



MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 11 DECEMBER 2012

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: _____

Item No	Description	Page No
1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	4
2.	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE/ PREVIOUSLY APPROVED.....	4
3.	DECLARATION OF INTEREST	5
4.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
5.	PUBLIC QUESTION TIME	5
6.	PETITIONS	6
7.	APPLICATIONS FOR LEAVE OF ABSENCE	6
8.	CONFIRMATION OF MINUTES	6
8.1	CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 20 NOVEMBER 2012.....	6
9.	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	7
10.	DEPUTATIONS / PRESENTATIONS / SUBMISSIONS.....	7
11.	MINUTES OF COUNCIL COMMITTEE MEETINGS	7
11.1	MINUTES OF AUDIT COMMITTEE MEETINGS	7
12.	REPORTS.....	8
12.1	MATTERS ARISING FROM COMMITTEES OF COUNCIL	8
12.1.1	Matters Arising from Audit (Risk and Finance) Committee Meeting Held on 4 December 2012	8
12.2	CORPORATE SERVICES	11
12.2.1	Monthly Financial Report.....	11
12.2.2	List of Accounts Paid from Municipal Fund and Trust Fund	26
12.3	INFRASTRUCTURE SERVICES	41
12.3.1	Application For Renewal Of Funeral Directors Licence – Mr Paul Cornish.....	41
12.3.2	Deed of Covenant, Green Swamp Agriculture (GSA).....	44
12.3.3	Proposed Picture Gardens Car Park Design, Coolibah Drive	61
12.4	COMMUNITY DEVELOPMENT	64
12.4.1	Disability Access and Inclusion Plan 2013 – 2017	64
12.4.2	Offensive Trade - Commercial Laundry – Lot 1256 (2) Erythrina Street, Kununurra.....	83
12.4.3	Road Names – Ord East Kimberley Expansion Project	95
12.4.4	Freshwater East Kimberley Apartments – Lot 961 Bandicoot Drive, Kununurra	106
12.4.5	Review of Delegations Register	123
12.4.6	Development Assessment Panels	138
12.4.7	Integrated Planning Framework - Strategic Community Plan	140
12.4.8	Development Application – Office and Kitchen – Lot 508 Millington Drive, Kununurra.....	167
12.4.9	Lakeside Park (Stages 5 – 7) Structure Plan.....	178

12.5	CHIEF EXECUTIVE OFFICER.....	186
12.5.1	Use of the Common Seal.....	186
12.5.2	Delegated Authority Report.....	188
12.5.3	Council Meeting Dates 2013.....	201
12.5.4	Elected Member Training	205
12.5.5	Annual Report	207
12.5.6	50 th Birthday Pavers	210
12.6	ELECTED MEMBER REPORTS	214
12.7	CHIEF EXECUTIVE OFFICER REPORTS	215
13.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	216
14.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	216
15.	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION.....	216
16.	MATTERS BEHIND CLOSED DOORS.....	217
16.1	Confidential – Tender Evaluation Report T03 12/13.....	217
16.2	Regional Housing Construction Facility	218
16.3	Kimberley Regional Group Governance Agreement.....	219
17.	CLOSURE	221

**SHIRE OF WYNDHAM EAST KIMBERLEY
MINUTES
OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 11 DECEMBER 2012 AT 5:00 PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 5:00pm.

Meeting commenced without Cr Addis in attendance.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE/
PREVIOUSLY APPROVED**

ATTENDANCE

Cr J Moulden	Shire President
Cr R Addis	Deputy Shire President entered 5:21pm
Cr J Parker	Councillor
Cr J McCoy	Councillor
Cr D Ausburn	Councillor
Cr R Dessert	Councillor
Cr C Gore-Birch Gault	Councillor
G Gaffney	Chief Executive Officer
N Kearns	Director Community Development
W Richards	Manager Community and Youth
R Drew	Wyndham Area Services Manager
P Kerp	Manager Engineering Services
J Ninyette	Senior Planning Officer entered 5:01pm
E Davidson	Planning Officer entered 5:01pm
J Thompson	Strategic Planner entered 5:15pm
J Takarangi	Economic Development Officer entered 5:01pm
D McCallum	Governance Officer (Minute Taker)
M Le Riche	Communications and Media Officer

GALLERY

Marty McClelland	Community Member
Kenn Donohoe	Chief Executive Officer, Broome Shire entered 5:50pm

APOLOGIES

Nil

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

3. DECLARATION OF INTEREST

- **Financial Interest**

Nil

- **Impartiality Interest**

Nil

- **Proximity Interest**

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Marty McClelland:

Does the Shire know of the proposal to fluoridate Kununurra's water supply?

Shire President, Councillor John Moulden

The Shire have investigated with the Department of Health and can advise that no decision has been made on fluoridation for Kununurra and no decision will be made in the term of the current Parliament.

The Department of Health have also advised the following in relation to community consultation;

Community views and opinions from Kununurra were sought in a public process that was conducted in September 2010.

This consisted of:

- a media release (dated 9 Sep 2010) and advertisements in local media announcing the process and inviting comments,
- A letter to the CEO of the Shire of Wyndham-East Kimberley of 9 Sep 2010, seeking the Shire's viewpoint and input,
- A public information session on 20 September 2010 at the Kununurra Leisure Centre Hall.

Marty McClelland:

Does the Shire know of the chemicals that are used to make fluoride, where they are obtained and what contaminants it contains?

Shire President, Councillor John Moulden:

The Shire is unaware of the chemicals used to fluoridate drinking water, I believe sodium fluoride is one chemical used, the Department of Health can assist further with this query.

Marty McClelland:

Will the Shire publicly oppose the fluoridation of Kununurra's water supply on behalf of the Community?

Shire President, Councillor John Moulden:

Councillor's will make a decision on this dependant on the local community's reaction should the decision to fluoridate the water be made.

6. PETITIONS

Nil

5:01pm Jennifer Ninnette and Elle Davidson enter the room.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 20 NOVEMBER 2012

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 20 November 2012.

COUNCIL DECISION

Minute No. 9936

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council confirms the Minutes of the Ordinary Council Meeting held on 20 November 2012.

Carried Unanimously 6/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Councillor Di Ausburn extended thanks to staff for the coordination of the staff Christmas party.

10. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

11.1 MINUTES OF AUDIT COMMITTEE MEETINGS

RECOMMENDATION

That Council notes the confirmed Minutes of the Audit (Risk and Finance) meeting held on 18 September 2012 and the unconfirmed Minutes of the Audit (Risk and Finance) meeting held on 4 December 2012

COUNCIL DECISION

Minute No. 9937

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council notes the confirmed Minutes of the Audit (Risk and Finance) meeting held on 18 September 2012 and the unconfirmed Minutes of the Audit (Risk and Finance) meeting held on 4 December 2012

Carried Unanimously 6/0

M McClelland leaves the meeting 5:13pm.

12. REPORTS

12.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 MATTERS Arising from Audit (Risk and Finance) Committee Meeting Held on 4 December 2012

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Gill Old, Acting Director Corporate Services
REPORTING OFFICER:	Gill Old, Acting Director Corporate Services
FILE NO:	GN.05.2

PURPOSE

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

VOTING REQUIREMENT

Simple Majority

AUDIT COMMITTEE RECOMMENDATION 1

That the Audit (Risk and Finance) Committee reports to Council that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate and no further actions are recommended at this time.

COUNCIL DECISION

Minute No. 9938

Moved: Cr J Parker

Seconded: Cr D Ausburn

That the Audit (Risk and Finance) Committee reports to Council that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate and no further actions are recommended at this time.

Carried Unanimously 6/0

AUDIT COMMITTEE RECOMMENDATION 2

That the Audit (Risk and Finance) Committee reports to Council that the actions being undertaken by the administration in regard to rates debtors including rates debts in legal process are sufficient and appropriate and no further actions are recommended at this time.

COUNCIL DECISION

Minute No. 9939

Moved: Cr D Ausburn

Seconded: Cr J Parker

That the Audit (Risk and Finance) Committee reports to Council that the actions being undertaken by the administration in regard to rates debtors including rates debts in legal process are sufficient and appropriate and no further actions are recommended at this time.

Carried Unanimously 6/0

AUDIT COMMITTEE RECOMMENDATION 3

That the Audit (Risk and Finance) Committee recommends to Council to refuse the request to write off rates and penalties on Assessments A1089 and A2157 and advise the ratepayer of Council's decision in writing whilst acknowledging their good payment record.

COUNCIL DECISION

Minute No. 9940

Moved: Cr J Parker

Seconded: Cr D Ausburn

That the Audit (Risk and Finance) Committee recommends to Council to refuse the request to write off rates and penalties on Assessments A1089 and A2157 and advise the ratepayer of Council's decision in writing whilst acknowledging their good payment record.

Carried Unanimously 6/0

AUDIT COMMITTEE RECOMMENDATION 4

That the Audit (Risk and Finance) Committee:

- 1) Recommends to Council to receive the Independent Audit Report to the Electors of the Shire of Wyndham East Kimberley.
- 2) Recommends to Council to receive the Management Report for the year ended 30 June 2012.
- 3) Recommends to Council:
 - That a report on the status of actions taken in relation to the results of Audit for the Year Ended 30 June 2012 is included in the Audit (Risk and Finance) Committee Agenda as a standing item until all issues are resolved.
 - That the actions in relation to the results of Audit for the Year Ended 30 June 2012 are reported to the Minister following the May 2013 Audit (Risk and Finance) Committee meeting.

COUNCIL DECISION

Minute No. 9941

Moved: Cr D Ausburn

Seconded: Cr J Parker

That the Audit (Risk and Finance) Committee:

- 1) **Recommends to Council to receive the Independent Audit Report to the Electors of the Shire of Wyndham East Kimberley.**
- 2) **Recommends to Council to receive the Management Report for the year ended 30 June 2012.**
- 3) **Recommends to Council:**
 - **That a report on the status of actions taken in relation to the results of Audit for the Year Ended 30 June 2012 is included in the Audit (Risk and Finance) Committee Agenda as a standing item until all issues are resolved.**
 - **That the actions in relation to the results of Audit for the Year Ended 30 June 2012 are reported to the Minister following the May 2013 Audit (Risk and Finance) Committee meeting.**

Carried Unanimously 6/0

12.2 CORPORATE SERVICES

12.2.1 MONTHLY FINANCIAL REPORT

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Gill Old, Acting Director Corporate Services
REPORTING OFFICER:	Gill Old, Acting Director Corporate Services
FILE NO:	FM.09.5

PURPOSE

For Council to note and accept the Monthly Financial Report for October 2012.

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 2012/2013 Budget was adopted on 7 August 2012.

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

ATTACHMENTS

Attachment 1 – Monthly Financial report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council accepts the Monthly Financial Report for the month of October 2012.

COUNCIL DECISION

Minute No. 9942

Moved: Cr D Ausburn

Seconded: Cr Cissy Gore-Birch Gault

That Council accepts the Monthly Financial Report for the month of October 2012.

Carried Unanimously 6/0



Shire of Wyndham East Kimberley

Monthly Financial Report 2012/2013

As at 31 October 2012

Presented to Council 11 December 2012

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 2012

	YTD Actual 2012/13 \$	YTD Budget 2012/13 \$	YTD Variance 2012/13 \$	%
Revenue				
General Purpose Funding	915,840	962,635	(46,795)	-5% ▼
Governance	48,336	175,936	(127,600)	-73% ▼
Law, Order, Public Safety	18,985	12,924	6,061	47% ▲
Health	6,071	7,800	(1,729)	-22% ▼
Education and Welfare	53,419	50,402	3,017	6% ▲
Housing	60,889	70,079	(9,190)	-13% ▼
Community Amenities	1,732,436	1,450,363	282,073	19% ▲
Recreation and Culture	202,829	192,362	10,467	5% ▲
Transport	1,585,820	2,353,424	(767,604)	-33% ▼
Economic Services	43,170	44,664	(1,494)	-3% ▼
Other Property and Services	87,783	88,580	(797)	-1% ▼
	<u>4,755,578</u>	<u>5,409,169</u>	<u>(653,591)</u>	<u>-12% ▼</u>
Expenses				
General Purpose Funding	(173,863)	(165,740)	(8,123)	5% ▲
Governance	(636,446)	(788,569)	152,123	-19% ▼
Law, Order, Public Safety	(193,950)	(199,350)	5,400	-3% ▼
Health	(154,882)	(143,743)	(11,139)	8% ▲
Education and Welfare	(174,223)	(174,346)	123	0% ▼
Housing	(261,487)	(274,613)	13,126	-5% ▼
Community Amenities	(1,611,763)	(1,701,662)	89,899	-5% ▼
Recreation & Culture	(1,584,348)	(1,562,600)	(21,748)	1% ▲
Transport	(2,933,609)	(3,257,118)	323,510	-10% ▼
Economic Services	(269,881)	(306,032)	36,151	-12% ▼
Other Property and Services	61,504	(313,519)	375,023	-120% ▼
	<u>(7,932,947)</u>	<u>(8,887,292)</u>	<u>954,345</u>	<u>-11% ▼</u>
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	(17,197)	19,920	(37,117)	-186% ▲
Movement in Accruals and Provisions	(152,358)	52,204	(204,562)	-392% ▲
Depreciation on Assets	1,347,024	1,053,524	293,500	28% ▲
Capital Expenditure and Revenue				
Purchase Land Held for Resale	0	(8,000)	8,000	-100% ▼
Purchase Land and Buildings	(482,922)	(770,269)	287,347	-37% ▼
Purchase Infrastructure Assets - Roads	(3,088,689)	(3,732,161)	643,472	-17% ▼
Purchase Infrastructure Assets - Footpaths	(10,000)	(36,252)	26,252	-72% ▼
Purchase Infrastructure Assets - Drainage	(128,617)	(564,230)	435,613	-77% ▼
Purchase Infrastructure Assets - Other	(318,627)	(570,771)	252,144	-44% ▼
Purchase Plant and Equipment	(293,070)	(431,500)	138,430	100% ▼
Purchase Furniture and Equipment	(108,546)	(274,464)	165,918	-60% ▼
Grants / Contributions for Development of Assets	782,216	1,649,209	(866,993)	-53% ▼
Proceeds from Disposal of Assets	125,256	118,496	6,760	6% ▲
Proceeds from Sale of Land Held for Resale	0	0	0	0% ▼
Repayment of Debentures	(79,697)	(79,697)	0	0% ▼
Proceeds from New Debentures	0	0	0	0% ▼
Transfers to Reserves (Restricted Assets)	(105,900)	(180,000)	74,100	-41% ▼
Transfers from Reserves (Restricted Assets)	0	6,091	(6,091)	0% ▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	8,590,706	9,029,406	(438,700)	-5% ▼
LESS Estimated Surplus/(Deficit) 30 C/Fwd	1,366,128	8,870,383	1,035,885	12% ▲
Amount Required to be Raised from Rates	<u>7,024,057</u>	<u>7,067,000</u>	<u>(42,943)</u>	<u>-1% ▲</u>

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity

Net Current Assets as at 31 October 2012

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

	YTD Actual 2012/13	Brought Forward 1 July 2012
CURRENT ASSETS		
Cash - Unrestricted	8,264,155	7,245,397
Cash - Restricted	6,590,032	6,468,456
Cash - Restricted Unspent Grants	0	0
Receivables	3,225,636	3,206,224
Inventories	24,878	11,865
	<u>18,104,701</u>	<u>16,931,942</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	(1,608,401)	(1,872,780)
Less: Cash - Restricted	<u>(6,590,032)</u>	<u>(6,468,456)</u>
NET CURRENT ASSET POSITION	<u><u>9,906,268</u></u>	<u><u>8,590,706</u></u>

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity
For the Period Ended 31 October 2012

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 ▼

Emergency Services Levy - Rates	\$	7,300	▲	Higher levy collected than budget estimates. Funds collected on behalf of external party. Will be offset by higher expenditure.
Grants Commission - Local Road Funding Grant	\$	9,900	▼	Approved grant less than budget estimate. Budget amendment required.
Interest Income - Reserve Fund	\$	58,400	▼	Timing related to year to date budget estimates due to investment maturity dates. Expected to correct.

Governance ▼

Kimberley Zone and Regional Collaborative Group contributions and grant income	\$	130,000	▼	Timing related to year to date budget estimates. Pending transfer to new Secretariat
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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 ▼

No material variances to report

Community Amenities ▲

Waste Management Receptacle Charge	\$	6,500	▲	Charges higher than anticipated when issuing Rates notices. Some corrections expected throughout year.
Landfill Recycling Income	\$	14,400	▼	Sales cyclical and should pick up in Wet Season.
Development Application Fees	\$	10,100	▼	Timing related to year to date budget estimates.
Kununurra Youth Services - Colocation Fees and Reimbursements	\$	19,700	▼	Pending finalisation of MOU's. Expect to correct by November.
Youth Services Grants Wyndham and Kununurra	\$	328,900	▲	Funding received earlier than year to date budget estimates. To correct.

Recreation and Culture ▲

Wyndham Hall Hire	\$	6,500	▲	Long term hire increased revenue greater than budget estimates.
Foreshore Leases	\$	37,400	▲	Timing related to year to date budget estimates. Expected to correct by end of financial year.
Memberships - Kununurra Leisure Centre	\$	5,600	▲	Timing related to year to date budget estimates.
Sale of Consumables - Kununurra Leisure Centre	\$	5,700	▼	Lower than year to date budget estimates due to closure of pool. Offset by less expenditure to purchase consumables.
Group Fitness - Kununurra Leisure Centre	\$	8,600	▲	Income from annual agreement memberships received earlier than expected.
Writers Festival Income - Libraries	\$	5,900	▲	Timing related to year to date budget estimates.
Grant Income - Club Development	\$	50,000	▼	Project being rescoped, yet to be finalised. Offset by no expenditure.

Transport ▼

MRWA Direct Grants	\$	13,100	▲	Received more than budget estimate.
WANDRRA Funding - Monsoonal Trough and Associated Flooding	\$	389,300	▼	Claim currently pending with WANDRRA for approval.
Bridge Funding - WALGGC/MRWA	\$	27,500	▲	Timing related to year to date budget estimates. Expected to correct.
Aircraft Landing Fee - East Kimberley Regional Airport	\$	151,200	▼	Timing related to year to date budget estimates. Expected to correct.
Passenger Taxes and Screening Fees - East Kimberley Regional Airport	\$	202,800	▼	Timing related to year to date budget estimates. Expected to correct.
Leases - East Kimberley Regional Airport Terminal and Other	\$	43,800	▼	Leasing of three sites still pending. Tenders expected to be reissued in January 2013.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2012

(continued)

Operating (continued)

Recurrent Income - Excluding Rates (continued)

Economic Services ▼

No material variances to report

Other Property and Services ▼

Subdivision Supervision Income (Planning & Development Act 2005)	\$	8,100	▲	Timing. Income received earlier than budget estimates.
Profit on Sale of Assets - Plant Operation	\$	17,200	▲	Timing. Plant exchanged earlier than budget estimates, expected to correct.
Landcorp/SWEK Deed Agreement - Reimbursements	\$	22,600	▼	Claim yet to be raised for reimbursement. Expected to occur in December.

Recurrent Expenditure ▼

General Purpose Funding ▲

Emergency Services Levy Payment - Rates	\$	11,300	▲	Payment of higher collections. Offset by increased revenue.
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Governance ▼

Travelling Expenses - Members	\$	5,000	▲	Timing related to year to date budget estimates. Expected to correct.
Website Development	\$	10,000	▼	Timing related to year to date budget estimates. Expected to correct.
SWEK Contribution and Travelling expenses to Kimberley Zone Secretariat	\$	31,000	▼	Timing related to year to date budget estimates. Pending transfer to new Secretariat.
Occupational Safety and Health	\$	15,300	▼	Project may need rescoping as costs are expected to exceed estimates.
Integrated Planning Framework (IPF) - Asset Management, Strategic Community Plan and Long Term Financial Plan	\$	50,500	▼	Timing related to year to date budget estimates. Expected to correct.
Organisational Culture Training	\$	7,000	▼	Timing related to year to date budget estimates. Expected to correct.
Administration Overheads - Other Governance	\$	39,300	▼	Overall administrative overheads less than year to date budget estimates. Expected to correct.
Kimberley Zone and Regional Collaborative Group	\$	8,400	▲	Secretariat salary expenses payout offset with underspend in project activity pending transfer to new Secretariat.

Law, Order and Public Safety ▼

No material variances to report

Health ▲

Direct Salaries and Salary Overheads - Other Health	\$	18,500	▲	Higher costs due to filling vacant positions with short term contracted replacements.
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Education and Welfare ▼

Wyndham Childcare - Building Maintenance	\$	9,100	▼	Pending receipt of invoices for payment.
Direct Salaries - Wyndham Childcare Centre	\$	13,800	▲	Extra casual coverage during staff absences. Expected to correct.

Housing ▼

Lease Costs - Kwinana St, Wyndham	\$	6,100	▼	Budget estimates require review.
Depreciation - Staff Housing	\$	29,600	▲	Budget estimates will require review due to completed housing. Non cash item.

Community Amenities ▼

Tip Maintenance	\$	122,500	▲	Extra costs related to fires, wet season preparation and DEC compliance requirements re lagoons and wet weather access.
Refuse Collection	\$	32,800	▲	Timing, invoices paid earlier than budget estimates.
Litter Control	\$	21,600	▲	Timing, invoices paid earlier than budget estimates.
Pre Cyclone Cleanups	\$	62,700	▼	Timing. Invoices being presented for payment now.
Weaber Plain Flood Mitigation	\$	42,800	▼	Timing, await wet season to assess damage.
Cumbungi Management - Protection of Environment	\$	18,700	▼	Aquatic Weed Harvester requires repairs.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2012

(continued)

Operating (continued)

Recurrent Expenditure (continued)

Community Amenities (continued)

Waste Management Strategy - Protection of Environment	\$	14,400	▼	Timing pending receipt of invoices. Expected to correct.
Wyndham Foreshore Protection and Enhancement Plan - Expenses	\$	11,200	▼	Timing related to year to date budget estimates. Expected to correct.
Consultants - Town Planning and Regional Development	\$	18,400	▼	Delayed project initiation for East Lily Creek Structure Plan update.
Direct Salaries and Vehicle expenses - Town Planning and Regional Development	\$	17,000	▼	Vacant planning officer position.
Admin Salaries and Overheads Allocated - Town Planning & Regional Development	\$	17,400	▼	Timing, overall administrative overheads less than year to date budget estimates. Expected to correct.
Community Grants	\$	17,100	▲	March funding round payments.
Public Conveniences - Lower Bastion and Bonaparte Street	\$	19,200	▲	Demolition costs not provided for in budget. Budget amendment required.
Public Conveniences - Celebrity Tree Park	\$	6,200	▼	Timing related to year to date budget estimates. Expected to correct.
Building Maintenance - Kununurra Youth Centre	\$	14,400	▼	Timing related to year to date budget estimates. Expected to correct.
Regional Youth Development Coordinator - Program Expenses	\$	11,200	▲	Audit fee costs incurred earlier than anticipated. Timing, expected to correct.
Direct Salaries - Wyndham and Kununurra Youth Services	\$	21,700	▼	Position vacancy caused underspend. Externally funded activity.

Recreation and Culture ▲

Building Maintenance - Peter Reid Memorial Hall	\$	12,500	▼	Timing related to year to date budget estimates. Electrical works occurring. Expected to correct.
Pool Operating - Kununurra Swimming Complex	\$	17,300	▼	Pool chemicals and other costs not being incurred due to closure.
Direct Salaries - Kununurra Swimming Complex and Leisure Centre	\$	11,000	▼	Timing related to year to date budget estimates. Expected to correct.
Building Maintenance - Wyndham Swimming Complex	\$	12,100	▼	Timing, works arranged in November / December.
Depreciation - Recreation and Culture	\$	64,700	▲	Budget estimates will require review due to completed infrastructure now depreciating. Non cash item.
Foreshores and Boat Ramps - Kununurra	\$	4,800	▲	Timing related to year to date budget estimates. Higher costs in Wyndham offset by lower year to date costs in Kununurra. Expected to correct.
Building Maintenance - Kununurra Leisure Centre	\$	22,400	▼	Timing. Airconditioning replacement arranged for November.
Gym Equipment Maintenance - Kununurra Leisure Centre	\$	5,300	▼	Timing. Equipment parts on order.
Purchase of Consumables for Sale - Kununurra Leisure Centre	\$	5,000	▼	Lower than year to date budget estimates due to closure of pool. Offset by less revenue from consumables sales.
Building Operating - Kununurra Leisure Centre	\$	6,000	▼	Timing related to year to date budget estimates. Expected to correct.
Hardcourts Maintenance - Kununurra Grounds	\$	7,900	▲	Timing related to year to date budget estimates. Expected to correct.
Wyndham Sports Oval and Oval Club Rooms Maintenance	\$	11,300	▼	Timing related to year to date budget estimates. Expected to correct.
Parks and Gardens Maintenance - Wyndham and Kununurra	\$	92,900	▲	Reticulation repairs, litter and timing related to year to date budget estimates. Expected to correct.
KidSport Expenses - Club Development	\$	8,600	▼	Timing related to year to date budget estimates. Grant funded activity.
Direct Salaries - Club Development	\$	19,100	▼	Grant funded project may not proceed. Offset revenue not received.
Writers Festival - Libraries	\$	19,200	▲	Timing related to year to date budget estimates. Expected to correct.

Transport ▼

Rural Road Maintenance	\$	64,400	▼	Timing. Closing grades commenced.
Urban Road Maintenance - Kununurra and Wyndham	\$	54,500	▼	Timing.
Valentine Falls Estate - Maintenance	\$	16,700	▼	Timing. Works in progress.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2012

(continued)

Operating (continued)

Recurrent Expenditure (continued)

Transport (continued)

Street Lighting	\$ 6,400	▼	Timing related to year to date budget estimates. Expected to correct.
Bridge Repairs	\$ 165,000	▼	Timing related to year to date budget estimates. Expected to correct.
Renew Shire/Town Entry Signage	\$ 19,500	▼	Only being replaced as required.
WANDRRA Monsoonal Trough and Associated Flooding - Expenditure	\$ 191,800	▼	Invoices being processed, may come in under budget.
Depreciation - Streets, Roads & Bridges - Maintenance	\$ 61,700	▲	Budget estimates will require review due to completed infrastructure now depreciating. Non cash item.
Consultancy Fees - East Kimberley Regional Airport	\$ 20,000	▼	Timing related to year to date budget estimates. Expected to correct.
Airport Terminal Building Maintenance - East Kimberley Regional Airport	\$ 25,000	▼	Timing related to year to date budget estimates. Expected to correct.
Passenger Screening Expenses - East Kimberley Regional Airport	\$ 49,600	▲	Contractor costs higher than anticipated, due to timing of training and takeover of airport services in-house.
EKRA Master Planning - East Kimberley Regional Airport	\$ 24,300	▼	Timing related to year to date budget estimates. Expected to correct.
Salary expenses Direct - East Kimberley Regional Airport	\$ 36,000	▼	Vacant positions.
Airport Operating and Building Maintenance - Wyndham Airport	\$ 28,500	▼	Timing related to year to date budget estimates. Expected to correct.
Depreciation - East Kimberley Regional Airport	\$ 101,500	▲	Budget estimates will require review due to completed infrastructure now depreciating. Non cash item.
Admin Salaries and Overheads Allocated - East Kimberley Regional Airport	\$ 16,600	▼	Timing, overall administrative overheads less than year to date budget estimates. Expected to correct.

Economic Services ▼

Admin Overheads Allocated - Building Control	\$ 6,400	▼	Timing, overall administrative overheads less than year to date budget estimates. Expected to correct.
Economic Development Grants - Other Economic Services	\$ 15,500	▼	Timing related to year to date budget estimates. Expected to correct.
Sponsorship - Other Economic Services	\$ 20,000	▲	Timing related to year to date budget estimates. Expected to correct.
Direct Salaries - Other Economic Services	\$ 5,600	▼	Officer is fulfilling portion of vacant Zone position.

Other Property and Services ▼

Wyndham Depot Building and Grounds	\$ 14,000	▼	Timing related to year to date budget estimates. Expected to correct.
Minor Equipment Purchases (under \$5,000) - Kununurra Works	\$ 9,100	▼	Timing related to year to date budget estimates. Expected to correct.
Direct Salaries and Overheads - Public Works	\$ 66,700	▼	Timing related to staffing levels and year to date budget estimates. Expected to correct.
Administration Salaries and Overheads Allocated - Public Works Overheads	\$ 17,800	▼	Timing, overall administrative overheads less than year to date budget estimates. Expected to correct.
Kununurra Administration Office expenses	\$ 36,000	▼	Timing related to year to date budget estimates. Expected to correct.
Wyndham Building Maintenance expenses	\$ 14,000	▼	Timing related to year to date budget estimates. Expected to correct.
Administration Salaries and overheads	\$ 115,000	▼	Staffing vacancies in Information Technology, Customer Service, Finance and Executive.
Software Licencing - Information Services	\$ 29,900	▼	Timing related to year to date budget estimates. Expected to correct.
Depreciation - Plant Operation	\$ 21,600	▲	Budget estimates will require review due to vehicle purchases now depreciating. Non cash item.
Landcorp /SWEK Deed Agreement - Expenses	\$ 37,000	▼	Timing, position was vacant for period. Partially externally funded.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2012

(continued)

Non Cash Expenditure and Revenue

Adjustments and Accruals

Profit/Loss on Sale of Assets - Plant Operation	\$ 37,100	▼	Internal postings yet to occur. Non cash item.
Movement in Accruals and Provisions	\$ 204,600	▲	Provisioning for employee costs and movement of land from inventory to non current assets
Depreciation	\$ 293,500	▲	Budget estimates will require review due to completed infrastructure now depreciating. Non cash item.

Capital

Purchase Land Held for Resale

Land Subdivision - Stage One - East Kimberley Regional Airport	\$ 8,000	▼	Timing related to year to date budget estimates. Will correct in November.
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Purchase Land and Buildings

Staff Housing - 4x2 Kununurra	\$ 6,000	▲	Part of project brought forward.
Building Upgrades - Kununurra Swimming Complex	\$ 37,900	▼	Timing related to year to date budget estimates. Expected to correct.
Kununurra Leisure Centre Hall Upgrade	\$ 50,500	▼	Pending receipt of final invoicing.
Airport Terminal Expansion - East Kimberley Regional Airport	\$ 65,600	▼	Pending receipt of invoices. Project progressing with some activities requiring tendering.
Wyndham Depot Upgrade	\$ 31,000	▼	Potential savings.
Kununurra Depot Upgrade	\$ 100,000	▼	Timing. Contractors sourced in November.
Banking Security Upgrade - Wyndham Office	\$ 12,500	▼	Timing. Project not yet commenced.

Purchase Infrastructure Assets - Roads

Kalumburu Road - Re-sheet	\$ 104,800	▲	Works ahead of schedule.
Road Reseals - Townsites	\$ 158,200	▼	Timing related to year to date budget estimates. Jetpatching has now commenced.
Weaber Plain Road - RRG - Reconstruct	\$ 28,400	▲	Project almost finalised, cost more than budget estimates. Offset by savings in other areas.
Research Station Road - RRG - Road Repairs	\$ 39,900	▼	Project almost finalised, cost less than budget estimates. Savings will offset costs in other areas.
Kalumburu Road - RRG Projects	\$ 111,900	▼	Timing related to year to date budget estimates. Works in progress.
Gardenia Drive Reseal - RRG	\$ 32,800	▼	Project finalised, cost less than budget estimates. Externally funded 2/3. Council savings 1/3 will offset costs in other areas.
Mount Elizabeth Road Crossing Upgrade	\$ 75,900	▼	Timing related to year to date budget estimates. Contractor has been engaged.
Kerb renewal	\$ 9,200	▲	Timing related to year to date budget estimates. Works commenced.
Jetpatch - Townsites	\$ 41,900	▼	Timing related to year to date budget estimates. Works not yet commenced.
Weero Road - Construct and Seal	\$ 83,900	▼	Timing. Pending receipt of invoices.
Research Station Road - Construct and Seal	\$ 109,200	▼	Timing. Pending receipt of invoices.
Packsaddle Road - Road Shoulder Repairs	\$ 52,400	▼	Timing related to year to date budget estimates. Contractor has been engaged.
Cato Court - Reconstruction	\$ 29,900	▼	Review of work scope to occur after wet season.
Egret Close - Construct and Seal	\$ 94,500	▲	Additional cement stabilising required, cost more than budget estimates. Offset by savings in other areas.
Parry Creek Road- Drain, Resheet, Grade	\$ 39,400	▼	Timing, pending receipt of final invoicing.
Meatworks Road Wyndham - Reconstruct and Seal	\$ 105,000	▼	Timing related to year to date budget estimates. Contractor has been engaged.

Purchase Infrastructure Assets - Footpaths

Footpath renewal	\$ 6,300	▼	Timing related to year to date budget estimates.
Coolibah Estate - Footpath Construction	\$ 20,000	▼	Timing related to year to date budget estimates.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2012

(continued)

Capital (continued)

Purchase Infrastructure Assets -

Drainage

	▼		
D2 Drain Rehabilitation	\$ 40,700	▼	Project to be reviewed after wet season.
Drainage Feature Survey	\$ 59,000	▼	Timing related to year to date budget estimates. Works in progress, almost complete.
Drainage - Kununurra Childcare (Ewin) Centre Chestnut Drive	\$ 14,500	▼	Timing, pending invoicing.
Victoria Highway Kununurra Townsite - Drainage Upgrade	\$ 321,500	▼	Timing, pending invoicing.

Purchase Infrastructure Assets - Other

	▼		
Kununurra Landfill Site - Liquid Waste Lagoon	\$ 32,000	▼	Timing related to year to date budget estimates. Design and licence application completed.
Pool Capital Repairs - Kununurra Swimming Complex	\$ 132,500	▲	Timing related to year to date budget estimates. Works in progress.
Lake Kununurra Foreshore Recreational Nature Trail	\$ 25,300	▼	Project completed, potential savings.
Celebrity Tree Boat Ramp Upgrade Stage 1	\$ 12,500	▼	Timing. In discussion with consultant regarding final draft.
Multi Purpose Courts Redevelopment Kununurra	\$ 39,100	▼	Timing related to year to date budget estimates. Expected to correct.
Street Light Upgrades	\$ 30,100	▼	Timing related to year to date budget estimates. Parts received.
Ivanhoe Bridge Railing	\$ 68,300	▼	Timing related to year to date budget estimates.
Leichart Street -Angle Parking	\$ 52,300	▼	Awaiting final costs, potential savings
Carpark Upgrade - East Kimberley Regional Airport	\$ 50,000	▼	Timing. Project scoping has now commenced.
Security Fence Upgrade - East Kimberley Regional Airport	\$ 20,000	▼	Timing. Project expected to occur over wet season.
Reseal Apron - East Kimberley Regional Airport	\$ 50,000	▼	Timing related to year to date budget estimates.

Purchase Plant and Equipment

	▼		
Gymnasium Equipment - Recreation	\$ 29,100	▼	Timing, goods on order.
Metering of Pump Stations	\$ 6,000	▲	Project complete. Overexpended, cost to Council.
Airport Plant - Purchase Price	\$ 78,000	▼	Timing related to year to date budget estimates. One item purchased.
Light and Medium Plant - Purchase Price	\$ 36,200	▼	Timing related to year to date budget estimates. Expected to correct.

Purchase Furniture and Equipment

	▼		
Wyndham Youth Service - Setup	\$ 29,600	▼	Timing. Contractor engaged.
Furniture and Equipment - East Kimberley Regional Airport	\$ 11,500	▲	Timing related to year to date budget estimates. Expected to correct.
Laptop and Desktop Upgrades - Information Technology	\$ 6,500	▲	Timing related to year to date budget estimates. Expected to correct.
Printer Replacements - Information Technology	\$ 46,900	▼	Timing related to year to date budget estimates. Expected to correct.
Implementation Synergy Modules - Information Technology	\$ 9,700	▼	Timing related to year to date budget estimates. Expected to correct.
CAMMS Interplan - Information Technology	\$ 72,500	▼	Provision of Synergy integration not supplied as expected, requiring implementation of module upgrade. This project is on hold pending upgrade.
Payroll System - Information Technology	\$ 25,000	▼	Project not to proceed this financial year with funds being used for Integrated Workforce Plan.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 October 2012

(continued)

Capital (continued)

Grants / Contributions for Development of Assets ▼

Country Local Government Fund - Kimberley Regional Collaborative Group	\$ 237,000	▼	Timing related to year to date budget estimates. Pending transfer to new Secretariat
Royalties for Regions Infrastructure Grant	\$ 473,900	▼	Timing related to year to date budget estimates. Timing of payment tied to completion of projects.
Wyndham Dual Use Footpath - Planning Grant	\$ 10,000	▼	Works completed. Grant payment yet to be claimed.
Multi Purpose Community Courts - Grants and Contributions	\$ 23,300	▼	Timing. Expected to correct.
Aboriginal Roads Funding - Federal Grants	\$ 77,000	▼	Timing. Expected to correct.
Aboriginal Roads Funding - State Grants	\$ 64,300	▼	Timing. Expected to correct.
Regional Road Group Grants	\$ 18,500	▲	Timing. Expected to correct.

Proceeds from Disposal of Assets ▲

Heavy Plant - Trade Value	\$ 54,500	▼	Timing. Loader will now be traded in 2013.
Light Plant - Trade Value	\$ 61,300	▲	Timing related to year to date budget estimates. Expected to correct.

Debentures

No material variances to report

Reserves

Reserve Interest - Transfer to Reserve	\$ 74,100	▼	Timing of interest due to investment maturity dates.
Staff Entitlement Reserve - Transfer from Reserve	\$ 6,100	▼	Transfer yet to occur.

Shire of Wyndham East Kimberley

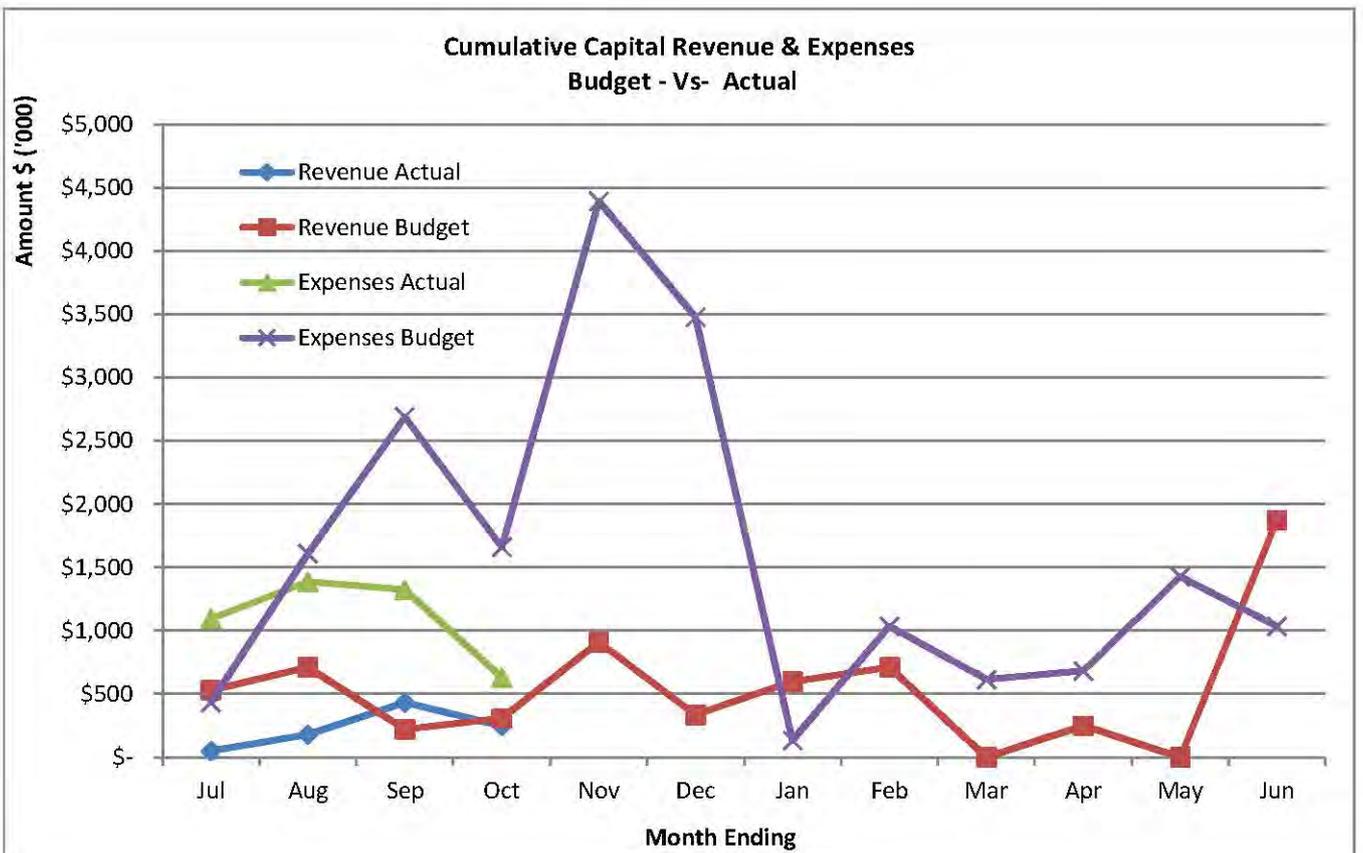
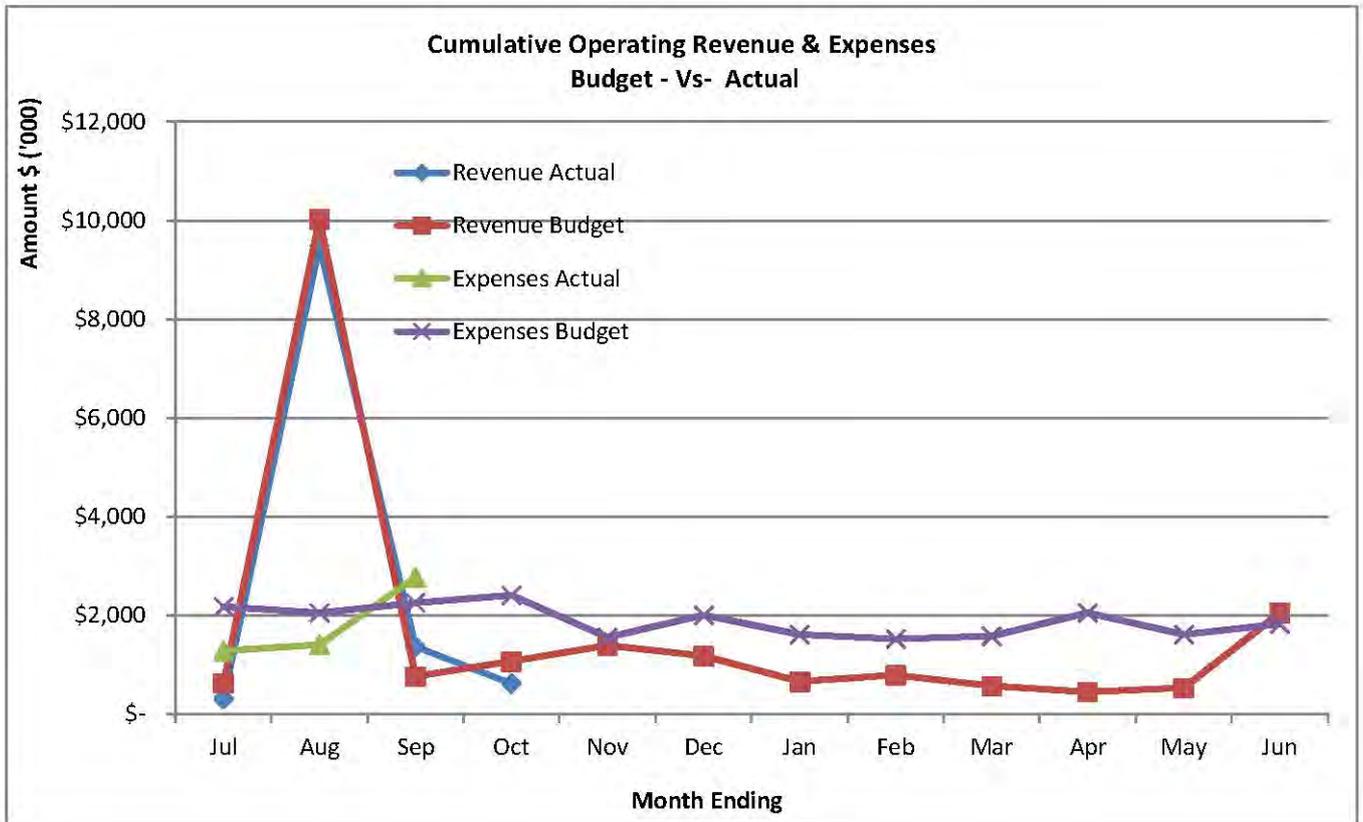
Note to Statement of Financial Activity

