commercial waste collection.
19. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Infrastructure Services Director prior to submission of the building application.

COUNCIL DECISION

Minute No. 9660

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council grant planning consent for the development of Commercial Office, 9 x Multiple Dwellings and 6 x Grouped Dwellings on Lot 250 Coolibah Drive, Kununurra, subject to the following conditions:

- 1. All development shall be in accordance with the attached approved plan(s) dated 13th December 2011 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.**
- 2. The commercial space shall be used for office use only and portion may only be permitted to be used for small retail purposes upon further application being lodged with the Shire.**
- 3. The provision of a minimum of 34 parking bays is required for this development. With the exception of visitor bays, all residential parking is required to be provided onsite.**
- 4. Provision of a minimum of 20 parking bays within the Agate Lane road reserve to be to be constructed to the specifications and satisfaction of the local government.**
- 5. Provision of a minimum of 2 parallel parking bays, including 1 disabled bay, within the Coolibah Drive road reserve, to be constructed to the specifications and satisfaction of the local government.**
- 6. Construction of footpath(s) within the Agate Lane and Coolibah Drive road reserves, as shown on the approved site plan, at the cost of the developer.**
- 7. Prior to the granting of a building licence for the development, the developer must enter into a binding agreement with the Shire with respect to the work to be carried out as a result of the use of the road reserve in Agate Lane and Coolabah Drive.**

The agreement is to be based on the principle that conditions 4 and 5 have been agreed to by Council as an alternative to agreeing, under clause 8.4.1 of the Shire's Town Planning Scheme No 7 (TPS 7), to accept a cash-in-lieu payment for the shortfall in the required number of car parking spaces. In accordance with that principle clause 8.4.2 of TPS 7, which provides that a cash-in-lieu payment is not to be less than the cost of constructing the required number of parking spaces plus the value of the area of land which would have been used for those parking spaces, is to be met through the total cost of the work to be carried out as a result of the use of the road reserve being no less than the cost of constructing the parking bays provided under conditions 4 and 5 plus the value of the land to be used for those parking bays. The cost of the construction of the parking bays and the value of the land is to be determined in accordance with clauses 8.4.3 and 8.4.4 of TPS 7 and clause 8.4.7 will apply to any dispute with respect to the determination of the cost and the value.

The agreement must –

- a) Identify the design and specifications for the condition 4 and 5 parking bays shown of the approved plans;
 - b) Include the location, pavement, kerbing, line marking and signage for the parking bays in the identified design and specifications;
 - c) Identify the design and specification for a reconstruction of Agate Lane;
 - d) Include excavation works, sealed pavement, kerbing, line marking and stormwater drainage and lighting in the identified design and specifications for the reconstruction of Agate lane;
 - e) Ensure the design for the reconstruction of Agate Lane accommodates and improves egress from the existing bus bay onto the Lane and relocation or replacement of the fencing along the boundary with the adjoining public land;
 - f) Provide for the landscaping design and footpath design, specification and location to implement the conceptual design in the approved plans;
 - g) Provide for practical completion and defects liability period requirements including an appropriate indemnity for the Shire against liability for any loss or cost arising from the works to be carried out under the agreement; and
 - h) Provide that the cost the agreement, and any cost to the Shire that is associated with the agreement, is to be met by the developer.
8. All works, services, facilities, reinstatements and/or public utility alterations required by this approval or stated condition/s, whether carried out by the Council or otherwise, shall be at the Applicant's expense unless otherwise negotiated.
 9. All services, both above and below ground, shall be accurately located for alignment and/or level prior to the commencement of works. The cost of any damage or relocation of services as a result of the works shall be borne by the applicant.
 10. During the course of constructing the works the applicant shall be responsible for all aspects of the works, including public safety and shall ensure adequate barricades, signage and other warning devices are in place at all times. Prior to commencement of the works the applicant shall submit a traffic management plan for works affecting external roads.
 11. All land indicated as landscaped area on the approved plan(s) being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.
 12. All plumbing pipes shall be ducted within the walls of the building.
 13. Roof downpipes must not openly discharge onto the ground or paved surface. All downpipes must discharge into a suitable piped stormwater drainage system.
 14. During construction stage adjoining lots are not to be disturbed without the consent of the owner/s in writing;
 15. All parking, driveway and access areas shall be constructed, sealed, drained and signed to the satisfaction of the local government.

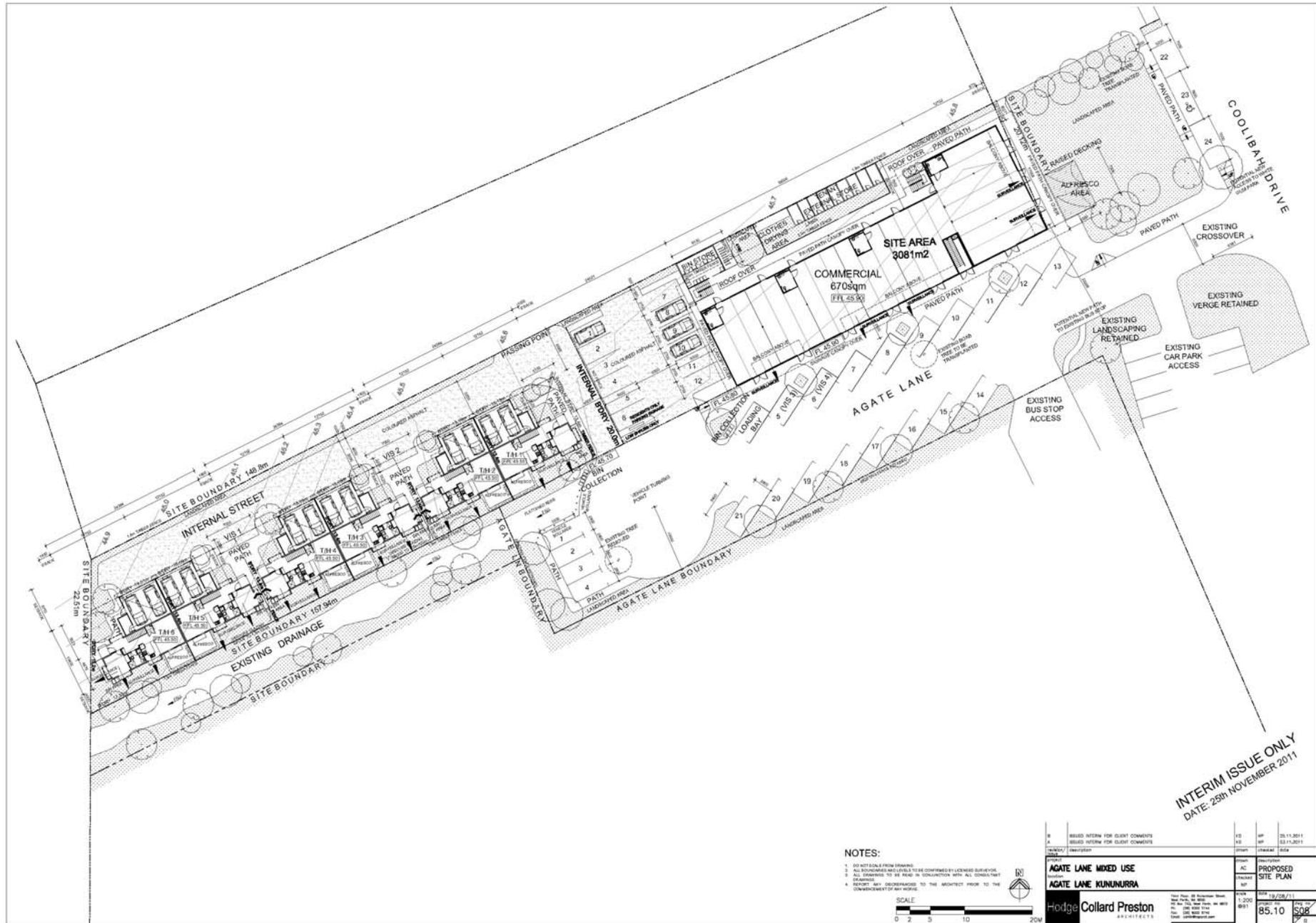
- 16. All side and rear fencing shall consist of solid panel type construction to a maximum height of 1.8 metres.**
- 17. The bin enclosure is to be built of similar, or complementary, materials as the walls of the predominant building, and the entrance is to be screened via gates to the satisfaction of the local government.**
- 18. Prior to the buildings being occupied, details of all onsite waste storage and collection must be approved by the local government and shall include allowance for commercial waste collection.**
- 19. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Infrastructure Services Director prior to submission of the building application.**