Budget Remaining to Collect/Spend as at 31 October 2012

	YTD Actual 2012/13 \$	Annual Budget 2012/13	Budget Remaining 2012/13 \$	%	
Revenue					
General Purpose Funding	915,840	2,421,912	1,506,072	62%	▼
Governance	48,336	677,320	628,984	93%	▼
Law, Order, Public Safety	18,985	226,138	207,153	92%	▼
Health	6,071	61,900	55,829	90%	▼
Education and Welfare	53,419	164,305	110,886	67%	▼
Housing	60,889	919,339	858,450	93%	▼
Community Amenities	1,732,436	2,198,633	466,197	21%	▼
Recreation and Culture	202,829	583,820	380,991	65%	▼
Transport	1,585,820	5,314,142	3,728,322	70%	▼
Economic Services	43,170	144,000	100,830	70%	▼
Other Property and Services	87,783	275,806	188,023	68%	▼
	<u>4,755,578</u>	<u>12,987,315</u>	<u>8,231,737</u>	<u>63%</u>	<u>▼</u>
Expenses					
General Purpose Funding	(173,863)	(550,904)	(377,041)	68%	▼
Governance	(636,446)	(2,785,482)	(2,149,036)	77%	▼
Law, Order, Public Safety	(193,950)	(555,566)	(361,616)	65%	▼
Health	(154,882)	(421,676)	(266,794)	63%	▼
Education and Welfare	(174,223)	(424,198)	(249,975)	59%	▼
Housing	(261,487)	(587,194)	(325,707)	55%	▼
Community Amenities	(1,611,763)	(4,492,415)	(2,880,652)	64%	▼
Recreation & Culture	(1,584,348)	(4,298,745)	(2,714,397)	63%	▼
Transport	(2,933,609)	(7,273,309)	(4,339,700)	60%	▼
Economic Services	(269,881)	(884,859)	(614,978)	70%	▼
Other Property and Services	61,504	(372,478)	(433,982)	117%	▼
	<u>(7,932,947)</u>	<u>(22,646,826)</u>	<u>(14,713,879)</u>	<u>65%</u>	<u>▼</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	(17,197)	(876,321)	(859,124)	98%	▼
Movement in Accruals and Provisions	(152,358)	52,204	204,562	392%	▼
Depreciation on Assets	1,347,024	3,160,790	1,813,766	57%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	(94,000)	(94,000)	100%	▼
Purchase Land and Buildings	(482,922)	(9,380,170)	(8,897,248)	95%	▼
Purchase Infrastructure Assets - Roads	(3,088,689)	(4,462,412)	(1,373,723)	31%	▼
Purchase Infrastructure Assets - Footpaths	(10,000)	(42,500)	(32,500)	76%	▼
Purchase Infrastructure Assets - Drainage	(128,617)	(969,995)	(841,378)	87%	▼
Purchase Infrastructure Assets - Other	(318,627)	(2,501,391)	(2,182,764)	87%	▼
Purchase Plant and Equipment	(293,070)	(1,059,000)	(765,930)	72%	▼
Purchase Furniture and Equipment	(108,546)	(666,550)	(558,004)	84%	▼
Grants / Contributions for Development of Assets	782,216	5,141,800	4,359,584	85%	▼
Proceeds from Disposal of Assets	125,256	1,048,991	923,735	88%	▼
Proceeds from Sale of Land Held for Resale	0	250,000	250,000	100%	▼
Repayment of Debentures	(79,697)	(352,066)	(272,369)	77%	▼
Proceeds from New Debentures	0	4,400,000	4,400,000	100%	▼
Transfers to Reserves (Restricted Assets)	(105,900)	(939,744)	(833,844)	89%	▼
Transfers from Reserves (Restricted Assets)	0	822,619	822,619	100%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	8,590,706	9,029,406	438,700	5%	▼
LESS Estimated Surplus/(Deficit) 31 October 2012	11,000,260	26,300	(9,879,968)	-37%	▲
Amount Required to be Raised from Rates	<u>7,024,057</u>	<u>7,124,150</u>	<u>100,093</u>	<u>1%</u>	<u>▼</u>

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity
as at 31 October 2012



MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

INVESTMENT POLICY F17

"Overall Portfolio Limits"

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

Note: "S" & "P" relates to Standard & Poors credit rating agency

"Counterparty Credit Framework"

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

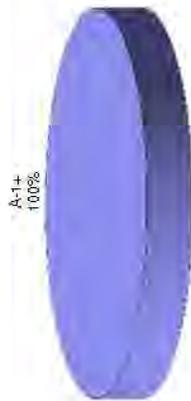
"Term to Maturity Framework"

Overall Portfolio Term to Maturity Limits	Individual Investment Maturity Limits
Portfolio % < 1 year	5 years
Portfolio % > 1 year	3 years
Portfolio % > 3 year	
Portfolio % > 5 year	
ADJ	
Non ADJ	

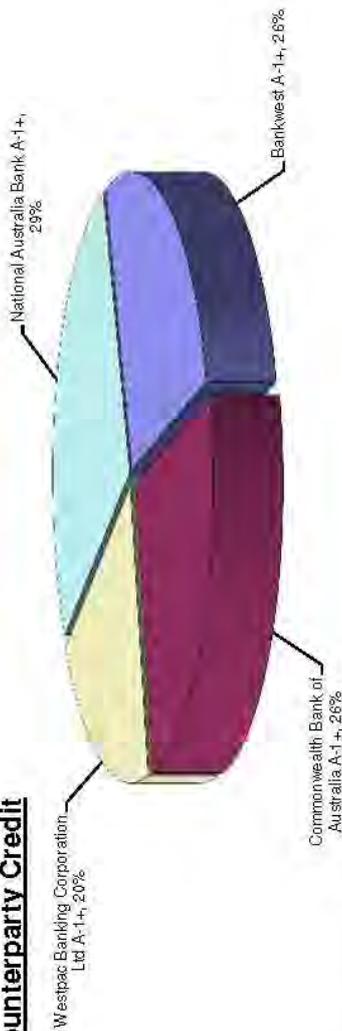
Note: "ADJ" relates to an Authorised Deposit Institution (authorised under the Banking Act 1959)

RESULTS AS AT 31 OCTOBER 2012

Overall Portfolio



Counterparty Credit



Term to Maturity



12.2.2 List of Accounts Paid from Municipal Fund and Trust Fund

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Paulette Strongman, Finance Officer Felicity Heading, Senior Finance Officer
REPORTING OFFICER:	Gill Old, Acting 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 EFT116778 – EFT117015 (02 Nov – 29 Nov 12)	\$ 1,454,006.99
Municipal cheques 41649 - 41741 (02 Nov – 29 Nov 12)	\$ 104,851.89
Trust cheques 447 - 453 (21 Nov – 26 Nov 12)	\$ 2,259.45
Trust EFT 500379 - 500390 (01 Nov – 16 Nov 12)	\$ 15,765.70
Payroll (09 Nov – 28 Nov 12)	\$ 465,834.70
Direct bank debits (01 Nov – 30 Nov 12)	<u>\$ 34,186.38</u>
TOTAL	\$ 2,076,905.11

COUNCIL DECISION

Minute No. 9943

Moved: Cr J Parker

Seconded: Cr D Ausburn

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

Municipal EFT116778 – EFT117015 (02 Nov – 29 Nov 12)	\$ 1,454,006.99
Municipal cheques 41649 - 41741 (02 Nov – 29 Nov 12)	\$ 104,851.89
Trust cheques 447 - 453 (21 Nov – 26 Nov 12)	\$ 2,259.45
Trust EFT 500379 - 500390 (01 Nov – 16 Nov 12)	\$ 15,765.70
Payroll (09 Nov – 28 Nov 12)	\$ 465,834.70
Direct bank debits (01 Nov – 30 Nov 12)	<u>\$ 34,186.38</u>
TOTAL	\$ 2,076,905.11

Carried Unanimously 6/0

LIST OF ACCOUNTS SUBMITTED TO COUNCIL 11 DECEMBER 2012

EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT116778	02/11/2012	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	183.20
EFT116779	02/11/2012	L.G.R.C.E.U	PAYROLL DEDUCTIONS	19.40
EFT116780	02/11/2012	MAXXIA	PAYROLL DEDUCTIONS	6,130.66
EFT116781	02/11/2012	SHIRE OF WYN EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT116782	02/11/2012	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	27,013.90
EFT116783	08/11/2012	KIMBERLEY WASTE SERVICES	SKIP EMPTIES, REFUSE COLLECTION OCT 12	43,374.24
EFT116784	08/11/2012	ABCO PRODUCTS	AIRPORT CLEANING EQUIPMENT - KNX AIRPORT	243.19
EFT116785	08/11/2012	ASK WASTE MANAGEMENT	ENVIRO. IMPROVMENT PLAN, DEC LICENCE - KNX	10,840.50
EFT116786	08/11/2012	ACE CORPORATE APPAREL	STAFF UNIFORMS - KNX ADMIN, IT, ORG DEV, INFRASTRUCTURE, OPS	1,578.50
EFT116787	08/11/2012	AIRSAFE	TRAINING 9 X STAFF - DANGEROUS GOODS - KNX AIRPORT	720.00
EFT116788	08/11/2012	ALLGEAR MOTORCYCLES AND SMALL ENGINES	SERVICE & NEW BATTERY - P480. PARTS - P356, P318	411.80
EFT116789	08/11/2012	ARGYLE MOTORS	2X NEW TOYOTA HILUX & NEW TRACTOR. PARTS/REPAIR - P362. ACCESS - P117	75,837.20
EFT116790	08/11/2012	BODAN CONSTRUCTIONS PTY LTD	BUILDING REPAIRS - CHILDCARE, PETER REID HALL, ADMIN - WYN	3,796.65
EFT116791	08/11/2012	BLACKWOODS ATKINS PTY LTD	PARTS - P356, P477, P469. DEMOLITION HAMMER. PROTECTIVE CLOTHING	2,059.26
EFT116792	08/11/2012	BUSH CAMP SURPLUS STORES	STAFF SAFETY WORK WEAR - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	440.85
EFT116793	08/11/2012	C & S JOLLY ELECTRICS PTY LTD	INSTALL & REPLACE WALL FANS - KNX LEISURE CENTRE	944.19
EFT116794	08/11/2012	COMMUNICATION AND PROTECTIVE SOLNS	KNX YOUTH CENTRE SECURITY SYSTEM REPLACE BATTERIES.	272.69
EFT116795	08/11/2012	DISCOVERY HOLIDAY PARKS	STAFF ACCOMMODATION	149.00
EFT116796	08/11/2012	DRYSDALE RIVER STATION	TABLE DRAIN REPAIR - PORT WARRENDER ROAD	7,050.00
EFT116797	08/11/2012	EAST KIMBERLEY DINGO	NEW CHAIN LINK FENCE - WYN TIP	6,806.00
EFT116798	08/11/2012	EAST KIMBERLEY PLUMBING	PLUMBING WORKS - MIXER TAPS - TERMINAL OFFICES KNX AIRPORT	416.17
EFT116799	08/11/2012	FIRE & SAFETY WA	REPLACEMENT LIGHT BARS - CFVBFB FAST ATTACK - KNX	1,758.90
EFT116800	08/11/2012	GHD PTY LTD	PROGRESS CLAIM NO. 3 - FLOOD RISK ASSESSMENT - KNX	23,100.00
EFT116801	08/11/2012	GELGANYEM LTD	ANNUAL COMMUNITY GRANT - BARRAMUNDI CONCERT 2013	11,000.00
EFT116802	08/11/2012	GUERINONI & SONS	HIRE GRADER - GRAVEL SHEETING WORKS - PARRY CREEK ROAD	6,204.00
EFT116803	08/11/2012	HALLMARK EDITIONS	ANNUAL SUBSCRIPTION - 12 ISSUES - 2013/15	130.00
EFT116804	08/11/2012	HYDRO KLEEN	SERVICE AIR-CONDITIONERS - 3X STAFF HOUSING - KNX	1,606.00
EFT116805	08/11/2012	IBAC PLUMBING PTY LTD	NEW CHLORINE PUMP - SWIMMING POOL WYN. REPAIR TAPS - RIVERFIG KNX	1,866.47
EFT116806	08/11/2012	J & C ATKINS CONTRACTING PTY LTD	HIRE WATER TRUCK - FIRE CONTROL - WYN LANDFILL SITE	726.00
EFT116807	08/11/2012	JSW HOLDINGS PTY LTD	CONCRETE - GARDENIA DRIVE KNX	759.00
EFT116808	08/11/2012	JAB INDUSTRIES	HIRE -FLOAT TO MOVE WEED HARVESTER - PUMP HOUSE TO AIRPORT KNX	687.50

EFT116809	08/11/2012	K P MORGAN T/A JISHIN ACADEMY	WORKPLACE TRAINING - CERT II IN SECURITY AIRPORT SCREENING - 3-7 DEC 12	7,062.00
EFT116810	08/11/2012	KEN LOWTH	REIMBURSEMENT - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	1,626.79
EFT116811	08/11/2012	KIMBERLEY KOOL REFRIGERATION & AIRCON	A/C REPAIRS - AIRPORT, DEPOT KNX	319.00
EFT116812	08/11/2012	KIMBERLEY MOTORS	FUEL - SEP 2012 - WYN	5,231.89
EFT116813	08/11/2012	KNX BETTA ELECTRICAL & GAS	FURNITURE - WYN CHILDCARE, STAFF HOUSING KNX	2,830.00
EFT116814	08/11/2012	KNX BUSHMAN'S RODEO ASSOCIATION	ANNUAL COMMUNITY GRANT 2012	13,200.00
EFT116815	08/11/2012	KNX GYMNASTICS CLUB	KIDSPORT FUNDING 2XCHILDREN - KNX GYMNASTICS CLUB	40.00
EFT116816	08/11/2012	KNX HOME & GARDEN	TARPAULINS - KNX LEISURE CENTRE. TAPE - KNX AIRPORT	163.78
EFT116817	08/11/2012	KNX LOCK & KEY	REPLACE LOCK - STAGE DOOR, TOILET DOOR & KEY CUTTING - KNX LEISURE CENTRE	379.50
EFT116818	08/11/2012	KNX REFRIGERATION & AIR CON.	AC REPAIRS - KNX SQUASH COURTS	550.00
EFT116819	08/11/2012	KNX RURAL TRADERS	1/2 YRLY SERV FIRE EQUIP LEISURE, YOUTH, HIST BLDG KNX, PRMH, REC WYN	480.00
EFT116820	08/11/2012	LGIS LIABILITY	INSURANCE - PROPERTY - 2012-2013 - 2ND INSTALMENT	131,368.68
EFT116821	08/11/2012	LIZARD LOUNGE PTY LTD	CATERING - AIRPORT SECURITY TRAINING - 15-16/10/12 - KNX	479.00
EFT116822	08/11/2012	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES	1,362.90
EFT116823	08/11/2012	MARTELL ROAD MAINTENANCE	URGENT REPAIRS - SEAL ON WEABER PLAINS ROAD - KNX	3,315.62
EFT116824	08/11/2012	ORD RIVER ELECTRICS	REPLACE FAN IN KITCHEN - STAFF HOUSING KNX	202.11
EFT116825	08/11/2012	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	PIPE/JOINERS - KNX SWIMMING POOL. NOZZLES RETIC. MAINT. KNX	789.27
EFT116826	08/11/2012	ORD FUEL SUPPLIES	DIESEL - DEPOT KNX	11,101.86
EFT116827	08/11/2012	ORIA ORCHARDS	WEEKLY FLOWER - AIRPORT & ADMIN KNX	30.00
EFT116828	08/11/2012	PIVOTEL	SERVICE CHARGES - 4 X SATELLITE PHONES	146.67
EFT116829	08/11/2012	PILA GROUP	FLAGPOLE, 3 X REPLACEMENT WEIGHTS - NEW ADMIN BUILDING KNX	1,399.20
EFT116830	08/11/2012	QUICK CORPORATE AUSTRALIA	PACKING BOXES - SHIRE ADMIN MOVE - KNX	1,704.78
EFT116831	08/11/2012	RJ & MG MARSHALL	ANNUAL DETAIL CLEAN - P472	330.00
EFT116832	08/11/2012	REMOTE IT PERSPECTIVES	REMOTE IT SUPPORT - IN ACCORDANCE WITH CONTRACT	2,200.00
EFT116833	08/11/2012	SURVEY NORTH	ENGINEERING CONSULTANCY - WATERLILLY KNX	492.25
EFT116834	08/11/2012	THORLEY'S STORE	FILL 2 X GAS BOTTLES - BASTION LOOKOUT BBQS WYN	90.00
EFT116835	08/11/2012	TNT AUSTRALIA PTY LIMITED	FREIGHT - WATER SAMPLES, RETURN UNIFORM SAMPLES	90.65
EFT116836	08/11/2012	TOLL EXPRESS	FREIGHT - VARIOUS ITEMS - KNX/WYN	325.36
EFT116837	08/11/2012	TOLL IPEC PTY LTD	FREIGHT - UNIFORMS - KNX	59.39
EFT116838	08/11/2012	TWYFORDS	PROFE. SERVICES - STRATEGIC COMMUNITY ENGAGEMENT PLANNING - T12	940.50
EFT116839	08/11/2012	TAHI MORTON	REIMBURSEMENT - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	401.00
EFT116840	08/11/2012	UFL AIRPORTS AUSTRALIA PTY LTD	FURNITURE/LUGGAGE TROLLEYS - KNX AIRPORT	29,081.80
EFT116841	08/11/2012	UHY HAINES NORTON (WA) PTY LTD	AUDIT - DCP FUNDING & YOUTH PEOPLE AT RISK 2010,2011 AND 2012 - WYN	12,320.00
EFT116842	08/11/2012	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING - TENDER - SALE MOTOR VEHICLE - KIMBERLEY ECHO	245.78

EFT116843	08/11/2012	WESTRAC EQUIPMENT PTY LTD	REPLACEMENT GREASE TANK - P488	489.76
EFT116844	08/11/2012	WYN EXCAVATIONS	HIRE LOADER,SIDETIPPER, WATER TRUCK, ROLLER - GRAVEL SHTING PARRY CK RD	23,980.00
EFT116845	08/11/2012	WORLEYPARSONS SERVICES PTY LTD	DEFECTS LIABILITY INSPECTION FEE - WYN JETTY	8,788.71
EFT116846	08/11/2012	WYN COMMUNITY RESOURCE CENTRE	ADVERTISING - BASTION BULLETIN - KIDSPORT, SWEK RATES - WYN	132.00
EFT116847		CANCELLED		-
EFT116848	15/11/2012	KIMBERLEY WASTE SERVICES	SKIP EMPTIES - OCT 12	498.00
EFT116849	15/11/2012	4D LANDSCAPING SOLUTIONS	LANDSCAPING - RIVERFIG AVE KNX	798.60
EFT116850	15/11/2012	AERODROME MANAGEMENT SERVICES	TRAIN 1 X STAFF -AERODROME REPORTING,CASA RADIO PROF. CERT - KNX AIRPRT	2,255.00
EFT116851	15/11/2012	ALLCLEAN COMMERCIAL CLEANERS	CLEANING - VARIOUS LOCATIONS - KNX - OCT 12	13,218.13
EFT116852	15/11/2012	ARGYLE MOTORS	6 X BLADES - P362	300.72
EFT116853	15/11/2012	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	183.20
EFT116854	15/11/2012	AUTO ONE KNX	VEHICLE ACCESSORIES- P120, P118	192.00
EFT116855	15/11/2012	BERM BACKHOE HIRE	REACH MOWING - WALKTRAIL PUMPHOUSE TO SWIMBEACH - KNX	2,772.00
EFT116856	15/11/2012	BLACKWOODS ATKINS PTY LTD	VARIOUS HARDWARE ITEMS - P483, AIRPORT, DEPOT WYN/KNX	6,587.95
EFT116857	15/11/2012	BUSH CAMP SURPLUS STORES	STAFF SAFETY WORK WEAR - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	519.35
EFT116858	15/11/2012	CDM HYDRAULICS PTY LTD	HYDRAULIC HOSE REPAIRS - P350	262.12
EFT116859	15/11/2012	CENTURION TRANSPORT	FREIGHT - KNX AIRPORT	18.35
EFT116860	15/11/2012	CAFE CORPORATE	REPAIR - COFFEE MACHINE - KNX	189.15
EFT116861	15/11/2012	CARPET, VINYL & TILE CENTRE	MAINTENANCE EQUIPMENT - STAFF HOUSING	225.68
EFT116862	15/11/2012	CIVIC LEGAL	LEGAL ADVICE - KIMBERLEY BAUXITE MINING RATES	1,412.52
EFT116863	15/11/2012	COATES HIRE OPERATIONS PTY LTD	HIRE - PALLET JACK - KNX LEISURE CENTRE	151.88
EFT116864		CANCELLED		-
EFT116865		CANCELLED		-
EFT116866	15/11/2012	EAST KIMBERLEY PLUMBING	PLUMBING WORKS - UNBLOCK DRAINAGE - LIZARD LOUNGE CAFE KNX AIRPORT	175.46
EFT116867	15/11/2012	FRANMOR CONSTRUCTIONS PTY LTD	REGLAZE WINDOW - ADMIN KNX	225.17
EFT116868	15/11/2012	GALVINS PLUMBING SUPPLIES	PLUMBING ITEMS - PVC ELBOW - KNX CHILDCARE	310.55
EFT116869	15/11/2012	HITACHI CONSTRUCTION MACHINERY	AIR FILTERS - P479	49.87
EFT116870	15/11/2012	HYDRO KLEEN	CLEAN & SERVICE AIR-CONDITIONERS - KNX ADMIN, DRYANDRA KNX	2,233.00
EFT116871	15/11/2012	IBAC PLUMBING PTY LTD	PLUMBERING WORKS - MALE/FEMALE CHANGEROOMS - KNX LEISURE CENTRE	560.42
EFT116872	15/11/2012	IT VISION ITV	SQL REPLIC. TRAINING RATES/REPORTS - IN ACCORDANCE WITH EMPLOY CONTRCT	15,445.38
EFT116873	15/11/2012	IRRIBIZ	SOLENOIDS & ASSORTED IRRIGATION CONTROLLERS - KNX	260.39
EFT116874	15/11/2012	JSW HOLDINGS PTY LTD	RIVER ROCK - KNX CHILDCARE	704.00
EFT116875	15/11/2012	JW RAYS MECHANICAL REPAIRS & CRANE HIRE	CRANE HIRE LIFT PIPES, SUMP EXTENSION, MANHOLE COVER - KNX SWIM POOL	330.00
EFT116876	15/11/2012	JAYSON RILEY	REIMBURSEMENT - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	98.83

EFT116877	15/11/2012	KIMBERLEY COMMUNICATIONS	REPAIR TV RECEPTION - STAFF HOUSING. RESET JJJ	197.00
EFT116878	15/11/2012	KIMBERLEY HYDRAULICS	NEW HYDRAULIC HOSE - P354	145.52
EFT116879	15/11/2012	KIMBERLEY MOTORS	FUEL - SEPT 12 - WYN	218.42
EFT116880	15/11/2012	KIMBERLEY PUMPING SERVICE	FIT NEW PUMP - IVANHOE PUMP STATION. REPAIR MESSMATE PUMP - KNX	8,529.18
EFT116881	15/11/2012	KNX COURIERS	HIRE WATER COOLERS - NOV12/13. WATER SUPPLIES - LANDFILL KNX	310.00
EFT116882	15/11/2012	KNX HOME & GARDEN	VARIOUS HARDWARE ITEMS - AIRPORT, SWIMMING COMPLEX, VAR. AREAS KNX	373.65
EFT116883	15/11/2012	KNX REFRIGERATION & AIR CON. (WA)	A/C UPGRADE - KNX LEISURE CENTRE. A/C REPAIRS - AIRPORT, YOUTH CENTRE KNX	191,926.90
EFT116884	15/11/2012	KNX RURAL TRADERS	1/2 YRLY SERVICE - FIRE EQUIPMENT -KNX WORK DEPOT BUILDING	105.00
EFT116885	15/11/2012	KNX SECURITY SERVICE	SECURITY SERVICE -MONITOR ALARMS -KLC & ADMIN - JUL 12. CALLOUT	1,832.50
EFT116886	15/11/2012	L.G.R.C.E.U	PAYROLL DEDUCTIONS	19.40
EFT116887	15/11/2012	LANDGATE	LAND ENQUIRY - ORSC INVESTIGATION	24.00
EFT116888	15/11/2012	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES	1,306.15
EFT116889	15/11/2012	MAXXIA	PAYROLL DEDUCTIONS	1,929.06
EFT116890	15/11/2012	ORD RIVER ELECTRICS	REPLACED FAULTY GPO - KNX ADMIN	219.96
EFT116891	15/11/2012	ORDCO	HERBICIDE/PESTICIDE - KNX MAINTENANCE. FUEL CAP - P365	1,344.20
EFT116892	15/11/2012	ORICA AUSTRALIA PTY LTD	STORAGE - CHLORINE GAS CYLINDERS - WYN/KNX	391.81
EFT116893	15/11/2012	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	RETICULATION FITTINGS - KNX. SUMP PUMPS - KNX SWIMMING POOL	1,962.85
EFT116894	15/11/2012	ORIA ORCHARDS	WEEKLY FLOWER - AIRPORT & ADMIN KNX	60.00
EFT116895	15/11/2012	QUICK CORPORATE AUSTRALIA	FREIGHT - STATIONERY OCT 12 - KNX ADMIN	313.50
EFT116896	15/11/2012	RAPISCAN SYSTEMS AUSTRALIA PTY LTD	X-RAY SYSTEM -SERVICE AGREEMENT 2012/2013 - KNX AIRPORT	17,325.00
EFT116897	15/11/2012	SHIRE OF WYN EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT116898	15/11/2012	STATE LIBRARY WA	GIFT BOOKS - BETTER BEGINNINGS 2012/13 FINANCIAL YEAR.	594.00
EFT116899	15/11/2012	THE CANVAS SHED	SUPPLY & INSTALL VERTICAL BLINDS - STAFF HOUSING KNX	3,749.19
EFT116900	15/11/2012	TOLL EXPRESS	FREIGHT - VARIOUS ITEMS - KNX/WYN	3,339.50
EFT116901	15/11/2012	TERRITORY TROPHIES PRECISION ENGRAVING	BRASS PLAQUE - PRIME MINISTERS VISIT - CELEBRITY TREE PARK KNX	968.00
EFT116902	15/11/2012	TOP END MOTORS	REGISTRATION INSPECTION - KUBOTA TRACTOR	150.35
EFT116903	15/11/2012	TOWN CARAVAN PARK	ACCOM.- AIRPORT SECURITY TRAINER-IN ACCO. WITH CONTRACT - 14-27/10/12	1,950.00
EFT116904	15/11/2012	WALGA SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	28,079.52
EFT116905	15/11/2012	WYN EXCAVATIONS	HIRE SIDE TIPPR,ROLLER,LOADER,WATER TRK - WANDRRA WORKS - KING RIVER RD	17,469.00
EFT116906	22/11/2012	ALCOLIZER PTY LTD	SERVICE AND RECALIBRATION BREATHERLIZER - KNX AIRPORT	214.94
EFT116907	22/11/2012	ARGYLE MOTORS	AIR FILTER - P362	81.36
EFT116908	22/11/2012	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL - OCT 12	304.04
EFT116909	22/11/2012	BODAN CONSTRUCTIONS PTY LTD	REMOVE TOILET DOOR, PLANE AND REFIT, - WYN CHILD CARE CENTRE	220.00
EFT116910	22/11/2012	BROADCAST AUSTRALIA PTY LTD	FACILITIES LEASING - SBS TV - 22/08/12 TO 28/09/12	123.75

EFT116911	22/11/2012	BUSBY INVEST. T/A BUDGET RENT A CAR	CAR HIRE - MEETINGS - DCD & SPO - PERTH 18-21/10/12	158.73
EFT116912	22/11/2012	BILLI PTY LTD	REPLACEMENT FILTER SET BILLI - KNX AIRPORT	478.50
EFT116913	22/11/2012	C Y O'CONNOR TAFE	TRAINING - MUNICIPAL LAW ENFORCEMENT B - PERTH - 4-7/12/12	450.00
EFT116914	22/11/2012	CDM HYDRAULICS PTY LTD	SERVICE - P479	253.54
EFT116915	22/11/2012	CARPET, VINYL & TILE CENTRE	2 X SAMPLE PAINT POTS - RIVERFIG KNX	27.00
EFT116916	22/11/2012	DAVEY TYRE & BATTERY SERVICE	REPAIR TYRES - P469, P481. NEW TYRES - P379	1,068.50
EFT116917	22/11/2012	DISCOVERY HOLIDAY PARKS	STAFF ACCOMMODATION	1,019.97
EFT116918	22/11/2012	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KNX TIP, STAFF HOUSING, KYC, WCC- KNX/WYN	2,890.35
EFT116919	22/11/2012	EAST KIMBERLEY TOWING	RELOCATE - P475 - HALLS CREEK DEPOT - KNX DEPOT.	1,980.00
EFT116920	22/11/2012	FUJI XEROX AUSTRALIA P/L	VARIOUS - PRINTING COST - OCT 12 - KNX	881.75
EFT116921	22/11/2012	FIVE RIVERS MAINTENANCE	CLEANING - CHILDCARE - 30/10/12 - 13/11/12 - WYN	500.00
EFT116922	22/11/2012	FULLY JUICED ELECTRICS	ELECTRICAL REPAIRS - JOONGARRI, ADMIN WYN. NEW AIR CONS - WYN C CARE	1,383.36
EFT116923	22/11/2012	HYDRO KLEEN	CLEAN & SERVICE A/C - HISTORICAL CENTRE, STAFF HOUSING KNX	2,552.00
EFT116924	22/11/2012	IBAC PLUMBING PTY LTD	PLUMBING WKS - STAFF HSING, PUBLIC COVENIENCES, DEPOT, CCARE KNX/WYN	1,846.61
EFT116925	22/11/2012	IRRIBIZ	RETICULATION NOZZLES - KNX	341.88
EFT116926	22/11/2012	JAB INDUSTRIES	HIRE/MOB/DE-MOB - VIBE ROLLER, WANDRRA WORKS - KING RIVER ROAD.	5,043.50
EFT116927	22/11/2012	KIMBERLEY HYDRAULICS	NEW HYDRAULIC HOSES - P435	770.59
EFT116928	22/11/2012	KIMBERLEY MARKETING - CASH AND CARRY	ITEMS FOR RESALE - KNX LEISURE CENTRE	717.15
EFT116929	22/11/2012	KNX BETTA ELECTRICAL & GAS	STEREO SYSTEM - WYN CHILDCARE	79.00
EFT116930	22/11/2012	KNX HOME & GARDEN	2 X SAMPLE PAINT POTS - RIVERFIG KNX	22.80
EFT116931	22/11/2012	KNX PANEL BEATING WORKS WA P/L	WINDSCREEN - P358	440.00
EFT116932	22/11/2012	LAWRENCE & HANSON GROUP	FLUROESENT LIGHT TUBES - KNX LEISURE CENTRE	38.19
EFT116933	22/11/2012	LANDGATE	LAND ENQUIRES	359.80
EFT116934	22/11/2012	LESLIE PATRICIA KING	REIMBURSEMENT - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	54.65
EFT116935	22/11/2012	MARTELL ROAD MAINTENANCE	SEAL PAVEMENT REPAIRS - CHAMBERLAIN DRIVE VALENTINE ESTATE	35,200.00
EFT116936	22/11/2012	MARTIN MCCLELLAND	INSTALL - HOOKS, KNIFE HOLDER, NEW ELECTRONIC DOOR LOCK - KNX AIRPORT	288.80
EFT116937	22/11/2012	MCLEAN ENTERPRISES PTY LTD	FREIGHT - P479 - PARTS	66.00
EFT116938	22/11/2012	NEC AUSTRALIA PTY LTD	NECARE MAINTENANCE SERVICE AGREEMENT - 12/13	4,090.77
EFT116939	22/11/2012	NORSIGN PTY LTD	THERMOPLASTIC GUIDE POSTS - VARIOUS ROAD - KNX	5,472.50
EFT116940	22/11/2012	NORTHERN INTEREST PTY LTD	DIESEL - SES	66.56
EFT116941	22/11/2012	ORD RIVER ELECTRICS	REPAIR LIGHTS IN SHED - DRYANDRA ST KNX	189.62
EFT116942	22/11/2012	ORICA AUSTRALIA PTY LTD	STORAGE - CHLORINE GAS CYLINDERS - WYN/KNX	1,095.60
EFT116943	22/11/2012	OFFICE NATIONAL KNX	STATIONERY - OCT 12 - DEPOT KNX	64.41
EFT116944	22/11/2012	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	RETICULATION ITEMS/FITTINGS - KNX	3,871.27

EFT116945	22/11/2012	ORD LAND AND WATER INCORPORATED	ANNUAL COMMUNITY GRANT	2,750.00
EFT116946		CANCELLED		-
EFT116947	22/11/2012	ROYAL LIFE SAVING (WA BRANCH)	ANNUAL REGISTRATION - WATCH AROUND WATER" CHILD SAFETY - 12/13"	70.00
EFT116948	22/11/2012	SHELF SUPPLY	STAFF SAFETY WORK WEAR - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	344.00
EFT116949	22/11/2012	THE CANVAS SHED	RE-UPHOLSTER OTTAMAN, BLINDS CBS WINDOWS - KNX AIRPORT	666.05
EFT116950	22/11/2012	TNT AUSTRALIA PTY LIMITED	FREIGHT - SOIL SAMPLING - LANDFILL KNX	333.93
EFT116951	22/11/2012	TIDAL TYRE AND BATTERIES	SUPPLY AND FIT NEW BATTERY - P473	264.00
EFT116952	22/11/2012	TOX FREE SOLUTIONS LTD	KNX REFUSE COLLECTION/SKIP EMPTIES - OCT 12 - KNX/WYN	68,858.02
EFT116953	22/11/2012	TRENA JANCZYK	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	143.45
EFT116954	22/11/2012	URBIS PTY LTD	CONSULTANT SERVICES - TOWN PLANNING SCHEME	1,801.25
EFT116955	22/11/2012	VANDERFIELD MACHINERY PTY LTD	PARTS - P491	270.79
EFT116956	22/11/2012	WYN EXCAVATIONS	HIRE - TRUCK - PRE CYCLONE CLEAN UP - WYN	924.00
EFT116957	29/11/2012	A & R WELDING FABRICATION	WELDING - SHADE SAIL POLE - WYN POOL	260.00
EFT116958	29/11/2012	ASK WASTE MANAGEMENT	PROFESSIONAL ENGINRING PLANS -WATER STRATEGY, LAND CLOSURE - KNX/WYN	14,338.50
EFT116959	29/11/2012	AUSTRALIAN FUEL DISTRIBUTORS	FUEL - OCTOBER 2012 - KNX/WYN	2,750.42
EFT116960	29/11/2012	AUSTRAL MERCANTILE COLLECTIONS PTY LTD	DEBT COLLECTION - RATES	1,092.69
EFT116961	29/11/2012	AUST LOCAL GOVERNMENT JOB DIRECTORY	ADVERTISING - AIRPORT MANAGER - KNX	869.00
EFT116962	29/11/2012	AUSTRALIA POST - ACCOUNTS RECEIV. TEAM	POSTAGE - OCT 12	1,200.14
EFT116963	29/11/2012	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	183.20
EFT116964	29/11/2012	BERM BACKHOE HIRE	HIRE END TIPPER - PRE CYCLONE CLEAN UP - KNX	6,897.00
EFT116965	29/11/2012	BLACKWOODS ATKINS PTY LTD	EARPLUG REFILL, SQWINCHER - KNX	75.15
EFT116966	29/11/2012	BLUE DAVIDSON SIGNS	SIGNWRITING - KNX LEISURE CENTRE	275.00
EFT116967	29/11/2012	CAM MANAGEMENT SOLUTIONS	LONG TERM FINANCIAL PLAN CONSULTANCY	23,012.00
EFT116968	29/11/2012	CARDNO (NT) PTY LTD	PROFESSIONAL SERVICES - CELEBRITY TREE BOAT RAMP	2,088.35
EFT116969	29/11/2012	CIVIC LEGAL	LEGAL ADVISE - VARIOUS REMOTE ROADS - POSSIBLE CLOSURE & RETRN TO STATE	6,899.87
EFT116970	29/11/2012	COCA-COLA AMATIL	ITEMS FOR RESALE - KNX LEISURE CENTRE	1,174.97
EFT116971	29/11/2012	DFES - WESTERN AUSTRALIA	DBA INTALLATION/CONNECTION - KNX AIRPORT	6,849.29
EFT116972	29/11/2012	DESERT-ROSE ENTERPRISES	ASSORTED LEARN TO SWIM EQUIPMENT - WYN SWIMMING COMPLEX	278.30
EFT116973	29/11/2012	EAST KIMBERLEY GLASS	REPLACE ROLLER DOORS - EUGENIA STREET KNX	457.60
EFT116974	29/11/2012	FUJI XEROX AUSTRALIA P/L	VARIOUS - PRINTING COST - OCT 12 - KNX/WYN	3,604.76
EFT116975	29/11/2012	FYSH GRADER HIRE	CLEAN OUT DRAINS - PREPERATION FOR WET SEASON - AIRSIDE KNX AIRPORT	814.00
EFT116976	29/11/2012	FRANMOR CONSTRUCTIONS PTY LTD	REPLACE GLASS WITH WOOD, FIX KITCHEN DOOR/REPLACE TILES - KNX YTH CNTR	305.00
EFT116977	29/11/2012	FRONTIER POST & NEWS	KIMBERLEY ECHO/STATIONERY - OCT 12	31.70

EFT116978	29/11/2012	GUERINONI & SONS	HIRE TIPPER - PRE CYCLONE CLEAN - KNX HIRE GRADER - PARRY CRK WKS - WYN	18,645.00
EFT116979	29/11/2012	HYDRO KLEEN	CLEAN & SERVICE A/C - HISTORICAL CENTRE, STAFF HOUSING KNX	561.00
EFT116980	29/11/2012	IRRIBIZ	GIBAULT - KONKERBERRY GARDENS - KNX	205.78
EFT116981	29/11/2012	JSW HOLDINGS PTY LTD	CONCRETE - PREMIX BAY - KNX DEPOT	627.00
EFT116982	29/11/2012	JW RAYS MECHANICAL REPAIRS & CRANE HIRE	HIRE CRANE - LIFT/REMOVE TRACTOR ON TRUCK - KNX AIRPORT	247.50
EFT116983	29/11/2012	JAB INDUSTRIES	DRAIN WORKS - WPR/MILLS RD HIRE EXCAV. - WASTE PONDS KNX HIRE SIDE TPPER	13,611.70
EFT116984	29/11/2012	JANELLE MCCARTHY	REIMBURSEMENT - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	62.75
EFT116985	29/11/2012	KIMBERLEY ECHO - ALBANY ADVERTISER	ADVERTISING - SWEK NEWS - OCT 12	2,824.76
EFT116986	29/11/2012	KIMBERLEY KOOL REFRIGERATION & AIRCON	REPAIR A/C - PAYROLL OFFICE - KNX ADMIN	121.00
EFT116987	29/11/2012	KIMBUILD CONTRACTING PTY LTD	REPAIRS - SOUTHERN SIDE OF THE IRRIG. CHANNEL BRIDGE - IVANHOE RD KNX	21,307.00
EFT116988	29/11/2012	KNX DIESEL SERVICE	MALE ELBOW BUSH - P309	13.95
EFT116989	29/11/2012	KNX GYMNASTICS CLUB	TERM CLUB FEES - KIDSPORT BALANCE MACALES - X2 CHILDREN	40.00
EFT116990	29/11/2012	KNX PANEL BEATING WORKS WA P/L	INSURANCE EXCESS - WINDSCREEN DAMAGE - P216	300.00
EFT116991	29/11/2012	KNX REFRIGERATION & AIR CON (WA) PTY	PROGRESS CLAIM # 2 - A/C UPGRADE - KNX LEISURE CENTRE	71,423.55
EFT116992	29/11/2012	KNX SECURITY SERVICE	SECURITY SERVICE - ALARM/SWIPE CARD SYSTEM - KNX ADMIN	125.00
EFT116993	29/11/2012	L.G.R.C.E.U	PAYROLL DEDUCTIONS	19.40
EFT116994	29/11/2012	LAPPY'S SERVICE CENTRE	SERVICE - P379	351.40
EFT116995	29/11/2012	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES	5,913.60
EFT116996	29/11/2012	MARTELL ROAD MAINTENANCE	ROAD WORKS - 3 INTERSECTIONS WITHIN VALENTINE FALLS ESTATE	15,400.00
EFT116997	29/11/2012	MAXXIA	PAYROLL DEDUCTIONS	7,285.77
EFT116998	29/11/2012	METALAND KNX	NEW FLAT BAR - P362	18.07
EFT116999	29/11/2012	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	POLY COUPLING - KNX CHILDCARE	131.46
EFT117000	29/11/2012	ORD FUEL SUPPLIES	DIESEL - OCT 12 - DEPOT KNX	11,006.70
EFT117001	29/11/2012	ORD RIVER CONTRACTING	UPGRADE WORKS - KALUMBURU RD, GIBB RIVER RD JUNCTION TO PT WARRENDER	187,957.00
EFT117002	29/11/2012	ORIA ORCHARDS	WEEKLY FLOWER - AIRPORT & ADMIN KNX	60.00
EFT117003	29/11/2012	PIVOTEL	SERVICE CHARGES - 4 X SATELLITE PHONES	147.41
EFT117004	29/11/2012	QUICK CORPORATE AUSTRALIA	STATIONERY - NOVEMBER 2012	1,396.65
EFT117005	29/11/2012	ST JOHN AMBULANCE AUSTRALIA (WA) INC	OXYGEN MASK - ADULT/CHILD - KNX SWIMMING COMPLEX	17.52
EFT117006	29/11/2012	SHIRE OF WYN EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT117007	29/11/2012	SUNNY SIGN COMPANY PTY LTD	SIGNAGE - SHIRE LOGO - SINGLE SIDED - VARIOUS RDS KNX	672.43
EFT117008	29/11/2012	TANAMI EARTHMOVING	GRADE JUMP UP - LONG MICHAEL PLAIN ROAD	660.00
EFT117009	29/11/2012	TOLL EXPRESS	FREIGHT - VARIOUS ITEMS - KNX	137.82
EFT117010	29/11/2012	TAHI MORTON	REIMBURSEMENT - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	4,224.00
EFT117011	29/11/2012	TYREPLUS KNX	NEW TYRE - P479	980.00

EFT117012	29/11/2012	VANDERFIELD MACHINERY PTY LTD	SETS MOWER BLADES - P381, P491	98.31
EFT117013	29/11/2012	WALAGA SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	27,295.07
EFT117014	29/11/2012	WAYNE RICHARDS & REBECCA MORRALL	REIMBURSEMENT - IN ACCORDANCE WITH EMPLOYMENT CONTRACT	347.00
EFT117015	29/11/2012	WYN SUPERMARKET	FOOD ITEMS & CLEANING PRODUCTS - OCT 12 - WYN	284.57
TOTAL MUNI EFT PAYMENTS				1,454,006.99

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
41649	02/11/2012	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	329.81
41650	02/11/2012	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	138.47
41651	02/11/2012	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	1,795.31
41652	02/11/2012	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	203.89
41653	02/11/2012	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	227.62
41654	02/11/2012	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	206.13
41655	02/11/2012	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	223.49
41656	02/11/2012	FIRST STATE SUPER	SUPERANNUATION CONTRIBUTIONS	219.48
41657	02/11/2012	HEALTH SUPER	SUPERANNUATION CONTRIBUTIONS	96.44
41658	02/11/2012	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	405.52
41659	02/11/2012	LG SUPER	SUPERANNUATION CONTRIBUTIONS	379.58
41660	02/11/2012	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	454.99
41661	02/11/2012	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	378.98
41662	02/11/2012	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	452.62
41663	02/11/2012	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,254.11
41664	02/11/2012	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	197.99
41665	02/11/2012	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	708.96
41666	02/11/2012	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	217.44
41667	02/11/2012	TASPLAN	SUPERANNUATION CONTRIBUTIONS	195.65
41668	02/11/2012	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	400.74
41669	02/11/2012	UNISUPER	SUPERANNUATION CONTRIBUTIONS	180.51
41670	02/11/2012	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,586.60
41671	08/11/2012	AVIATION ID AUSTRALIA PTY LTD	ASIC CARD 4 x AIRPORT SECURITY STAFF	1,080.00
41672	08/11/2012	CANNING BRIDGE AUTO LODGE	ACCOM SFO RATES & PROPERTY & REPORT MANAGER TRAINING. 7/10 - 13/10/12	916.00
41673	08/11/2012	CASH - PETTY CASH KNX AIRPORT	CASH - PETTY CASH KNX AIRPORT OCT 12	84.60
41674	08/11/2012	DEPT FOR PLANNING AND INFRASTRUCTURE	ANNUAL VEHICLE REGISTRATION	828.15
41675	08/11/2012	FOSSEYS AUSTRALIA P/L (TARGET COUNTRY)	STAFF FURNITURE AND FIT OUT	216.50

41676	08/11/2012	HORIZON POWER	ELECTRICITY VARIOUS PLACES - KNX AUG - OCT 12	3,323.14
41677		CHEQUE CANCELLED		-
41678	08/11/2012	WATER CORPORATION	WATER WYN DEPOT APRIL - AUGUST	3,892.10
41679	08/11/2012	WOODHOUSE LEGAL	SETTLEMENT AGENT FEES SALE OF EUCALYPTUS CLOSE KNX	2,391.95
41680	15/11/2012	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	472.73
41681	15/11/2012	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	138.47
41682	15/11/2012	ANTHONY SCOTT	RATES REFUND FOR ASSESSMENT 5 BAUHINIA STREET KNX	97.87
41683	15/11/2012	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	1,972.16
41684	15/11/2012	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	202.62
41685	15/11/2012	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	227.61
41686	15/11/2012	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	142.49
41687	15/11/2012	COMMISSIONER OF POLICE	SECURITY OFFICER LICENCE FEE IN ACCORDANCE WITH EMPLOYMENT CONTRACT	734.00
41688	15/11/2012	DEPARTMENT OF EDUCATION	RATES REFUND FOR ASSESSMENT 3 WELCH STREET WYN	136.47
41689	15/11/2012	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	172.48
41690	15/11/2012	FIRST STATE SUPER	SUPERANNUATION CONTRIBUTIONS	98.63
41691	15/11/2012	HEALTH SUPER	SUPERANNUATION CONTRIBUTIONS	204.18
41692	15/11/2012	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	486.06
41693	15/11/2012	LG SUPER	SUPERANNUATION CONTRIBUTIONS	576.00
41694	15/11/2012	LONE EAGLE (WA) PTY LTD	RATES REFUND FOR ASSESSMENT CNR CYRIL KLEINING & LAINE JONES DRIVE KNX	4,431.53
41695	15/11/2012	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	454.99
41696	15/11/2012	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	439.13
41697	15/11/2012	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	454.97
41698	15/11/2012	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,107.24
41699	15/11/2012	SARAH MARSHALL	KNX DISTRICT HIGHSCHOOL SPONSORSHIP FOR SWEK CITIZENSHIP AWARD	300.00
41700	15/11/2012	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	191.71
41701	15/11/2012	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	425.38
41702	15/11/2012	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	230.72
41703	15/11/2012	TASPLAN	SUPERANNUATION CONTRIBUTIONS	125.50
41704	15/11/2012	THE BARRA BAR	REFUND - OVERPAYMENT	100.00
41705	15/11/2012	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	400.74
41706	15/11/2012	TOP END PROPERTIES PTY LTD	RATES REFUND FOR ASSESSMENT 40 BLOODWOOD DRIVE KNX	8,051.74
41707	15/11/2012	UNISUPER	SUPERANNUATION CONTRIBUTIONS	149.93
41708	15/11/2012	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,586.60
41709	22/11/2012	AVIATION ID AUSTRALIA PTY LTD	ASIC APPLICATION 1 X IN ACCORDANCE WITH EMPLOYMENT CONTRACT	216.00