Carried Unanimously 8/0

Attachment 1 – Location Plan



Attachment 2 – Site Plan



INTERIM ISSUE ONLY
DATE: 25th NOVEMBER 2011

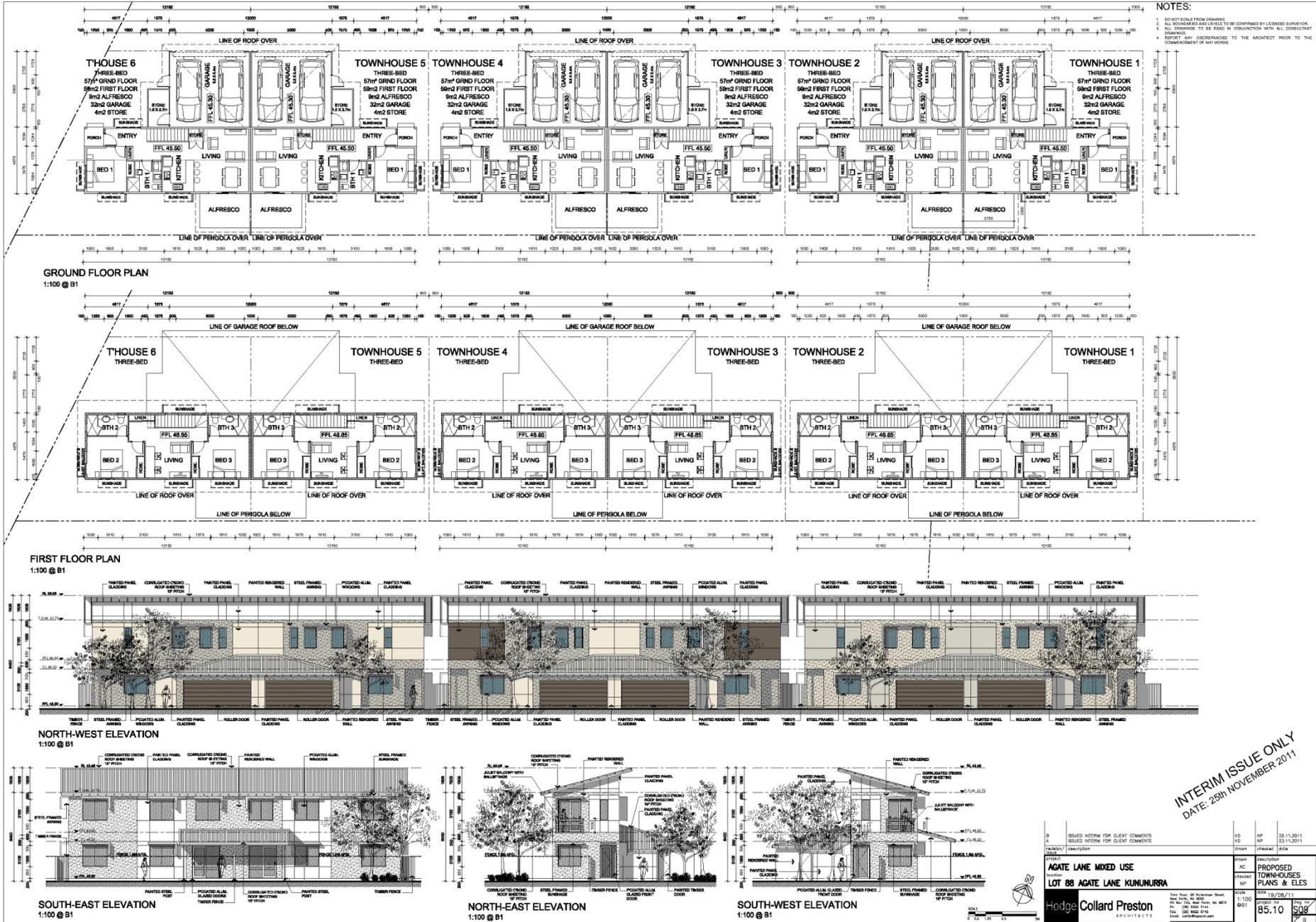
NOTES:

1. DO NOT SCALE FROM DRAWING.
2. ALL DIMENSIONS ARE LEVELS UNLESS CONFIRMED BY LICENSED SURVEYOR.
3. ALL DIMENSIONS TO BE READ IN CONJUNCTION WITH ALL CONSULTANT DRAWINGS.
4. REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORKS.



#	ISSUED INTERIM FOR CLIENT COMMENTS	10	10	25.11.2011
A	ISSUED INTERIM FOR CLIENT COMMENTS	10	10	25.11.2011
REVISION/DESCRIPTION	DATE	BY	CHECKED	DATE
AGATE LANE MIXED USE		AC		PROPOSED SITE PLAN
AGATE LANE KUNUNURRA		NP		
Scale: 1:200	Sheet: 19/08/11	Block: 85.10	Lot: 508	
Hodge Collard Preston ARCHITECTS				

Attachment 3 – Mixed Use Building – Floor Plans and Elevations



Attachment 4 – Townhouses – Floor Plans and Elevations

GROUND FLOOR PLAN 1:100 @ B1

COMMERCIAL 684m² TOTAL (FFL 46.90)

ACC. WC

LINE OF ACCESSWAY OVER

LINE OF AWNING OVER

ALFRESCO AREA (RAISED DECKING)

FIRST FLOOR PLAN 1:100 @ B1

UNIT 1 ONE-BED 52m² (FFL 46.26)

UNIT 2 ONE-BED 52m² (FFL 46.26)

UNIT 3 TWO-BED 80m² (FFL 49.25)

UNIT 4 ONE-BED 52m² (FFL 49.25)

UNIT 5 ONE-BED 52m² (FFL 49.25)

UNIT 6 ONE-BED 52m² (FFL 49.25)

UNIT 7 TWO-BED 80m² (FFL 49.25)

UNIT 8 TWO-BED 80m² (FFL 49.25)

UNIT 9 TWO-BED 80m² (FFL 49.25)

ACC. WC

LINE OF ROOF OVER

LINE OF AWNING

AGATE CENTRAL

NOTES:

- DO NOT SCALE FROM DRAWING
- ALL DIMENSIONS AND LEVELS TO BE CONFIRMED BY LICENSED SURVEYOR
- ALL CHANGES TO BE MADE IN CONJUNCTION WITH ALL CONSULTANT ENGINEERS
- REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

NORTH-EAST ELEVATION 1:100 @ B1

SOUTH-WEST ELEVATION 1:100 @ B1

SOUTH-EAST ELEVATION 1:100 @ B1

NORTH-WEST ELEVATION 1:100 @ B1

Table: Revision History

NO.	DESCRIPTION	DATE	BY	CHKD.
B	ISSUED INTERIM CLIENT COMMENTS	25.11.2011	HP	HP
A	ISSUED INTERIM CLIENT COMMENTS	23.11.2011	HP	HP