41710	22/11/2012	COLEMAN BROTHERS PTY LTD	RATES REFUND FOR ASSESSMENT HARBOUR ACCESS WYN PORT	5,675.03
41711	22/11/2012	HORIZON POWER	ELEC - STREET LIGHTING KNX OCT 12	16,360.56
41712	22/11/2012	SONIA BLIGHT	REFUND OF 3 MONTH GOLD MEMBERSHIP FEES DUE TO SERIOUS ILLNESS	195.00
41713	22/11/2012	WATER CORPORATION	WATER USE AT TOILETS AT WHITE GUM PARK KNX JUL-NOV	146.75
41714	29/11/2012	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	464.96
41715	29/11/2012	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	138.47
41716	29/11/2012	AREVA RESOURCES AUSTRALIA PTY LTD	RATES REFUND FOR MINING TENEMENT E80/04254	19.26
41717	29/11/2012	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	1,484.83
41718	29/11/2012	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	204.51
41719	29/11/2012	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	227.61
41720	29/11/2012	CITY OF STIRLING	DAMAGED INTER-LIBRARY LOAN BOOK	8.80
41721	29/11/2012	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	151.12
41722	29/11/2012	COMMISSIONER OF POLICE	SECURITY OFFICER LICENCE FEE 4 X IN ACCORDANCE WITH EMPLOYMENT CONTRACT	1,468.00
41723	29/11/2012	CROSSLANDS MINES PTY LTD	RATES REFUND FOR EXPLORATION MINING TENEMENT E80/3303	756.76
41724	29/11/2012	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	168.43
41725	29/11/2012	HORIZON POWER	ELEC - VARIOUS PLACES KNX SEP - OCT 12	14,920.26
41726	29/11/2012	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	449.63
41727	29/11/2012	LG SUPER	SUPERANNUATION CONTRIBUTIONS	555.75
41728	29/11/2012	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	454.99
41729	29/11/2012	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	550.80
41730	29/11/2012	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	454.54
41731	29/11/2012	REST SUPER	SUPERANNUATION CONTRIBUTIONS	762.30
41732	29/11/2012	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	195.19
41733	29/11/2012	SHIRE OF BROOME	REGISTRATION FEES SEHO & MPRS RISK MGMNT W/SHOP BROOME 23/11/12	176.00
41734	29/11/2012	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	425.38
41735	29/11/2012	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	224.77
41736	29/11/2012	TELSTRA CORPORATION	EXECUTIVE LAND LINE CHARGES - OCT 12	313.20
41737	29/11/2012	TELSTRA (SES ONLY)	TELSTRA - NOV 12 (SES) ACCOUNT	25.31
41738	29/11/2012	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	400.74
41739	29/11/2012	UNISUPER	SUPERANNUATION CONTRIBUTIONS	180.51
41740	29/11/2012	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,844.56
41741	29/11/2012	WATER CORPORATION	WATER USE VARIOUS PLACES KNX JUL-NOV 12	5,133.15
TOTAL MUNI CHEQUE PAYMENTS				104,851.89

CHQ	DATE	NAME	DESCRIPTION	Amount
447	21/11/2012	CKC NOMINEES T/A ECOFFICIENT HOMES	BOND REFUND - FOOTPATH - RCT NO.380495, BL NO.078/2012	500.00
448	21/11/2012	KUNUNURRA COURIERS	BOND REFUND - ASIC CARD - KNX AIRPORT	100.00
449	21/11/2012	MAGLION ENTERPRISES	BOND REFUND - FOOTPATH - RCT NO.379565, BL NO. 055/2012	600.00
450	21/11/2012	WYNDHAM DISTRICT HIGH SCHOOL	BOND REFUND - BUS HIRE LESS EXCESS MILEAGE	469.45
451	26/11/2012	ANTHONY EDLAND	BOND REFUND - FOOTPATH - BL#205/2009 RCT# 368190	270.00
452	26/11/2012	DEPARTMENT OF HEALTH	HEALTH DEPT. APPLICATION FEE - J.VAN DER WEES/P.JOHNSON	70.00
453	26/11/2012	TASMAN WILKES	BOND REFUND - CELEBRITY TREE PARK HIRE 18/11/12	250.00
TOTAL TRUST CHEQUE PAYMENTS				2,259.45

EFT	DATE	NAME	DESCRIPTION	AMOUNT
500379	01/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 01/11/12	714.25
500380	02/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 02/11/12	7,315.65
500381	05/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 05/11/12	1,017.85
500382	06/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 06/11/12	700.55
500384	07/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 07/11/12	8.90
500384	08/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 08/11/12	663.45
500385	09/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 09/11/12	396.10
500386	12/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 12/11/12	344.25
500387	13/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 13/11/12	1,976.45
500388	14/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 14/11/12	660.75
500389	15/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 15/11/12	1,530.40
500390	16/11/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 16/11/12	437.10
TOTAL TRUST EFT PAYMENTS				15,765.70

DATE	NAME	DESCRIPTION	AMOUNT
09/11/2012	PAYROLL	PAYROLL	2,171.07
09/11/2012	PAYROLL	PAYROLL	8,354.52
13/11/2012	PAYROLL	PAYROLL	5,399.51
14/11/2012	PAYROLL	PAYROLL	228,847.23
20/11/2012	PAYROLL	PAYROLL	2,726.80
28/11/2012	PAYROLL	PAYROLL	218,335.57
TOTAL PAYROLL PAYMENTS			465,834.70

DATE	NAME	DESCRIPTION	AMOUNT
01/11/2012	DIRECT DEBIT	FEE - BPAY	1,126.61
01/11/2012	DIRECT DEBIT	LEASE COSTS - 11 KWINANA STREET WYNDHAM	1,441.00
13/11/2012	DIRECT DEBIT	LEASE COST S - 9B PLUM COURT KUNUNURRA	1,380.50
15/11/2012	DIRECT DEBIT	VEHICLE LEASE - SG FLEET AUSTRAL	1,036.20
21/11/2012	DIRECT DEBIT	LEASE COST S - 2/1 PLUM COURT KUNUNURRA	2,383.33
22/11/2012	DIRECT DEBIT	LEASE COSTS - 12/33 KONKERBERRY DRIVE KUNUNURRA	2,166.67
27/11/2012	DIRECT DEBIT	LEASE COSTS - 17/33 KONKERBERRY DRIVE KUNUNURRA	2,210.00
27/11/2012	DIRECT DEBIT	LEASE COST S - 9B PLUM COURT KUNUNURRA	1,380.50
29/11/2012	DIRECT DEBIT	LEASE COSTS - 16/33 KONKERBERRY DRIVE KUNUNURRA	2,253.33
02/11/2012	DIRECT DEBIT	VISA CARD PAYMENT	1,644.22
20/11/2012	DIRECT DEBIT	MASTERCARD PAYMENT	16,250.39
NOV 12	DIRECT DEBIT	BANK FEE	913.63
		TOTAL DIRECT DEBIT PAYMENTS	<u>34,186.38</u>

12.3 INFRASTRUCTURE SERVICES

12.3.1 Application For Renewal Of Funeral Directors Licence - Mr Paul Cornish

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Beck Foulkes-Taylor, Infrastructure Support Officer
REPORTING OFFICER:	Kevin Hannagan, Director Infrastructure
FILE NO:	PH.12.11

PURPOSE

For Council to consider an application from Mr Paul Edward Cornish, trading as Broome Funeral Services to renew his annual Funeral Director Licence.

BACKGROUND

Mr Cornish, trading as Derby Funeral Services and Broome Funeral Services, was granted a licence renewal in 2011 his licence expired on 30 June 2012 and now makes an application to renew his licence for a further year, for the period 1 July 2012 to 30 June 2013.

STATUTORY IMPLICATIONS

Section 17 (2) of the Cemeteries Act, 1986, namely:

An applicant who satisfies the Board that the applicant –

- a. is of good repute and is fit to hold a funeral director's licence; and
- b. has suitable facilities and equipment for handling and storing dead bodies and conducting funerals.

Section 18 (1) of the Cemeteries Act 1986, namely:

A Board may, by notice in writing delivered to the holder of the licence, cancel or suspend the licence if:

- a. the licence was issued erroneously or in consequence of a false or fraudulent document, statement or representation;
- b. the fee for the licence is due and unpaid;
- c. the holder of the licence is convicted of an offence against this Act or any local law or any by-law made under this Act; or
- d. the Board is no longer satisfied in relation to the holder of the licence with respect to the matters referred to in section 17 (2)."

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

A fee of \$280 is payable for an annual licence to operate as a funeral director within the Shire.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

COMMUNITY CONSULTATION

No community consultation was undertaken in the preparation of this report, and no consultation was considered necessary.

COMMENT

Mr Cornish has provided evidence of licences held with the other Kimberley Shires.

The applicant has Funeral Director Licences with the Shire's of Derby West Kimberley, Broome and Halls Creek. Mr Cornish has held a Funeral Director's Licence for 19 years.

The required application form, information and fee have been received. As the applicant had a number of services required to be delivered prior to the Council meeting and was deemed as suitable to allow him to conduct services until the application has been considered by Council.

The applicant has a good reputation within the three Kimberley Shires and staff recommend that a Licence be approved.

Further that the period of the licence be for one year for the period 1 July 2012 to 30 June 2013.

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council approve the granting of an annual Funeral Director's Licence to Mr Paul Edward Cornish, Trading as Derby Funeral Services and Broome Funeral Services.

COUNCIL DECISION

Minute No. 9944

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council approve the granting of an annual Funeral Director's Licence to Mr Paul Edward Cornish, Trading as Derby Funeral Services and Broome Funeral Services.

Carried Unanimously 6/0

12.3.2 Deed of Covenant, Green Swamp Agriculture (GSA)

DATE:	11 December 2012
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.07.18

PURPOSE

To seek Councils resolution to sign and seal a Deed of Covenant between Shire of Wyndham East Kimberley and Green Swamp Agriculture for the upgrade of a portion of Carlton Hill Road.

BACKGROUND

Councillors have previously been briefed on resolving this long outstanding issue between the Shire of Wyndham East Kimberley, Green Swamp Agriculture and Regional Development and Lands. The Deed of Covenant has now been executed by Green Swamp Agriculture. It is now proposed for Council to Sign and Seal the Deed.

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

There are no financial implications associated with this item other than as already stated above.

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*.

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

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

After Council signing and sealing the deed an invoice will be raised for \$225,000 (plus GST) representing the first 50% payment to the Shire towards upgrading sections of Carlton Hill Road.

The final invoice will be raised after the 'wet season' prior to work commencing.

The Deed also contains clauses relating to the Shire of Wyndham East Kimberley registering an absolute Caveat against the new certificate/s of title (re: land purchased from Regional Development and Lands) for the whole or any part of the land to protect the Shires interest until the full \$450,000 (plus GST) is paid.

ATTACHMENTS

Attachment 1 – Deed of Covenant

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council sign and seal the Deed of Covenant between Shire of Wyndham East Kimberley and Green Swamp Agriculture for the upgrade of a portion of Carlton Hill Road.

COUNCIL DECISION

Minute No. 9945

Moved: Cr R Dessert

Seconded: Cr J McCoy

That Council sign and seal the Deed of Covenant between Shire of Wyndham East Kimberley and Green Swamp Agriculture for the upgrade of a portion of Carlton Hill Road.

Carried Unanimously 6/0



CIVIC LEGAL

Incorporating Brett Davies Lawyers and Wojtowicz Kelly Legal

Australia
Level 2
11 Mounts Bay Road
Perth
Western Australia 6000

PO Box 7432
Cloisters Square
Perth
Western Australia 6850

+61 8 9460 5000 T
+61 8 9460 5001 F
admin@civiclegal.com.au

Singapore
24 Raffles Place
#25-06A Clifford Centre
Singapore 048621

+65 6327 8481 T
+65 6327 8463 F

Ref: PJM 102246

DEED OF COVENANT (Upgrade of portion of Carlton Hill Road)

SHIRE OF WYNDHAM-EAST KIMBERLEY
("Shire")

AND

GREEN SWAMP AGRICULTURE PTY LTD
(ACN 115 906 066)
("GSA")

TABLE OF CONTENTS

1.	DEFINITIONS AND INTERPRETATION.....	2
2.	AGREEMENT.....	4
3.	SHIRE'S COVENANTS.....	4
4.	GSA'S COVENANTS.....	4
5.	DEFAULT.....	5
6.	CHARGE.....	5
7.	CAVEAT.....	5
8.	MISCELLANEOUS	6
9.	GST.....	9
	SCHEDULE 1 – SPECIFICATIONS OF THE WORKS.....	11
	SCHEDULE 2 – CARLTON HILL ROAD.....	12

THIS DEED is made the

day of

2012

BETWEEN

SHIRE OF WYNDHAM-EAST KIMBERLEY of PO Box 614, Kununurra, Western Australia ("Shire");

AND

GREEN SWAMP AGRICULTURE PTY LTD (ACN 115 906 066) of King Location, 254 Oolrui Road, Kununurra Western Australia ("GSA").

RECITALS

- A. In 1999 GSA and the State of Western Australia (**State**) entered into an agreement through an Expression of Interest process to develop 1,387 hectares of land known as Green Swamp for irrigated agriculture.
- B. In 2006 the GSA and the State entered into the Lease for the Land. The Lease will expire on 29 November 2012.
- C. Under the terms of the Lease, GSA may acquire a freehold estate in the Land, subject to (amongst other things) GSA upgrading portions of a 7.1 kilometre stretch of Carlton Hill Road from the D4 drain to Ningbing Road, or reaching an agreement with the Shire regarding payment of a financial contribution for the Shire to undertake the Works.
- D. The Council of the Shire has resolved to undertake the Works, subject to GSA paying the GSA Contribution to the Shire, and on the terms of this Deed.
- E. The parties have agreed that GSA will contribute to the costs of the Works in accordance with this Deed.

BY THIS DEED

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

In this document:

Commencement of Works means the date on which the Shire serves written notice on GSA that the Shire has commenced the Works;

Deed means this deed as amended, varied or supplemented from time to time;

Default Notice means a notice given by the Shire under clause 5.1;

Default Rate means the Shire's bank overdraft interest rate for amounts in excess of \$100,000.00;

GSA Contribution means the sum of four hundred and fifty thousand dollars (\$450,000.00) plus GST to be paid in accordance with clause 4 of this Deed;

Land has the same meaning as defined in the Lease;

LEADR means the organisation known as LEADR of Level 1, 13-15 Bridge Street, Sydney, NSW;

Lease means the lease between Green Swamp Agriculture Pty Ltd (ACN 115 906 066) as lessee and the State of Western Australia through the Minister for Lands as lessor for the Land dated 30 November 2006, and registered K 6196 at Langate;

Party means a party to this Deed and **Parties** has a corresponding meaning;

Works means the road construction works described in schedule 1; and

Written Law has the same meaning as given to that term in the *Interpretation Act 1984*.

1.2 **General**

In this Deed, unless the context requires otherwise:

- (a) references to any legislation or legislative provision include any statutory modification or re-enactment of, or any legislative provision substituted for, and any statutory instrument issued under, that legislation or legislative provision;
- (b) words denoting the singular number include the plural number and vice versa;
- (c) words denoting individuals or persons include corporations, authorities, governments and governmental agencies and vice versa;
- (d) words denoting any gender include all genders;
- (e) headings and bolding are for convenience only and do not affect interpretation;
- (f) the meaning of general words or phrases is not limited by specific examples introduced by 'including', 'for example' or similar expressions;
- (g) references to clauses, schedules and annexures are to clauses, schedules and annexures of or to this Deed;
- (h) references to any agreement or document are to that agreement or document as amended, novated, supplemented or replaced from time to time;
- (i) references to any party to this Deed, or any other document or arrangement, include that party's executors, administrators, substitutes, successors and permitted assigns. For the avoidance of doubt, this means that a reference to GSA is a reference to the registered proprietor from time to time of the Carlton Hill Freehold Area and a reference to the Shire is a reference to the local government (as defined in the Local Government Act) from time to time relevant to the Carlton Hill Freehold Area;

- (j) where a term is assigned a particular meaning other grammatical forms of that term have a corresponding meaning;
- (k) a rule of construction does not apply to the disadvantage of a party because the party was responsible for the preparation of this Deed or any part of it;
- (l) an obligation, representation or warranty in favour of two or more persons:
 - (i) is for the benefit of them jointly and severally; and
 - (ii) binds them jointly and severally; and
- (m) a reference to a '\$' or 'dollar' is a reference to Australian dollars.

2. AGREEMENT

2.1 Covenant

The parties covenant with each other on the terms and conditions of this Deed.

2.2 Discretion of the Shire

The parties agree and acknowledge that nothing in this Deed shall fetter or be construed as an attempt to fetter the discretion or the powers of the Shire under any Written Law.

3. SHIRE'S COVENANTS

3.1 Shire's works

- (a) As soon as is reasonably practicable after the execution of this Deed the Shire will perform the Works.
- (b) The Works shall be performed by the Shire in accordance with the Shire's normal practice for reforming and sheeting of unsealed roads

4. GSA'S COVENANTS

4.1 GSA Contribution to Works

GSA will pay the GSA Contribution to the Shire in the following manner:

- (a) Within seven (7) days after the execution of this Deed GSA shall pay to the Shire by electronic transfer to the Shire's bank account (BSB No. 306045, Account No. 5356458) the sum of two hundred and twenty-five thousand dollars (\$225,000.00) plus GST; and
- (b) Within seven (7) days after the Shire serving GSA with written notice of Commencement of Works, GSA shall pay to the Shire by electronic transfer to the Shire's bank account (BSB No. 306045, Account No. 5356458) the sum of two hundred and twenty-five thousand dollars (\$225,000.00) plus GST.

4.2 **Default Interest**

GSA shall pay interest to the Shire on the daily balance of any amounts payable by GSA to the Shire that are overdue at the Default Rate of Interest from the date the monies are due and payable by GSA to the Shire until payment in full has been made to the Shire.

4.3 **Acknowledgement and representation**

GSA acknowledges that it will not have or accrue, and warrants that it will not assert, any legal or equitable interest in the Carlton Hill Road by virtue of its contribution to the Works.

5. **DEFAULT**

5.1 **Default notice**

If GSA fails to observe or perform any of the covenants of this Deed binding upon it, then the Shire may give GSA a notice specifying the matters that are required to be done to rectify the default.

5.2 **Indemnity for costs**

GSA shall indemnify the Shire against all costs and expenses incurred by the Shire including all legal costs incurred on an indemnity basis by reason of a default by GSA in observing or performing any of the covenants in this Deed.

5.3 **Payment of costs**

- (a) The parties agree that the Shire may demand from GSA the payment of all costs and expenses owing by GSA to the Shire under clause 5.2, and GSA shall within 7 days of its receipt of the demand pay the costs and expenses to the Shire in full.
- (b) The parties agree that if GSA does not comply with its obligation under clause 5.3(a), the Shire may recover from GSA the costs and expenses demanded as a liquidated debt in a court of competent jurisdiction.

6. **CHARGE**

In order to better secure the observance and performance of GSA's obligations under clause 7.3 of this Deed, GSA charges the Land in favour of the Shire.

7. **CAVEAT**

7.1 **Registered caveat**

GSA agrees that the Shire may register an absolute caveat against the certificate or certificates of title for the whole or any part of the Land to protect the charge granted to the Shire under clause 6.

7.2 **Withdrawal of caveat**

- (a) The Shire shall withdraw any caveat registered under clause 7.1 upon GSA paying in full the GSA Contribution and all other moneys to be paid to the Shire by GSA under this Deed.

- (b) If the GSA Contribution has not been paid in full, then, as soon as possible after GSA's request in that regard, the Shire shall withdraw any caveat registered under clause 7.1 for the purpose of enabling GSA to effect:
 - (i) a lease over part or all of the Land;
 - (ii) a transfer of the whole or any part of the Land provided that the deed⁶ referred to in clause 7.3(a)(ii) has been delivered to the Shire by the transferee under clause 7.3(a)(ii);
 - (iii) a mortgage over part or all of the Land provided that the deed referred to in clause 7.3(b)(ii) has been delivered to the Shire by the mortgagee under clause 7.3(b)(ii).

The Shire shall be entitled to relodge an absolute caveat over the whole or any part of the Land for the purposes referred to in clause 7.1 following registration of any of the documents referred to in sub-clause 7.2(b).

7.3 Restriction on transfer or mortgage of the Land

- (a) GSA shall not transfer the whole or any part of the Land unless:
 - (i) GSA has paid to the Shire in full the GSA Contribution and all other moneys to be paid to the Shire by GSA under this Deed; or
 - (ii) GSA procures the execution by the person to whom any such interest is to be transferred of a deed with the Shire whereby such transferee covenants to observe and perform the covenants of GSA under this Deed as if the transferee had been GSA under this Deed. Such deed is to be in a form approved by and prepared by the Shire's solicitors at the expense of GSA.
- (b) GSA shall not mortgage the whole or any part of the Land unless:
 - (i) GSA has paid to the Shire in full the GSA Contribution and all other moneys to be paid to the Shire by GSA under this Deed; or
 - (ii) GSA procures the execution by the person to whom any such interest is to be transferred of a deed with the Shire whereby such transferee covenants to observe and perform the covenants of GSA under this Deed as if the transferee had been GSA under this Deed. Such deed is to be in a form approved by and prepared by the Shire's solicitors at the expense of GSA.
- (c) If the transferee mentioned in paragraph (a)(ii) or paragraph (b)(ii) is a company the Shire may require the directors or substantial shareholders of the company to guarantee to the Shire the observance and performance of all the transferee's obligations under this Deed.
- (d) If GSA transfers the whole of its interest in the Land and the transferee mentioned in paragraph (a)(ii) or paragraph (b)(ii) executes and delivers to the Shire a deed pursuant to clause 7.3(a)(ii) or (b)(ii), GSA shall be deemed to be released from any obligations under this Deed arising after the delivery of such deed (or such other date as may be agreed between GSA and the Shire).

8. MISCELLANEOUS

8.1 Road Traffic Act

Nothing in this Deed shall constitute or be deemed to constitute an agreement within the meaning of section 85(2) of the *Road Traffic Act 1974 (WA)* nor shall anything in this Deed constitute or be deemed to constitute an agreement within the meaning of any similar legislation enacted now or in the future that has or will have the effect of restricting or removing a right that the Shire would otherwise be entitled to if it had not entered into this Deed.

8.2 Notices

- (a) Any notice, demand, consent or other communication which must be given in connection with this Deed:
- (i) must be in writing in order to be valid;
 - (ii) is sufficient if executed by the party giving the notice or on its behalf by any director, secretary, duly authorised officer or solicitor of such a party;
 - (iii) in order to be valid shall be given to a party as follows:
 - (A) delivered or sent by prepaid post to, or left at, the 'notice details' address of that party as set out in this Deed;
 - (B) sent to the facsimile number of that party as set out in this Deed; or
 - (C) delivered to, sent by prepaid post to, or left at another address or facsimile number as notified in writing by that party to the other parties from time to time; and
 - (iv) if given in accordance with clause 8.2(a)(iii), will be deemed to take effect as follows:
 - (A) in the case of prepaid post, on the second business day after the date of posting;
 - (B) in the case of facsimile, on receipt of a transmission report from the sending machine confirming successful transmission; and
 - (C) in the case of delivery by hand, on delivery.
- (b) For the purposes of this Deed, the facsimile number of the Shire is (08) 9168 1798 and GSA is (08) 9168 1188 (mark att: Robert).

8.3 Costs of Agreement

- (a) GSA shall pay:
- (i) to the Shire on demand, the Shire's costs and expenses of and incidental to the negotiations for and the preparation, execution and stamping of this Deed;
 - (ii) all duty payable on this Deed and any duplicates;

- (iii) to the Shire on demand, the Shire's costs and expenses of and incidental to the preparation, lodging and withdrawal of any caveats on the Land in accordance with this Deed; and
- (iv) all other fees and charges which are reasonably and necessarily incurred or required to be incurred to give effect to the terms of this Deed.

8.4 Severability

If any provision of this Deed is void or unenforceable, that provision is void and unenforceable only to the extent of that voidness or unenforceability, without invalidating the remaining provisions which shall remain in full force and effect.

8.5 Amendments

This Deed may not be modified, amended or varied except by a document in writing signed by or on behalf of the parties.

8.6 Waiver

No waiver of one breach of any term or condition of this Deed will operate as a waiver of any other breach of the same or any other term or condition of this Deed.

8.7 Laws of Western Australia apply

This Deed shall be construed and interpreted in accordance with the laws of the State of Western Australia and the parties agree to submit to the jurisdiction of the courts of that State and of courts competent to hear appeals therefrom.

8.8 Dispute resolution

- (a) If a dispute arises between the parties in connection with this Deed, then a party must give notice of the dispute to the other party identifying the dispute and providing details of it. Within 7 days of receipt of a notice under this clause 8.8(a), the parties agree that a representative of each party must meet together to resolve the dispute in good faith and acting reasonably. Both parties are committed to using their reasonable endeavours to resolving any dispute under this clause without first resorting to litigation.
- (b) If a dispute is not resolved between the parties within 14 days of a notice under clause 8.8(a) being given, then the parties shall, subject to clause 8.8(g), endeavour to settle the dispute by mediation to be conducted by a mediator independent of the parties appointed by agreement of the parties within 35 days of a notice in clause 8.8(a) being given or, failing agreement, by a person appointed by the chair of LEADR or her or his nominee.
- (c) The mediation rules of the Law Society of NSW shall apply to the mediation.
- (d) Subject to clause 8.8(g), it is a condition precedent to the right of any party to arbitrate or litigate the dispute that it first has complied with the mediation process in accordance with this clause.

- (e) Each party may be represented by a qualified legal practitioner or other representative in any mediation proceedings.
- (f) The parties must continue to comply with their obligations under the Deed notwithstanding any dispute being referred to mediation, unless agreed otherwise by the parties in writing.
- (g) The parties are not required to mediate a dispute which relates to the non-payment of any amounts of money owed by one party to another party under this Deed.
- (h) Notwithstanding the foregoing provisions of this clause 8.8 nothing contained herein shall prevent or restrict the rights of the parties from seeking injunctive relief from a court of competent jurisdiction.

8.9 Attorneys

Each person who executes this document on behalf of a Party under a power of attorney declares that:

- (a) the appointment as attorney has been validly made;
- (b) the power of attorney remains unrevoked; and
- (c) he or she is not aware of any fact or circumstance that might affect his or her authority to do so under that power of attorney.

8.10 Counterparts

This Agreement may be executed in any number of counterparts, all of which taken together constitute one and the same document.

9 GST

9.1 Interpretation

In this clause:

- (a) "GST" means:
 - (i) the same as in the GST Law;
 - (ii) any other value added tax, goods and services tax, or any tax applying to this Deed in a similar way; and
 - (iii) any additional tax, penalty tax, fine, interest or other charge under a law of such a tax;
- (b) "GST Act" means the *A New Tax System (Goods and Services Tax) Act 1999* as it stands from time to time;
- (c) "GST law" means the GST Act and associated legislation including without limitation delegated legislation; and
- (d) any expression used that is defined in the GST law has that defined meaning.

9.2 **GST Generally**

- (a) Unless expressly included, the consideration for any supply under or in connection with this Deed does not include GST.
- (b) To the extent that any supply made under or in connection with this Deed is a taxable supply for which the supplier is liable for GST, the recipient must pay, in addition to the consideration provided under this Deed for that supply (unless it expressly includes GST) an amount equal to the amount of that consideration multiplied by the rate at which GST is imposed in respect of the supply. The recipient must pay that additional amount at the same time as the consideration to which it is referable.
- (c) Whenever an adjustment event occurs in relation to any taxable supply to which clause 9.2(b) applies:
 - (i) the supplier must determine the amount of the GST component of the consideration payable; and
 - (ii) if the GST component of that consideration differs from the amount previously paid, the amount of the difference must be paid by, refunded to or credited to the recipient, as the case may be.

9.3 **Tax Invoices**

The supplier must issue a Tax Invoice, to the recipient of a supply to which clause 9.2 applies as a prerequisite to payment of the GST inclusive consideration for that supply under that clause.

9.4 **Reimbursements**

If either Party is entitled under this Deed to be reimbursed or indemnified by the other Party for a cost or expense incurred in connection with this Deed, the reimbursement or indemnity payment must not include any GST component of the cost or expense to the extent that the cost or expense is the consideration for a creditable acquisition made by the Party being reimbursed or indemnified, or by its representative member.

SCHEDULE 1 – SPECIFICATIONS OF THE WORKS

1. Upgrade such sections of a 7.1 kilometres stretch of Carlton Hill Road from the D4 drain to Ningbing Road (as shown on Deposited Plan 50231 in schedule 2 to this Deed) as the Shire shall determine is in need of upgrade in accordance with the Shire's normal practice for reforming and sheeting of unsealed roads

**SCHEDULE 2 – CARLTON HILL ROAD
(DEPOSITED PLAN 50231)**

7.1 kilometres of Carlton Hill Road from the D4 drain to Ningbing Road

EXECUTED BY THE PARTIES AS A DEED

THE COMMON SEAL of the **SHIRE**)
OF WYNDHAM-EAST KIMBERLEY)
was affixed in the presence of)

Shire President Signature

Shire President Print Name

Chief Executive Officer Signature

Chief Executive Officer Print Name

EXECUTED for and on behalf of)
GREEN SWAMP AGRICULTURE)
PTY LTD (ACN 115 906 066))
by authority of its Directors in)
accordance with section 127 of the)
Corporations Act 2001 (Cth))

Director Signature

Director Print Name

Director Signature

Director Print Name



12.3.3 Proposed Picture Gardens Car Park Design, Coolibah Drive

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Peter Kerp, Manager Engineering Services
REPORTING OFFICER:	Kevin Hannagan, Director Infrastructure
FILE NO:	TT.04.6
ASSESSMENT NO:	A1072

PURPOSE

To provide Council with details of proposed details of installing stormwater drainage pipes in the open swale drain in front of the Picture Gardens, Coolibah Drive backfill turf grass and reticule between the Kununurra Country Club property boundary and Chestnut Drive intersection.

BACKGROUND

Councillors at the Briefing Session Tuesday 4 December 2012, considered a detailed design proposal for the construction of a new car park facility for 28 vehicles at the Picture Gardens complex.

From that meeting it was resolved not proceed with the car park construction due to the Medical Centre development across the other side of the road not proceeding. A planning condition on the proposed medical centre development required the developer to contribute cash-in-lieu for constriction of parking facility in front of Picture Gardens.

As the development did not proceed and planning approval has expired, the car park facility is no longer required.

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

Funds of \$300,765 has been allocated in GL 4120258 in the adopted 2012/13 budget for drainage upgrade and provision of parking within the Coolibah Drive road reserve in front of the Picture Gardens Complex.

STRATEGIC IMPLICATIONS

The strategic implications of this report are overarching compliance to the *Shire Wyndham East Kimberley Strategic Plan 2008*.

COMMUNITY CONSULTATION

Kununurra Progress Association who own and operate the Picture gardens Complex on 2 separate land titles.

COMMENT

The proposal to proceed with the balance of funds from the Picture Gardens car park project toward infill of existing open swale drains along Coolibah Drive with appropriate size stormwater pipes/box culverts will be evaluated following adoption of Kununurra Drainage Study in early 2013. This will enable engineering officers to assess the road area catchment and importantly capture the common practice of developed land within the town-site discharging their respective allotment catchment into the street pipeline/open swale drain network.

Engineering officers will determine the total drainage catchment and ensure that any upstream drainage that may pass through the proposed pipeline network along Coolibah Drive is included in the design and that the drainage system proposed for Coolibah Drive is capable of carrying the ultimate design flow from the upstream catchment.

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Proceed with infill of stormwater drainage pipe in open swale drain adjacent to Picture Gardens complex, backfill, reticulate and grass turf, along Coolibah Drive between Kununurra Country Club and Chestnut Drive intersection.
- 2) Following determination and design of the upstream drainage catchment proceed with installation of pipework design for the remainder of Coolibah Drive to Ivanhoe Road intersection, subject to funds available in GL 4120258 ensuring the proposed drainage pipe system is capable of carrying the ultimate design flow from the upstream catchment.

Officer's recommendation is moved with minor adjustment to point 1.

- 1) Proceed with infill of stormwater drainage pipe in open swale drain adjacent to Picture Gardens complex and backfill, along Coolibah Drive between Kununurra Country Club and Chestnut Drive intersection.**

COUNCIL DECISION

Minute No. 9946

Moved: Cr J Parker

Seconded: Cr R Dessert

That Council:

- 1) Proceed with infill of stormwater drainage pipe in open swale drain adjacent to Picture Gardens complex and backfill, along Coolibah Drive between Kununurra Country Club and Chestnut Drive intersection.**
- 2) Following determination and design of the upstream drainage catchment, proceed with installation of pipework design for the remainder of Coolibah Drive to Ivanhoe Road intersection, subject to funds available in GL 4120258 ensuring the proposed drainage pipe system is capable of carrying the ultimate design flow from the upstream catchment.**

Carried Unanimously 6/0

12.4 COMMUNITY DEVELOPMENT

12.4.1 DISABILITY ACCESS AND INCLUSION PLAN 2013 – 2017

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Wayne Richards, Manager Community and Youth
REPORTING OFFICER:	Nick Kearns, Director Community Development
FILE NO:	CS.09.2

PURPOSE

For Council to consider receiving the 2013 to 2017 Disability Access and Inclusion Plan

BACKGROUND

The Disability Services Act 1992 requires all Western Australian public authorities including local governments to develop, implement and review a Disability Access and Inclusion Plan. The most recent Shire of Wyndham East Kimberley Disability Access and Inclusion Plan was developed in 2008, expiring on 30 December 2012. This document has been reviewed biannually by the Disability Access Planning Committee with the objective to oversee and advise on the implementation of this plan.

The Disability Services Commission requires this plan to be reviewed and for this review to form the Shire of Wyndham East Kimberley Disability Access and Inclusion Plan 2013 -2017.

STATUTORY IMPLICATIONS

The Disability Services Act 1992 requires all Western Australian public authorities including local governments to develop, implement and review a Disability Access and Inclusion Plan.

Other legislation underpinning access and inclusion includes the Western Australian Equal Opportunity Act 1984 and the Commonwealth Disability Discrimination Act 1992.

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 Community, Key Result Area 2, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Equitable access to quality recreational facilities and services
- Advocacy and leadership focussed on improved outcomes and services

COMMUNITY CONSULTATION

Consultation was sought in the form of a survey (attached), this was distributed to local service providers and was made available through the Shire Website and on Facebook. The Disability Services Commission was the only respondent to this survey. Additionally a meeting was held on 22 November with Cr Di Ausburn, Deb Craigie, Local Area Coordinator Disability Services Commission and Wayne Richards, Manager Community and Youth.

COMMENT

The draft 2013-2017 Shire of Wyndham East Kimberley Disability Access and Inclusion plan is attached.

ATTACHMENTS

The associated attachment will be provided under separate cover.

Attachment 1 – Draft 2013-2017 Shire of Wyndham East Kimberley Disability Access and Inclusion Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receive and endorse the 2013-2017 Shire of Wyndham East Kimberley Disability Access and Inclusion Plan

COUNCIL DECISION

Minute No. 9947

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council receive and endorse the 2013-2017 Shire of Wyndham East Kimberley Disability Access and Inclusion Plan.

Carried Unanimously 6/0



SHIRE OF WYNDHAM | EAST KIMBERLEY

Disability Access & Inclusion Plan (DAIP)

2013-2017

Contents

Contents..... 1

Acknowledgements 2

Contact..... 2

Definitions 2

Functions, Facilities and Services (both in-house and contracted)..... 3
provided by the Shire of Wyndham East Kimberley..... 3

People with disabilities in the Shire of Wyndham East Kimberley 4

Planning for improved access and inclusion 4

Progress to date – current status and key achievements..... 5

Six outcomes for improved access and inclusion 6

Responsibility for the process..... 7

Community Consultation Process..... 7

Responsibility for implementing the DAIP 8

Communicating the plan to staff and the community 8

Review and evaluation mechanisms..... 8

Reporting on the DAIP 9

Current and future Strategies used to improve access and inclusion:..... 10

OUTCOME 1: People with disabilities have equal opportunities to 10
access the services of and any events organised by the 10
Shire of Wyndham East Kimberley..... 11

OUTCOME 2: People with disabilities have equal opportunities to..... 10
access buildings and other facilities of the Shire of Wyndham East
Kimberley. 10

OUTCOME 3: People with disabilities receive information from the..... 10
Shire of Wyndham East Kimberley in a format that will enable them to..... 10
access the information readily. 11

OUTCOME 4: People with disabilities receive the same level and quality 10
of service from the employees of the Shire of Wyndham East Kimberley. 10

OUTCOME 5: People with disabilities have equal opportunities to..... 10
provide feedback to the Shire of Wyndham East Kimberley..... 10

OUTCOME 6: People with disabilities have equal opportunities to..... 10
participate in any public consultation by the Shire of Wyndham East
Kimberley. 10

Acknowledgements

The Shire of Wyndham East Kimberley acknowledges the input received from many individuals and groups within the community, which has been invaluable in the review of the Disability Access and Inclusion Plan.

In particular, thanks are given to the Disability Access Planning Committee members, Disability Services Commission, Shire staff and individual community members.

Contact

If you would like further information or to provide feedback about this plan, please contact the Shire's Community Development team.

Phone: (08) 9168 4100

Email: mail@swek.wa.gov.au

Definitions

Disability Services Act 1993 (amended 2004) will be referred to as The Disability Services Act

Disability Access and Inclusion Plan will be referred to as DAIP

Disability Services Regulations (2004) will be referred to as The Regulations

This Plan is available in alternate formats such as large print, electronic format (disc or emailed), audio or Braille, on request.

Introduction:

The Shire of Wyndham East Kimberley is located in the ruggedly picturesque and sparsely populated north east corner of Western Australia (WA), stretching from the Northern Territory border to the northern most tip of WA. The Shire includes the towns of Kununurra and Wyndham, the township of Kalumburu, over 40 Indigenous communities and a number of other small settlements and station homesteads. The Shire covers 121,000 square kilometres and is one of the four local governments that make up the Kimberley region. The population, according to 2011 census data, is 7,799 and 38 percent of Shire residents identify as Indigenous.

Kununurra

Kununurra was formed in the early 1960s to service the construction of the Ord Irrigation Scheme. The town has seen the transformation of ancient river plains into one of the most diverse and productive agricultural areas in Australia. Harnessing the mighty Ord River opened up the area to horticulture, aquaculture, eco-tourism and agri-tourism.

Wyndham

Wyndham is the second largest town in the Shire and is the most northern town in Western Australia. The population of Wyndham stands at around 800 today, but was once a bustling town, with the arrival of news of gold discoveries at Halls Creek. The Wyndham Port was first established at the base of the Bastion Range in the 1880s and today provides for the state ship service, the import of fuel, ammonium nitrate, general freight and the export of live cattle, iron ore and nickel. It is also a key stopping point for cruise ships.

Functions, Facilities and Services (both in-house and contracted) provided by the Shire of Wyndham East Kimberley.

The Shire of Wyndham East Kimberley is responsible for the provision of a range of functions, facilities and services.

Services to property including:

Construction and maintenance of Shire-owned buildings, roads, footpaths and cycle facilities; land drainage and development; waste collection and disposal; litter control and street cleaning; street lighting; public landscaping and street tree planting and care; numbering of buildings and lots; and bush fire control.

Services to the community including:

Provision and maintenance of recreation areas, playing areas, parks, gardens, reserves and facilities for sporting and community groups; management of recreation centres and swimming pools and associated programs, activities and events; public

halls; public library and information services; child care centre services; provision of youth facilities; community and cultural events.

Regulatory services including:

Planning of road systems, sub-divisions and town planning schemes; building approval for construction, additions or alterations to buildings; environmental health services including Aboriginal communities; and ranger services including dog control.

- Disability Services Commission Area Manager works in collaboration with LEMC to identify people with disabilities who may be at high risk during an emergency event.

General administration including:

The provision of general information to the public; the lodging of complaints; and the collection of payments such as rates, facility hire fees and dog licences.

Processes of government including:

Feedback is valuable to the Shire and is welcome.

People with disabilities in the Shire of Wyndham East Kimberley

It is estimated that there are almost 850 people with disabilities living within the Shire according to the current statistics (compiled by the WA Disability Services Commission based on Australian Bureau of Statistics (ABS) synthetic estimates). Over 59% of people with disabilities identified a physical condition as the main disabling condition followed by 27% identifying a psychological condition as the main disabling condition. In addition, 41% of people with a disability are aged between 24 and 44 years, with another 26% aged between 45 and 64 years. These factors inform the type of strategies developed to improve access and inclusion for all the Shire's residents. The influx of tourists during the 'dry season' and people from outlying indigenous communities during the 'wet season', must also be considered.

Planning for improved access and inclusion

The Disability Services Act 1993 (The Act) requires all Western Australian public authorities including local governments to develop, implement and review a Disability Access and Inclusion Plan (DAIP) to ensure that people with disabilities have equal access to facilities and services.

Other legislation underpinning access and inclusion includes the Western Australia Equal Opportunity Act 1984 and the Commonwealth Disability Discrimination Act 1992, both of which make it unlawful to discriminate on the basis of a person's disability.

Progress to date – current status and key achievements

The Shire of Wyndham East Kimberley is continuing to work towards the facilitation of services and access to public facilities for people with disabilities. The following are some of the key achievements.

- Shire's Quick and Annual Grant application forms require applicants to consider Disability Services Commission disability access checklist.
- Shire venues are accessible for disabled patrons where possible.
- Events are planned using the Creating Accessible Events checklist.
- A number of Shire facilities have been retrofitted through upgrade projects including;
 - Leisure Centre hall and gym
 - Kununurra Community Library
 - Regional Airport terminal
 - Wyndham fishing jetty
- Staff training regarding disability awareness including access and inclusion strategies.
- Accessible complaints handling is promoted within grievance and complaints mechanisms and processes.
- Community consultation process included forums held at accessible venues.
- Council meetings are held at disability accessible venues.
- Promotion and application of the Companion Card, providing free entry for carers accompanying disabled persons to Shire services and facilities e.g. Kununurra Leisure Centre, Wyndham Recreation Centre and Wyndham Swimming Pool.
- Public library resources are available in various formats (e.g. large print and audio).
- Wyndham Pool upgrade included pool entry ramp with submersible wheel chair and rails, construction of accessible toilet and installation of compliant access ramps, hand rails and visual markers at facility entrance.

Access and Inclusion Policy Statement:

The Shire of Wyndham East Kimberley is committed to ensuring that the community is accessible for and inclusive of people with disabilities, their families and carers.

The Shire of Wyndham East Kimberley interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disabilities, providing them with equal opportunities within the community.

The Shire of Wyndham East Kimberley:

- recognises that people with disabilities are valued members of the community who make a variety of contributions to local social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all of its members makes for a richer community life;
- believes that people with disabilities, their families and carers should be supported to remain in the community;
- is committed to consulting with people with disabilities, their families and carers and disability organisations in addressing barriers to access and inclusion;
- will ensure its agents and contractors work towards the desired outcomes in the Disability Access and Inclusion Plan;
- is committed to supporting local community groups and businesses to provide access and inclusion of people with disabilities; and
- is committed to achieving the six desired outcomes of the DAIP

Six outcomes for improved access and inclusion

The six desired outcomes of the DAIP for improving access and inclusion are:

1. People with disabilities have equal opportunities to access the services of, and any events organised by, the relevant public authority.
2. People with disabilities have equal opportunities to access the buildings and other facilities of the relevant public authority.
3. People with disabilities receive information from the relevant public authority in a format that will enable them to access the information readily.
4. People with disabilities receive the same level and quality of service from the staff of the relevant public authority.
5. People with disabilities have equal opportunities to make complaints to the relevant public authority.
6. People with disabilities have equal opportunities to participate in any public consultation by the relevant public authority.

Review of the Disability Access and Inclusion Plan:

Responsibility for the process

The Disability Access Planning Committee was established by the Council and meets biannually. The Committee is comprised of two elected members of Council, Shire officer/s and representatives from the community with personal and/or professional knowledge of disability issues. The objective of the Committee is to oversee and advise on the implementation, review and evaluation of the DAIP. The draft DAIP is adopted by Council and it is the responsibility of all Shire officers to implement the relevant strategies and tasks.

Community Consultation Process

The Disability Access Planning Committee meets to identify access and inclusion barriers that people with disabilities and their families may experience in using the Council's functions, facilities and services. The Committee also develops strategies to address these identified barriers.

The process for developing and implementing the DAIP includes:

- Review of the previous DAIP and subsequent progress reports to identify achievements and actions still required;
- Consultation with key Shire staff; and
- Consultation with the community.

The community provides input into the development and implementation of the DAIP by:

- Liaising with representatives of the Disability Access Planning Committee;
- Talking to their elected Council representatives;
- Writing to the Council expressing their concerns;
- Making enquiries at the Shire's Administration Offices; and
- Responding to the Shire's requests for public submissions.

The Disability Services Regulations 2004 (The Regulations) outline the minimum consultation requirements for public authorities in relation to the development of Disability Access and Inclusion Plans. Local governments must call for submissions (either general or specific) by notice in a newspaper circulating in the local government area or on any website maintained by or on behalf of the local government. Other mechanisms may also be used.