Table: Project Information

PROJECT	AGATE LANE MIXED USE	DATE	19/05/11
LOCATION	LOT 88 AGATE LANE KUNUNURRA	SCALE	1:100
CLIENT	Hodge Collard Preston ARCHITECTS	PRICE	85.10
DATE	25/11/2011	BY	HP

Table: Scale

SCALE	1:100
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Attachment 5 – Planning comment provided by applicant

November 23, 2011 [85.10 AGATE LANE MIX-USE DEVELOPMENT]

Shire of Wyndham Planning Approval Comments

COUNCIL ISSUES	COUNCIL COMMENTS	HCP COMMENTS
Car parking	13 residential car bays required and have been catered for, however council requests that their width increase from 2.5m to 2.7m. Council have noted this will create a shortfall in bay numbers provided however willing to offset with view that since reciprocal visitor bays can be shared with commercial.	Visitor bays now labelled in commercial parking lot. Note if time restrictions placed on car park certain bays will need to be exempt
	It will be council's decision to allow car bays on Agate Lane ('off-site' on Council owned road reserve) and designated for commercial use including loading bay and numbers calculated at rate of 1:30. Only car parking allowed no built form that may otherwise constrain drainage, overlooking issues etc.	Noted, Council decision with view to favour since perceived advantage to whole area of provided more parking
	Parking areas associated with either residential or commercial uses need to be clearly defined from each other	Drawing S08 updated to show indicative coloured asphalt to differentiate to be combined with signage
	Widen reversing point for end bays in residential parking lot	Reversing point has been widened on drawing S08 for end bays from 1m to 1.5m
	Disabled car bay recommended to be in a better position if swapped with Coolibah Drive parallel bays	Disabled bay has been relocated
Bicycle Bays	4 bike bays are required for whole development, 7 have been provided -complies	No action required
Privacy	Potential overlooking issue between townhouses due to narrow distance between townhouses though Council notes that doesn't apply to dwellings on the same development only neighbouring properties.	No action required -passive

Vehicle Access	Internal street to townhouses is too narrow for two vehicles to pass therefore for safety needs to be widened or mirrors/passing point Provide turning lane on Coolibah Drive	Passing point provided with widened truncated road corner with notice to provide only low height shrubs and fencing for unrestricted views along road We envisage turning lane will not be needed. We don't believe that this much development will require a turning lane.
Loading Bay	Correct size as required however, front loading restricts retail type that could be leased	Noted
Waste Storage/ Collection	Bin hardstand areas to be shown for townhouses Bin collection areas located Bin store at mix-use needs to be appropriate size for use by both residential and commercial	Concrete hardstand area added to drawing S08 for bins Collection areas located beside loading bay for mix-use development and beside townhouses and road intersection Screened bin store area for commercial with lockable enclosure separate for residential
Tenant Access	Weatherproof all stairs as per R-Code requirements	Roof eaves now extend over stairs, updated drawings S10
External Storage	Require min 1.5m @ 4sqm store for each residential unit	Now included on drawing 9x stores of requested size
Clothes drying Area	Screening of area from Coolibah Drv & commercial	Fenced enclosure added
Drainage Easement	May keep bollards to drainage easement to prevent vehicle access provided pedestrian access is encouraged (footpath). Don't fence off drainage easement Well lit to alleviate past antisocial behaviour associated with easement	As per existing site survey See changes to site plan. The issue of anti social behaviour is only going to be improved with the passive surveillance. As this development isn't going to increase the antisocial behaviour and in fact decrease it we think it unreasonable to ask us to also light all the public areas around the development.
Fencing	Address replacing the fencing to the swimming pool area	Existing fence is not located on developers land. This fence is not envisaged to be affected by this development
Alfresco Area	Council will accept extension 'off-site' of alfresco area provided designed as extended raised	Alfresco area updated as separate deck

	decking and structurally separate from other buildings	
Footpath	Currently no South Coolibah Drv path exists although drawn although opportunity to provide one or across to White Gum Park Pedestrian footpaths need to be wider than 600mm in particular path beside residential car park and mix-use.	As all development of Agate Lane is at developers cost negotiate with council extent of footpaths/ cross overs Western residential boundary has been narrowed to increase footpath to mix-use to 900mm
Drainage	Provide Council with information on drainage of project particularly since Agate Lane currently important drainage point	With respect to the drainage within the property boundary we will be able to achieve drainage discharging out onto the road reserve as required by Council. The drainage function of Agate Lane and adjoining land through to the rear ovals: Currently the area at the end of Agate lane through to the reserve at the rear does currently provide an overland drainage function however it isn't a drainage easement but instead is part of the recreation reserve containing the pool. We propose to improve the quality of the bitumen on Agate Lane as part of the redevelopment and hence improve the drainage function of this area. There aren't any plans to alter the part of the drainage "easement" which is actually part of the Recreation reserve. In summary we will improve that part of the overland drainage being located in Agate Lane which is being used by the development for access and parking. The rest will remain as is.
Costs	In submission address estimate of costs involved Note that all works relating to developing Agate lane will be borne by developer including parking and footpaths.	We are currently obtaining some cost estimates.
Balcony	Townhouses elevations show balconies but not on plans	Clarified on drawing S09 Juliet balconies with sliding door and

	Mix-use balconies although smaller than the required area does have sufficient space to be useable with table and chair and therefore complies	balustrade only
Setbacks	Setbacks currently less than statutory requirements accepted by council as offset by benefits to overall development including surveillance and surrounding unaffected landuses.	No action required
General	Council notes generally aesthetically attractive streetscape provided however further attention could be drawn to additional benefits of development such as increased passive surveillance of whole area and providing new housing	Additional notes to drawing added



Our Ref: 902 : KW
27 November 2011

Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA 6743

Attn: Nick Kearns

Via email: nick.kearns@swek.wa.gov.au

Dear Nick,

PROPOSED DEVELOPMENT - AGATE LANE KUNUNURRA

We refer to discussions between the landowner and the Shire of Wyndham East Kimberley regarding the development application for the above described development. We act on behalf of the landowner and provide the following additional information in response to your request for clarification on the development.

Attached are revised plans addressing the issues raised in your correspondence.

Also attached is a table outlining the response to all issues raised, however, we highlight the following key issues:

Road Works & Costs

Requires more information to be added:

Drainage	Provide Council with information on drainage of project particularly since Agate Lane currently important drainage point	See more details in attached table
Costs	In submission address estimate of costs involved Note that all works relating to developing Agate lane will be borne by developer including parking and footpaths.	Client Action Item

HEAD OFFICE:

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

PERTH | KALGOORLIE | KARRATHA | BROOME | KUNUNURRA

WHELANS (WA) PTY LTD ACN 074 363 741

ASSOCIATED OFFICES: ADELAIDE | MELBOURNE | SYDNEY | BRISBANE



Loading Docks and Waste Storage

Loading docks have been designed to be appropriate for the anticipated land uses. Given that the commercial occupancies are designed to be relatively small with most around 90m² each, no significant loading dock is required.

Additionally, the occupancies, with the possible exception of the commercial use facing Coolibah Drive, are most likely to be offices, given their size, and accordingly will not require significant loading dock facilities.

Initial designs featuring a loading dock at the rear [northern] side of the development were removed as a result of advice from Council. The only way vehicle access can be achieved directly to the rear of the property is by the way of a driveway entering off Coolibah Drive. This option was first canvassed with Council officers and it was made clear that this option was not desirable from Council's perspective. Below is an extract of the email received from the officers in response to this.

From: Nick Kearns [mailto:Nick.Kearns@swek.wa.gov.au]
Sent: Wednesday, 10 August 2011 3:55 PM
To: Anna Duncan
Cc: Greg Grabasch
Subject: RE: KUNAL Agate Lane Concept Plan for Comments

"The Infrastructure Department have said that they don't support the proposed internal (residents') access street from Coolibah Drive, as this is not accepted engineering practice so close to the Leichhardt Street intersection. The Shire would instead support this building being extended toward the northern boundary. They do, however, support the turning area at the end of Agate Lane."