Responsibility for implementing the DAIP

Implementation of the DAIP is the responsibility of all areas and staff of the Shire. The Act requires all public authorities to take all practical measures to ensure that the DAIP is implemented by its officers, employees, agents and contractors.

Communicating the plan to staff and the community

Communication of the DAIP to Shire councillors, staff, people with disabilities and the wider community will be achieved through the following actions:

- The DAIP will be endorsed by the Council on an annual basis;
- The Council will advise through its media releases (newspaper and radio) that copies of the DAIP are available to the community upon request and in alternate formats if required, including hard copy in standard and large print, electronic format, audio format on cassette or CD, by email and on the Shire's website; and
- As the DAIP is amended the Council's staff and the community will be advised of the availability of the updated plans, using the above methods.

Review and evaluation mechanisms

The Act requires that DAIPs be reviewed at least every five years. Whenever the DAIP is amended, a copy of the amended plan must be lodged with the WA Disability Services Commission. The Implementation Plan can be updated more frequently if desired.

Monitor and Review

A status report will be provided to management and the Council on progress and recommended changes to the Implementation Plan annually. The Council will formally consider these reports.

Evaluation

Evaluation mechanisms for the DAIP will include:

- The Council will consider the status reports on the disability access planning and implementation process;
- The Council will provide regular advice to the community regarding the implementation of the projects outlined in the Disability Access and Inclusion Plan;
- The Disability Access Planning Committee will seek to identify any additional barriers that have not already been identified;
- The Disability Access Planning Committee will use a continuing consultation process to include further community response;

- Elected members of the Council and the Shire Officers will provide feedback on how well the strategies are working and make suggestions for improvement;
- The Disability Access and Inclusion Plan will be amended based on the feedback received and endorsed by the Council and copies of the amended DAIP will be made available to the community;
- Following the Council's endorsement, the amended DAIP will be submitted to the WA Disability Services Commission;
- An overall evaluation will occur as part of the five-yearly review of the DAIP; and
- The community, Shire staff and Councillors will be consulted as part of any evaluation.

Reporting on the DAIP

The Disability Services Act requires the Shire to report on the implementation of its DAIP in its Annual Report outlining:

- Progress towards the six desired outcomes of its DAIP;
- Progress of its agents and contractors towards meeting the six desired outcomes; and
- The strategies used to inform agents and contractors of its DAIP.

The Shire is also required to report on progress in the prescribed format to the WA Disability Services Commission by 31 July each year.

Current and future strategies used to improve access and inclusion:

Current and future Strategies used to improve access and inclusion:

The following overarching strategies have been developed to address the six desired outcome areas of the Disability Services Act and form the basis of the access and inclusion plan.

- The Council will undertake to review and modify its procedures and practices to improve access to its services.
- The Council will undertake to incorporate the priorities regarding access and inclusion as identified during the preparation and review of the Disability Access & Inclusion Plan. Capital Works will be carried out, as funds are made available.
- The Council will undertake to liaise with property developers to increase their awareness of the access requirements of people with disabilities.
- The Council will endeavour to produce all of its information relating to Council facilities, functions and services using clear and concise language and accessible formats.
- The Council will advise the community that, upon request, information about the Council's functions, facilities and services may be made available in alternate formats.
- The Council, in partnership with relevant agencies will provide opportunities to improve awareness throughout the community of the need for all people to be able to participate in community life.
- The Council will undertake training of its staff when appropriate to increase the recognition of and improved communication with all people.
- The Council will ensure that information is available in clear and concise language on how residents can participate in decision-making processes, public consultations, council meetings and grievance mechanisms.

OUTCOME 1: People with disabilities have equal opportunities to access the services of and any events organised by the Shire of Wyndham East Kimberley.

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
Applies to all the Council's functions, facilities and services	Coordination of Shire plans and documents	Incorporate the objectives and strategies of the DAIP into the Shire's existing planning processes, particularly the Strategic Plan	All Managers	Ongoing
	Events not always planned with consideration of accessibility	Ensure all events, whether provided or funded, are planned using the Accessible Events Checklist	All Managers	Ongoing
Libraries	Access to information	Provide large print books and audio for relevant community members	Manager Library	Ongoing
Recreation	Limited access for young people with disabilities to attend school holiday programs	Continue free admission to Kununurra Leisure Centre for carers accompanying people with disabilities.	Recreation and Leisure Coordinator	Ongoing
	Lack of awareness from staff and the community regarding entry policy	Promote and improve staff community awareness of the Companion Card	Manager Community and Youth	Ongoing
	Limited access to suitable equipment at Shire parks and recreation facilities	Consideration of accessible equipment when purchasing park equipment, gym equipment and other items available for public use.	Manager Community and Youth	Ongoing

OUTCOME 2: People with disabilities have equal opportunities to access buildings and other facilities of the Shire of Wyndham East Kimberley.

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
All Shire facilities and buildings	Confirmation of capital works projects and coordination between Shire directorates	Review of Shire facilities and buildings in view of access for disabled persons Early community consultation Plan, build and maintain new facilities to be accessible	All Managers Property and Regulatory Services Infrastructure project managers	Ongoing
Toilets	Older public toilets constructed without disability access requirements	Any works to public toilet facilities to consider disability access requirements	All Managers Property and Regulatory Services Infrastructure project managers	Ongoing
Non-Shire buildings and facilities	Other Community members not aware of disability access measures	Promotion of “You’re Welcome” program and similar.	Manager Community and Youth	Ongoing

OUTCOME 3: People with disabilities receive information from the Shire of Wyndham East Kimberley in a format that will enable them to access the information readily.

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
Website	Inefficiency in physically attending Shire Office to source information	Incorporate W3C web content guidelines and good practice standards into the new website design	Manager Information Services	Ongoing
Signage	Staff not aware of suitable formats	Staff training	Org Dev Coordinator	Ongoing
	Older signage not in suitable format	Audit of public signage and templates	Manager Community and Youth	Feb 2013
Public Notices	Notice Formats not compliant with DSC recommendations	Review of all public documents with regard to DSC guidelines	Governance	Feb 2013

OUTCOME 4: People with disabilities receive the same level and quality of service from the employees of the Shire of Wyndham East Kimberley.

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
Applies to all Council's functions, facilities and services	Council Officers may be unfamiliar with needs of people with a disability or those of culturally and linguistically diverse backgrounds	Key Council Officers are to receive disability awareness training and include in Council's Training Manual and Induction pack. To work in collaboration with other agencies to achieve the best level of service possible	Corporate Services Org Dev Coordinator	Ongoing Ongoing
Availability of key Shire contacts regarding disability services	Lack of promotion of key personnel	Include names of contacts on SWEK website	Manager IT	Feb 2013

OUTCOME 5: People with disabilities have equal opportunities to provide feedback to the Shire of Wyndham East Kimberley.

Area – Functions/Facilities/ Services	Barrier	Strategies	Responsibility	Timeline
Applies to all Councils functions, facilities and services	Current grievance mechanisms may not be accessible for people with disabilities	Incorporate methods of making complaints such as web-based forms into new website design.	IT Administrator	Ongoing
	Front line staff not possessing the skills to communicate effectively with disabled people	Incorporate good practice in handling feedback from people with disabilities into induction and disability awareness training	Org Dev Coordinator	Ongoing
		Provide training for customer service staff in working with disabled people	Org Dev Coordinator	Ongoing

**12.4.2 OFFENSIVE TRADE - COMMERCIAL LAUNDRY – LOT 1256 (2)
ERYTHRINA STREET, KUNUNURRA**

DATE:	11 December 2012
PROPONENT:	Lisa Spackman, Kimberley Croc Lodge
LOCATION:	Lot 1256 (2) Erythrina Street, Kununurra
AUTHOR:	Nick Kearns, Director Community Development
REPORTING OFFICER:	Nick Kearns, Director Community Development
FILE NO:	A1178P
ASSESSMENT NO:	A1178

PURPOSE

For Council to consider an application from Kimberley Croc Lodge for an Offensive Trade in the form of a commercial laundry.

BACKGROUND

Kimberley Croc Lodge is a defined Lodging House and currently operates a laundry for the washing of sheets towels etc. for its own operations; the intention is to expand this operation to launder items from other premises in Kununurra.

Under the provisions of the Health Act 1911 and the Shire of Wyndham East Kimberley Health Local Laws 2003 this property was previously an exempt Laundromat; however the act of laundering items for and from other premises removes this exemption and registration is now required.

The Health Act 1911 and associated legislation requires that all applications for offensive trades be approved by Council.

STATUTORY IMPLICATIONS

- *Health Act 1911 – Part VII Nuisances and Offensive Trades.*
- *Shire of Wyndham East Kimberley Health Local Laws 2003 – Part 9 - Offensive Trades.*
- *Health (Offensive Trades Fees) Regulations 1976*
- *Town Planning Scheme No. 7 – Kununurra and Environs.*

POLICY IMPLICATIONS

Fees and Charges are collected in accordance with Council Policy CP/FIN3207.

FINANCIAL IMPLICATIONS

The charge for the annual registration of an Offensive Trade is set out in the Health (Offensive Trades Fees) Regulations 1976 and in this case \$140.00 per annum, chargeable 1 July to 30 June.

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Environment, Key Result Area 4, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Compliance with legislative requirements.
- Town Planning that guides sustainable land use and development.
- Promote and facilitate economic opportunities.

COMMUNITY CONSULTATION

No community consultation is required in regard to this application.

COMMENT

The process proposed does not entail any dry cleaning; it uses only biodegradable detergents and water which is discharged into the Water Corporations reticulated sewerage system for disposal.

Information regarding the process is provided at Attachment 5.

The proposal is an expansion of an activity that is already occurring at this premise and no issues can be seen with the proposed expansion therefore registration as an Offensive Trade is recommended subject to compliance with conditions.

Some of the requirements of the health local laws are out of touch with current trends therefore; it is recommended that the following conditions be applied to the approval:

- No alterations to the premise or the laundering process without prior written permission of Council.
- No dry cleaning or dye work is to be carried out on the premise.
- Payment of the annual license fee.
- The premise complies with, and is maintained in accordance with the requirements of the Shire of Wyndham East Kimberley Health Local Laws to the satisfaction of the Shire's Environmental Health Officers.

The local laws provide that the premises is not to be used for the receipt of laundry items without the written permission of Council; for this type of operation no valid reason can be seen why this should be prohibited and it is recommended that written permission be granted

Planning Comment

As stated above the proposal is an expansion of an existing use, which is essentially to open a 'shop front' for the drop off and pick up of items for laundering by the general public.

The property is zoned Town Centre under *Town Planning Scheme No. 7 – Kununurra and Environs*, and shop is a permitted use within this zone.

There are proposed to be two types of drop off and pick up: one for public/domestic customers and the other for commercial clients.

A dedicated bay for pick up and drop off for public/domestic customers will be marked closest to the reception entry for use during hours of operation, which will allow for reciprocal

parking with the existing take away food (Barra Shack) outlet. It is acknowledged that these customers will visit the site for reasonably short periods of time.

All orders from other commercial clients will be picked up and delivered by the applicant as part of this service, and a dedicated bay is already on site for the bus to be used for these commercial deliveries.

ATTACHMENTS

Attachment 1 – Email Correspondence from the applicant

Attachment 2 – Site Plan

Attachment 3 – Floor Plan

Attachment 4 – Application and registration forms

Attachment 5 – Details of laundering equipment

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolves to issue an Offensive Trade License for a Commercial Laundry to Kimberley Croc Lodge at Lot 1256 (2) Erythrina Street Kununurra and grants permission in writing to receive items for laundering at the premise subject to compliance with the following conditions:

- 1) No alterations to the premise or the laundering process without prior written permission of Council.
- 2) No dry cleaning or dye work is to be carried out on the premise.
- 3) Payment of the annual license fee.
- 4) The premise complies with, and is maintained in accordance with the requirements of the Shire of Wyndham East Kimberley Health Local Laws to the satisfaction of the Shire's Environmental Health Officers.

COUNCIL DECISION

Minute No. 9948

Moved: Cr D Ausburn

Seconded: Cr J Parker

That Council resolves to issue an Offensive Trade License for a Commercial Laundry to Kimberley Croc Lodge at Lot 1256 (2) Erythrina Street Kununurra and grants permission in writing to receive items for laundering at the premise subject to compliance with the following conditions:

- 1) No alterations to the premise or the laundering process without prior written permission of Council.**
- 2) No dry cleaning or dye work is to be carried out on the premise.**
- 3) Payment of the annual license fee.**
- 4) The premise complies with, and is maintained in accordance with the requirements of the Shire of Wyndham East Kimberley Health Local Laws to the satisfaction of the Shire's Environmental Health Officers.**

Carried Unanimously 6/0

Jacinta Thompson enters the room – 5:15pm.

Attachment 1 - Email correspondence from applicant

From: Kimberley Croc [<mailto:info@kimberleycroc.com.au>]
Sent: Wednesday, 14 November 2012 6:17 PM
To: Ken Lowth
Subject: Re: Aqua Tex information re Commercial Laundry

Hi Ken,

We will have 2 types of drop off and pick up.

1. Commercial - We pick up in the bus and will take through to the laundry via the back entry gate - south side of property. Soiled items will be taken into the Laundry on the Eastern end of the Laundry. Once laundered they are then taken out on the Western end of the Laundry and taken through the Hostel to the bus between the Barra Shak and the Reception to go into the Bus for delivery.
2. Public/Domestic - All soiled linen will be dropped off to the Reception and stored to the Northern end of the Laundry Room until it is taken to the Laundry for washing, drying or pressing. Soiled Linen enters the Laundry on the Eastern Side of the Northern Wall. It leaves the Laundry to be returned to the Laundry Room in the Reception by the Western Door on the Northern Wall. When the Linen arrives at the Laundry Room in Reception it goes to the Southern side of the room to await collection.

This way it stops the chance of soiled linen and clean linen being mixed.

I have attached a map for your information of the property. Please contact me if you have any further queries. Thank you for your patience.

Regards

Lisa Spackman

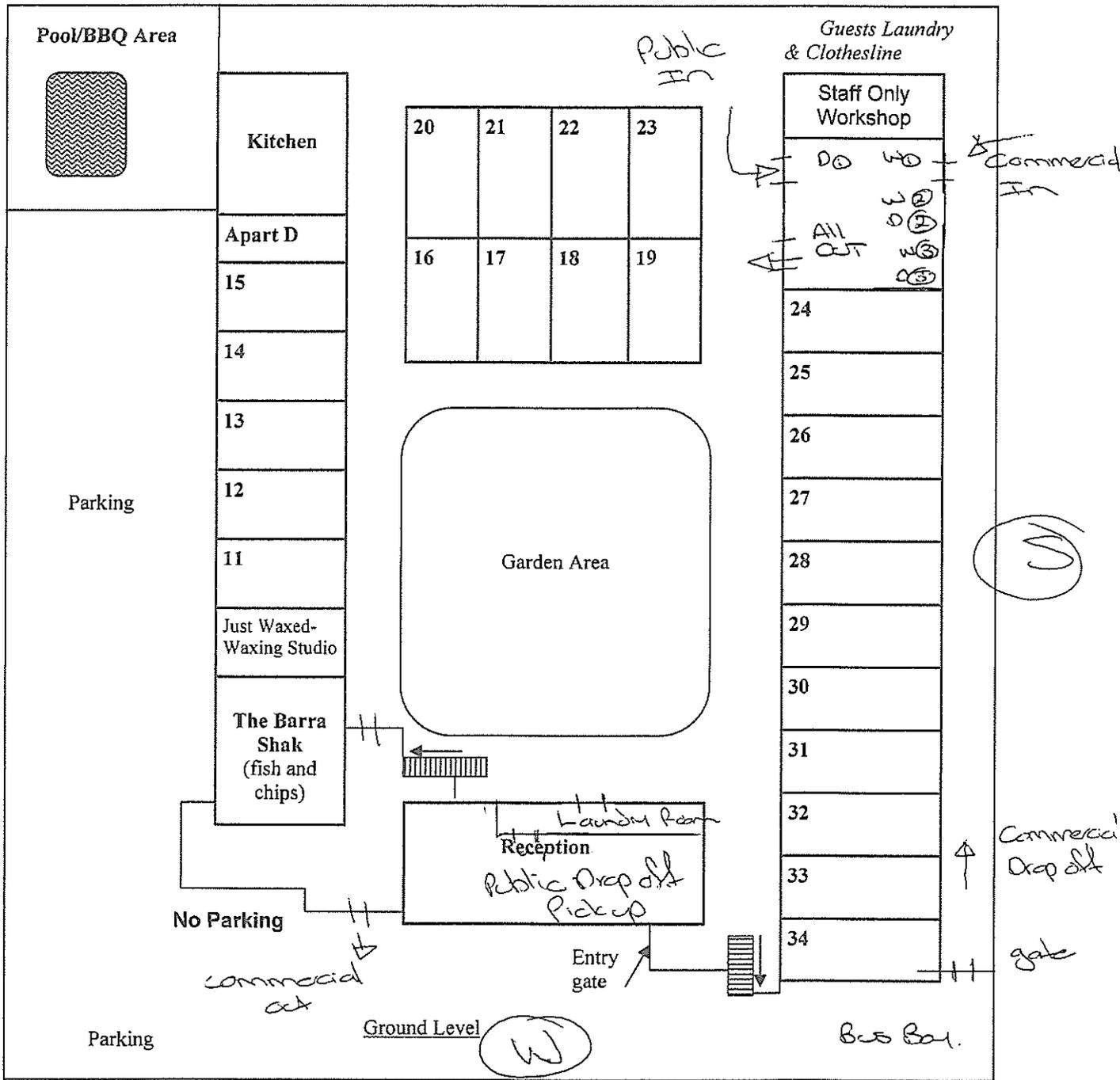
Kimberley Croc Backpackers YHA
Kimberley Croc Lodge
Kununurra Commercial Laundry

PO Box 965
Kununurra WA 6743
www.kimberleycroc.com.au
www.kimberleycourt.com.au

Ph - 08 9168 2702
Local Call - 1300 136 702
Fax - 08 6323 0498
Mobile - 0407 682 183

2011 YHA WA Most Improved Hostel
2008 Best WA YHA Hostel - Guest Feedback
2008 WA Tourism Awards - Backpackers - Bronze
2007 WA Tourism Awards - Backpackers - Silver
2007 Winner: Kununurra Small Business Awards - Micro Business
2007 YHA WA Most Improved Hostel
2006 WA Tourism Awards - Backpackers - Bronze

(E)
KIMBERLEY CROC LODGE

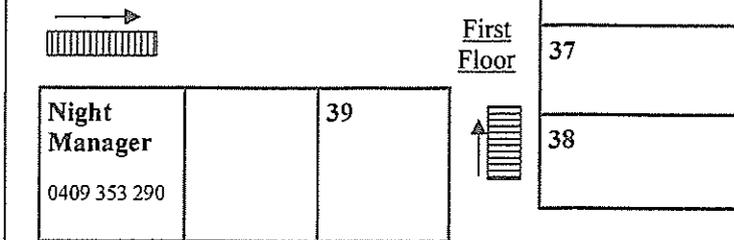


4 River Fig Ave, Kununurra
Phone:- (08) 9168 1411

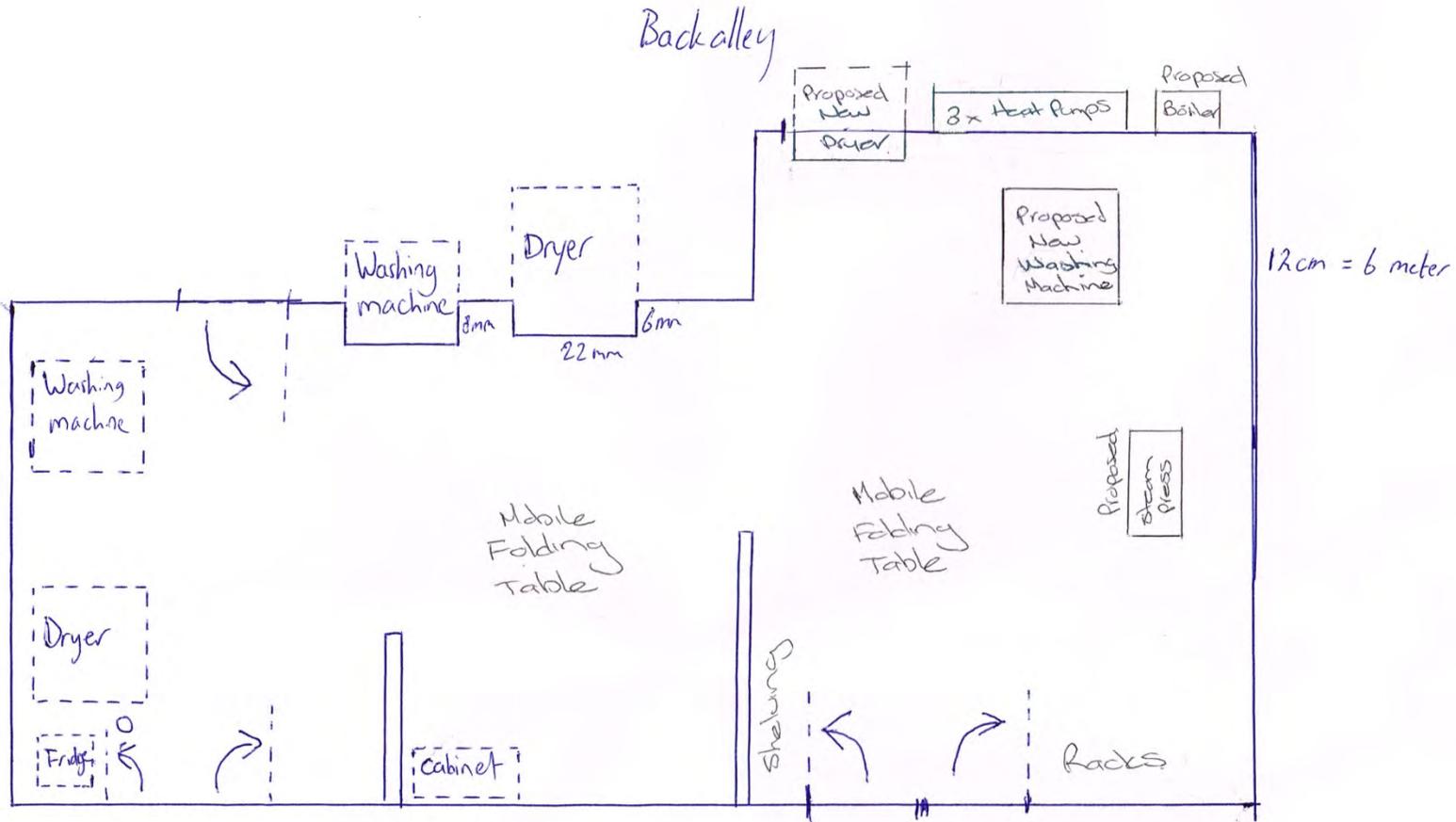
Night Manager:
0409 353 290
OR 0458 683 188

All Check-In's and Check-Outs to be at the Kimberley Croc Backpackers
Reception 6.00am-6.00pm.

Any disturbances, problems, or inconveniences during the night, should be immediately reported to the night manager. They are there to help!



Attachment 3 - Floor plan



Scale
1cm = 50cm



Schedule 11
Shire of Wyndham - East Kimberley
Health Act 1911

APPLICATION FOR CONSENT TO ESTABLISH AN OFFENSIVE TRADE

To: Chief Executive Officer
Shire of Wyndham - East Kimberley

I/We Lisa Spickman

(Full name of Applicant/s)

of 116a Kookerberry, Dec, Kunenara

(Residential Address of Applicant/s)

apply for consent to establish an offensive trade being

Commercial laundry & wet cleaning

(Description of Offensive Trade)

in or upon 2 Erythrina St, Kunenara

(Location of the House or Premises)

(Signature of Applicant/s) [Signature] (Date) 6/1/12



Schedule 12
Shire of Wyndham - East Kimberley
Health Act 1911

APPLICATION FOR REGISTRATION OF PREMISES FOR OFFENSIVE TRADE

To: Chief Executive Officer
Shire of Wyndham - East Kimberley

I/We, Lisa Spademan.....

(Full name of Applicant/s)

of 116 a Kimberley Ave, Kunene.....

(Residential Address of Applicant/s)

apply for registration, for the year ended

of 2 Euthria St, Kunene.....

(Location of Premises)

being premises in or upon which there is (or is to be) carried on an offensive trade, namely:

Commercial Laundry + wet cleaning.....

(Description of Offensive Trade)

under the business name of Kunene Commercial Laundry.....

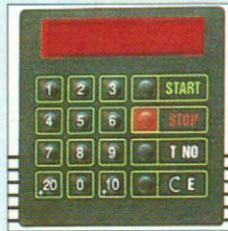
[Signature].....
(Signature of Applicant/s)

6/11/12.....

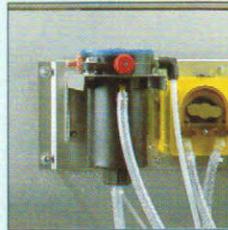
(Date)

The prescribed registration fee of \$.....140-.....is attached.

The IPSO CLEANWASH SYSTEM... ...washes your cleaning problems away



Fully programmable cleaning cycles



with automatic injection of liquid detergents



Precise injection of detergents

The dry cleaning market has during the final decade been characterized by a number of fundamental changes: increasing environmental protection laws have restricted the use and application of the traditional chemical solvents like 113, Hydrocarbon and Perc.

As an answer to these fundamental changes and adaptations IPSO developed the CLEANWASH SYSTEM: an alternative cleaning method using water.

The CLEANWASH SYSTEM unites an overwhelming amount of significant advantages and can therefore be considered as one of the most advanced washing and processing systems currently available in the world. Thanks to its infinitely variable speed, level and mechanical action, the machine is capable of processing the most delicate of silk blouses, woollen blankets or bedcovers, synthetic materials, cotton garments, overcoats or suits. The system produces no damage whatsoever to the environment and is available at a very attractive price.

Additionally, the IPSO CLEANWASH machine can be used as a regular washing machine as well.



Clean and wash in one machine



The finished garments look fantastic, with shape, body and quality.

AQUATEX, smell it, feel it, experience it for yourself.

AQUATEX - THE USER FRIENDLY & QUICK WAY TO CLEAN

With clear, user-friendly microprocessor controls, **AQUATEX** makes the professional cleaning of all garments simple to achieve...and quick.

The latest technology in microprocessors allows you to pre-programme the machine to match your requirements,

making it simple to operate and achieve consistent results with minimum management time.

Each step of the process can be controlled so that timing and turn around is not a problem - your customers will have freshly cleaned and pressed garments the same day.

AQUATEX is quick, fresh, safe and green.

AQUATEX - THE PROFITABLE WAY TO CLEAN

AQUATEX provides you with the opportunity to run a highly profitable business. Not only will **AQUATEX** clean all conventional garments, it will also enable you to offer specialist cleaning together with additional services making your business *even more profitable*:- duvets, shirts, curtains and soft furnishings, sports kits, contract and service washes.

AQUATEX enables you to clean all garments without needlessly polluting the environment.

AQUATEX allows you to clean everything with ease.

AQUATEX - SMELLS GOOD, FEELS GOOD, LOOKS GOOD

Water is the most natural, gentle, yet effective of cleaning agents. And together with non-scented, biodegradable detergents, the results produced are superb. 'Aquatexed' garments smell so fresh and clean, with no hint of chemicals.

The texture is maintained and feels firm yet soft and rich.
Minutes Ordinary Council Meeting



Aquatex

Veeco

THE Commercial Laundry Systems, NATURALLY

11 December 2012 **1300 853 644**

AQUATEX - AN ECO & GREEN WAY TO CLEAN

Environmentally friendly, the *AQUATEX* system uses no harmful chemicals, only water and biodegradable detergents. Specially formulated and manufactured, they provide deep cleaning action without damaging the fabrics' fibres.



Biodegradable detergents ensure that all effluent is non-toxic and there is no air pollution.

Water is 'nature's natural solvent' and cleaning agent. The *AQUATEX* system, using water and the correct detergents, gives a superior quality of cleaning that is environmentally friendly and green.

AQUATEX is good news for the planet's ozone, the air that we breath, our environment, our health, our communities and our future.

AQUATEX - CLEANS & WASHES EVERYTHING IN ONE MACHINE

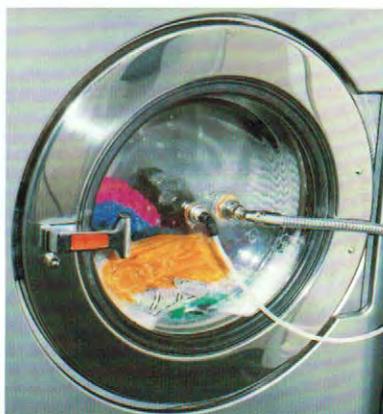
Until *AQUATEX* you have probably used a variety of cleaning and washing methods appropriate to the garments and fabrics being processed.

Now, with *AQUATEX*, you can put all that behind you



AQUATEX system has one of the latest microprocessor controls that allow you to successfully clean and wash all garments in one machine. The system has been built to enable such finite control of all key elements including, water level, mechanical action, temperature, detergent addition and length of cycle, that it can handle *everything*:- suits, jackets, trousers, dresses, overcoats, jumpers and cardigans, wools, velvets, man-made fibres, linens, silks, satins and even more. In fact, anything you wish to give it to wash and clean.

There is no other system for aqueous cleaning with such flexibility.



AQUATEX is the now and tomorrow of cleaning and washing **all** garments.

AQUATEX - FOR SPECIALIST CLEANING

For 'specialist clean' garments you will not find anything to surpass the *AQUATEX* system.

Specialist cleaning will be your forte with *AQUATEX*. Suedes & leathers, intricate and delicate knitwear, curtains and soft furnishings, wedding dresses, ballgowns, sequined fabrics, cocktail outfits, morning suits, dinner jackets and a whole host more of difficult and problem items will clean superbly and easily in *AQUATEX*.

12.4.3 ROAD NAMES – ORD EAST KIMBERLEY EXPANSION PROJECT

DATE:	11 December 2012
PROPONENT:	Benchmark Projects
LOCATION:	Ord East Kimberley Expansion Project, Weaber Plain, East Kimberley
AUTHOR:	Jennifer Ninyette, Senior Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Community Development
FILE NO:	LP.02.52

PURPOSE

For Council to consider the naming of two new roads within the Ord East Kimberley Expansion project subdivision area.

BACKGROUND

Council considered the naming of two roads within the Ord –East Kimberley Expansion project subdivision area at the Ordinary Council Meeting on 16 November 2012 (Item 12.4.6) and resolved as follows:

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

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

A plan showing the road names endorsed as per the above resolution is provided at Attachment 1.

However, since this time the subdivision layout for the expansion area has been amended, and the new layout consists of 4 roads. Accordingly, the Shire has received correspondence from Benchmark Projects, on behalf of LandCorp, nominating road names for the additional two roads within the new layout. A copy of this correspondence is provided at Attachment 2.

LandCorp, in consultation with the Mirima Language Centre and the MG Corporation, have nominated the following two names, being traditional markers for two different local hills;

- Jandami
- Minjiljirrga

The new subdivision plan showing the existing (named) roads and the two additional roads shown as Access road 1 and 2 is provided at Attachment 3.

An inset of the subdivision plan at Attachment 4 also shows Access road 1 (providing road frontage to Lots 19, 20 and 21) named as Jandami, and Access road 2 (providing road

frontage to Lots 13 and 14) named as Minjiljirrga. A guide for the pronunciation of Minjiljirrga is also provided at Attachment 5.

Attachment 6 shows the proposed additional roads and (road names) highlighted red, the change to Wooljim Road, and other existing roads.

STATUTORY IMPLICATIONS

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

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

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

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this item.

COMMUNITY CONSULTATION

No community consultation is required in regards to the suggested road names, however the nominated road names are the result of lengthy consultation with the Mirima Language Centre and the local elders (through the MG Corporation).

COMMENT

The nominated road names for the new subdivision layout of the Ord-East Kimberley Expansion Project reflects the use of traditional owner naming for the project and previously Council approved road names (Moonamang and Wooljim).

ATTACHMENTS

- Attachment 1 – Original road names endorsed
- Attachment 2 – Email from Benchmark Projects
- Attachment 3 – Subdivision Plan
- Attachment 4 – Access roads and nominated names
- Attachment 5 – Overview of existing and proposed road names
- Attachment 6 - Minjiljirrga pronunciation guide

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

- 1) The extent of Wooljim Road to be amended as per the updated subdivision layout.
- 2) The road shown as Access Road 1 within the subdivision area to be named Jandami Road.
- 3) The road shown as Access Road 2 within the subdivision area to be named Minjiljirrga Road.

COUNCIL DECISION

Minute No. 9949

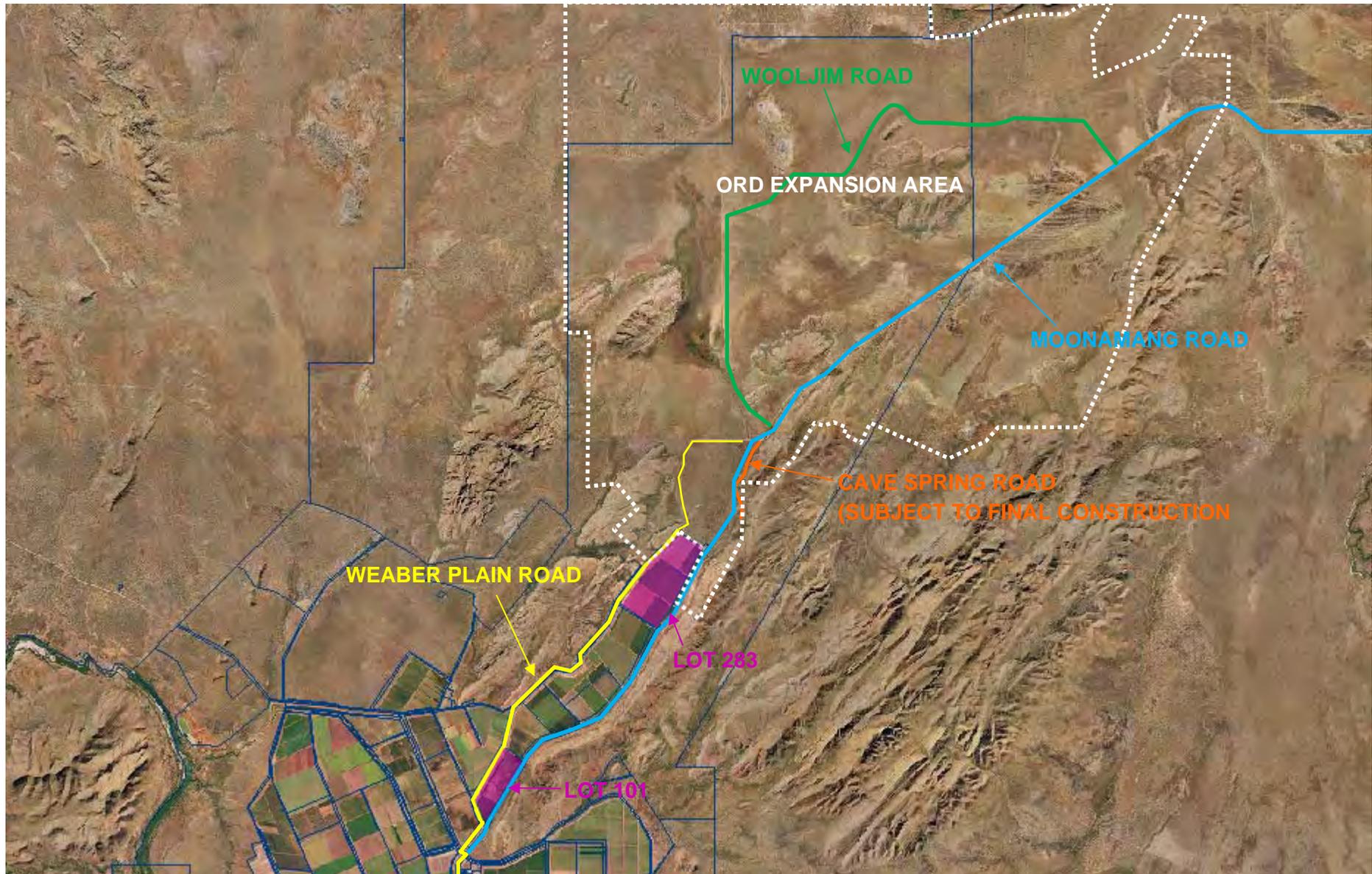
Moved: Cr J Parker

Seconded: Cr D Ausburn

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

- 1) The extent of Wooljim Road to be amended as per the updated subdivision layout.**
- 2) The road shown as Access Road 1 within the subdivision area to be named Jandami Road.**
- 3) The road shown as Access Road 2 within the subdivision area to be named Minjiljirrga Road.**

Carried Unanimously 6/0



Attachment 2 - Email from Benchmark Projects

From: Brett Chivers
Sent: Sunday, 11 November 2012 3:27 PM
To: Nick.Kearns@swek.wa.gov.au
Cc: 'Debra Pearce'; 'Mark Pasalich'; 'Charles Younge'; Joslyn Conchie; 'Stubbs, Peter'; 'Kevin Hannagan'
Subject: Ord Phase 2 - Naming of Roads

Hi Nick,
Re road names for the Ord Phase 2 subdivision.

In mid 2010 LandCorp sought agreement from SWEK to road names for the Ord Phase 2 development. This was on the basis of the former subdivision approval (WAPC 140788) which has now been superseded by strata subdivision WAPC 1027-11.

In Oct and Nov of 2010 the Council resolved as follows;

COUNCIL DECISION

Minute No: 9312

Moved: Cr J Parker

Seconded: Cr K Torres

That Council endorse the name Wooljim Road and accordingly request approval from the Geographic Names Committee.

COUNCIL DECISION

Minute No: 9339

Moved: Cr K Torres

Seconded: Cr D Ausburn

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

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

At that time we only needed 2 road names. The new layout (WAPC 1027-11) needs 4 names.

Accordingly LandCorp approached MG Corporation (in April 2011) seeking suggestion of 2 new names.

After a lengthy consultation process with the Mirima Language Centre and the elders (through their PBC), MG Corp have recommended 2 names being;

1. Jandami
2. Minjiljirrga

The names are each traditional markers for 2 different local hills. Refer advice below from MG Corp.

I have attached the following;

- Overall Ord Phase 2 precal plan. Existing approved names of Moomamang and Wooljim are shown. The two new road names are currently called Access Road 1 and Access Road 2 on the attached version of precal plan.
- A zoomed extract from precal showing the Access road 1 named as Jandami (providing road frontage to Lots 19, 20 and 21) and Access road 2 named as Minjiljirrga (providing road frontage to Lots 13 and 14).

I have also attached a sketch showing the road configuration at the intersection of Weaber Plain Road/Carlton Hill Road/Moonamang Road. I attached this to ensure no misunderstandings from a road naming perspective at this junction. Appreciate if you could confirm this is consistent with what has been approved by Council and approved by GNC.

Can you please progress the approval of the 2 new names within SWEK and GNC.

If you have any queries, please call.

Regards

Brett Chivers

Project Manager – Ord

Benchmark Projects
PO Box 6645 East Perth WA 6892
Phone 92254255, Fax 92254833
Mobile 0418950180

From: Dominique Reeves [<mailto:d.reeves@mgcorp.com.au>]
Sent: Thursday, 11 October 2012 1:52 PM
To: Brett Chivers
Subject: FW: Naming of Access Roads - Goomig

Hello Brett

I hope you are well: long time no see.

I have finally received confirmation from the Language Centre as to the suggested names for the Goomig Access Roads – see below. I believe that these names are linked to the Goomig area and are markers for two of the local hills.

I'm not sure I can pronounce the second one but am prepared to give it a go.

Let me know if you need anything else or would like some further information.

Best Wishes

Dominique Reeves

Lawyer

Yawoorroong Miriuwung Gajerrong Yirrgab Noong Dawang Aboriginal Corporation (**MG Corporation**)



Phone: (08) 9166 4809
Fax: (08) 9169 2509
Address: 12 Bluegrass Avenue, Kununurra, WA, 6743
Post: PO Box 2110, Kununurra, WA, 6743
Email: d.reeves@mgcorp.com.au
Website: www.mgcorp.com.au

From: KJ Olawsky [<mailto:info@mirima.org.au>]
Sent: Thursday, 11 October 2012 1:36 PM
To: Dominique Reeves
Subject: RE: Naming of Access Roads - Goomig

Dear Dominique

Sorry that it took us so long but here are finally those two names. Since not everybody can agree 100% on the ending of one of the names, after much discussion, we would recommend the following:

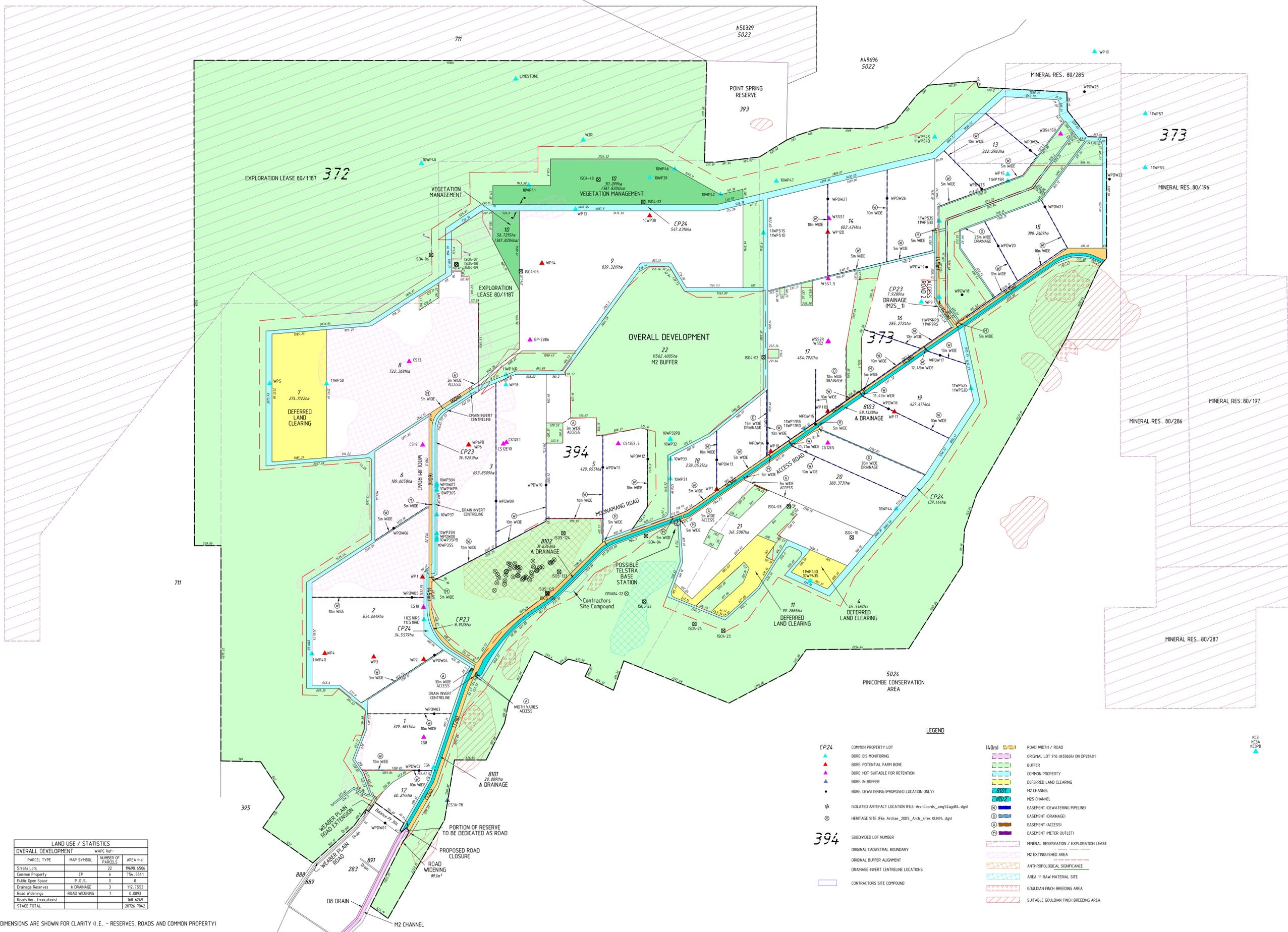
- Jandami (that's confirmed as you had it)
- Minjiljirrga (MINJILJIRRGGA) (someone suggest adding an –m at the end but as I see it this can also be omitted – it is a locative marker).

I hope this helps and again, apologies for the delay.

Best regards,

KJ

=====
Dr. Knut J. Olawsky
Senior Linguist/Manager
Mirima Dawang Woorlab-gerring Language and Culture Centre
P.O. Box 2420
Kununurra, WA 6743
Phone: (08) 9169 1029
Fax: (08) 9168 2639
E-mail: info@mirima.org.au
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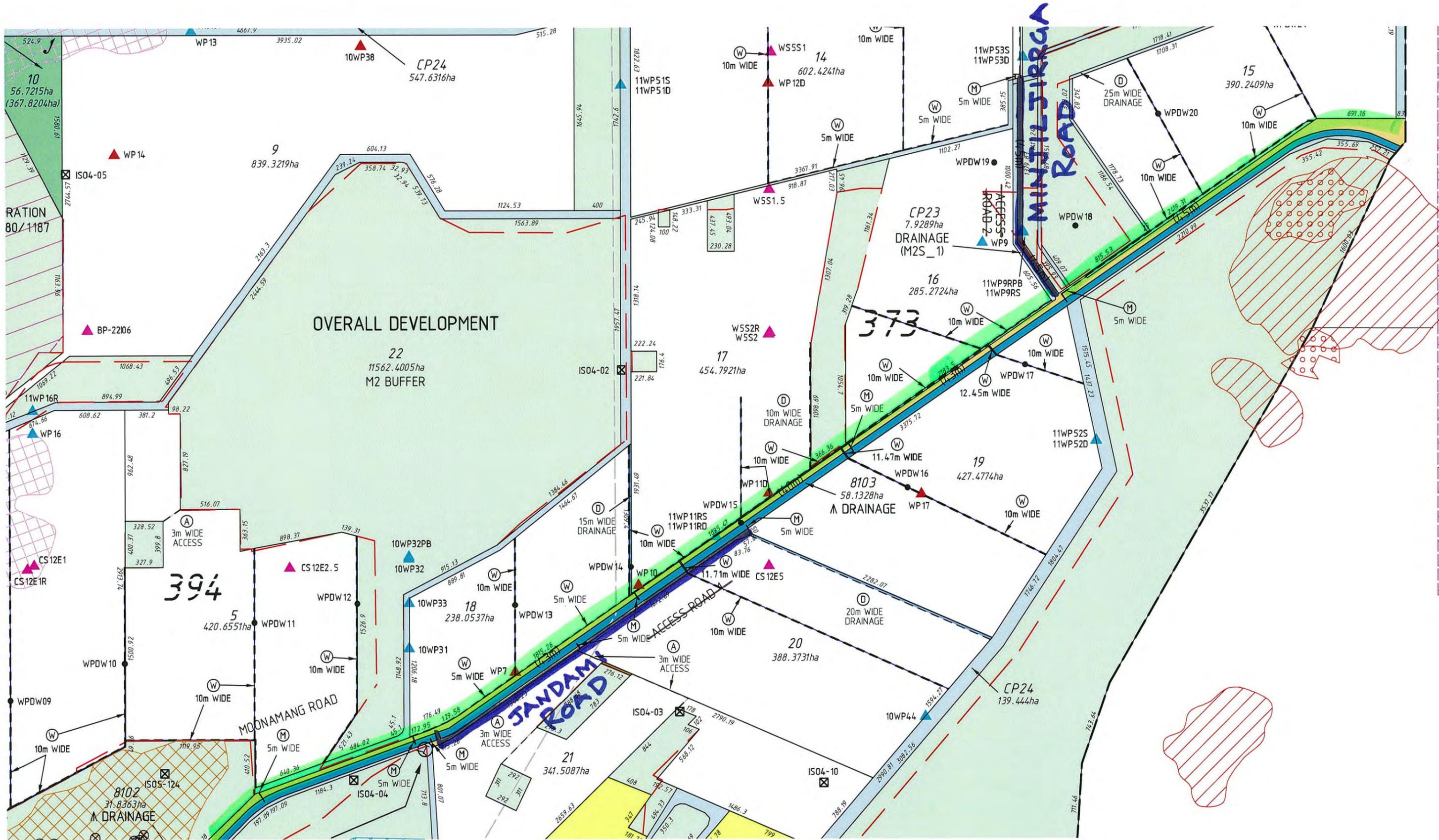
LAND USE / STATISTICS		
OVERALL DEVELOPMENT	WAPC Ref-	
PARCEL TYPE	MAP SYMBOL	NUMBER OF PARCELS
Strata Lots		22
Common Property	CP	0
Public Open Space	P.O.S.	0
Drainage Reserves	A DRAINAGE	3
Road Widening	ROAD WIDENING	1
Roads (inc. truncational)		168
STAGE TOTAL		20726

LEGEND

- CP24 COMMON PROPERTY LOT
- BORE EIS MONITORING
- BORE POTENTIAL FARM BORE
- BORE NOT SUITABLE FOR RETENTION
- BORE IN BUFFER
- BORE DEWATERING (PROPOSED LOCATION ONLY)
- ISOLATED ARTEFACT LOCATION (FILE: ArchCoords_ams2ag84.dgn)
- HERITAGE SITE (FILE: Archae_2005_Arch_sites KUN4.dgn)
- SUBDIVIDED LOT NUMBER
- ORIGINAL CADASTRAL BOUNDARY
- ORIGINAL BUFFER ALIGNMENT
- DRAINAGE INVERT CENTRELINE LOCATIONS
- CONTRACTORS SITE COMPOUND
- ROAD WIDTH / ROAD
- ORIGINAL LOT 9/6 (AS5660) ON CP28481
- BUFFER
- COMMON PROPERTY
- DEFERRED LAND CLEARING
- M2 CHANNEL
- M2S CHANNEL
- EASEMENT (DEWATERING PIPELINE)
- EASEMENT (DRAINAGE)
- EASEMENT (ACCESS)
- EASEMENT (METER OUTLET)
- MINERAL RESERVATION / EXPLORATION LEASE
- M2 EXTINGUISHED AREA
- ANTHROPOLOGICAL SIGNIFICANCE
- AREA 11 RAW MATERIAL SITE
- GOULDIAN FINCH BREEDING AREA
- SUITABLE GOULDIAN FINCH BREEDING AREA

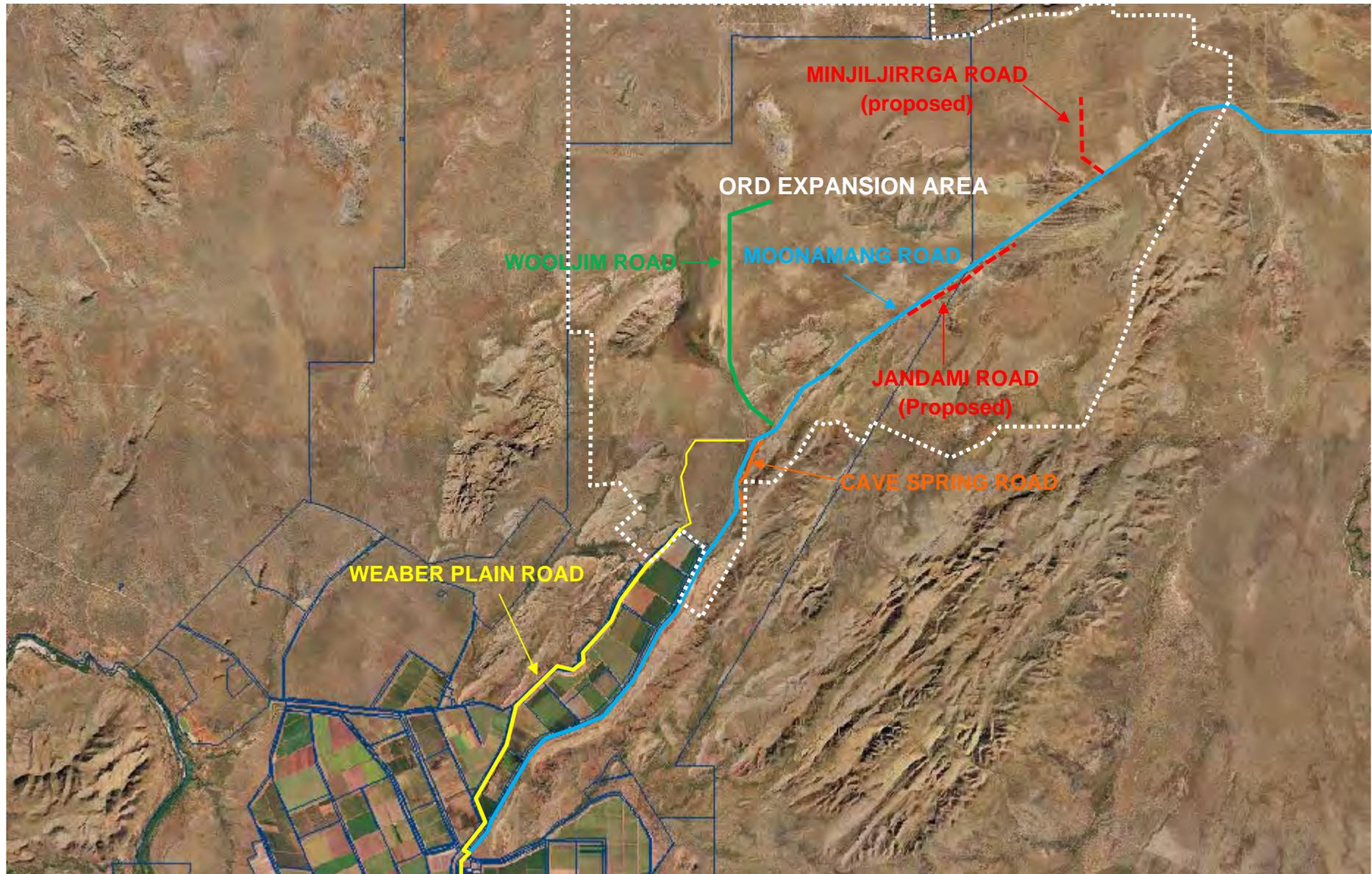
NOTE: NOT ALL DIMENSIONS ARE SHOWN FOR CLARITY (I.E. - RESERVES, ROADS AND COMMON PROPERTY)

<p>SCALE 1:25000 @ A0</p> <p>ALL DISTANCES ARE IN METRES</p> <p>For a true to scale reproduction of this plan, plot it to A0 with the Paging Scaling set to None.</p>	<p>PRECEDENCE LEGEND</p> <p>See below Lot Slats table for further information</p> <p>..... Storage Boundary</p> <p>..... Vehicle Access Restriction</p>	<p>PLANNER'S DESIGN SOURCE for Rev A</p> <p>Planner: RPS - Kotlaz Smith</p> <p>Received date: 10/9/2009</p> <p>File name: 3560-5-007b.pdf</p>	<p>ENGINEER'S DESIGN SOURCE for Rev Y</p> <p>Engineer: Benchmark</p> <p>Received date: 15/04/2012</p> <p>Data purpose: M2S Channel Reserve</p>	<p>All areas and dimensions depicted on this plan are subject to survey and Landgate registration. All cadastral information external to the stage/s which form the subject of this plan are not guaranteed and are supplied as a guide only.</p>	<p>ORD-EAST KIMBERLEY EXPANSION PROJECT</p> <p>GOOMIG FARM AREA</p>	<p>CLIENT:</p> <p>LANDCORP</p>	<p>Project Mgr: Charles YOUNG</p> <p>Datum: KUN4</p> <p>95948 - 004 - AB</p>
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MOONAMANG ROAD

Attachment 5 - Road location plan showing additional road names



Minjiljirrga pronunciation guide

The words has 4 syllables: Min-jil-jirr-ga

The phonetic transcription is almost identical to the Miriwoong spelling and it would not make sense to include any phonetic symbols here. I can give a description of each syllable for speakers of English as follows:

min - as in 'mince'

jil - as in 'jilt'

jirr - similar to 'cheer' but RR is a rolled R, the J is like the J in 'jar'

ga - as in 'Gaga'

Just put the syllables together and you've got the name.

**12.4.4 FRESHWATER EAST KIMBERLEY APARTMENTS – LOT 961
BANDICOOT DRIVE, KUNUNURRA**

DATE:	11 December 2012
PROPONENT:	HM Developments Pty Ltd
LOCATION:	Lot 961 Bandicoot Drive, Kununurra
AUTHOR:	Jennifer Ninyette, Senior Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A1141P

PURPOSE

For Council to consider a change of use application for 10 apartments within the Freshwater East Kimberley Apartments development on Lot 961 Bandicoot Drive, Kununurra.

BACKGROUND

In July 2008 Planning Approval (DA54/08) was granted for the development of 80 accommodation units on Lot 961, with 60 units approved as motel units and the remaining 20 for permanent residential use. This development is now known as Freshwater East Kimberley Apartments.

The developer now proposes to change the use of the 10 apartments within Block F, from short stay apartments (motel units) to permanent residential, and has accordingly submitted an application to the Shire.

Under Town Planning Scheme No. 7 – Kununurra and Environs, Council may approve permanent residential use within the Tourist Zone to a maximum of 30% of the number of units approved for the site.

The current percentage of permanent residential units approved for the site is 25%, and the allocation of 10 apartments within Block F will increase the percentage of permanent residential units to 37.5%.

Council has recently adopted an amendment to TPS which provides Council with certain discretion to modify develop standards if Council is satisfied that:

- the proposed development would be consistent with the orderly and proper planning and preservation of the amenities of the locality,
- will not have an adverse effect upon the occupiers or users of the development or the inhabitants of, or future development of the locality, and the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby; and
- any affected parties

Therefore the application is required to be determined by Council under this discretion. Correspondence provided by the applicant in support of the proposal is provided at Attachment 1.

Copies of the relevant plans showing the Block F apartments and their context in the Freshwater East Kimberley Apartment complex are provided at Attachment 2.

STATUTORY IMPLICATIONS

Town Planning Scheme

The land is zoned Tourist under *Town Planning Scheme No. 7 – Kununurra and Environs* (TPS 7).

Under clause 5.24.2 of TPS 7, Council may approve permanent residential purposes to a maximum of 30% of the number of units approved in a tourist site in the Tourist Zone.

This application is therefore required to be considered by Council to use their discretion to modify development standards under clause 5.5 of the Scheme, to allow permanent residential use of 37% of the total number of Freshwater East Kimberley Apartments.

Discretion to Modify

Council has recently adopted a modified amendment to Town Planning Scheme No. 7 to provide Council with the discretion to modify development standards and requirements in the Scheme, which is a standard clause in local planning schemes.

While this amendment has been adopted by Council, it is still in the process of being endorsed by the Minister for Planning, and is anticipated to be endorsed in the near future.

Residential Design Codes of Western Australia

The change of use of these Block F units to permanent residential requires the apartments to be assessed against the acceptable provisions/criteria for multiple dwellings as outlined in the Residential Design Codes of Western Australia (R Codes).

As the Block F units are partially constructed, this assessment is limited to the following factors:

1. Outdoor Living Area
2. Parking
3. Essential Facilities

OUTDOOR LIVING AREA

The R Codes states that each unit is to be provided with at least one balcony or equivalent, accessed directly from a habitable room with a minimum area of 10m², or alternatively 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.

Each apartment has at least one terrace, with the south facing terraces to each unit being of an adequate size (smallest is 9.98m²), to accommodate furniture and the needs of the residents.

It is also noted that all residents/occupants have access to the communal facilities which include the swimming pool and barbecue area.

PARKING

Shire Officers have previously assessed the parking requirements if the use of Block F was to change from tourist accommodation to permanent residential use, and determined that a

total of 93 bays were required for the development as a whole, and therefore the 100 bays provided onsite is more than sufficient.

ESSENTIAL FACILITIES

There are a number of essential facilities that are required to be provided for multiple dwellings which includes:

1. A communal area set aside for clothes drying;
2. the provision of an enclosed, lockable storage area, accessible from outside the dwelling, with the acceptable development providing a minimum dimension of 1.5m and an internal area of at least 4m² for each multiple dwelling.

A communal area set aside for clothes drying has been provided adjacent to the maintenance shed along the eastern boundary of the property, and a number of clothes dryers have been provided for communal use as part of the communal facilities building.

However, no enclosed lockable storage areas have been provided for the Block F units, only a private courtyard area(s) or terrace of a minimum of 4.45m², which may be potentially used as a storage area.

The applicant's planning consultant has provided written justification (Attachment 3) for the limited storage to be supported on the basis that:

1. It is considered that the size of the private courtyard would provide a 'fit for use' storage area for the size and type of residential accommodation proposed, and would therefore be adequate for occupants needs.
2. The design of the block F apartments and the development as a whole will dictate the type of purchasers that will buy these apartments, with the likelihood that all owners will elect to put their apartment in the management pool.
3. Weather proof storage can be provided either by installation of portable storage, or construction of something more permanent at a later stage, if required.

Apartment F3 does not have a shower court or enclosed terrace, however it is noted that this apartment is disabled accessible, and may be required to remain in the short-term accommodation management pool on this basis.

Health Act (Laundries and Bathrooms) Regulations

No laundry facilities have been provided in the Block F units, as they will be able to use the communal laundry facilities provided in the development.

The Health Act (Laundry and Bathrooms) Regulations allows for communal laundry facilities to be provided for unit development (including permanent residential or tourist accommodation classes), based on the number of bedrooms in the development.

As such, although the change of use also changes the classification of the units, under these regulations, the number of communal laundry facilities required will not change.

Building Code of Australia (BCA) 2009

The building licence for this development was approved in 2009.

Under the 2009 BCA, the motel units are classified as Class 3 buildings, and based on the original 60 motel units approved, a minimum of 3 units were required to be disabled accessible.

Unit F3 is one of these, and therefore in order for the development to meet its disability access requirements under the applicable BCA (i.e. when built), this unit will either have to stay in the management pool as a motel unit or another disabled accessible unit will need to be provided within Block D, which is the only block not to have commenced construction to date.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

An application fee of \$278 has been paid.

STRATEGIC IMPLICATIONS

The Local Planning Strategy (LPS) identifies the need to improve the quality and quantity of housing choices for residents, and improve the urban design of Kununurra.

The Kununurra Strategic Directions document also identifies that an appropriate interface is required between tourism uses and residential development along Bandicoot Drive. It also states that although priority is for tourism along the southern frontage of Bandicoot Drive, and that residential development may only be considered in this area subject to market conditions for tourism development.

COMMUNITY CONSULTATION

No community consultation is required in relation to the proposed change of use.

COMMENT

To date the Freshwater Apartments is approximately 75% complete, with Blocks E, F and G partially constructed and intended to be operational by April 2013, and only construction of Block D yet to be commenced.

In order to finance the completion of the development, the applicant wishes to market the Block F apartments as permanent residential to enable prospective investors to obtain finance to invest in the development, however these purchasers will be given the opportunity to include any of these apartments in the Pooled Management Scheme for short-stay usage.

It is intended that these apartments would be suited for longer-stay guests such as professionals undertaking short to medium term contracts, i.e. from 3 months to 2 years, in the region.

The only issues in regard to changing the use of these apartments are:

1. The lack of external enclosed storage areas per each apartment, as required under the R Codes;
2. Unit F3 is disabled accessible in order for the development to meet its disability access requirements under the applicable BCA (when built); and therefore this unit

will either have to stay in the management pool as a motel unit, or another disabled accessible unit will need to be provided within Block D:

3. Council needs to determine whether it is appropriate to allow potential permanent residential development of 37.5% of the total units within the development;
4. The amendment granting Council this power of discretion has not yet been endorsed by the Minister for Planning, however is anticipated to be finalised prior to the end of December 2012.

In regard to the storage areas, the R Codes allow for a reasonable amount of flexibility in relation to development of multiple dwellings, and ultimately the onus is on Council to decide if the proposal is in line with the future desired built form for Kununurra.

It is acknowledged that there is capacity to store items within the private courtyard areas provided, and also opportunity to provide portable lockable storage sheds and or containers within these courtyard (or terrace) areas to provide for weather proof storage if the apartments are used for permanent residential use, and not included in the pooled management scheme for shorter term use.

Council has previously approved a development that allowed reduced storage area based on the small size of the units (single bedroom) and the fact that maintenance of surrounding gardens etc. is undertaken by the managing body, therefore there is no need to store large garden implements or the like.

The size, location and style of accommodation proposed will also determine the type of purchaser and occupiers of the units; i.e. potential tenants will be aware of the limitation of storage, and will be likely be transient residents or people on short to medium term contracts that will not require lots of storage, and would therefore be able to meet the performance criteria because they are adequate for the needs of the residents.

It is also acknowledged that these units are likely to remain in the management pool, and the main purpose of the change of use is simply to encourage investors to purchase the units, with the sale to fund completion of the development.

As such, although the intent of the application will allow a maximum of 37.5% residential use, it is likely that permanent residential occupation will remain around 30%, and the change of use will simply provide an alternative (and high standard) form of accommodation for workers and/or professionals with short to medium term contracts.

ATTACHMENTS

Attachment 1 – Correspondence from HM Developments Pty Ltd

Attachment 2 – Plans

Attachment 3 – Correspondence from Planning Consultant (Algeri Planning and Appeals)

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council delegates authority to the Chief Executive Officer to grant planning consent for the change of use of 10 units (Block F) from Motel Units to Residential Dwellings within the tourist development on Lot 961 Bandicoot Drive, Kununurra, once Amendment 39 to the *Shire of Wyndham East Kimberley - Town Planning Scheme No. 7 - Kununurra and Environs* has been approved, subject to the following conditions:

- 1) All development shall be in accordance with the attached approved plan(s) dated 11 December 2012 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) Each unit is to be provided with adequate clothes washing and drying facilities in accordance with Health Act (Laundries and Bathrooms) Regulations.
- 3) Each unit not included in the Pooled Management Scheme is to be provided with adequate external lockable storage of a minimum of 2m² in area.
- 4) A disabled accessible unit shall be provided within Block D, or alternatively Unit F3 shall be retained as a disabled accessible Motel Unit.

COUNCIL DECISION

Minute No. 9950

Moved: Cr Cr D Ausburn

Seconded: Cr Cissy Gore-Birch Gault

That Council delegates authority to the Chief Executive Officer to grant planning consent for the change of use of 10 units (Block F) from Motel Units to Residential Dwellings within the tourist development on Lot 961 Bandicoot Drive, Kununurra, once Amendment 39 to the *Shire of Wyndham East Kimberley - Town Planning Scheme No. 7 - Kununurra and Environs* has been approved, subject to the following conditions:

- 1) All development shall be in accordance with the attached approved plan(s) dated 11 December 2012 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) Each unit is to be provided with adequate clothes washing and drying facilities in accordance with Health Act (Laundries and Bathrooms) Regulations.**
- 3) Each unit not included in the Pooled Management Scheme is to be provided with adequate external lockable storage of a minimum of 2m² in area.**
- 4) A disabled accessible unit shall be provided within Block D, or alternatively Unit F3 shall be retained as a disabled accessible Motel Unit.**

Carried Unanimously 6/0



HM Developments Pty Ltd
ABN 16 675 698 808

P O Box 2427
Kununurra WA 6743
ph. 08 9169 3432
fx. 08 9169 3433
michael.hmd@bigpond.com

14 November 2012

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

Dear Ms Ninnette

RE: FRESHWATER EAST KIMBERLEY APARTMENTS – CHANGE OF USE BLOCK F

This letter is in support of the Planning Application for the Change of Use for the 10 Block F apartments in the Freshwater Development from Short-Stay to Permanent Residential. It is also further to the letter that was forwarded to you and Nick Kearns on 24 September, 2012.

In summary, our application is for the “change of use” of the 10 apartments in Block F of the Freshwater development from Short-Stay to Permanent Residential. This will alter the completed percentage of Permanent Residential apartments from the current 25% to 37% over the 81 apartments. It is important to note that this will not significantly alter the usage of the 10 apartments in question. The Management Statement will allow these Block F permanent apartments to be included in the Pooled Management Scheme for Short-Stay usage should the owners elect to do so and simple economics would suggest that the owners of these apartments will do so in order to obtain the maximum return from their investment.

The reason that we have applied for this change in percentage is that, since we received our initial Planning Permit in mid-2008, the national economy has altered substantially and investment in short-stay accommodation has been greatly reduced despite the continuing need for this kind of accommodation in regional towns such as Kununurra. The financial institutions have altered their lending criteria for short-stay accommodation and this is making it very difficult for some purchasers to source sufficient levels of funding to invest in short-stay apartments such as the ones developed at Freshwater East Kimberley Apartments. This is causing developers to walk away from tourism zoned land across WA and this has recently been confirmed by the CEO of Tourism WA.

I note that at a recent Tourism WA presentation that was made in Kununurra, we were informed that only three new tourism complexes were developed in the whole of Regional WA last calendar year, of which Freshwater Apartments was one such development. During these difficult economic times, most developers of tourism/short-stay accommodation complexes have either stalled their projects indefinitely or abandoned them totally. Kimberley Land Holdings, the Developer of Freshwater Apartments, have not done this and have made the commitment to undertake one of Kununurra's largest privately funded developments since the town was founded.

Notwithstanding, it is now critical to the ongoing success of the project that we are granted permission to alter the small number of apartments described above to Permanent Residential status. With the final stage of the project well into construction and a further \$6.0 million approximately required to complete the project, it is now essential that we are able to gain the necessary pre-sales in order for us to complete the project; which we hope to do so by early to mid-2013.

Kimberley Land Holdings have continued to fund the construction of the Freshwater project (Stage 2) without being in a position to market Block F, however they risk being unable to continue with construction without a prompt resolution to this matter. If we are not able to promptly resolve this matter, it may not be possible to retain the current Builder working on the project and this could lead to significant cost over-runs with the project. There is a possibility that should this occur, we may in fact not be in a position to complete the project. The severity of this situation cannot be over stated.

In order to obtain the necessary pre-sales (which are not excessive considering the size of the development), it is now essential that we proceed to market the Block F apartments on the basis of a permanent residential status. Please be aware that apartments sold in Stage 1 have principally been purchased by investors and I expect this trend to continue in Stage 2. Therefore, the investors of the Permanent Residential apartments will be looking to maximize their return and it is highly likely that the most profitable option will be to include their apartment(s) in the short-stay Pooled Management Scheme. This being the case, the actual use of the apartments is unlikely to alter from the original proposed use of tourism/business short-stay usage.

We believe that we have addressed the parking and storage issues required to meet the permanent residential design codes and the intended usage of the apartments.

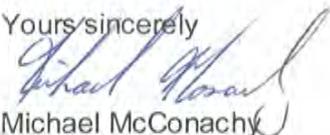
My understanding is that there is a proposed change in the Shire of Wyndham East Kimberley Planning Scheme to allow for the Shire to make an assessment on this particular application, and my advice is that at the time of this application, this Planning Scheme amendment is "seriously entertained" by all concerned parties. My further understanding is that due to the fact that this amendment is seriously entertained, it is now reasonable for me to submit this application to the Shire for approval. As stated earlier, it is now becoming critical to the success of the Freshwater Project that this matter is resolved in the positive by the end of this calendar year.

I have sought independent advice from a consultant/town planner who has advised me that, given the imminent status of amendment no. 39 to the Shire of Wyndham-East Kimberley Planning Scheme, it would not be improper or illegal for the Shire Council to approve this change of use application, even in the event that it is days or possibly weeks ahead of the gazettale of the amendment.

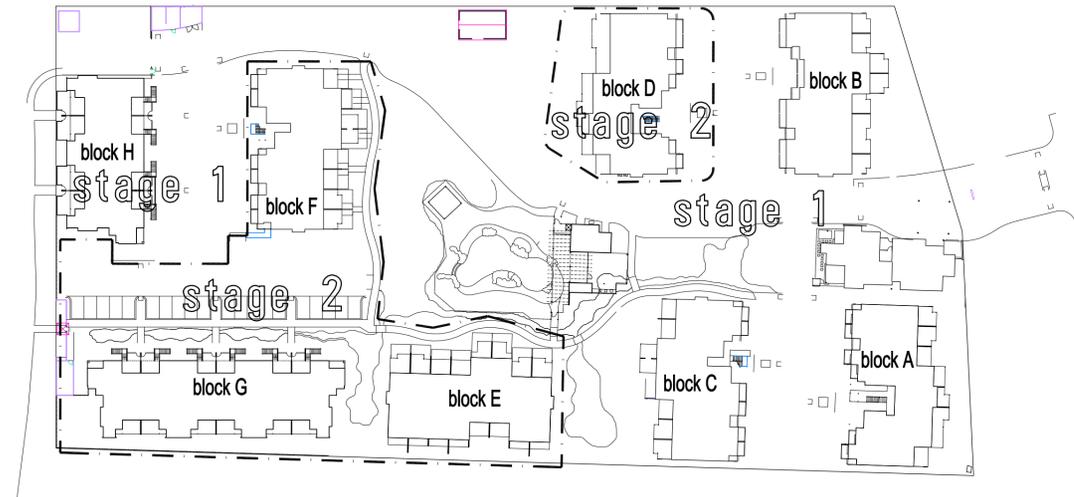
I would also like to take this opportunity to thank both you Nick Kearns for the on-going support that you have provided in working towards a resolution to this matter.

Thank you for your consideration of this application.

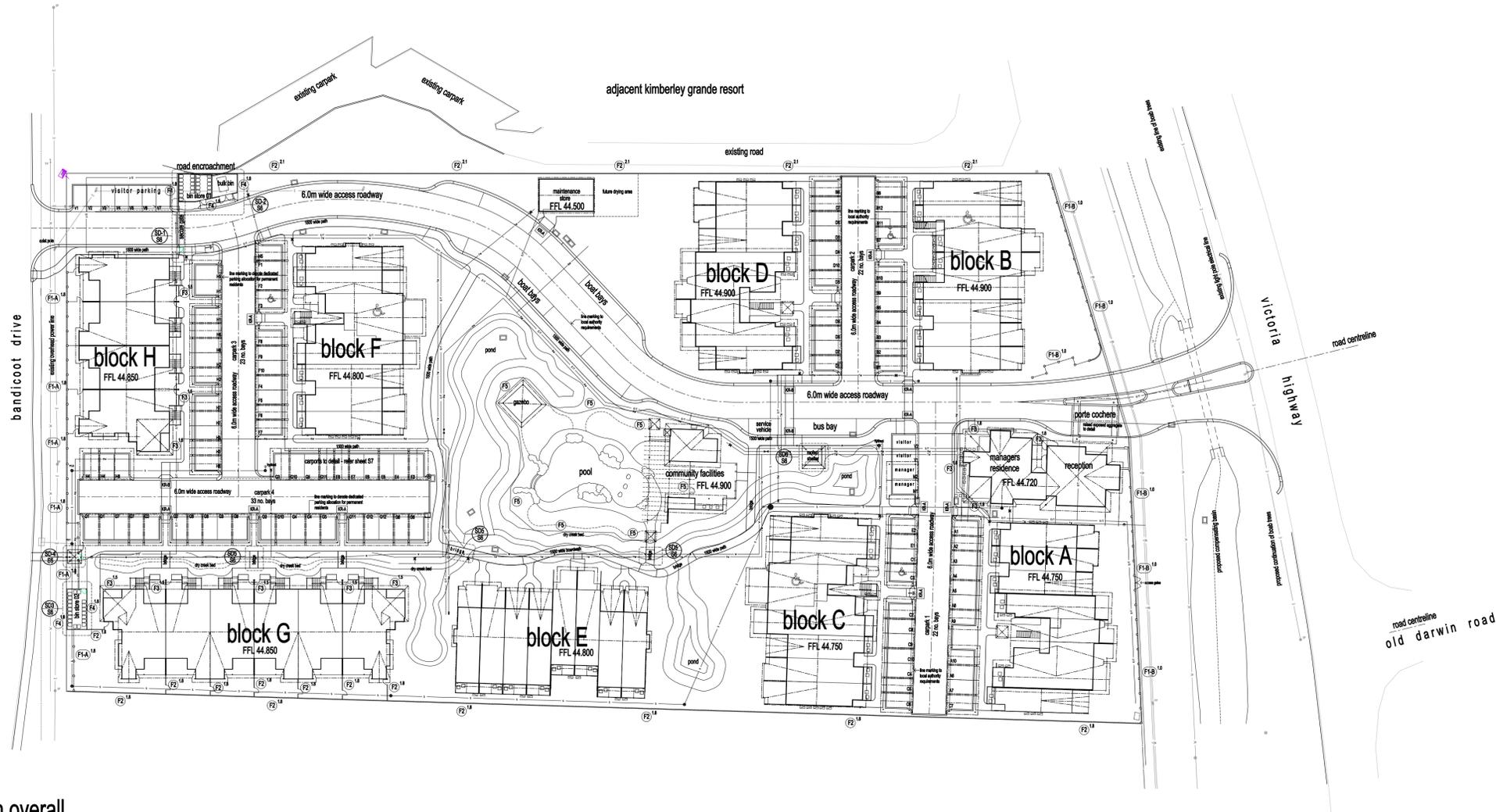
Yours sincerely



Michael McConachy
Director / Project Manager
For & on behalf of Kimberley Land Holdings Pty Ltd



site staging plan



site plan overall

12/09/11	2 additional visitor car spaces added	G
12/10/09	services updated	F
05/10/09	general revision	E
27/07/09	general revision	D
21/07/09	general revision	C
14/07/09	general revision	B
01/07/09	initial issue	A
date	revision	issue

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this is a drawing referred to in our contract

proprietor:
 contractor: _____ date: / /

datum: A.H.D.

survey: _____

scale: 1:500 @ A1 - 1:1000 @ A3

designed: c.j. raymond.

drawn: c.c.r.

approved: _____ date: sept. '08.

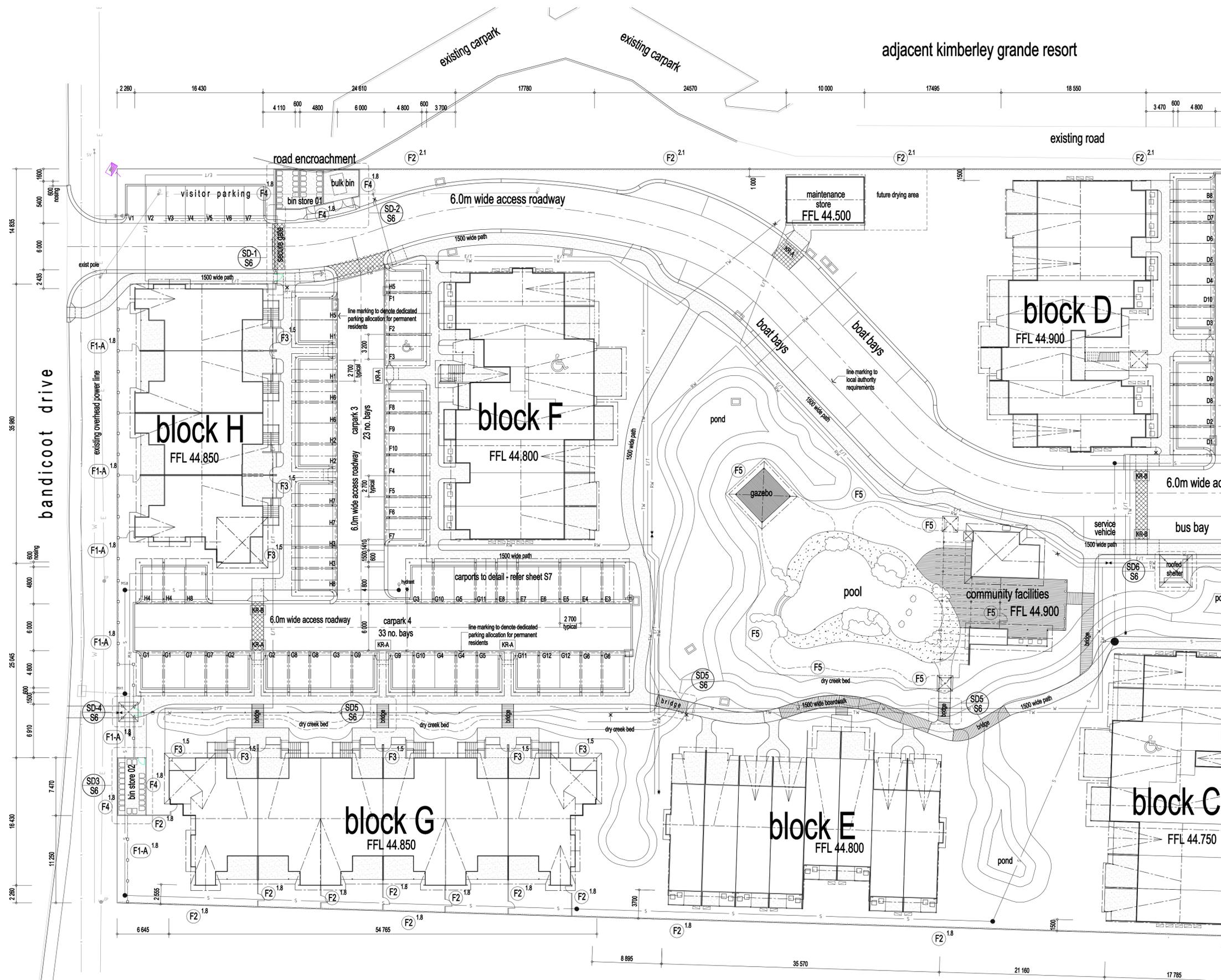
project:
 proposed apartment development
 victoria highway
 kununurra, w.a.

client:
 HM developments Pty. Ltd

drawing title:
 overall site plan & staging plan

drawing no.: RD08098 S3 G

site plan - part A



site legend

- indicates selected hard paved areas to pathways & terraces
- indicates 1500 wide selected pavement treatment to pedestrian crossings and other feature points
- F1 1.8 indicates proposed fence types & height refer to sheet S6 for details
- KR-A indicates kerb ramp type refer to sheet S7 for details
- sewer main
- treated (town) water main
- raw (bone) water main
- electricity / telecommunications (shared trench)

date	revision	issue
12/09/11	2 additional water car spaces added	G
10/10/09	site services updated	F
05/10/09	general revision	E
27/07/09	general revision	D
21/07/09	general revision	C
15/07/09	general revision	B
03/07/09	initial issue	A

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 contractor: _____

datum: A.H.D.

survey: _____

scale: 1:250 @ A1 - 1:500 @ A3

designed: c.j. raymond.

drawn: c.c.r. north

approved: _____ date: sept. '08.

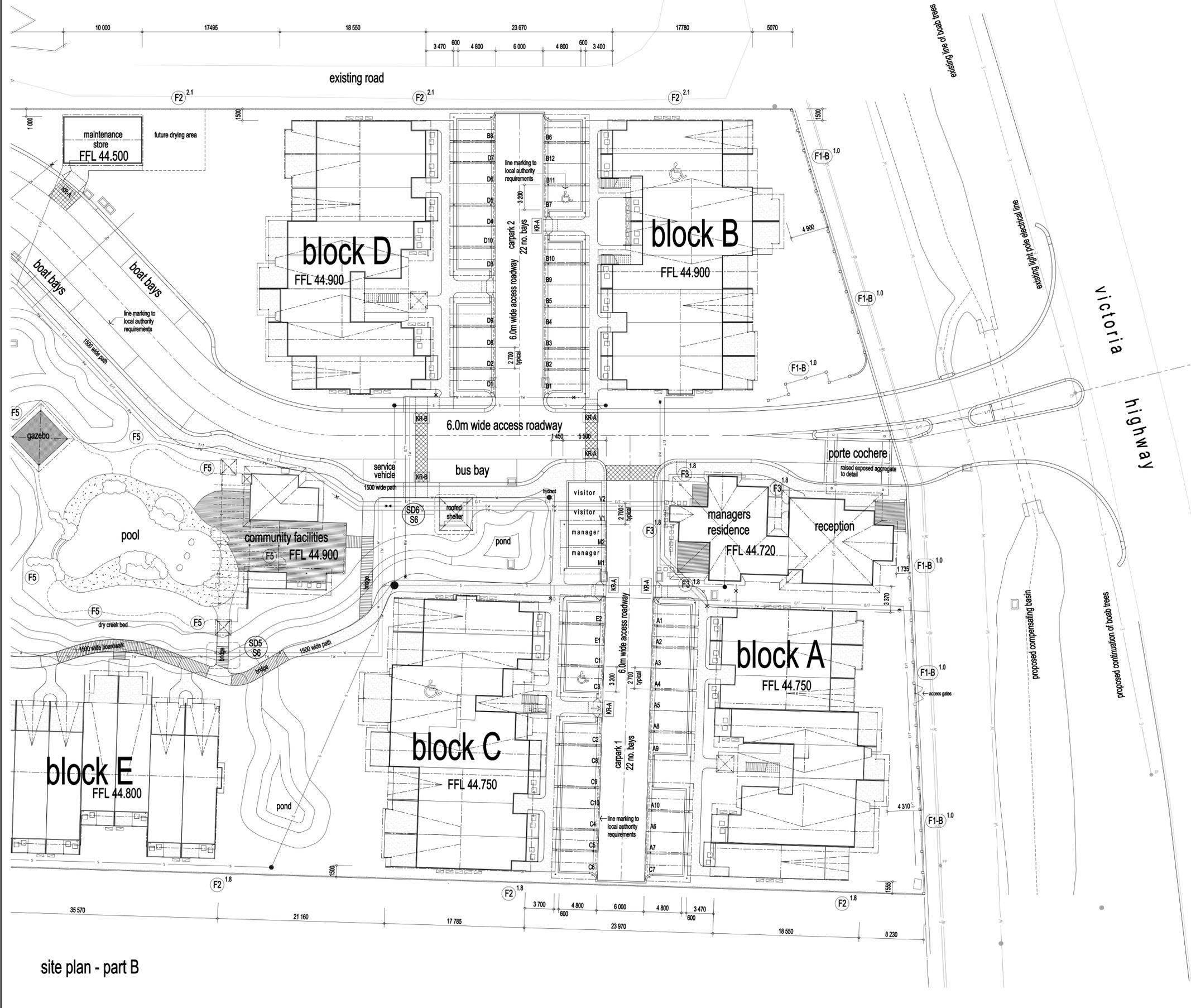
project: proposed apartment development victoria highway kununurra, w.a.

client: HM developments pty. ltd

drawing title: site plan - part A

drawing no. RD08098 S4 G

adjacent kimberley grande resort



site legend

- indicates selected hard paved areas to pathways & terraces
- indicates 1500 wide selected pavement treatment to pedestrian crossings and other feature points
- F1 1.8 indicates proposed fence types & height refer to sheet S6 for details
- KR-A indicates kerb ramp type refer to sheet S7 for details
- S sewer main
- TW treated (town) water main
- RW raw (bore) water main
- E/T electricity / telecommunications (shared trench)

site plan - part B

10/10/09	site services updated	F
05/10/09	general revision	E
27/07/09	general revision	D
21/07/09	general revision	C
19/07/09	general revision	B
03/07/09	initial issue	A
date	revision	issue

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proprietor:
contractor: date / /

datum: A.H.D.

survey:

scale: 1:250 @ A1-1:500 @ A3

designed: c.j. raymond.

drawn: c.c.f. north

approved: date

project: sept. '08.

proposed apartment development

victoria highway

kununurra, w.a.

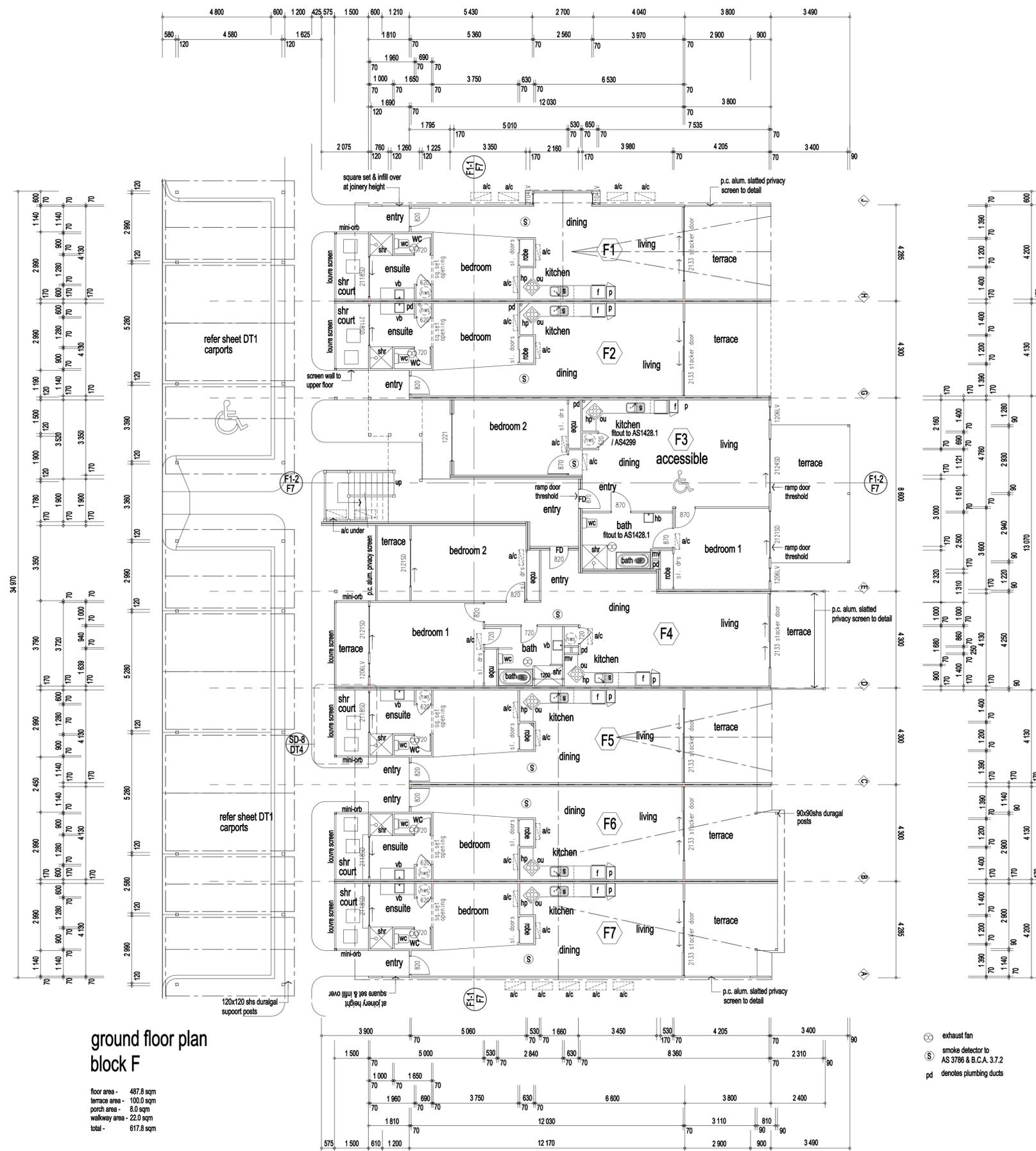
client:

HM developments pty. ltd

drawing title:

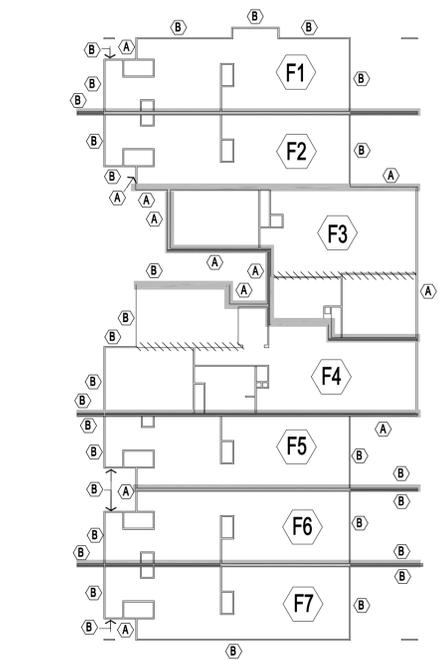
site plan - part B

drawing no. RD08098 S5 F



ground floor plan
block F

floor area - 487.8 sqm
terrace area - 100.0 sqm
porch area - 8.0 sqm
walkway area - 22.0 sqm
total - 617.8 sqm



separating wall & external finishes plan

separating wall legend

- BORAL 'TT16F1016F10' or similar system
 70x45 studs, 1x16mm firestop + 1x16mm pbd each side
 50mm glass wool or polyester 14kg/m2 insulation
 FRL 60/60/60, RW+CI = 53
- BORAL 'OW16WF16F' or similar system
 1 x 16mm wet area firestop plasterboard to external side
 rockwool, followed by tyvek homework membrane,
 battens & cladding, 1 x 16mm firestop plasterboard to internal side
 R2 glass wool batts wall insulation
 FRL 60/60/60 from inside, FRL 90/90/90 from outside
- BORAL 'S11313F' or similar system
 70mm steel stud, 1 x 13mm firestop plasterboard to each side

finishes legend

- (A) colorbond corrugated wall cladding - horizontal
- (B) CHH ecoply shadowclad natural plywood cladding - painted
- (C) scyon matrix wall cladding
- (D) scyon linea weatherboard cladding
- (E) painted/rendered coating over 40 EFIS sheeting
- (F) rendered & painted concrete masonry
- (G) rock facing over concrete masonry
- (H) scyon stria wall cladding

- (E) exhaust fan
- (S) smoke detector to AS 3786 & B.C.A. 3.7.2
- pd denotes plumbing ducts

BCA vol. 1
class 3
type C construction
concession C1, C1.5

date	revision	issue
25/03/10	load bearing internal walls upgraded to FRL 30/30/30	D
16/10/09	general revision	C
29/07/09	general revision	B
16/07/09	initial issue	A



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contractor: _____ date / /

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survey: _____

scale: 1:100

designed: c.j. raymond.

drawn: c.c.f.