All bin enclosures have been designed to be accessible and useable, and have also been enclosed and designed to be consistent and compatible with the development.

Benefits of the Development

The proposed development will make substantial contribution to the aesthetics and function of the town centre of Kununurra.

The development will contribute to the streetscape of the locality, and has been designed to provide interest to the street through the use of variety of land uses to create activity as well as architecturally attractive design that is articulated and scaled appropriately.

The design features articulation in elevations such as awnings and sunshades, balconies, panels and varied colours and materials.

The proposed development will also contribute to activity of the town centre by creating a mix of land uses that encourages mixed uses throughout the day and night, ensuring that the development contributes to a vibrant town centre.

Passive Surveillance is an important component of the 'Designing Out Crime' urban design principles, and all buildings have windows overlooking public spaces.

The development will provide passive surveillance to the 'laneway' that runs from Agate Lane to the Shire's recreation reserve to the west. This lane currently provide both a drainage and pedestrian access function, and the development has been designed to overlook both Agate Lane and the Drain/Laneway, thereby providing additional security to this area.

We trust that this information clarifies the benefits of the proposed development. If you have any enquiries please do not hesitate to contact me on 9208 0111.

Yours sincerely

A handwritten signature in blue ink, appearing to read "K Williams".

Keith Williams
Senior Town Planner
Town Planning

COUNCIL DECISION

Minute No. 9661

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council moves behind closed doors to consider Item 15.2 Confidential Item: Purchase of Staff Housing, 15.3 Airport Cafe Lease and Item 16.1 Lot 505, Portion of Reserve 50467, Kununurra – Expressions of Interest Received.

Carried Unanimously 8/0

Council moves behind closed doors at 6.33pm.

15.2 CONFIDENTIAL ITEM - PURCHASE OF STAFF HOUSING

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	69 Hibiscus Drive, Kununurra
AUTHOR:	Nick Kearns, Director Development Services
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	CP.02.7

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

- c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e) A matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person.

PURPOSE

For Council to consider the purchase of a residential property for staff housing at 69 Hibiscus Drive, Kununurra.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Minute No. 9662

Moved: Cr K Torres
Seconded: Cr D Ausburn

- 1) (Confidential decision to be published following negotiations).
- 2) That the decision of Council to authorise the Chief Executive Officer to enter into negotiations to purchase 69 Hibiscus Drive, Kununurra is not published in the minutes of this meeting until the contract to purchase the property has been signed.

Carried Unanimously 8/0

15.3 AIRPORT CAFE LEASE

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Director Corporate Service
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	CP.16.42

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

- c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e) A matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person.

PURPOSE

To authorise the common seal to be affixed to the lease between the Shire of Wyndham East Kimberley and Everspring Holdings Pty Ltd being the lease of part of the East Kimberley Regional Airport for the permitted purpose of Café and the authorise the CEO and Shire President to sign a deed to assign this lease to Lizard Lounge Pty Ltd.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Minute No. 9663

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council:

- 1. Applies the common seal to the lease between the Shire of Wyndham East Kimberley and Everspring Holdings Pty Ltd being the lease of part of the East Kimberley Regional Airport for the permitted purpose of Café.**
- 2. Authorises the CEO and Shire President to sign a deed of assignment to assign the lease of part of the East Kimberley Regional Airport for the permitted purpose of Café between Shire of Wyndham East Kimberley and Everspring Holdings Pty Ltd to Lizard Lounge Pty Ltd, subject to the following conditions being met:**
 - a) The lease between Everspring Pty Ltd and the Shire of Wyndham East Kimberley has been signed by both parties.**
 - b) The lease has commenced.**
 - c) All rent due and payable under the lease has been paid.**
 - d) There is no breach of any of the Lessees covenants.**
 - e) There is a duly signed and executed (by Shire, Everspring Pty Ltd, Lizard Lounge Pty Ltd, Directors and principal shareholders of Lizard Lounge Pty Ltd) deed of assignment in the form prepared by Councils solicitors.**
 - f) All costs and expenses including legal costs incurred by the Shire in respect to the deed of assignment have been paid by Everspring Pty Ltd or there is a binding commitment by Everspring Pty Ltd to pay these costs.**
 - g) There is a duly signed and executed deed of guarantee and indemnity (in a form approved by Council solicitors) by each Director and Principal Shareholder of Lizard Lounge Pty Ltd in respect of payment of any rent and other money and interest becoming due from and including the assignment date and the observance and performance by the proposed assignee of all of the Lessees Covenant's which are due to be observed and performed from and including the assignment date.**

Carried Unanimously 8/0

16. MATTERS BEHIND CLOSED DOORS

16.1 LOT 505, PORTION OF RESERVE 50467, KUNUNURRA – EXPRESSIONS OF INTEREST RECEIVED

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Lot 505, Portion of Reserve 50467, Millington Road, Kununurra
AUTHOR:	Katya Tripp, Strategic Planner
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	LP.02.6

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

- c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e) A matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person.

PURPOSE

For Council to consider the Expressions of Interests received for a 21 year lease over portion of reserve 50467, Lot 505 Millington Road, Commercial Boating Facility, Kununurra, (DP 66529).

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Minute No. 9664

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council:

- 1) Accepts the rental valuation as provided by Opteon and apply this value to the lease for Lot 505 Millington Road, Portion of Reserve 50467, Kununurra.**
- 2) Forwards a final copy of the lease for Lot 505 Millington Road, Portion of Reserve 50467, Kununurra to Kimberley Air Tours for signing.**
- 3) Notifies other applicants, in writing, that they were unsuccessful in their submission for the lease of Lot 505, Portion of Reserve 50467, Kununurra and that the successful applicant was Kimberley Air Tours.**

Carried 7/1

**For: Cr D Ausburn, Cr J McCoy, Cr C Gore-Birch Gault,
Cr J Parker, Cr J Moulden, Cr K Torres, Cr A Horn
Against: Cr R Dessert**

16.2 LOT 505, PORTION OF RESERVE 50467, KUNUNURRA – EXPRESSIONS OF INTEREST RECEIVED

DATE:	13 December 2011
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Lot 505, Portion of Reserve 50467, Millington Road, Kununurra
AUTHOR:	Katya Tripp, Strategic Planner
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	LP.02.6

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

- c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e) A matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person.

PURPOSE

For Council to consider the Expressions of Interests received for a 21 year lease over portion of reserve 50467, Lot 505 Millington Road, Commercial Boating Facility, Kununurra, (DP 66529).

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Minute No. 9664

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council:

- 1) Accepts the rental valuation as provided by Opteon and apply this value to the lease for Lot 505 Millington Road, Portion of Reserve 50467, Kununurra.**
- 2) Forwards a final copy of the lease for Lot 505 Millington Road, Portion of Reserve 50467, Kununurra to Kimberley Air Tours for signing.**
- 3) Notifies other applicants, in writing, that they were unsuccessful in their submission for the lease of Lot 505, Portion of Reserve 50467, Kununurra and that the successful applicant was Kimberley Air Tours.**

Carried 7/1

**For: Cr D Ausburn, Cr J McCoy, Cr C Gore-Birch Gault,
Cr J Parker, Cr J Moulden, Cr K Torres, Cr A Horn**

Against: Cr R Dessert

COUNCIL DECISION

Minute No. 9665

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council moves out from behind closed doors.

Carried Unanimously 8/0

Council moves out from behind closed doors at 6.47pm.

17. CLOSURE

The Shire President declares the meeting closed at 6.57pm. Thank you to staff for attendance in gallery.