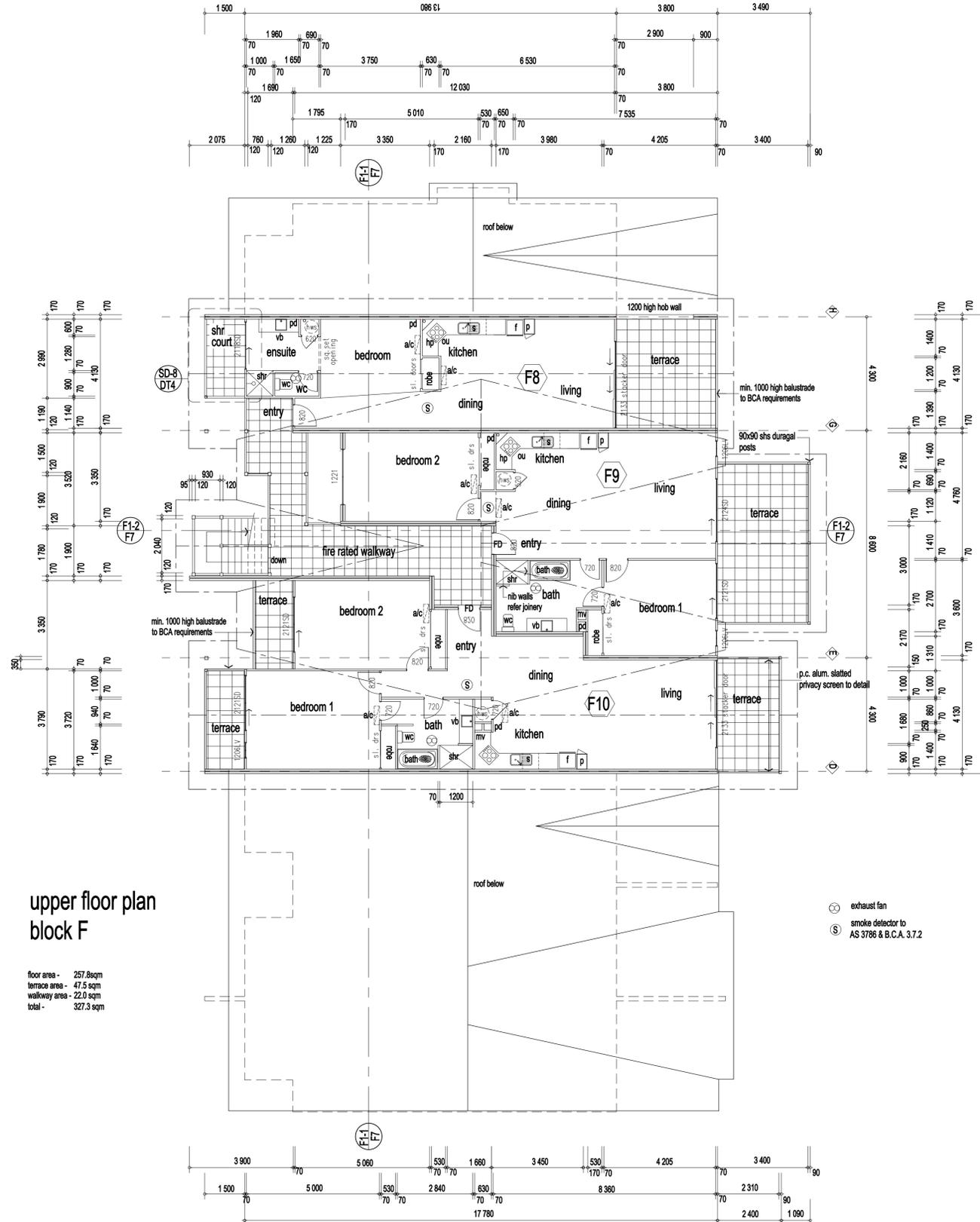
approved: _____ date: sept. '08.

project: proposed apartment development
victoria highway
kununurra, w.a.

client: HM developments pty. ltd

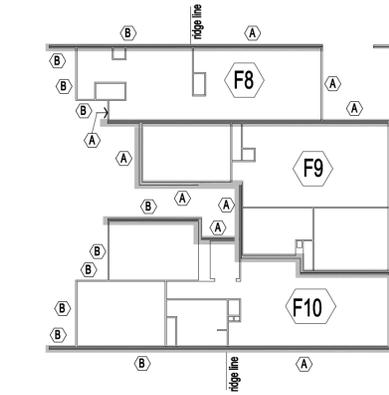
drawing title: block F ground floor plan

drawing no. RD08098 F1 D



upper floor plan
block F

floor area - 257.8sqm
terrace area - 47.5 sqm
walkway area - 22.0 sqm
total - 327.3 sqm



separating wall & external finishes plan

separating wall legend

- BORAL 'TT16F1016F10' or similar system
70x45 studs, 1x16mm firestop + 1x10mm pbd each side
50mm glass wool or polyester 14kg/m2 insulation
FRL 60/60/60, RW+Ci= 53
- BORAL 'CW16WF16F' or similar system
1 x 16mm wet area firestop plasterboard to external side
rockwool, followed by 'tyvek' homewrap membrane,
battens & cladding, 1 x 16mm firestop plasterboard to internal side
R2 glass wool batts wall insulation
FRL 60/60/60 from inside, FRL 90/90/90 from outside

finishes legend

- colorbond corrugated wall cladding - horizontal
- CHH ecoply shadowclad natural plywood cladding - painted
- scyon matrix wall cladding
- scyon linea weatherboard cladding
- painted/rendered coating over 40 EFIS sheeting
- rendered & painted concrete masonry
- rock facing over concrete masonry
- scyon stria wall cladding

- exhaust fan
- smoke detector to AS 3786 & B.C.A. 3.7.2

BCA vol. 1
class 3
type C construction
concession C1. C1.5

date	revision	issue
16/07/09	initial issue	A
29/07/09	general revision	B
6/10/09	general revision	C

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proprietor:
contractor: date / /

datum: A.H.D.

survey:

scale: 1:100

designed: c.j. raymond.

drawn: c.c.f.

approved: date

sept '08.

project:

proposed apartment development

victoria highway

kununurra, w.a.

client:

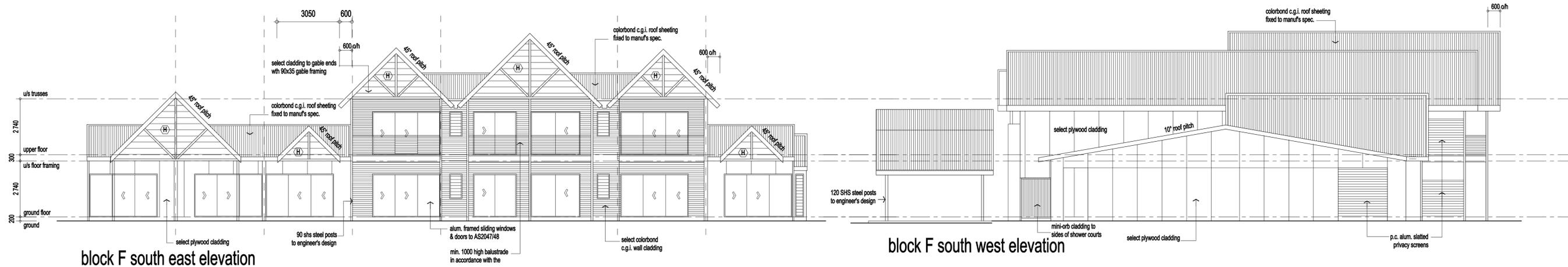
HM developments Pty. Ltd

drawing title:

block F upper floor plan

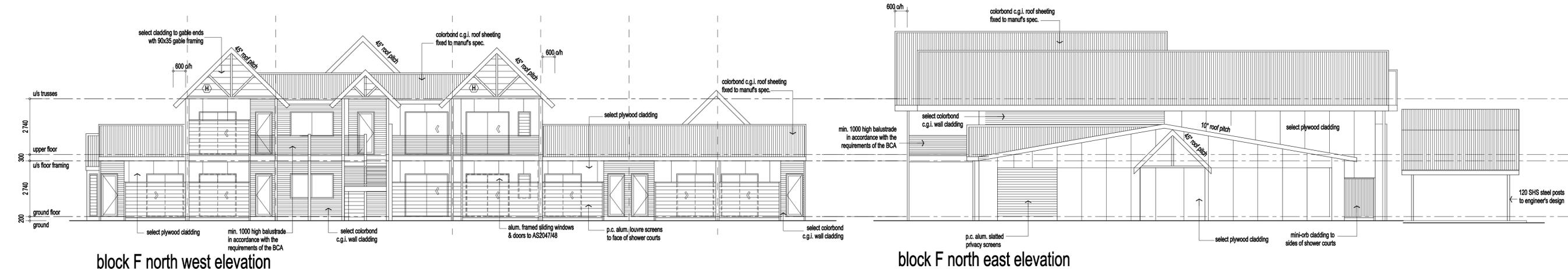
drawing no.:

RD08098 F2 C



block F south east elevation

block F south west elevation



block F north west elevation

block F north east elevation

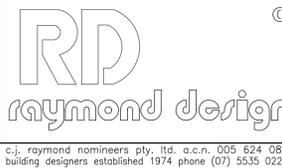


block F north west elevation showing carports

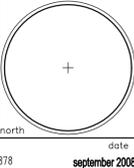
this is a drawing referred to in our contract dated / / proprietor. contractor

16/10/09	general revision	C
25/07/09	general revision	B
16/07/09	initial issue	A
date	revision	issue

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datum	A. H. D.
survey	
scale	1:100
designer	c. j. raymond.
drawn	c. c. f.
approved	
date	september 2008



client
HM developments pty. ltd.
drawing title
block F - elevations

project
proposed apartment development victoria highway kununurra, w.a.
drawing No.
RD08098 F3 C

21 November 2012

Shire Wyndham-East Kimberley
PO Box 614
KUNUNURRA WA 6743

Attention: Mr Nick Kearns, Director of Development Services
Jennifer Ninyette, Senior Planning Officer

Dear Nick & Jennifer,

ADDITIONAL JUSTIFICATION - FRESHWATER EAST KIMBERLEY APARTMENTS – CHANGE FROM SHORT-STAY TO PERMANENT RESIDENTIAL

Further to our previous discussions, I have prepared this correspondence in liaison and on behalf of Michael McConachy, the project manager for HM Developments Pty Ltd.

As you are aware HM Developments are seeking further planning approval (change of use) needed for an adjustment to the breakdown of permanent and short-stay residential dwellings at the on-going development known as Freshwater East Kimberley Apartments.

Michael has advised me that after seeking advice from operators of other Strata Titled Resorts and also Tourism WA, the Developers of Freshwater East Kimberley Apartments took special care in the design of the Freshwater Development so that the permanent residential tenants had reasonable separation from the short-stay apartment guests. The permanent residential apartments (located in Blocks G & H) have been located at the northern end of the site with direct and separate security access/egress to Bandicoot Drive. Block F is located in the same enclave as Blocks G & H, and it was always the intention to utilise the Block F apartments for the longer-stay guests such as professionals undertaking short to medium term locums or contracts in the region. It was for this reason that the external shower courts were excluded from the design and replaced with a private courtyard/storage area.

Storage requirements

I've been asked to specifically address the matter of storage requirements of Block F. With the above background in mind, it is clear that the R-Codes have differing storage requirements that must be addressed should the acceptable development provisions of the R-Codes not be adhered to.

Notwithstanding that the Block F apartments were originally designed for Short-Stay accommodation (class 3 accommodation), the private courtyard / storage area of 4.45m (approx.) will provide the required amount of storage area required and will be “fit for use” for the type of residential accommodation proposed for these particular apartments. The design of the Block F apartments and the development as a whole will clearly dictate the type of purchasers that will buy these apartments, with the likelihood that all owners will elect to put their apartment in the Pooled Management Letting Scheme. This will allow for the “best use” of these apartments from the point of view of return for the owners, and the apartments will provide all the required facilities and amenities for this kind of use, including secure storage.

I understand the Developer has consulted with the Building Surveyor, Sharon McLachlan, and the Senior Planning Officer, Jennifer Ninyette from SWEK, and also the builder of the project to investigate if subsequent weather proof storage could be installed by the purchasers of the apartments at a later date (with the Strata Title area of the apartment), and it was agreed by all parties that this could be done by either installation of a portable storage unit, or alternatively by the construction of something more permanent. It was also agreed that the current configuration of the private courtyard / storage area was more appropriate for the proposed type of residential use than the alternative of altering the storage configuration at this point.

With all the above considerations in mind, I am of the view that whichever of the storage solutions is implemented, it would satisfy the performance criteria (P3) of the 6.10.3 of the R-Codes. This is on the basis that it would be adequate for the types of residents that will be occupying these dwellings and, as a result, there would no adverse impact on amenity of this particular locality.

‘Seriously Entertained’ Planning proposal.

I understand that the delays caused to this project by the lack of flexibility in the construction of the Town Planning Scheme No.7 have been well ventilated by the Developer. Whilst it is encouraging that this situation is now being resolved with Amendment No.39, there is no reason why the Shire should not proceed with the processing of the change of use application as soon as possible.

I am sure you are familiar with the term ‘seriously entertained’ planning proposal. To quote directly from case precedent that I am familiar with, the State Administrative Tribunal (Tribunal) provided a clear answer to this question in *Nicholls v Western Australian Planning Commission [2005] WASAT 40* where it laid down a staged inquiry process that should be followed when considering the relevance of, and weight to be afforded to, a draft planning instrument.

Notwithstanding that the case of *Nicholls* involved a subdivision determined by the WAPC, there were two critical facts that the Tribunal relied on in determining that the draft amendment was certain and imminent that is applicable here. First, the Minister was supportive of the view

expressed by the WAPC that there was a need for comprehensive planning in the locality. Secondly, the relevant Council had recommended the removal of certain areas from the ambit of the draft amendment, yet the site the subject of the review application was not within those areas.

In the current scenario, the Minister has already been privy to the amendment and the changes required are immaterial to the change of use application being considered here.

It is my strongest recommendation that the Shire proceed, without hesitation, with the consideration of this application.

Conclusion

It should be noted that the developer has been liaising with the planning officers of SWEK for the past 18 months regarding the proposed change of use for the Block F apartments and all issues raised by the officers were addressed during the building of both Stage 1 & 2 of the project. This included the requirement for additional parking for the Block F apartments on the basis that these would be altered to Permanent Residential. This was promptly addressed with the redesign of the civil plans and the addition of three additional car parks.

The construction of Block F apartments is now basically complete and it is my professional opinion that the current private and secure courtyard/storage areas of the Block F apartments will be fit for purpose and do not require alteration prior to allowing the Change of Use from Short-Stay to Permanent Residential.

Finally, the imminent nature of Amendment No.39 to the Scheme would suggest that it is 'seriously entertained' and accordingly, this application should be approved as soon as practicable.

Please contact me should there be any matter in this submission that you wish to discuss.

Yours faithfully,



Joe Algeri
For HM Development Pty Ltd.

12.4.5 REVIEW OF DELEGATIONS REGISTER

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	N/a
AUTHOR:	Nick Kearns, Director Community Development
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	CM.07.1

PURPOSE

For Council to consider and adopt the revised Delegations Register.

BACKGROUND

The Local Government Act 1995 allows Council to delegate exercise of certain powers and discharge of duties under the Act to the Chief Executive Officer. These powers and duties may be sub-delegated by the Chief Executive Officer to other Council Officers.

The Local Government Act requires a review of delegations at least once each financial year.

Without delegated authority a large volume of matters would need the full and formal consideration of Council. This would have effect of delaying services to the community and detracting from the ability of Council to focus on more strategic issues.

A full review of the delegations register has been undertaken by Shire Officers and is provided at Attachment 1.

STATUTORY IMPLICATIONS

Local Government Act 1995

5.42 Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;

- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate,
 are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
“conditions” includes qualifications, limitations or exceptions.

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Community Consultation is not required in relation to this item.

STRATEGIC IMPLICATIONS

Nil

COMMENT

Most changes to the delegations register are minor. The most significant changes are in respect to the delegations for Town Planning and Environmental Health, and notably two have been deleted as they are unnecessary, being in respect to Strata Titles and Non-Statutory Delegations.

The list of changes to the delegated authority register is listed as follows:

Delegation descriptions	Changes
CD/GOV-6100 Enforcement and legal proceedings – appointment of authorised persons	Minor changes to wording to clarify obligations under the delegation – mostly in terms of its expression under the delegation
CD/GOV-6101 Tenders	Minor change to wording to add flexibility to application of the delegation and to reflect legislative requirements
CD/GOV – 6102 Disposal of property	Minor change of wording to provide inclusive clause so that any disposal of property is made in the budget
CD/GOV – 6103 Certain things to be done in respect of land	Deletion of unnecessary notification requirements and deletion of words which would otherwise restrict the scope of the delegation
CD/GOV-6104 Public thoroughfares	Inclusion of power to ‘order the closure’ of a public thoroughfare. Also clarifies application of power generally
CD/GOV-6105 Expenses of Councillors and staff	Added reference to Council Members to ensure consistency with the terms of the relevant legislation
CD/GOV-6106 Strata Titles	Deleted as Section 23 of the Strata Titles Act was deleted in 2001
CD/GOV-6107 Proceedings under Dog Act	Changed to reflect that this is an authorisation not a delegation. There are no delegated powers under the Dog Act
CD/GOV-6108 Right to inspect confidential information	Minor change to include reference to legislation
CD/GOV-6109 Town Planning	Substantial change to reflect that most delegation is within the Planning Scheme (no.7 – Kununurra) and omission to all references to Planning Scheme No.6 - Wyndham
CD/GOV-6110 Environmental Health	Substantial change to remove unnecessary delegations
CD/GOV Non Statutory Delegations	Deleted as the delegation is unnecessary

ATTACHMENTS

Attachment 1 - Updated list of delegations.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council adopts the updated Delegations Register - Part A - Council Delegations, to replace the Delegations Register previously adopted, at Attachment 1.

COUNCIL DECISION

Minute No. 9951

Moved: Cr Cr J Parker

Seconded: Cr D Ausburn

That Council adopts the updated Delegations Register - Part A - Council Delegations, to replace the Delegations Register previously adopted, at Attachment 1.

Carried Unanimously 6/0

Cr Ralph Addis enters the room 5:21pm.



DELEGATIONS REGISTER

PART A

Delegations to Chief Executive Officer by Council

Adopted [**add date**] 2012 (Minute [**add no.**])

Shire President

Date:

INTRODUCTION

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by the relevant legislation.

The Council of the Shire of Wyndham East Kimberley has resolved to adopt and delegate the functions referred to within this Delegations Manual to the Chief Executive Officer.

The Local Government Act 1995 section 5.46 (3) requires that 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.

For recording purposes the exercise of a delegated power or duty by the CEO is recorded in a Monthly Report to Council.

5.43 . Limits on delegations to CHIEF EXECUTIVE OFFICERS

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

Table of Contents

Delegations -Specific to Powers/Duties in the Local Government Act, 1995

#	DELEGATION DESCRIPTION	REVIEW
CD/GOV-6100	ENFORCEMENT & LEGAL PROCEEDINGS – APPOINTMENT OF AUTHORISED PERSONS	16 June 2009 (Minute 8705) 22 June 2010(Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6101	TENDERS	21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6102	DISPOSAL OF PROPERTY	21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6103	CERTAIN THINGS TO BE DONE IN RESPECT OF LAND	16 June 2009 (Minute 8705) 22 June 2010(Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6104	PUBLIC THOROUGHFARES	21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6105	EXPENSES OF COUNCILLORS & STAFF	21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6106	STRATA TITLES	16 June 2009 (Minute 8705) 22 June 2010(Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6107	PROCEEDINGS UNDER DOG ACT	16 June 2009 (Minute 8705) 22 June 2010(Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6108	RIGHT TO INSPECT CONFIDENTIAL INFORMATION	16 June 2009 (Minute 8705) 22 June 2010(Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6109	TOWN PLANNING	16 June 2009 (Minute 8705) 22 June 2010(Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6110	ENVIRONMENTAL HEALTH	16 June 2009 (Minute 8705) 17 November 2009 (Minute 8939) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6111	NON STATUATORY DELEGATIONS	16 June 2009 (Minute 8705) 22 June 2010(Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6112	WAIVING / GRANTING CONCESSION IN RELATION TO FEES AND CHARGES AND WRITE OFF OF AMOUNT OF MONEY OWED	21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)
CD/GOV-6113	PAYMENTS FROM THE MUNICIPAL FUND AND TRUST FUND	16 August 2011 (Minute 9559) 26 June 2012 (Minute 9799)

CD/GOV-6100	ENFORCEMENT & LEGAL PROCEEDINGS – APPOINTMENT OF AUTHORISED PERSONS
<p>The Chief Executive Officer is delegated authority –</p> <ol style="list-style-type: none"> to appoint, in writing, persons or classes of persons to be authorised for the purposes of performing particular functions being those referred to in section 9.10 of the Local Government Act 1995; and to issue a certificate to each person authorised stating that they are authorised. 	
LEGISLATIVE POWER	Local Government Act 1995 Section 9.10
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	16 June 2009 (Minute 8705) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)

CD/GOV-6101	TENDERS
<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> seek expressions of interest before entering the tender process; consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services; invite tenders before entering into a contract for goods and services with a value of \$100,000 or more, provided that appropriate provision is made, or is proposed to be made, in Council's Adopted Budget; determine in writing the criteria for accepting tenders; consider any tender that has not been rejected and decide which one to accept provided the tender amount does not exceed the amount determined by Council in accordance with section 5.43(b), and full provision is made in Council's Adopted Budget; decline to accept any tender; with the approval of the tenderer, make a minor variation in the goods or services required and enter into a contract with the successful tenderer; and select the next most appropriate tender if the successful tenderer does not want to accept the contract with the variation or an agreement cannot be reached with the successful tenderer; <p>The amount determined in accordance with section 5.43(b) is \$500,000.</p>	
LEGISLATIVE POWER	Local Government Act 1995 Sections 5.42/5.43(b), 3.57(1), Local Government (Functions and General) Regulations 1996 Regulations 11, 14(2a), 18(4)&(5), 20, 20(2), 21(1), 23(3)
COUNCIL POLICY	F19 – Purchasing and Tendering Policy

ADOPTED	21 June 2011 (Minute 9494)
REVIEWED	26 June 2012 (Minute 9799)

CD/GOV-6102	DISPOSAL OF PROPERTY
<p>The Chief Executive Officer is delegated authority to dispose by way of public auction, suitable public tender or private treaty:</p> <ol style="list-style-type: none"> any property (other than land) valued at an amount not exceeding \$100,000; and land valued at an amount not exceeding \$500,000, provided that appropriate provision is made in Council's Adopted Budget. 	
LEGISLATIVE POWER	Local Government Act 1995 Section 3.58 (2) & (3)
COUNCIL POLICY	N/A
ADOPTED	21 June 2011 (Minute 9494)
REVIEWED	26 June 2012 (Minute 9799)

CD/GOV-6103	CERTAIN THINGS TO BE DONE IN RESPECT OF LAND
<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> give an occupier notice requiring them to do something to the land if it is specified in Schedule 3.1; do anything considered necessary to achieve the purpose for which the notice was given in order to make a person comply with the notice; undertake works that are not carried out by the owner or occupier and recover the costs as a debt; go onto private land in circumstances prescribed in Schedule 3.2 and carry out works, even without the consent of the owner; authorise a person to enter land, premises or thing without consent, after notice has been given, unless the owner or occupier has objected to the entry; enter land in an emergency without notice or consent; and make an opening in a fence to do works on property subject to providing the owner or occupier with 3 days written notice. 	
LEGISLATIVE POWER	Local Government Act 1995 Sections 3.25 (1), 3.26(2)&(3), 3.27(1), 3.31(2), 3.34(1), 3.36(3)
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	16 June 2009 (Minute 8705) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)

CD/GOV-6104	PUBLIC THOROUGHFARES
<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> 1. close a thoroughfare wholly or partially, for a period not exceeding 4 weeks; 2. provide public notice of intentions and reasons for, and invite and consider submissions prior to ordering the closure of a thoroughfare, wholly or partially, to vehicles for a period exceeding 4 weeks' and 3. give notice of proposal and invite and consider submissions before – <ol style="list-style-type: none"> (a) fixing or altering the level of, or the realignment of, a public thoroughfare; or (b) draining water from a public thoroughfare or other public place onto adjoining land. <p>Any proposal to close a thoroughfare for any period exceeding 3 months must be referred to Council for determination.</p>	
LEGISLATIVE POWER	Local Government Act 1995 Sections 3.50(1), 3.50(1a), &(4), 3.51(3)
COUNCIL POLICY	N/A
ADOPTED	21 June 2011 (Minute 9494)
REVIEWED	26 June 2012 (Minute 9799)

CD/GOV-6105	EXPENSES OF COUNCILLORS & STAFF
<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> 1. approve expenses which are to be reimbursed to Council members, provided that the expenses are of the kind prescribed as those which the local government can approve for reimbursement (subject to section 5.98(3)); 2. approve reimbursement, either generally or in a particular case, to a Council member of an expense that may be approved by the Shire; 3. reimburse an employee for an expense that was incurred in relation to a matter affecting the Shire; and 4. make a cash advance to a person for an expense which can be reimbursed. 	
LEGISLATIVE POWER	Local Government Act 1995 Section 5.98(2)(b) & (4), 5.101(2), 5.102
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	16 June 2009 (Minute 8705) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)

CD/GOV-6107	PROCEEDINGS UNDER DOG ACT
<p>In accordance with section 44 of the Dog Act 1976, the Chief Executive Officer is authorised to institute and carry on proceedings under the Dog Act in the name of the Shire.</p> <p>This authorisation also enables the Chief Executive Officer to issue infringement notices under section 29 of the Dog Act.</p>	
LEGISLATIVE POWER	Dog Act 1976 Section44
COUNCIL POLICY	N/A
ADOPTED	17 July 2007
REVIEWED	16 June 2009 (Minute 8705) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)

CD/GOV-6108	RIGHT TO INSPECT INFORMATION	CONFIDENTIAL
The Chief Executive officer is delegated the authority to determine whether information prescribed as confidential may be made available for inspection under section 5.95(7) of the <i>Local Government Act 1995</i> .		
LEGISLATIVE POWER	Local Government Act 1995, section 5.42	
COUNCIL POLICY	N/A	
ADOPTED	17 July 2007	
REVIEWED	16 June 2009 (Minute 8705) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)	

CD/GOV-6109	TOWN PLANNING
The Chief Executive Officer is delegated the following powers and duties under Local Planning Scheme No. 7 (LPS 7):	
1. LAND USES	
1.1	approve all developments applications where the proposed use is a 'P' use including minor variation to Residential Design Codes where no objection is raised by adjoining landowners/occupiers;
1.2	approve all development applications where the proposed use is an 'IP' use;
1.3	approve the following development applications where the proposed use is an 'AA' use; <ul style="list-style-type: none"> i. Grouped Dwellings in Residential and Town Centre Zones; ii. Offices and Warehouses in Mixed Business Zones; iii. Agricultural uses in Rural Agriculture 1, Rural Agriculture 2 and Rural Living, Rural Residential, and Rural Small Holdings Zones; iv. building extensions to existing buildings; v. Industrial Uses in Composite Light and General Industry zones; vi. Home Occupation and Home Business in all zones; vii. variations to setbacks to property boundaries for residential dwellings in accordance with the provisions of the Residential Design Codes (Multiple and Grouped Dwellings); and
1.4	impose conditions on development approval.
2. ADVERTISING OF 'SA' USES	2.1 Initiate advertising for an application involving a proposed 'SA' use and refer the application and submissions to Council.
3. MISCELLANEOUS	
3.1	All matters which arise out of the imposition of conditions on development approvals;
3.2	determine the Shire's position with respect to any mediation process resulting from an appeal to the State Administrative Tribunal following consultation with the Shire President (or in the absence of the Shire President the Deputy President); and
3.3	issue and serve notices, and take any other enforcement action, against

<p>a person who is suspected to be in breach of LPS 7.</p> <p>Conditions and Exceptions</p> <ol style="list-style-type: none"> 1. A list of all development applications determined under delegated authority shall be incorporated in the Council's agenda and minutes; 2. every applicant who received notification of a conditional approval of a development application that was determined by delegation to the Chief Executive Officer and is aggrieved by the decision may within 28 days of the date of that decision request that the matter be reconsidered by Council; 3. all applications where the CEO recommendation is for refusal must be presented to Council for consideration; 4. Legal action in relation to breaches of planning conditions and/or breaches of LPS 7 can only be undertaken by the Chief Executive Officer in accordance with Council Policy. 	
LEGISLATIVE POWER	PLANNING AND DEVELOPMENT ACT 2005 SHIRE OF WYNDHAM-EAST KIMBERLEY TOWN PLANNING SCHEMES
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	16 June 2009 (Minute 8705) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)

CD/GOV-6110	ENVIRONMENTAL HEALTH
<p>In accordance with section 26 of the <i>Health Act 1911</i>, the Council appoints and authorises the Chief Executive Officer to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government.</p> <p>The Chief Executive Officer has delegated authority to exercise all of the functions conferred or imposed on the Shire, as an enforcement agency, under and subject to section 118(2) of the <i>Food Act 2008</i>.</p> <p>The Chief Executive Officer is authorised to administer:</p> <ul style="list-style-type: none"> • the <i>Food Act 2008</i> and associated regulations and local laws; • the <i>Litter Act 1979</i> and regulations; • the <i>Caravan Parks and Camping Grounds Act 1995</i> and the <i>Caravan and Camping Grounds Regulations 1997</i>; • the <i>Fly Eradication Regulations</i>; • the <i>Environmental Protection Act 1986</i>; • the 2003 Shire of Wyndham East Kimberley Local Laws; and • the 2004 Shire of Wyndham East Kimberley Health Local Laws. 	
LEGISLATIVE POWER	Health Act 1911, section 26 Food Act 2008 Litter Act 1979 Caravan and Camping Grounds Act 1995 Fly Eradication Regulations

	Environmental Protection Act 1986
COUNCIL POLICY	
ADOPTED	17 July 2007
REVIEWED	16 June 2009 (Minute 8705) 17 November 2009 (Minute 8939) 22 June 2010 (Minute 9202) 21 June 2011 (Minute 9494) 26 June 2012 (Minute 9799)

CD/GOV-6112	WAIVING / GRANTING CONCESSION IN RELATION TO FEES AND CHARGES AND WRITE OFF OF AMOUNT OF MONEY OWED.
<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> 1. waive or grant concessions in relation to adopted fees or charges; 2. determine what conditions apply to granting of a concession; and 3. write off amounts of money owed to the local government up to \$1,000 in value. <p>This delegation is subject to section 6.12(2) of the <i>Local Government Act 1995</i>.</p>	
LEGISLATIVE POWER	Local Government Act 1995 Sections 6.12(1)(b), 6.12(1)(c)
COUNCIL POLICY	
ADOPTED	21 June 2011 (Minute 9494)
REVIEWED	26 June 2012 (Minute 9799)

CD/GOV-6113	PAYMENTS FROM THE MUNICIPAL FUND AND TRUST FUND.
<p>The Chief Executive Officer is delegated authority to exercise the powers of Council under regulation 12 of the <i>Local Government (Financial Management) Regulations 1996</i> to make payments from the municipal fund and trust fund</p>	
LEGISLATIVE POWER	Local Government Act 1995 Local Government (Financial Management) Regulations, regulation 12
COUNCIL POLICY	
ADOPTED	16 August 2011 (Minute 9559)
REVIEWED	26 June 2012 (Minute 9799)

12.4.6 DEVELOPMENT ASSESSMENT PANELS

DATE:	11 December 2012
PROPONENT:	Department of Planning
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Nick Kearns, Director Community Development
REPORTING OFFICER:	Nick Kearns, Director Community Development
FILE NO:	LP.01.9

PURPOSE

For Council to update its membership for the Development Assessment Panel.

BACKGROUND

Council last updated nominees for the Development Assessment Panel at a Special Meeting on 15 November 2011. The nominees are:

Member 1 – Cr J Moulden
Member 2 – Cr A Horn
Alternative 1 – Cr J Parker
Alternative 2 – Cr K Torres

With the resignation of Cr Horn and Cr Torres this year, it is necessary to nominate a new Member and a new Alternative representative.

STATUTORY IMPLICATIONS

The formation of the Development Assessment Panels is enabled in Part 11A of the *Planning and Development Act 2005*, and administered under the *Planning and Development (Development Assessment Panels) Regulations 2011*. The Development Assessment Panel (DAP) must comprise of three specialist members and two local government members. In addition, the Department of Planning requires the nomination of two alternative local government members – in case the (principally) nominated representatives are unavailable.

The DAP only becomes operational to consider major projects valued in excess of \$7 million or, subject to the applicant nominating proposals in excess of \$3 million. There are exclusions for single dwellings and smaller medium density proposals (less than 10 dwellings).

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

It is recommended that Council nominate a new members and new alternate member for the Development Assessment Panel.

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Nominates Cr _____ as a member of the Development Assessment Panel.
- 2) Nominates Cr _____ as alternate member to the Development Assessment Panel.

COUNCIL DECISION

Minute No. 9952

Moved: Cr Cr J Parker

Seconded: Cr D Ausburn

- 1) Nominates Cr D Ausburn as a member of the Development Assessment Panel.**
- 2) Nominates Cr R Dessert as alternate member to the Development Assessment Panel.**

Carried Unanimously 7/0

12.4.7 INTEGRATED PLANNING FRAMEWORK - STRATEGIC COMMUNITY PLAN

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jacinta Thompson, Strategic Planner
REPORTING OFFICER:	Nick Kearns, Director Community Development
FILE NO:	LP.02.64

PURPOSE

To adopt the Strategic Community Plan 2012-2022 as a draft for public comment.

BACKGROUND

Amendments to the *Local Government (Administration) Regulations 1996* require all local governments to develop a Strategic Community Plan, a Corporate Business Plan and the informing strategies of a Long Term Financial Plan, Asset Management Plan and Workforce Plan. Together these plans, and others, form the Integrated Planning and Reporting (IP&R) Framework. Details of the IP&R Framework can be found on the Integrated Planning website at: www.integratedplanning.dlg.wa.gov.au.

At a meeting in November 2011, item 16.1, Council endorsed that the CEO have delegated authority to appoint a consultant to work with the Council and Shire to build capacity for community engagement and to develop a Strategic Community Plan. The successful consultant appointed was Twyfords in partnership with Michaels Warren Munday.

At a special meeting in May 2012, item 4.1.1, Council endorsed a Community Engagement Strategy to guide community input into the development of the Strategic Community Plan.

The Community Engagement Strategy incorporated training for SWEK staff on engaging with the community and shaped the conversations and feedback process used to harness the aspirations, goals and strategies presented in the draft Strategic Community Plan.

The process used to develop the draft Strategic Community Plan is summarised in the attached diagram (Attachment 1).

The draft Strategic Community Plan (Attachment 2 – under separate cover) is a document which states the community's vision, aspirations, values and goals for the next ten years and the strategies required to achieve them. This plan will drive the development of the Corporate Business Plan, resourcing and other planning processes for the next ten years. In line with statutory requirements the Plan will undergo a desktop review every two years, with a full review every four years.

STATUTORY IMPLICATIONS

Amendments to the *Local Government (Administration) Regulations 1996* require all local governments to develop a Strategic Community Plan in line with the Integrated Planning and Reporting Framework.

POLICY IMPLICATIONS

Council adopted a Community Engagement Policy in September 2011. The draft Strategic Community Plan meets the objectives of this policy. It is likely that more policies will be developed as a result of implementing the strategies from this plan.

FINANCIAL IMPLICATIONS

The process of developing the Strategic Community Plan was included into the 2012/13 budget. This plan informs the Corporate Business Plan which will require consideration in the development of then 2013/14 budget.

STRATEGIC IMPLICATIONS

The Strategic Community Plan will:

- guide the development of the Shire's corporate business plan to inform decisions made by Council over the next ten years
- complement, guide and inform the Council's other strategic planning systems and decision making such as Planning Schemes
- set a direction for the community for the next 10 years and help it to achieve its priorities and aspirations
- begin a process of continual improvement in engagement by the Shire that will make for more robust decision making.

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

- Advocacy and leadership focussed on improved outcomes and services
- Compliance with legislative requirements

COMMUNITY CONSULTATION

Extensive community consultation has already been undertaken in relation to this plan and in accordance with the Council adopted Community Engagement Strategy.

During development of the plan, there were many opportunities for community members to provide feedback through a number of consultative processes including:

- YourSaySwek web forum
- Facebook
- Community Survey
- Consultation stalls at community events
- Open houses and community workshops
- Face to Face meetings
- Deliberation forums

A separate document detailing the community consultation process and results will be developed as an appendices to the final plan.

COMMENT

A Strategic Community Plan is a requirement under the Local Government Act as part of the Integrated Planning and Reporting Framework. The Goals and Strategies from the Strategic Community Plan will be used to develop the actions to be contained within the Corporate Business Plan. The Integrated Planning and Reporting Framework is required to be complete to a basic level by 30 June 2013.

If endorsed, this draft will be circulated for further community input with the public comment period closing 1 February 2013. The draft plan will be advertised on the SWEK website, in the Kimberley Echo and on the SWEK facebook page.

ATTACHMENTS

Attachment 1 – Shire of Wyndham East Kimberley Strategic Community Plan 2012-2022

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopts the Draft Strategic Community Plan 2012-2022 be released for public comment until 1 February 2013.

COUNCIL DECISION

Minute No. 9953

Moved: Cr Cr D Ausburn

Seconded: Cr C Gore-Birch Gault

That Council adopts the Draft Strategic Community Plan 2012-2022 be released for public comment until 1 February 2013.

Carried Unanimously 7/0

SHIRE of WYNDHAM EAST KIMBERLEY

STRATEGIC COMMUNITY PLAN 2012 - 2022



CONTENTS

Have your say	3
Shire President's message	3
Introduction.....	4
Kununurra	5
Wyndham.....	5
Smaller Communities	5
The Planning Process	6
What is this plan about?.....	6
Why is this plan important?.....	6
What is the Integrated Planning and Reporting Framework?.....	6
Shire profile	7
Environment.....	7
Economics	7
Social.....	8
Social and lifestyle challenges.....	9
Cost of living:	9
Infrastructure:.....	9
Attraction and retention of key workers:.....	9
The gap between non-Indigenous and Indigenous residents:.....	9
Opportunities.....	10

Community Engagement.....	11
Community Aspirations	12
Initial information gathering.....	12
Key issues for agencies:.....	13
Prioritisation:	14
Deliberation:	14
Our Strategic Direction.....	15
Vision and Values	15
Monitoring and reviewing the plan.....	22
Contact us.....	23
Acknowledgements.....	23



SHIRE PRESIDENT'S MESSAGE

This Strategic Community Plan marks a significant change in the way that the Shire interacts with its residents.

For the first time, Council has used a number of different forums to seek feedback about what residents think the Shire should concentrate on over the next 10 years. Council has positively received the community's feedback and ideas and has incorporated the feedback into this Strategic Community Plan.

The plan presents a 10-year vision for the East Kimberley and reflects the priorities and aspirations of all who work, live and play in this wonderful part of the world.

The East Kimberley has a rich history and exceptional natural beauty, and people are attracted to it for the lifestyle and great employment opportunities. It is an exciting time to be living in the East Kimberley, with the expansion of the Ord irrigation scheme, new mining prospects and huge investment by both State and Federal government.

Despite all the positives, we have significant challenges. Our Aboriginal population continues to experience social and material disadvantage. The desire to bring about meaningful improvements to Aboriginal people's life prospects is a strong theme coming from all parts of the community.

Our community prides itself on looking out for each other, and expects its Council and the Shire staff to be attuned to its needs. The Council is committed to listening to its community and setting its priorities in conversation with the community. I am pleased to endorse this Strategic Community Plan.

John Moulden
Shire President



HAVE YOUR SAY

We want to hear from you. If you would like to have your say on the future direction of the Shire of Wyndham East Kimberley, you need to let us know your thoughts about this draft. To provide feedback on the Shire of Wyndham East Kimberley Strategic Community Plan 2012 – 2022, please submit your comments to:

Chief Executive Officer
PO Box 614
Kununurra WA 6743

Submissions can also be emailed to mail@swek.wa.gov.au or posted online via the Shire's website www.yoursayswek.wa.gov.au

The closing date for submissions is
1st February 2013.

INTRODUCTION

The Shire of Wyndham East Kimberley is located in the ruggedly picturesque and sparsely populated northeast corner of Western Australia (WA), stretching from the Northern Territory border to the northern most tip of WA. The Shire includes the towns of Kununurra and Wyndham, the township of Kalumburu, more than 40 Indigenous communities and a number of other small settlements and station homesteads.

The Shire covers 121 000 square kilometres and is one of the four local governments that make up the Kimberley region. It is an exciting time to live in the East Kimberley with rapid population growth due to the expansion of the Ord Irrigation area, new mining prospects, a thriving tourism industry and the associated infrastructure and employment opportunities. The East Kimberley has the benefits of a rich history mixed with dynamic growth and a vibrant community.

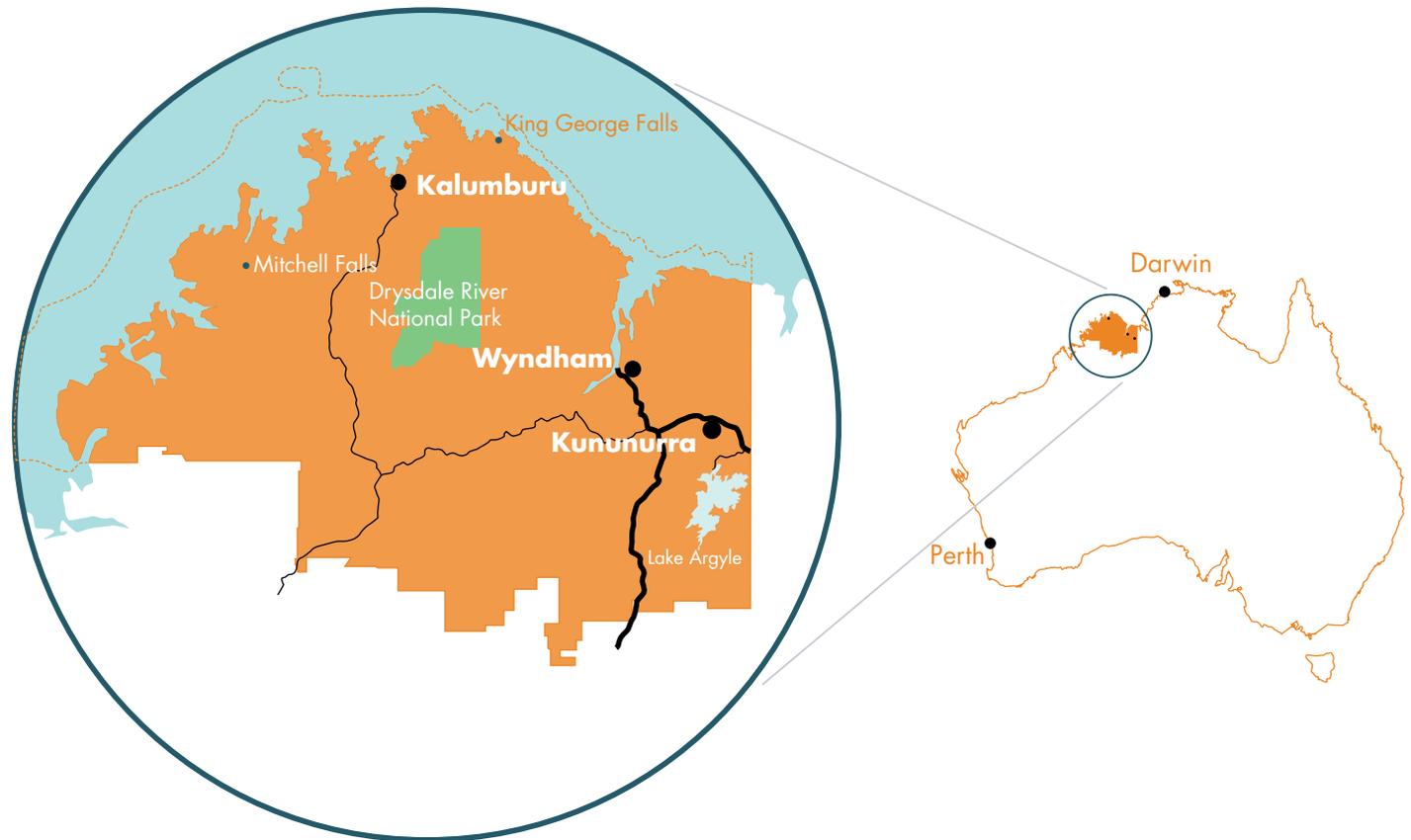


Figure 1: Profile map of the Shire of Wyndham East Kimberley

Kununurra

Kununurra was developed in the early 1960s to service the construction of the Ord Irrigation Scheme. The town has seen the transformation of ancient river plains into one of Australia's most diverse and productive agricultural areas. Harnessing the mighty Ord River opened up the area to horticulture, aquaculture, eco-tourism and agri-tourism. From its beginnings as a service town for workers, Kununurra has grown to a population of about 6 000 and is home to most of the Shire's residents.



Smaller Communities

The Shire includes a number of small Indigenous communities, such as Kalumburu and Doon Doon. During the wet season (October to May) many residents move to the larger towns to be closer to family members when flooding isolates their communities.



Wyndham

Wyndham is Western Australia's most northern town and the second largest town in the Shire. It is a small town with a population of just 800, but Wyndham was once a bustling town that grew with the discovery of gold at Halls Creek. The Wyndham Port was established at the base of the Bastion Range in the 1880s and today provides for the state ship service, the import of fuel, ammonium nitrate and general freight and the export of iron ore, nickel and live cattle. It is also a popular stop over for cruise ships.



The Planning Process

What is this plan about?

The Strategic Community Plan is a high-level plan that identifies the Shire's and the community's vision for its region for the next 10 years. It is a 'whole of community' plan that is not just about what local government can do for its constituents, but what can be achieved through working in partnership with a wide range of stakeholders and all levels of government.

Why is this plan important?

The purpose of this plan is to:

- set a direction for the community for the next 10 years and help it to achieve its priorities and aspirations
- begin a process of continual improvement in engagement by the Shire that will make for more robust decision making.
- guide the development of the Shire's corporate business plan to inform decisions made by Council over the next 10 years
- complement, guide and inform the Council's other strategic planning systems and decision making, such as Planning Schemes

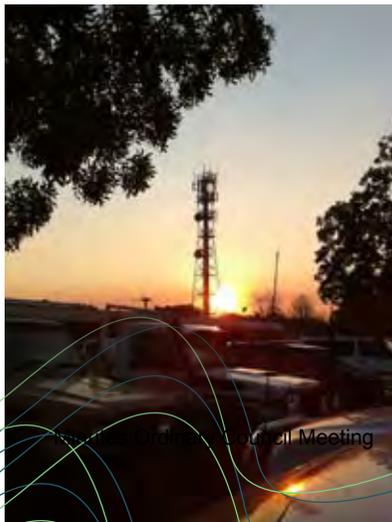


What is the Integrated Planning and Reporting Framework?

The Strategic Community Plan is the foundation document that determines the Shire's activities and direction over the next 10 years. It is supported by a long-term financial plan, an asset management plan and is the key driver for the Shire's Corporate Business Plan. These plans determine annual budgets and resources.

The Shire directly contributes to fulfilling the community's vision by providing services and infrastructure and facilities. It indirectly plays the role of facilitator or advocate. A range of other organisations and groups including the private sector, Aboriginal trusts and corporations, government and non-government organisations can work with the Shire to deliver other projects and programmes that help achieve the community's vision.

The Shire of Wyndham East Kimberley Plan for the Future 2008–2010 (extended to 30 June 2013) provides a good foundation for the Shire's future directions. Many of the goals and objectives in that plan were also identified as priorities through the community engagement process.



SHIRE PROFILE

Environment

The East Kimberley's natural environment is blessed with an abundance of water, rugged landscapes, unique Boab trees, glorious sunsets, distinct wet and dry seasons and bio diverse flora and fauna. There are vast expanses of open space, spectacular gorges and waterfalls. The climate is described as tropical monsoon. The weather is warm and crisp in the dry season (winter) and hot, humid and wet in the wet season (summer). Rainfall can be localised and averages 800 – 2 000 mm per year.



Economics

The damming of the Ord River created Lake Kununurra and Lake Argyle which provide a permanent water supply for 15 000 hectares of fertile farm land as part of the original Ord Irrigation Scheme. The more recent \$322 million, government funded Ord East Kimberley Expansion project has seen this area grow by another 15 000 hectares to a total of 30 000 hectares for irrigated agricultural land.

The resource sector plays a big part in the local economy, particularly the Argyle Diamond Mine, Kimberley Nickel Mine and more recently, the Rydges Iron Ore mine.

The Shire is geographically closer to Asia than the Western Australia capital, Perth. Its close proximity to the major northern port of Darwin makes it more economically viable to export Shire products to Asian markets through Darwin than within Western Australia. Recent growth in mineral and live cattle exports have also generated growth at Wyndham Port.

The Shire also attracts many tourists. In 2008, the tourism industry was valued at \$92 million, with multiplier effects valued at approximately \$145 million (KPP, 2009).

Social

The Shire's estimated population is 7 799 (Australian Bureau of Statistics (ABS), 2011) however it can grow to 10 000 people in the dry season. Indigenous people make up approximately 38 per cent of the population. (ABS, 2011).

The Indigenous population is relatively young which significantly contributes to the Shire's low median population age of 31 years (in contrast to Perth's 36 years). There is a large decrease in population aged 15–19 years as young people move away from town to go to high school, which is typical for regional and remote locations.

The Shire has a transient population with a big proportion of visitors and temporary residents. The demographic changes significantly between the wet and dry seasons. Short-term visitors and tourists boost population numbers during the dry season (May to October) whilst access to Indigenous communities is often difficult in the wet season (November to April) temporarily boosting the transient population in towns.



Figure 2: Age of Kimberley residents v Age of WA residents (ABS, 2011)



Social and lifestyle challenges

The Shire of Wyndham East Kimberley is booming. The \$322 million Ord East Kimberley Expansion project and major State and Federal investment of funds through the 'Royalties for Regions' and 'Closing the Gap' projects, has grown infrastructure and services over the last five years. The growth is likely to continue with the imminent release of more irrigated agricultural land and mining projects on the horizon. However, this investment also brings with it some risks and challenges:

Cost of living:

Living costs have increased substantially since 2001 with the median price of rent increasing by 166 per cent since 2001 and the median monthly mortgage repayment rising by 237 per cent (ABS, 2011). Freight costs have also increased, making it harder for residents to make ends meet.

Infrastructure:

Many of Kununurra's roads and drains have reached the end of their practical life and will require expensive reconstruction. They were not built well when the town was first developed. This will consume much of the Shire's allocated budget for infrastructure. The community identified infrastructure issues as some of their highest priorities through the consultation process.



Attraction and retention of key workers:

Attracting and retaining key workers is a big challenge for all employers in the East Kimberley. Some of the issues that affect staff retention are the high cost of living, remote location and, for families, limited schooling options. Statistics show the population has a disproportionately low number of teenagers between 15 – 19 years, which indicates that many families leave town when their children reach high school age. This means that there is diminished demand for facilities and services for this age group, so those that do stay in town find there are limited entertainment options. The same can be said for retirees. Statistically, there are very few 'over 50s' in the region, because they are choosing to retire elsewhere.

The gap between non-Indigenous and Indigenous residents

Many Indigenous residents continue to experience social disadvantage, particularly in health, education and employment outcomes. The Federal and State governments, along with some philanthropic organisations, operate programmes in the Shire. Feedback from residents emphasised their desire to 'close the gap' between Indigenous and non-Indigenous life experience.

Opportunities

The community engagement process has highlighted opportunities for the Shire to respond to the community's key issues, including:

- greater opportunity to work in partnership with different levels of government – to facilitate discussion and to avoid duplication
- to promote racial harmony and address key social issues
- to enhance and build upon what residents feel are the East Kimberley's most attractive attributes
- build vibrancy and connectedness in our main town centres
- to ensure that new facilities are able to serve multiple purposes and are budgeted in consideration of expenses for their whole of life cost



- to improve educational opportunities that will have long-term benefits for the region including the availability of locally trained employees
- to seek opportunities for grants by working collaboratively with other agencies and organisations
- the potential to extend the runway at the East Kimberley Regional Airport in order to increase competition and therefore reduce airfares.



COMMUNITY ENGAGEMENT

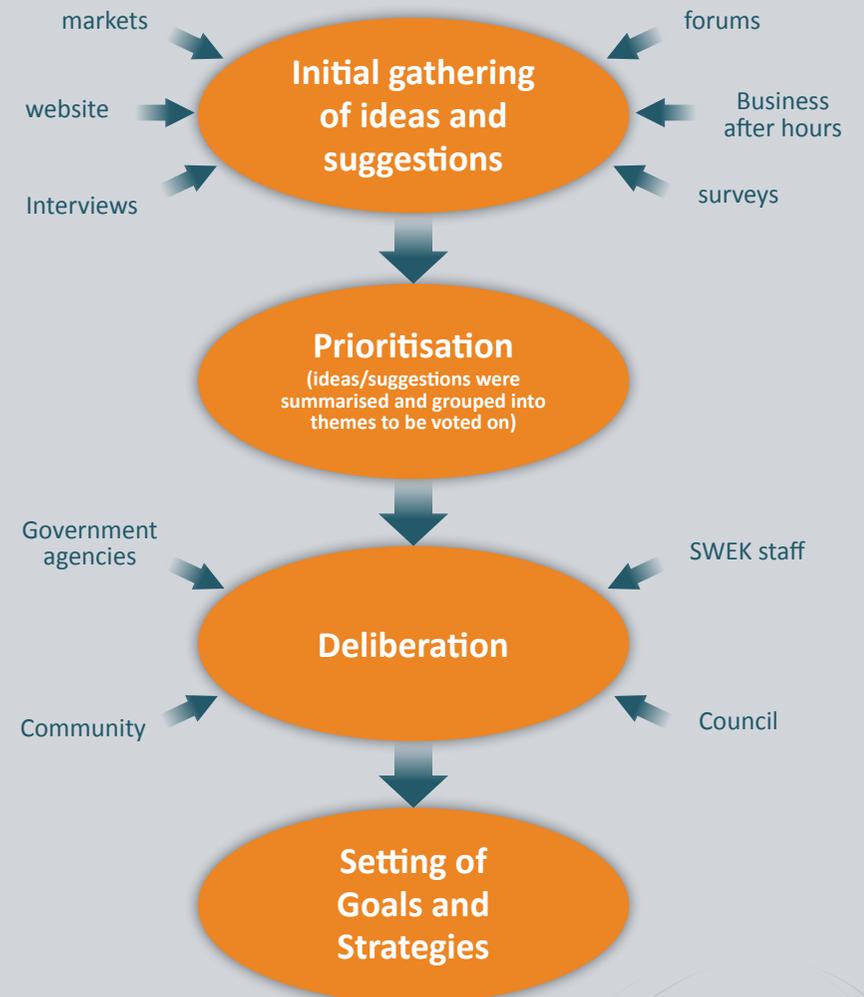
In May 2012, Council adopted a Community Engagement Strategy. As part of the strategy, Shire staff were trained on best practice techniques to engage with the community to gather their views about what should be included in the Plan. There were many opportunities for community members to provide feedback through:

- yoursayswek web forum
- Facebook
- community survey
- consultation stalls at community events
- Open houses and community workshops
- face to face meetings
- deliberative forums

More information about the methodology used in the SWEK Community Engagement process is in a separate document titled *SWEK 10 Year Plan Community Engagement Strategy*. The diagram here shows a summary of the process:



Figure 3: Community Engagement Process



COMMUNITY ASPIRATIONS

Initial information gathering.

The consultation process started with collecting ideas and suggestions from the community in a variety of different ways. We gathered information at Business After Hours, through printed and online surveys, community forums held in Wyndham and Kununurra, and information stands at Wyndham Supermarket, Kununurra markets, community libraries and at events such as Five Rivers Picnic day and the 'Pindan kids love books' book launch.

Some of the comments received during the initial information gathering process are listed here:



What we love ... We love the East Kimberley's natural landscape and beauty. We value opportunities to camp, fish and enjoy its open spaces and rivers. We enjoy the relaxed lifestyle and the strong sense of community, perhaps because the towns and communities are small.

"The weather is so beautiful at the moment it makes me want to get out and enjoy the amazing environment we are blessed with here in the Kimberley. I would love to see more walking trails along the Kununurra Foreshore and footpaths that link the town and Lakeside to the water so that I can walk along the lagoon and lake."

What we would like to change ... we would like affordable housing options and less litter around town. Cheaper flights and moving to the NT time zones would make our lives easier. We would like to see more rural and waterfront land release. We need to make our streets safer and encourage greater integration between different community members. We would also like to experience less racism in our community.

"I would like to see a better quality of education for children, safe houses for kids to go to and better quality services. We also need to retain good, dedicated, qualified staff in order to move forward in many areas of this community"

We would like to see more ... recycling, well linked bike and footpaths and walking trails and better maintained roads.



Key issues for agencies:

The Shire also asked other government agencies and organisations to fill out surveys about issues that they are facing, projects that they are working on and opportunities to collaborate on activities and challenges.

Feedback suggests that agencies, business and the Shire share common challenges, mostly due to the region's remoteness and the high cost of living. They also identified opportunities to share information more frequently and in a structured way, and to work more closely on projects for the community's benefit.



Challenges identified by agencies included:

- staff recruitment and retention
- cost of housing and land availability
- seasonality, particularly where it impacts on access and mobility throughout the region
- cost of developing commercially viable residential and light industrial land
- reducing duplication of effort
- working together collaboratively.

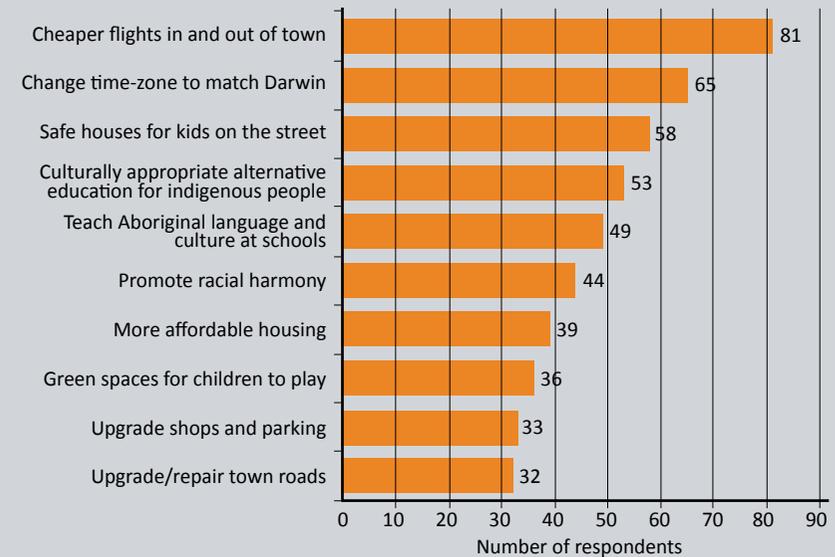
Prioritisation:

Key themes emerged during the consultation process, so the Shire collated the feedback under those themes. They were:

- look and feel of towns
- shire facilities and services
- environment and lifestyle
- our economic future
- our educational future
- other.

The Shire asked the community to prioritise the ideas within each theme by voting at the Wyndham supermarket, Kununurra markets, Kununurra Community Library and Wyndham Youth Services and online through the 'YourSaySwek' website. The top 10 priorities identified by the community are shown in the following graph.

Figure 4: Top 10 priorities for East Kimberley residents identified through prioritisation phase.



Deliberation:

The Shire held two deliberative forums following the prioritisation phase. The first brought government agency representatives together and the second was a community forum that included representatives from sporting clubs, schools and community service providers. Attendees prioritised actions for the Shire to either lead, to work in partnership with another agency, or to advocate.

Outcomes from the deliberative forums are recorded in the *SWEK 10 Year Plan Community Engagement Strategy*.



OUR STRATEGIC DIRECTION

The early stages of consultation generated many ideas and suggestions from the community. The Shire Councillors held a workshop to consider all feedback before this plan was developed.

Vision and Values

Vision: For the East Kimberley to be a thriving community with opportunities for all.

Mission: To enable the East Kimberley to develop in a manner that will achieve social, cultural, economic and environmental benefits for all.

The following objectives, goals and strategies have been set by the Shire and will set the basis for the Corporate Business Plan and Long Term Financial Plans for the next 10 years.

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

It was clear throughout the community engagement process that the citizens of the East Kimberley want improved two way communications with the Shire, where community have the opportunity to be actively involved in Council planning and decision making.

Opportunities to work more strategically and efficiently between organisations, community groups and government departments at a local and regional level will increase the financial viability of shared services, projects and programs as well as promote cross cultural and community harmony.

The East Kimberley has significant strategic importance at a regional, state and national level. Therefore the community expects the Shire to champion its interests at and across these broader levels to enable progress and growth whilst also ensuring the local lifestyle and community benefits are protected.

The Shire is committed to being a transparent, accountable and financially viable organisation that delivers improved services to its community thereby ensuring a long term sustainable future.

The community said:

- Promote the interests of the community in other decision making organisations e.g. State and Federal government departments
- Keep the community informed about upcoming projects and activities
- Develop relationships and consultation processes with Aboriginal groups at a regional level
- Form a multi-agency forum to oversee land release and zoning
- The Shire to have a greater involvement and say in government activities and programs that affect residents
- We need better communication between Council and the community.



Objective		Strategies
1.1	Strong community engagement	1.1.1 Develop and implement a community engagement and communication strategy to ensure clear communication between the Council and the community
		1.1.2 Investigate and implement options to encourage and integrate community input in Council planning, policies and decisions making
		1.1.3 Improve planning processes to ensure broader engagement and identification of relevant issues from all parties
		1.1.4 Communicate impacts of changed and/or new legislation
1.2	Alignment of regional and local priorities with other agencies and community groups	1.2.1 Work collaboratively with agencies for forward planning and to expand opportunities and reduce wastage and duplication
		1.2.2 Work in partnership with other organisations to develop strategies for retaining skilled workers in the area
		1.2.3 Work collaboratively with the other Kimberley Shires to create and manage regionally beneficial projects
		1.2.4 Consolidate external funding to maximise returns and better match service provision, particularly in the area of youth and leisure and recreation
		1.2.5 Promote the colocation of community facilities and sharing of resources among community groups
1.3	Advocacy of East Kimberley issues and opportunities at regional, state and national levels	1.3.1 Actively provide input to decision making at the Regional, State and Federal levels on behalf of the community
		1.3.2 Ensure effective communication between the Shire and State and Federal Government ministers in regard to key issues
1.4	Business innovation, efficiency and improved service	1.4.1 Ensure the corporate business plan reflects strategic priorities for forward planning and service delivery
		1.4.2 Ensure legislative compliance and follow best practice principles in planning and service delivery
		1.4.3 Assess opportunities and projects within a risk management framework
		1.4.4 Ensure the organisational structure accurately reflects the diversity and needs of the community
		1.4.5 Promote and facilitate mutually beneficial, cost effective, shared service arrangements
		1.4.6 Improve the efficiency and productivity of Shire services
		1.4.7 Maintain Council's long term financial viability
		1.4.8 Deliver cost effective and efficient internal services including customer services, human resources, information technology and records management
		1.4.9 Attract and maintain a skilled, motivated and professional workforce



Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

The East Kimberley is fortunate to have many thriving economic drivers including mining, agriculture, industry and tourism. The protection, promotion and expansion of these diverse economies foster economic resilience and therefore long term sustainability. The community would like to see greater local returns for the increased investment in these economies.

The Shire of Wyndham East Kimberley recognises that it is important to be able to maintain infrastructure and services to its residents and therefore, rather than focusing on new assets that can be built or developed, the focus needs to shift to repairing and renewing existing infrastructure.

Reducing the cost of living, improving services, particularly in the area of health, and increasing educational opportunities in the region, were all considered high priorities by the community throughout the engagement process.

The community said:

- Give us cheaper flights in and out of Kununurra
- We need more affordable and appropriate housing
- We want better transport options
- We want better education options

Objective		Strategies	
2.1	A highly valuable East Kimberley economy that maximises social benefits	2.1.1	Review facilities for youth and sporting/community uses
		2.1.2	Promote the transformation of uses within the Mixed Business area
		2.1.3	Encourage a mix of businesses that meet community needs
		2.1.4	Promote and support major events that benefit locals and attract visitors to the area



Objective		Strategies	
2.2	Maintenance of economic diversity and greater community returns from investment in the region	2.2.1	Promote the expansion of irrigation land
		2.2.2	Support agricultural opportunities
		2.2.3	Advocate for improved availability of adequate water resources, for irrigation and urban expansion projects
		2.2.4	Work with the Ord East Kimberley Expansion Project to encourage tourism associated with the expansion of the agricultural area
		2.2.5	Improve facilities for visitors and tourist activities
		2.2.6	Advocate for improved telecommunications and internet services
		2.2.7	Support local initiatives that promote entrepreneurial activities and a greater diversity of industries in the East Kimberley
		2.2.8	Advocate for a range of affordable housing options and styles that cater to a broad market including key worker housing.
		2.2.9	Support and advocate for further development of the East Kimberley regional airport to attract more aircraft and greater competition
		2.2.10	Lobby for improvements to transport infrastructure, particularly for heavy haulage and shipping
		2.2.11	Provide growth management plans that identify and guide decision making for potential population growth scenarios
2.3	Facilities are appropriate for their intended purpose and factor in whole of life costing and maintenance	2.3.1	Maintain physical infrastructure in a strategic and cost effective way
		2.3.2	Prioritise infrastructure upgrades according to usage
		2.3.3	Design and budget for robustness in construction, having regard to vandalism and ongoing serviceability

Objective		Strategies	
2.4	High standard of health and community facilities and services available to all residents	2.4.1	Advocate for improvements to the range of inpatient and outpatient services available from the area's hospitals
		2.4.2	Advocate for improved health and community services that are appropriate to the needs of indigenous populations
		2.4.3	Support initiatives that promote the integration of early childhood and family support services
		2.4.4	Consider cultural values in all planning and design phases
2.5	East Kimberley residents have access to a broad range of educational opportunities	2.5.1	Support initiatives aimed at enhancing the range of educational programs offered at Years 11 and 12
		2.5.2	Advocate for the introduction of culturally appropriate alternative education for Indigenous people
		2.5.3	Provide support for the establishment of a new non-government high school in Kununurra
		2.5.4	Advocate for the establishment of more school based apprenticeships
		2.5.5	Encourage activities that promote adult educational opportunities including family support and life skills programs
		2.5.6	Promote the awareness of parental involvement in children's education and advocate for more early years educators in the East Kimberley



Goal 3: Protection and Enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

The spectacular natural environment and relaxed lifestyle of the East Kimberley are the main reasons that people love living in this part of the world. It is important that a balance is maintained so that the region is able to grow and thrive without compromising these lifestyle benefits.

The citizens of the East Kimberley are a socially responsible community but the urban environment within towns requires some improvement for the community to feel safe and enjoy clean streets and a vibrant community spirit.

The community said:

- Protect our lifestyle values
- Make towns safer and more inviting
- Promote racial harmony
- Beautify towns
- Give us more access to the foreshore

Objective		Strategies
3.1	A broad range of lifestyle opportunities and activities are available for East Kimberley residents	3.1.1 Support activities that promote volunteerism and active participation in community events and programs
		3.1.2 Promote a greater range of cultural and art activities
		3.1.3 Support the community by providing access to local funding and sponsorship opportunities
		3.1.4 Facilitate activities that link communities
3.2	Waste management and protection of environmental values	3.2.1 Provide an integrated approach to waste management that includes waste minimisation strategies
		3.2.2 Ensure energy efficiency and low carbon options are used to reduce the Shire's energy costs and carbon footprint.
		3.2.3 Adopt a partnership approach to improve prevention of and response to bush fires



Objective		Strategies	
3.3	Towns are safe and inviting for locals and tourists	3.3.1	Improve streetscapes in town and urban centres
		3.3.2	Promote greater vibrancy and activity within town centres, particularly through a mix of restaurants and accommodation
		3.3.3	Ensure adequate street lighting
		3.3.4	Encourage initiatives to introduce public art to streetscapes
		3.3.5	Ensure a well-connected and maintained network of shared paths that connect residential areas to the town centres and foreshores
		3.3.6	Provide for adequate public parking areas that meet demand, including for long vehicles
		3.3.7	Collaborate with Police and other agencies to review and make recommendations with regard to improved safety and reduced vandalism in towns
		3.3.8	Incorporate 'designing out crime' principles into all streetscape projects, including for improved landscaping
		3.3.9	Develop design guidelines for main commercial areas and the development of new buildings that reflect the character of the region
		3.3.10	Ensure roads and lanes are well constructed and maintained
3.4	Protection and enhancement of community facilities	3.4.1	Rationalise the provision of toilets in towns and remote locations
		3.4.2	Maintain and upgrade public parks to ensure they meet community need and are accessible to people of all ages and abilities
		3.4.3	Actively participate in the review and implementation of municipal services to remote and Aboriginal communities
		3.4.4	Provide and support a more effective range of youth and recreational services and facilities including planning for a new leisure and aquatic facility in Kununurra
3.5	An active outdoor lifestyle is encouraged and promoted	3.5.1	Promote greater diversity of and access to structured and unstructured recreation activities
		3.5.2	Promote an increase in the number of outdoor (public) events, particularly for youth and which promote cultural diversity
		3.5.3	Encourage cooperation between sporting groups and assist them in preparing long-term plans to improve sustainability
		3.5.4	Increased access to the lake, gulf and rivers, including boat ramps, according to demand usage and safety considerations



Monitoring and reviewing the plan

The Shire can amend the Strategic Community Plan when and if circumstances change. It must remain relevant to the community that it serves.

The Integrated Planning and Reporting Framework prescribes that, as a minimum, the Shire and community conduct a desk-top review of the Strategic Community Plan every two years. However, ongoing input and contributions from the community are encouraged and can be provided via the Shire of Wyndham East Kimberley website www.swek.wa.gov.au or in person at the Shire office.

A full review and renewed long term visioning process will be conducted every four years. This will ensure that community priorities and aspirations are kept up-to-date and remain relevant.

The www.yoursayswek.wa.gov.au website will enable people to continue to make suggestions and improvements throughout the life of the plan and these comments will be collated and used in the desktop reviews every two years. Any letters or emails from the community with concerns or suggestions about any aspect of the plan will also be collated to help inform future directions for the Shire.



CONTACT US

SHIRE of WYNDHAM | EAST KIMBERLEY

115 Coolibah Drive

PO Box 614 Kununurra WA 6743

T: (08) 9168 4100

F: (08) 9168 1798

yoursay@swek.wa.gov.au

www.swek.wa.gov.au



ACKNOWLEDGEMENTS

We thank the community members and representative groups and organisations who have helped develop this Plan.

We would also like to acknowledge the energy and input of Shire staff and Councillors who organised community engagement activities and collected feedback.



**12.4.8 DEVELOPMENT APPLICATION – OFFICE AND KITCHEN – LOT
508 MILLINGTON DRIVE, KUNUNURRA**

DATE:	11 December 2012
PROPONENT:	Paul and Julie Milner
LOCATION:	Lot 508 Millington Drive, Kununurra
AUTHOR:	Elle Davidson, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Community Development
ASSESSMENT NO:	A7563P

PURPOSE

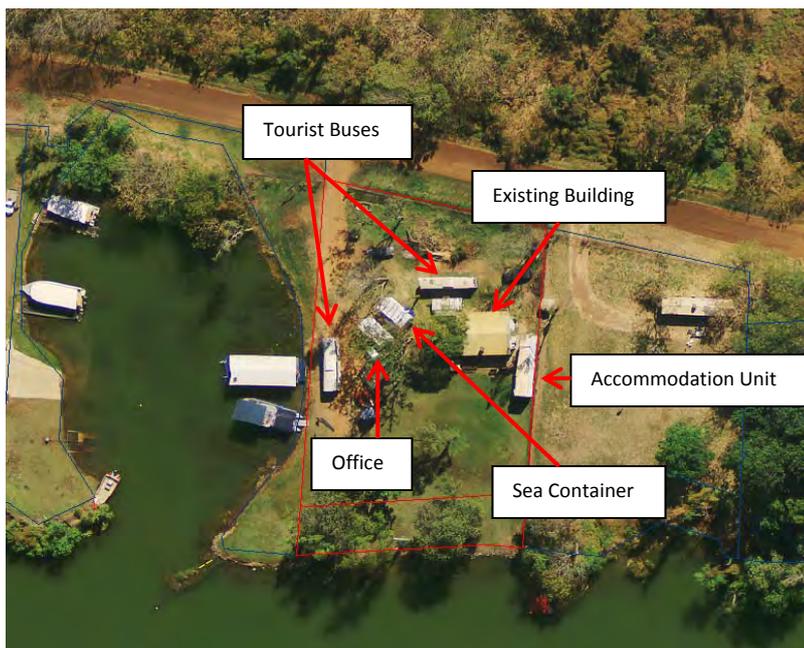
For Council to consider a development application for an office and change of use for a commercial kitchen of the BBQ Boat lease premises at Lot 508 Millington Drive, Kununurra.

BACKGROUND

A retrospective application for planning consent was lodged on 1 June 2012 by Paul Milner for the development of an office, approval of a verandah extension to the existing building and to change the existing building to a commercial kitchen facility at Lot 508 Millington Drive, Kununurra (please refer to Attachment 1 for proposed plans).

Lot 508 Millington Drive is located approximately 4.5 kilometres west of Kununurra town centre and has an area of 2,785 square metres. The land is zoned *Scheme reserve – Special Foreshore and Parks and Recreation* under *Town Planning Scheme No. 7 – Kununurra* (TPS 7).

The site consists of a small metal clad building and toilet and shower block that was developed on the lot prior to leasing of the property and used as storage for the Sailing Club. Since obtaining the lease for the property, an office building has been constructed on site and therefore a retrospective application is required. A shipping container is currently being used on the site for storage purposes and was due to be removed by 30 November 2012.



Location Plan

Note that a number of additional structures are featured in the above aerial photograph, which include two tour buses and the sea container that is to be removed off the site.

Proposal

The applicant seeks approval for an office building that has been constructed on the site without a planning consent, which has a total floor area of 18m².

As part of the application, it is proposed to change the use of the existing storage building into a commercial kitchen to supplement the BBQ Boat business. Furthermore, the applicant wishes to approve an extension to the verandah area totalling 49.5m².

STATUTORY IMPLICATIONS

Town Planning Scheme No.7 – Kununurra

The land is *Scheme Reserve* under the *Town Planning Scheme No. 7 – Kununurra* (TPS 7). The development of reserve land is to be in accordance with the purpose of this reserve, which is for Tourist Facility under the *Land Administration Act 1997*.

Within the lease document, the purpose of the Lessee's business is to be for "those activities and operations that are necessary for the conduct of a tourism business and recreation enterprise".

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 proposed development of an office building on Lot 508 Millington Drive, Kununurra is consistent with the Lease agreement as it is necessary for the conduct of a tourism business. A commercial kitchen is also deemed a necessary activity to support the tourism business that operates from this site.

It is recommended that Council grants planning consent for an Office Building and change of use for a commercial kitchen on Lot 508 Millington Drive, Kununurra subject to the following conditions relating to:

1. Location and design of access points (crossovers) from the Millington Drive access road.

2. Submission of an action plan for management and protection of the licenced foreshore area.
3. Landscaping and treatments to the site to ensure the development presents well to the road and the river, as well as providing reasonable amenity for the development.
4. Compliance and registration in line with the requirements of the *Food Act 2008*, *Food Regulations 2009* and the *Australian Food Standards Code*.
5. Connection to a potable water supply.
6. Toilets being provided for staff and or clients in accordance with the requirements of the *National Construction Code*.
7. Requirement of On-site effluent disposal.

ATTACHMENTS

Attachment 1 – Proposed Plans

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for an office building and change of use for a commercial kitchen at Lot 508 Millington Drive, Kununurra, subject to the following conditions:

- 1) Development shall be in accordance with the attached approved plan(s) 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) 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
- 6) The food preparation area to comply with the requirements of the *Food Act 2008*, *Food Regulations 2009* and the *Australian Food Standards Code*.
- 7) The operator is to apply to the Shire for Registration as Food Business and is not to commence operations as a Food Business until the application has been approved and the required fees paid.
- 8) The premise is to be connected to a potable water supply.
- 9) Toilets are to be provided for staff in accordance with the requirements of the *National Construction Code*.
- 10) If food is to be served to patrons on the premise, toilets for the use of patrons are also to be provided in accordance with the requirements of *the National Construction Code*.
- 11) The premise is to be connected to a septic tank and leach drain system in accordance with the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*, and AS/NZS 3500 that is of sufficient size to treat all waste water produced by the premise.
- 12) No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater runoff from 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 Shire's Infrastructure Department and submitted with the building application.

COUNCIL DECISION

Minute No. 9954

Moved: Cr Cr C Gore-Birch Gault

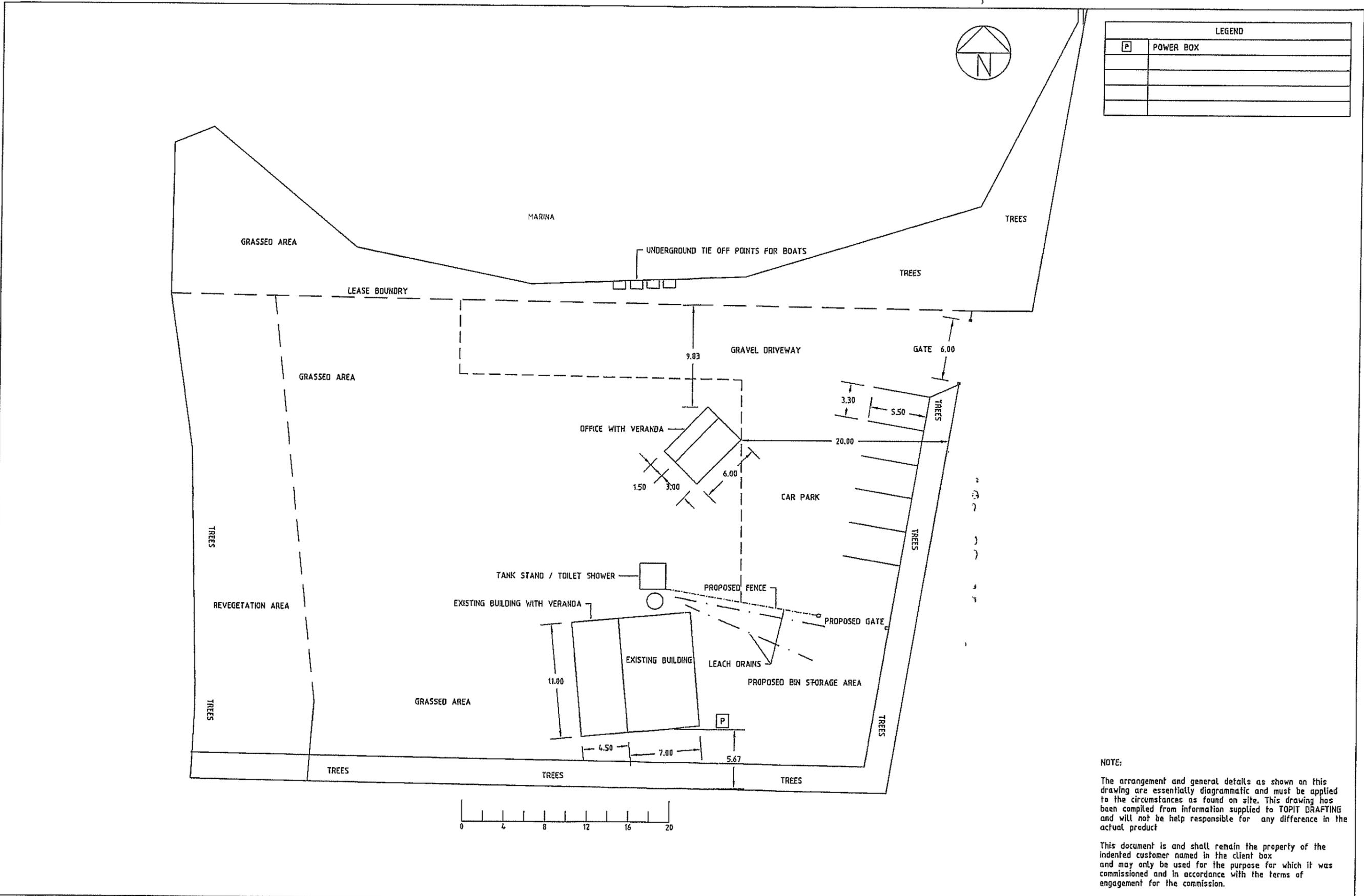
Seconded: Cr J Parker

- 1) Development shall be in accordance with the attached approved plan(s) 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) 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
- 6) The food preparation area to comply with the requirements of the *Food Act 2008*, *Food Regulations 2009* and the *Australian Food Standards Code*.
- 7) The operator is to apply to the Shire for Registration as Food Business and is not to commence operations as a Food Business until the application has been approved and the required fees paid.
- 8) The premise is to be connected to a potable water supply.
- 9) Toilets are to be provided for staff in accordance with the requirements of the *National Construction Code*.
- 10) If food is to be served to patrons on the premise, toilets for the use of patrons are also to be provided in accordance with the requirements of *the National Construction Code*.

11) The premise is to be connected to a septic tank and leach drain system in accordance with the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*, and AS/NZS 3500 that is of sufficient size to treat all waste water produced by the premise.

12) No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater runoff from 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 Shire's Infrastructure Department and submitted with the building application.

Carried Unanimously 7/0



LEGEND	
[P]	POWER BOX

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 intended 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.

G:\Drawings\AutoCAD - Brent\Kimberley Cruise B9Q Boat\Kimberley Cruise 21-05-2012.dwg, 1 OF 1, 1/06/2012 10:14:17 AM

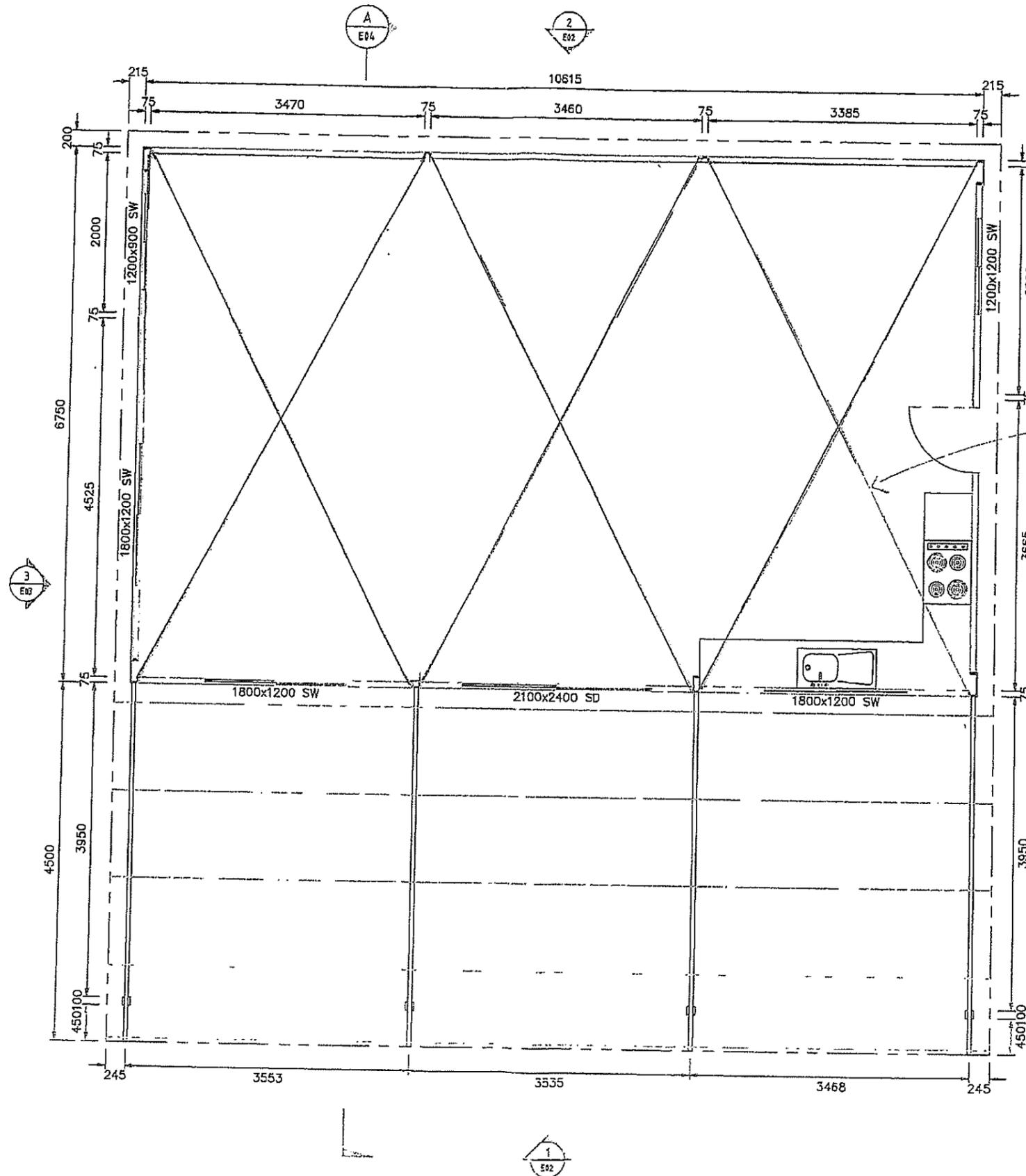
B	01/06/2012	BH	ISSUED FOR INFORMATION
A	22/05/2012	BH	ISSUED FOR INFORMATION
REV	ISSUED	DWN	REVISION DESCRIPTION

Brent Henshaw
 0425 646 277
 brethenshaw@live.com

TOPIT
Drafting
 MECHANICAL / AS CONSTRUCTED / IRRIGATION / LANDSCAPE

DRAWING No		kimberleycruisers	
SHEET	1	OF	1

CLIENT	KUNUNURRA CRUISES
PROJECT	LOT 508



CEILING BRACING (CBI)
REFER TO SPEC FOR DETAILS
(TYPICAL)

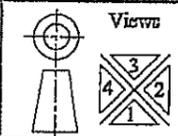
THESE DRAWINGS ARE TO BE READ
IN CONJUNCTION WITH STRUCTERRE
SPECIFICATION N°: 42113A3
IF THIS SPECIFICATION IS NOT
AVAILABLE, PLEASE REFER BACK
TO THE STRUCTERRE DESIGN
OFFICE PRIOR TO PROCEEDING

STRUCTERRE
consulting group
1 ERINDALE RD, BALCATT
PH: (08) 9205 4500 FAX: (08) 9205 4501
STRUCTERRE PROJECT# 42113

ABN 93 499 156 489
PO Box 2121
Kununurra W.A. 6743
PH: 08 91691900
FR: 08 91691950
Email: kinsteel@westnet.com.au

Client
Paul Milner

Project - Description
**Proposed Conversion
Floor Plan
New Marina Kununurra**

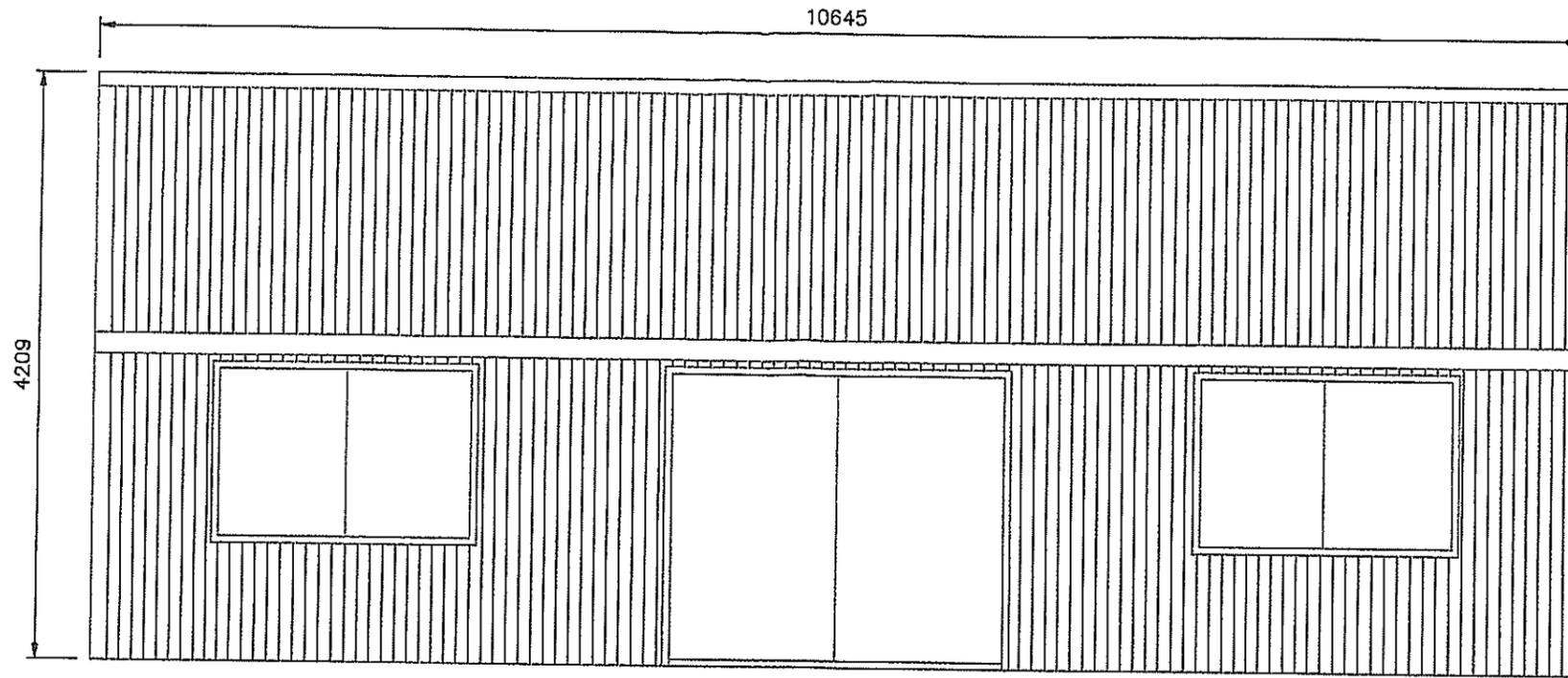


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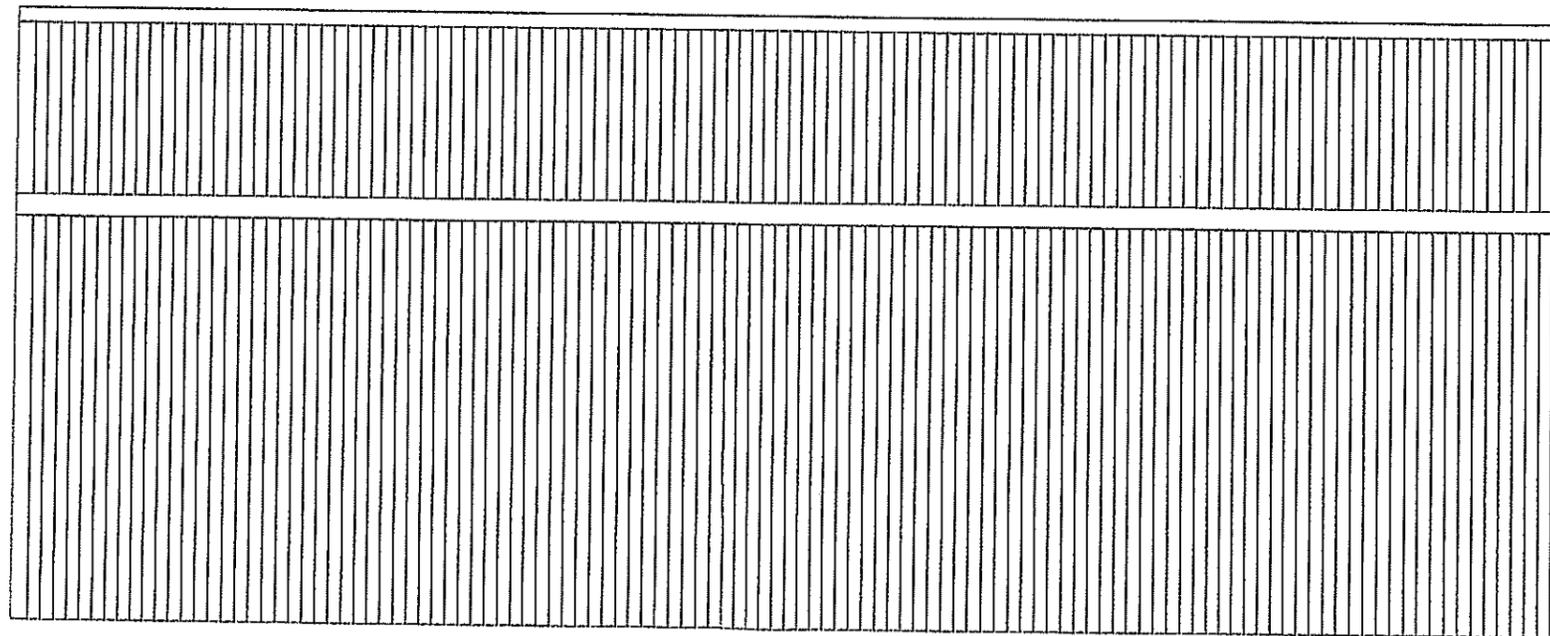
Date - July 2009
Scale NTS
Sheet No of

Drawing number
09/0006/E01

Rev
0



ELEVATION 1
E01

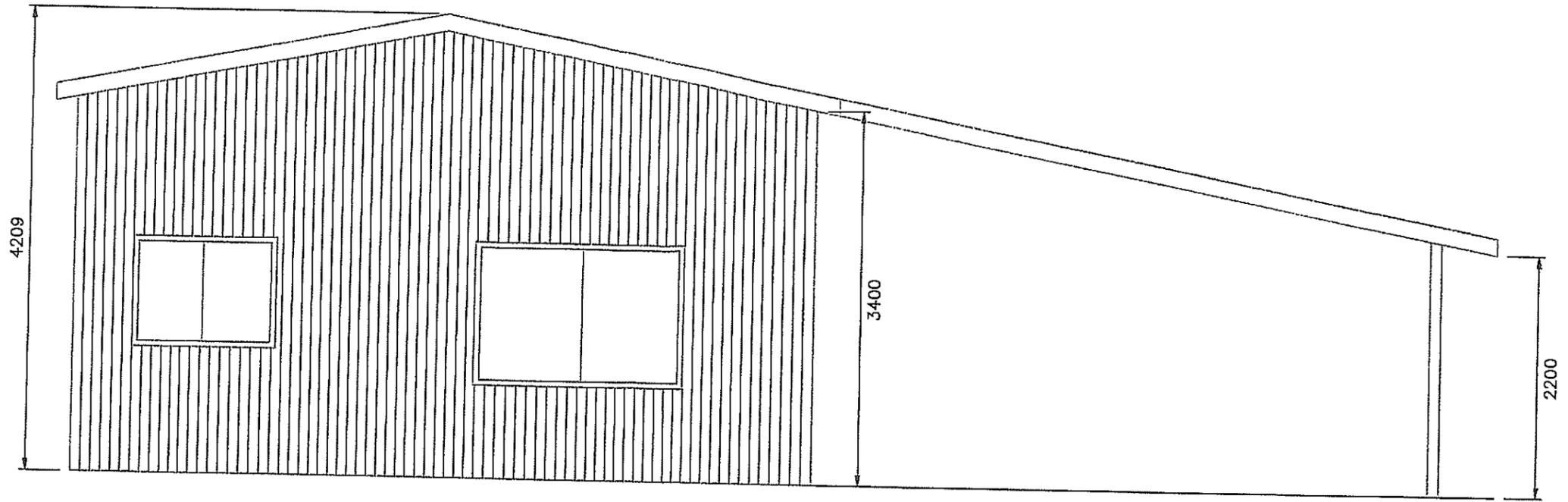


ELEVATION 2
E01

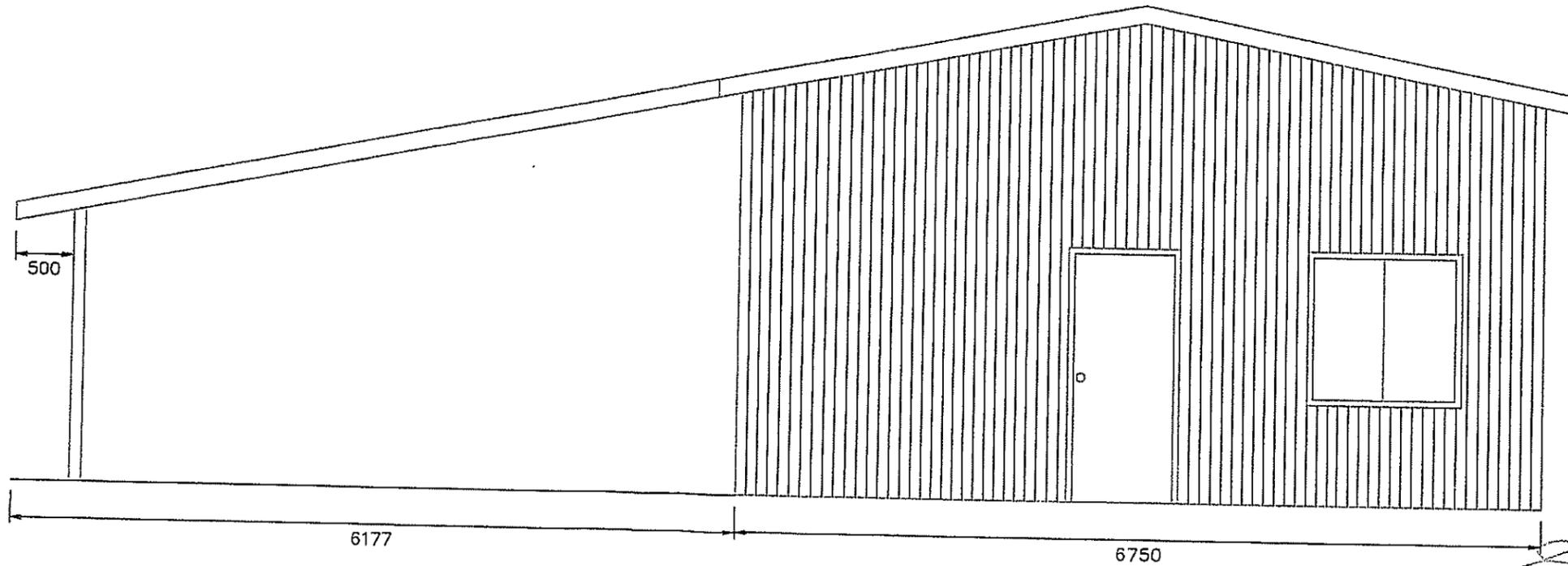
SK

STRUCterre
consulting group
1 ERINDALE RD, BALCATT
PH: (08) 9205 4500 FAX: (08) 9205 4501
STRUCterre PROJECT# 42113

	ABN 93 499 156 489 PO Box 2121 Kununurra W.A. 6743 PH: 08 91691900 Fr: 08 91691950 Email: kimstoel@westnet.com.au	Client Paul Milner	Project - Description Proposed Conversion Elevations 1 & 2 New Marina Kununurra		Views 	Des EN Checked Job No.	Date July 2009 Scale NTS Sheet No of	Drawing number 09/0006/E02	Rev 0



ELEVATION 3
E01



ELEVATION 4
E01

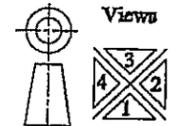
STRUCterre
consulting group
1 ERINDALE RD, BALCATT
PH: (08) 9205 4500 FAX: (08) 9205 4501
STRUCterre PROJECT# 42113



ABN 95 499 156 489
PO Box 2121
Kununurra W.A. 6743
PH: 08 91691900
F: 08 91691950
Email: kimsteel@wotnet.com.au

Client
Paul Milner

Project - Description
**Proposed Conversion
Elevations 3 & 4
New Maria Kununurra**

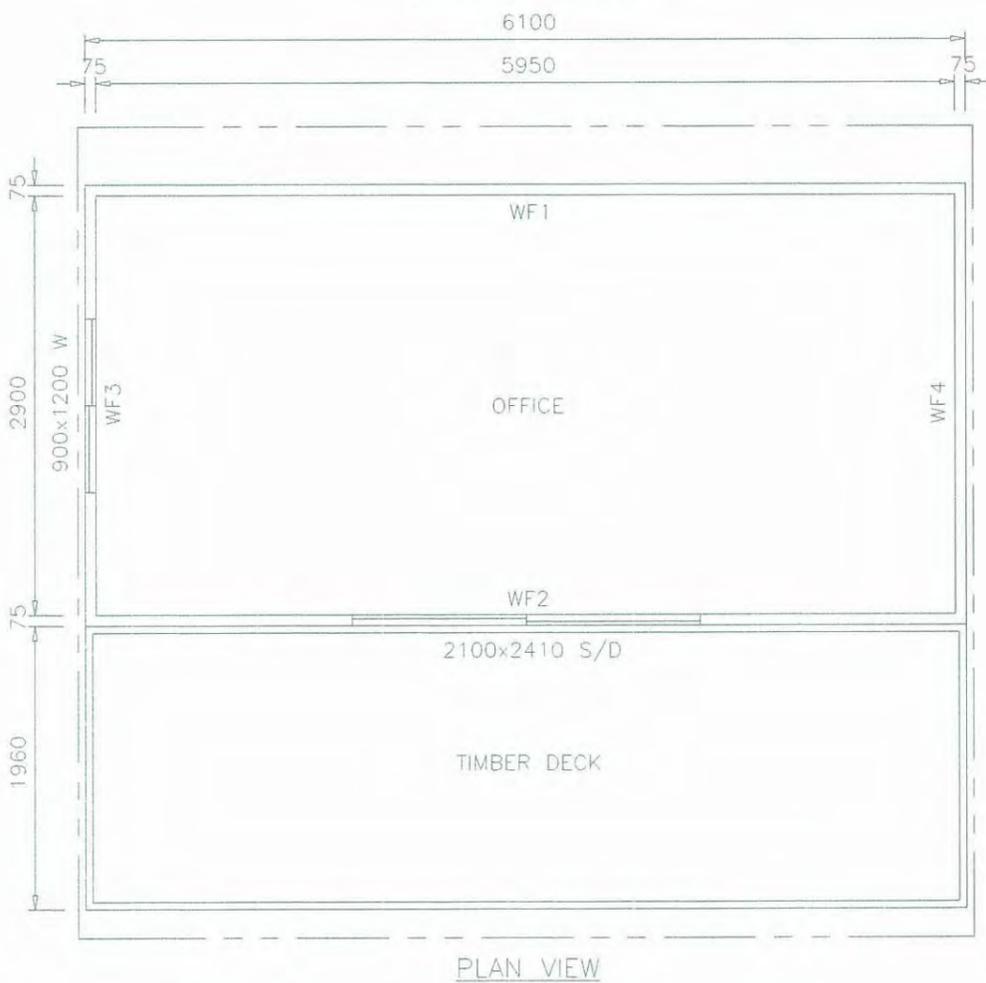
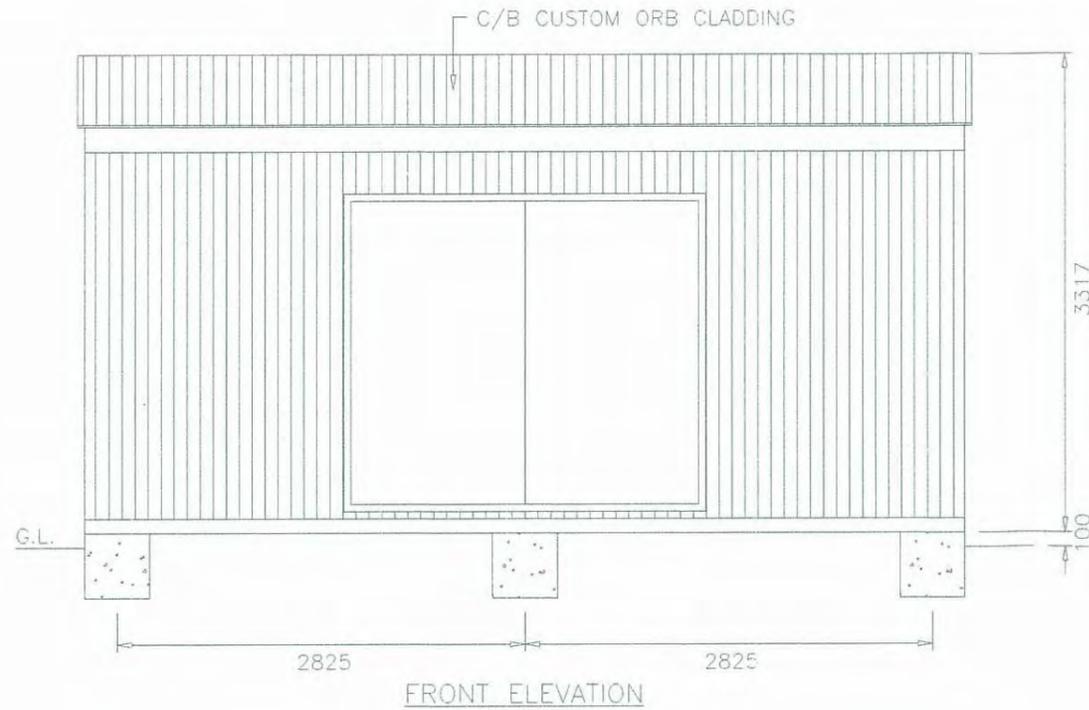


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Job No.

Date - July 2009
Scale NTS
Sheet No of

Drawing number
09/0006/E03

Rev
0



TOTAL LIMIT STATE WALL BRACING LOAD = 9.31 kN
 TOTAL WALL BRACING CAPACITY PROVIDED = 15.02 kN

TOTAL LIMIT STATE WALL BRACING LOAD = 3.68 kN
 TOTAL WALL BRACING CAPACITY PROVIDED = 20.74 kN

DESIGN CRITERIA TO AS1170.2-2002

- 1) IMPORTANCE LEVEL 2, $V_u = 45$ m/s
- 2) REGION A, TERRAIN CATEGORY 2
- 3) $M_t = 1.00$
- 4) $M_s = 1.00$
- 5) $M_d = 0.95$
- 6) $M_{z,cat} = 0.91$

EXTERNAL AND INTERNAL WALLS HAVE BEEN CHECKED AND APPROVED AS PER AS4600-2005 FOR WIND LOADS IN A WIND ZONE UP TO N2 AS PER AS4055-2006.

NOTE:

- 1) TOTAL WALL BRACING CAPACITY INCLUDES 50% OF THE NOMINAL CAPACITY PROVIDED BY THE SHEETING ON BOTH SIDES OF WALL.
- 2) ALL WORK TO CONFORM WITH THE PROVISIONS OF BCA-2011.
- 3) ALL WELDS TO BE MIN 3mm GP CATEGORY E48XX/W50X
- 4) ALL HOT ROLLED STEEL ARE GRADE 350
- 5) ALL WORK TO CONFORM WITH CURRENT EDITION BCA.



12.4.9 LAKESIDE PARK (STAGES 5 – 7) STRUCTURE PLAN

DATE:	11 December 2012
PROPONENT:	Urbis Pty Ltd
LOCATION:	Lakeside Park Estate (Stages 5 – 7)
AUTHOR:	Jennifer Ninnette, Senior Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Community Development
FILE NO:	LP.02.22

PURPOSE

For Council to consider adopting the modified Structure Plan for Lakeside Park (Stages 5 - 7) following advertising in accordance with Clause 6.7 of *Town Planning Scheme No. 7 – Kununurra and Environs*.

BACKGROUND

The Lakeside Park (Stages 5 – 7) Structure Plan establishes the broad structure, layout, appropriate land uses and key infrastructure networks required for future development of the subject site into a residential community.

The Council originally adopted the subject Structure Plan at its Ordinary Meeting of Council on 21 September 2010, however a recent application sought to modify the structure plan (as provided at Attachment 2) in the following manner:

- Modify the coding of Lots 289 and 290 Zamia Link (corner Livistona Street) from R25 to R30;
- Update the cadastral base to reflect the final survey (as requested by Shire Officers).

Accordingly, at the Ordinary Council Meeting of 23 October 2012, determined that the Lakeside Park (Stages 5 – 7) Structure Plan was satisfactory for the purposes of advertising, and directed staff to advertise the modified structure plan for public comment for a period of 14 days.

The modified structure plan is therefore required to be considered for adoption by Council, following advertising.

STATUTORY IMPLICATIONS

The Structure Plan subject to this report is largely reflective of the structure plans previously adopted by Council excluding the minor modifications detailed above.

In addition, the proposed Structure Plan intends to update the cadastral boundaries to be consistent with the final survey.

These modifications are considered minor in nature and do not materially alter the intent of the previous structure plans considered by Council for Lakeside.

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

Local Planning Strategy (LPS)

The proposed increased dwelling densities are consistent with the intent of the Local Planning Strategy being that the LPS identifies opportunities for suitable grouped dwelling and high density developments through the implementation of Structure Plans.

Kununurra Strategic Directions

The strategic direction of the above document identifies the Lakeside Park precinct as a priority for new residential development to address current housing demands within the locality. The proposed modification to the Structure Plan will encourage greater dwelling numbers which will address the growing population and need for housing within the Shire, and it is therefore considered that the modifications are consistent with the objectives of the Kununurra Strategic Directions.

COMMUNITY CONSULTATION

The modified structure plan was advertised for a reduced period of 14 days, as directed by Council, on the basis that the modifications are minor in nature.

An advertisement was placed in the Kimberley Echo advising that the modified structure plan was displayed at the Kununurra Administration office, however no submissions were received.

COMMENT

The modifications to the Lakeside Park (Stages 5 -7) Structure Plan are considered to appropriately respond to site specific context and current demand for residential land in Kununurra.

The modifications to the Structure Plan are minor in nature and considered appropriate due to their proximity to public open space and their access arrangements. The increase in density is not considered to have any undue impact on the amenity of the existing or future residents of the locality.

The proposed modifications are considered to be consistent with the strategic direction of the Shire being that they will encourage diversity in housing choice and design. Furthermore, the increase in residential densities will provide an additional housing supply and contribute in the easing of rental pressures of Kununurra.

However, at the Ordinary Council Meeting of 21 September 2010 Council also considered the initiation of a proposed amendment (No. 36) to *Town Planning Scheme No. 7 – Kununurra and Environs* to rezone the proposed local centre site (Lot 356) as shown on the structure plan from Residential Development zone to Local Centre zone, and raised concern that the proposed size and configuration of the locale centre site would be insufficient to be viably developed for commercial purposes, particularly having regard to road access and for on-site car parking.

Therefore at this meeting Council resolved as follows:

That Council:

1. In pursuance of Section 75 of the Planning and Development Act (2005) (as amended), amends Town Planning Scheme No. 7 – Kununurra and Environs, by:
 - (a) Rezoning Lot 356 (No. 1) and Lot 264 (No. 3) and Lot 357 Argentea Avenue, Kununurra from “No Zone” and “Residential Development” to “Local Centre”, as indicated on the Scheme Amendment Map.
 - (b) Identifying Lot 356 (No. 1) and Lot 264 (No. 3) and Lot 357 Argentea Avenue, Kununurra as being subject to an Additional Use A4, as indicated on the Scheme Amendment Map.
 - (c) Adding the following row to the Additional Uses Schedule table contained within Appendix 2A of the Scheme Text:

A4	4.	Lot 356 (No. 1) and Lot 264 (No.3) Lot 357 Argentea Avenue, Kununurra	Art and Craft Centre Art Gallery Community Home Grouped Dwelling Multiple Dwelling Residential Building Service Station Single Dwelling Veterinary Consulting Rooms or Hospital	Nil.
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2. Advises the applicant of its resolution and requests formal Scheme Amendment documentation to be prepared to enable referral to the Environmental Protection Authority and Western Australian Planning Commission.
3. Forwards Amendment No. 36 to Town Planning Scheme No. 7 – Kununurra and Environs to the Environmental Protection Authority for review, pursuant to Section 81 of the Planning and Development Act (2005) and the Western Australian Planning Commission for information, and subject to no environmental review being required by the Environmental Protection Authority and acknowledgment of the Shire’s intention to advertise the Scheme Amendment being received from the Western Australian Planning Commission, the Amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations (1967) for a period of 42 days.
4. Requires Lots 356,357 and 264 to be amalgamated into one title to enable development as an integrated mixed use development for convenience shopping

Amendment No. 36 has not been progressed any further to date, and Lot 357 was sold to the Department of Housing and since been developed for 4 grouped dwellings and therefore cannot form part of the proposed local centre site.

LandCorp have recently stated that there are still a number of considerations with the amalgamation proposal for Lots 356 and 264 which need to be examined, not limited to;

- Commercial viability / demand / optimum commercial land / servicing requirements / uses

- Financial impacts / valuation advice
- The Shire's requirements
- Other potential future combined fuel and convenience store locations around Kununurra / LPS
- Stakeholder considerations - MG Corporation / Existing residents / Department of Housing (acquired lot 357 prior to any discussions regarding amalgamation of 356 & 264)
- Environmental considerations / buffer zones / water table / contamination
- Fatal flaw analysis (i.e. might find the high water table means you cannot install below ground fuel tanks, therefore fuel station won't work).

LandCorp, however, have agreed that they should provide an undertaking to start the process of analysing options for Lots 356 and 264, and advise that they are committed to working with the Council to do so.

In the interim, it is considered appropriate to also earmark Lot 264 as Local Centre in the Lakeside Park (Stages 5 – 7) Structure Plan, to ensure that the land is quarantined until sufficient investigation/consideration of options for the future use of Lots 356 and 264 have been undertaken.

It is therefore recommended that Council resolve to adopt the modified Structure Plan subject to additional modifications to include Lot 264 as part of the Local Centre.

ATTACHMENTS

Attachment 1 – Currently approved Lakeside (Stages 5 – 7) Structure Plan

Attachment 2 – Modified Lakeside Park (Stages 5 - 7) Structure Plan

Attachment 3 – Modified Lakeside Park (Stages 5 – 7) Structure Plan with cadastral lot layout

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Determines that the Lakeside Park (Stages 5 -7) Structure Plan is satisfactory for referral to the Western Australian Planning Commission for consideration and endorsement, subject to the following modification:
 - a. Lot 264 Tamarind Meander to be shown as Local Centre.
- 2) Directs Shire staff to request LandCorp to amend the Lakeside Park (Stage 5 – 7) Structure Plan to show Lot 264 Tamarind Meander as Local Centre.
- 3) Directs Shire to forward the modified Lakeside Park (Stage 5-7) Structure Plan to the Western Australian Planning Commission for endorsement, once the modification to Lot 264 has been made.

COUNCIL DECISION

Minute No. 9955

Moved: Cr R Addis

Seconded: Cr J Parker

That Council:

- 1) Determines that the Lakeside Park (Stages 5 -7) Structure Plan is satisfactory for referral to the Western Australian Planning Commission for consideration and endorsement, subject to the following modification:
 - a. Lot 264 Tamarind Meander to be shown as Local Centre.****
- 2) Directs Shire staff to request LandCorp to amend the Lakeside Park (Stage 5 – 7) Structure Plan to show Lot 264 Tamarind Meander as Local Centre.**
- 3) Directs Shire to forward the modified Lakeside Park (Stage 5-7) Structure Plan to the Western Australian Planning Commission for endorsement, once the modification to Lot 264 has been made.**

**For: Cr J Moulden, Cr R Addis, Cr J Parker, Cr C Gore-Birch Gault, Cr D Ausburn,
Cr J McCoy**

Against: Cr R Dessert

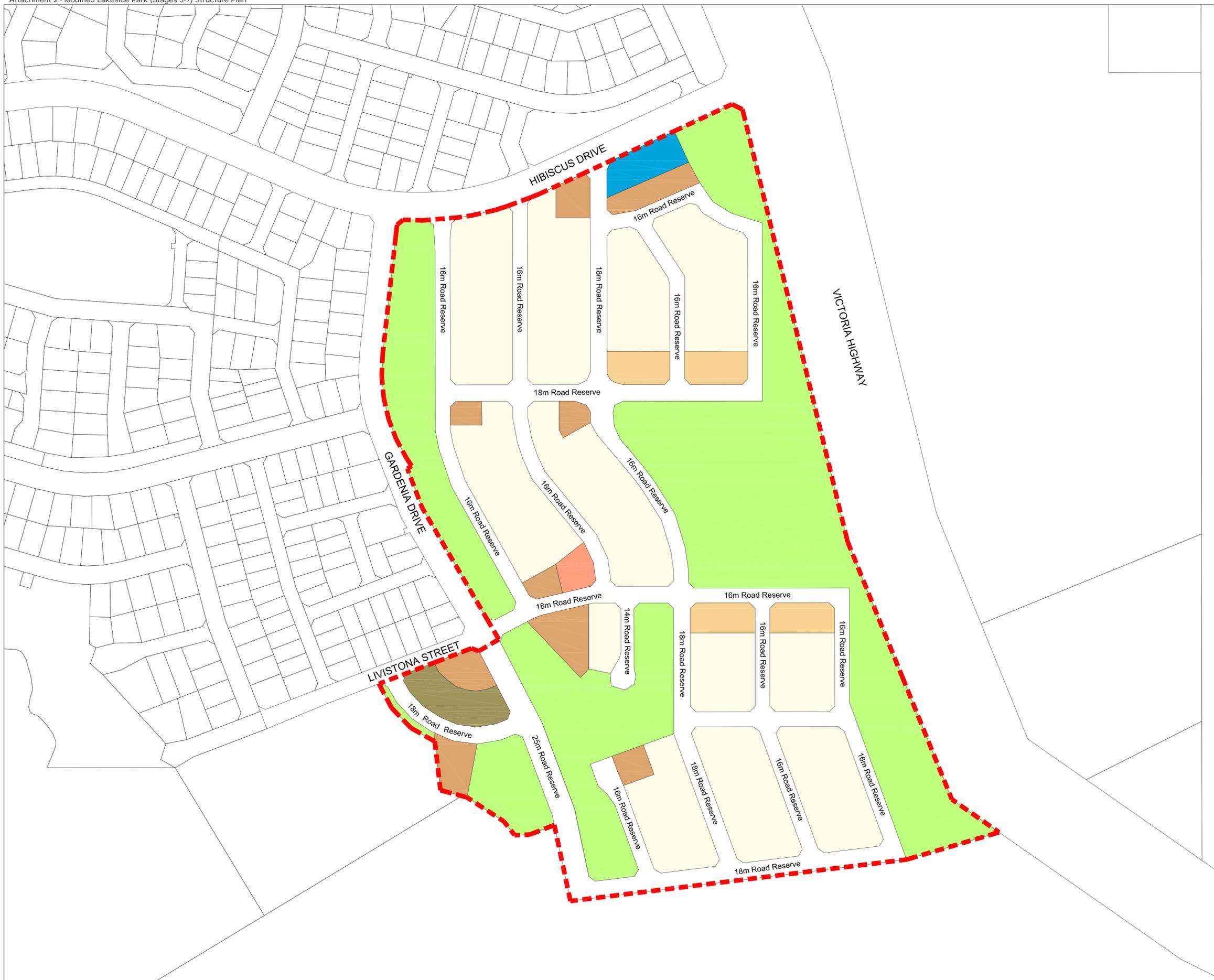


- LEGEND:**
- - - STRUCTURE PLAN AREA
 - RESIDENTIAL R17.5
 - RESIDENTIAL R20
 - RESIDENTIAL R25
 - RESIDENTIAL R40
 - LOCAL CENTRE
 - PARK & RECREATION RESERVE
- NOTES:**
- ALL ROAD RESERVE WIDTHS ARE INDICATIVE ONLY

**DRAFT LAKESIDE PARK STRUCTURE PLAN
KUNUR**

Date 30/08/10 **DWG NO** 003 **REV** D **SCALE** 1:2000@A1
Level 1 55 St Georges Terrace West Perth WA 6005 Australia Tel +61 8 9346 0500 Fax +61 8 9321 7790 info@urbis.com.au www.urbis.com.au Urbis Pty Ltd ABN 20 135 258 226 Australia - Asia - Middle East





LEGEND:

- STRUCTURE PLAN AREA
- RESIDENTIAL R17.5
- RESIDENTIAL R20
- RESIDENTIAL R25
- RESIDENTIAL R30
- RESIDENTIAL R40
- LOCAL CENTRE
- PARK & RECREATION RESERVE

NOTES:

ROAD WIDTH RESERVE VARIES BETWEEN 16-25M

**DRAFT STRUCTURE PLAN
LAKESIDE KUNUNURRA**

Minutes Ordinary Council Meeting

11 December 2012



Date 11/01/12

DWG NO PA0676 STP-03 REV B

SCALE 1:2000@A1

Level 1 55 St Georges Terrace
West Perth WA 6005 Australia

Tel +618 9346 0500
Fax +618 9321 7790

info@urbis.com.au
www.urbis.com.au

Urbis Pty Ltd ABN 50 105 256 228
Australia . Asia . Middle East



LAKESIDE PARK

STAGES 5 - 7



LEGEND

- RESIDENTIAL R17.5
- RESIDENTIAL R20
- RESIDENTIAL R25
- RESIDENTIAL R30
- RESIDENTIAL R40
- LOCAL CENTRE

DISCLAIMER
 LandCorp has made every effort to ensure an accurate lot plan has been produced. However, under some circumstances dimensions may be subject to survey and change. The Particulars contained in this brochure are supplied for information purposes only and the Vendor and/or its agents accept no responsibility for the accuracy thereof. The appropriate authorities should be consulted for information concerning any services which may be contained within any lot and any building restrictions which may apply. Trees are indicative only.
 Refer to lodged survey documents at Landgate.

12.5 CHIEF EXECUTIVE OFFICER

12.5.1 USE OF THE COMMON SEAL

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Debbie McCallum, Governance Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	GN.02.1

PURPOSE

For Council to receive this report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 15 November to 5 December 2012.

STATUTORY IMPLICATIONS

Local Government Act 1995

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

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 Council's Strategic Plan.

COMMENT

The following documents have had the Shire of Wyndham East Kimberley Common Seal applied:

Date of Use	Document
20/11/2012	Adoption of Modified Amendment 39 to Town Planning Scheme No.7 - Kununurra and Environs
26/11/2012	Loan Agreement from Western Australian Treasury Corporation
27/11/2012	Loan Agreement from Western Australian Treasury Corporation
29/11/2012	Instrument of Agreement - Design and Construction of Kununurra Ag Oval and Wyndham Pool lighting
5/12/2012	Transfer of Land on DP 216722

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 15 November to 5 December 2012.

COUNCIL DECISION

Minute No. 9956

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

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 15 November to 5 December 2012.

Carried Unanimously 7/0

12.5.2 DELEGATED AUTHORITY REPORT

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Debbie McCallum, Governance 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 2012.

BACKGROUND

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

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

STATUTORY IMPLICATIONS

Local Government Act 1995 - Sect 5.46

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

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

POLICY IMPLICATIONS

No policy implications apply in the preparation of 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 2012.

COUNCIL DECISION

Minute No. 9957

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council receives the Delegated Authority Report for the period 1 November to 30 November 2012.

Carried Unanimously 7/0

Attachment 1: Delegated Authority Report

COMMUNITY QUICK GRANTS DELEGATED AUTHORITY APPROVALS – 1 November – 30 November 2012

Approval Date	Organisation	Purpose of Quick Grant	Total Project Cost	Amount Requested	Amount Approved
19/11/2012	Kununurra Crocs swimming Club	Travel to Wyndham Pool for training	5215.52	\$500	\$500
21/11/2012	Kununurra Carols committee	Carols by candlelight	\$1,300	\$500	\$500

CERTIFICATE OF DESIGN COMPLIANCE (Form BA03) ISSUED AS THE CERTIFIER FOR THE PERMIT ISSUING AUTHORITY – 01 to 30
November 2012

APPLIC NO	DATE APPLIC RECD	DATE ISSUED	ASSESS NO.	CERT No	LOCATION	DESCRIPTION
100793	24/10/2012	9/11/2012	A7508P	BA4594	Lot 343 (30) Argentea Avenue Kununurra	Class 10B Swimming Pool, Deck & Shade Sail
100795	26/10/2012	12/11/2012	A6030P	BA4604	Lot 144 Whimbrel Road Kununurra	Class 10B Swimming Pool
100809	5/11/2012	12/11/2012	A7549P	BA4606	Lot 333 (47) Zamia Link Kununurra	Class 10B Swimming Pool
100774	12/10/2012	12/11/2012	A7477P	BA4608	Lot 16 (8) Bluegrass Avenue Kununurra	Class 10B Privacy Screening & Boundary Fencing
100819	6/11/2012	20/11/2012	A783P	BA4628	Lot 1083 Strata Lot 1 (1/16) Erythrina Street Kununurra	Class 10A Patio
100767	5/10/2012	20/11/2012	A119P	BA4631	King Loc 529 Riverfarm Road Kununurra	Class 10A ablution
100792	24/10/2012	22/11/2012	A524P	BA4646	"Home Valley Station" Loc 8 Gibb River Road East Kimberley	Class 10A shed
100808	2/11/2012	22/11/2012	A7509P	BA4648	Lot 279 (25) Setosa Pass Kununurra	Class 1A dwelling with attached Class 10A carport and outdoor living
100834	14/11/2012	23/11/2012	A1919P	BA4651	Lot 1785 (39) Casuarina Way Kununurra	Class 10A Patio
100838	15/11/2012	23/11/2012	A7713P	BA4654	LOT 773 (Crown Land Reserve Lease JDE# 31010700) Great Northern Highway Via WYNDHAM WA 6740	Class 10B Tele - communications Mast & Assembly
100821	22/11/2012	26/11/2012	A2540P	BA4568	Lot 5 Packsaddle Road Kununurra	Class 10A - Non-habitable Rural Machinery Shed
100595	12/07/2012	29/11/2012	A1749P	BA4678	Lot 456 Cherubin Road Crossing Falls Kununurra	Class 1A additional accommodation to existing dwelling

BUILDING PERMITS (Form BA04) ISSUED AS THE PERMIT ISSUING AUTHORITY – 01 to 30 November 2012

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
111/2012	31/10/2012	5/11/2012	Shire of Wyndham - East Kimberley	Chris Daniels	"Kununurra Multi-purpose Courts" Lot 510 Chestnut Avenue Kununurra	Class 10A Ablution Block	New	\$ 40,000.00	2/10 assess days - Certified
113/2012	24/10/2012	9/11/2012	Simon Hawes & Natkika Hawes-Wright	Simon Hawes & Natkika Hawes-Wright	Lot 343 (30) Argentea Avenue Kununurra	Class 10B Swimming Pool, Deck & Shade Sail	New	\$ 30,000.00	11/25 assess days
114/2012	26/10/2012	12/11/2012	Ian & Vesna Smaller	Ian & Vesna Smaller	Lot 144 Whimbrel Road Kununurra	Class 10B Swimming Pool	New	\$ 20,000.00	10/25 assess days
115/2012	5/11/2012	12/11/2012	Neville & Jenine Walters	Neville & Jenine Walters	Lot 333 (47) Zamia Link Kununurra	Class 10B Swimming Pool	New	\$ 15,000.00	4/25 assess days
116/2012	12/10/2012	12/11/2012	Brooke Thomas & Trent Thomas	Brooke Thomas & Trent Thomas	Lot 16 (8) Bluegrass Avenue Kununurra	Class 10B Privacy Screening & Boundary Fencing	New	\$ 1,500.00	20/25 assess days
117/2012	6/11/2012	15/11/2012	Aboriginal Lands Trust (Kalumburu Community)	KGC Enterprises Pty Ltd	Kalumburu Aboriginal Community Loc 21 (Community Lot 105 King Edward Street) Kalumburu	Class 1A dwelling	New	\$ 580,333.00	6/10 assess days - Certified

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
118/2012	6/11/2012	15/11/2012	Aboriginal Lands Trust (Kalumburu Community)	KGC Enterprises Pty Ltd	Kalumburu Aboriginal Community Loc 21 (Community Lot 104 King Edward Street) Kalumburu	Class 1A dwelling	New	\$ 580,333.00	6/10 assess days - Certified
119/2012	6/11/2012	20/11/2012	Zoe Higgins	Zoe Higgins	Lot 1083 Strata Lot 1 (1/16) Erythrina Street Kununurra	Class 10A Patio	New	\$ 12,000.00	9/25 assess days
120/2012	5/10/2012	20/11/2012	Dan Read	Dan Read	King Loc 529 Riverfarm Road Kununurra	Class 10A ablution	New	\$ 10,000.00	30/25 assess days
121/2012	20/11/2012	22/11/2012	Kim Hawkins & SF Markham atf Hawkham Trust	Colin Wilkinson Developments Pty Ltd	Lot 283 (33) Setosa Pass Kununurra	Class 1A dwelling with Class 10A Carport & Outdoor Living	New	\$ 480,532.00	1/10 assess days - Certified
122/2012	24/10/2012	22/11/2012	Indigenous Land Corporation	RTC Works	"Home Valley Station" Loc 8 Gibb River Road East Kimberley	Class 10A shed	New	\$ 81,302.00	20/25 assess days
123/2012	2/11/2012	23/11/2012	Thomas & Dragana Petrovic	Ben Marr	Lot 279 (25) Setosa Pass Kununurra	Class 1A dwelling with attached Class 10A carport and outdoor living	New	\$ 377,532.00	14/25 assess days
124/2012	14/11/2012	23/11/2012	FaHCSIA	Franmor Construction	Lot 1785 (39) Casuarina Way Kununurra	Class 10A Patio	New	\$ 12,000.00	6/25 assess days

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME - WORKING DAYS
125/2012	15/11/2012	23/11/2012	Telstra Corporation Ltd	Telstra Corporation Ltd - Len Mitcham	LOT 773 (Crown Land Reserve Lease JDE# 31010700) Great Northern Highway Via WYNDHAM WA 6740	Class 10B Tele - communications Mast & Assembly	New	\$ 68,000.00	5/25 assess days
126/2012	22/11/2012	26/11/2012	Bothkamp Australia Pty Ltd ATF Bothkamp Australia Trust	Darren Fulcher t/as DE Carpenters	Lot 5 Packsaddle Road Kununurra	Class 10A - Non-habitable Rural Machinery Shed	New	\$ 33,000.00	1/25 assess days
127/2012	12/07/2012	29/11/2012	Brian Bethune	Brian Bethune	Lot 456 Cherubin Road Crossing Falls Kununurra	Class 1A additional accommodation to existing dwelling	New	\$ 100,000.00	
								\$ 2,441,532.00	

AMENDMENTS TO EXISTING BUILDING PERMITS – ISSUED – 01 to 30 November 2012

DOC NO	DATE ISSUED	ASSESS NO.	BUILDING PERMIT	AMEND NO	OWNER	BUILDER	LOCATION	DESCRIPTION	AMENDMENT DETAILS	INCREASE IN EST. VALUE
BA4677	28/11/2012	A5833	050/2011	2	Marsarmatt Holdings P/L	Marsarmatt Holdings P/L	Lot 317 Laine Jones Drive Kununurra	Class 5 Office & Class 7B/8 Commercial Storage & Production Building	"As Constructed" floor plan details & Flow Test certificate for Hydrant	Nil

BUILDING PERMITS (BA04), DEMOLITION PERMITS (BA06) AND CERTIFICATES OF DESIGN COMPLIANCE (BA03) &
Record Purposes Only (exempt)
ISSUED BY EXTERNAL PERMIT ISSUING AUTHORITIES UNDER BUILDING ACT 2011 S.7(02)
RELATING TO PROPERTIES WITHIN THE SHIRE OF WYNDHAM EAST KIMBERLEY. – 01 to 30 November 2012

PERMIT NO	DATE OF ISSUE	PERMIT ISSUING AUTHORITY	PROPERTY ASSESS NO.	PROPERTY ADDRESS	DESCRIPTION	BUILDING CLASS	BUILDER	CERTIFICATE OF DESIGN COMPLIANCE ISSUED BY:	CONSTRUCTION VALUE
B2012-2057- 0054	9/11/2012	BMW Building Permit Authority	A1659P	Lot 2445 Coolibah Drive Kununurra	Class 9B Courthouse	9B	Cooper & Oxley Builders Pty Ltd	David Cooley - Red Stamp Pty Ltd	\$ 22,646,250.00
D2012-2057- 0003	29/11/2012	BMW Building Permit Authority	A1659P	Lot 2445 Coolibah Drive Kununurra	Demolition of existing Class 9B Courthouse	9B	Haystead Holdings Pty Ltd t/as Sanders Contracting	N/A	\$ 103,500.00

THERE WERE NO BUILDING APPROVAL CERTIFICATES – STRATA (Form BA16) ISSUED – 01 to 30 November 2012

DEMOLITION PERMITS (Form BA06) ISSUED AS THE PERMIT ISSUING AUTHORITY – 01 to 30 November 2012

DEMO LIC#	DATE APPLIC RECVD	DATE LICENCED	ASSESS NO.	BA RECORD	OWNER	BUILDER/ DEMOLITION CONTRACTOR	DEMO CLASS (1, 2 or 3)	WAD CLASS/ LIC NO	LOCATION	DESCRIPTION	Comments (Asbestos)
DP 029/ 2012	6/11/2012	14/11/2012	A5665P	BA4613	Aboriginal Lands Trust	KGC Enterprises	WARA	WARA 141	Loc 21 (Community Lot 105) King Edward Street Kalumburu	Demolition - Class 1A dwelling	Asbestos
DP 030/ 2012	6/11/2012	14/11/2012	A5665P	BA4614	Aboriginal Lands Trust	KGC Enterprises	WARA	WARA 141	Loc 21 (Community Lot 104) King Edward Street Kalumburu	Demolition - Class 1A dwelling	Asbestos
DP 031/ 2012	26/11/2012	29/11/2012	A349P	BA4691	Department of Housing	Paul Cavanagh Wyndham Excavations / John Kestle	WARA	WARA 94	Lot 673 (12) Flinders Street Wyndham WA	Demolition - Class 1A dwelling	Asbestos
DP 032/ 2012	26/11/2012	29/11/2012	A385P	BA4692	Department of Housing	Paul Cavanagh Wyndham Excavations / John Kestle	WARA	WARA 94	Lot 962 (20) Koojarra Street Wyndham WA	Demolition - Class 1A dwelling	Asbestos
DP 033/ 2012	26/11/2012	29/11/2012	A394P	BA4692	Department of Housing	Paul Cavanagh Wyndham Excavations / John Kestle	WARA	WARA 94	Lot 977 (5) Koojarra Street Wyndham WA	Demolition - Class 1A dwelling	Asbestos

THERE WERE NO CERTIFICATES OF BUILDING COMPLIANCE (Form BA18) ISSUED AS THE CERTIFIER FOR THE PERMIT ISSUING AUTHORITY – 01 to 30 November 2012
 CERTIFICATES OF CONSTRUCTION COMPLIANCE (Form BA17) ISSUED AS THE CERTIFIER FOR THE PERMIT ISSUING AUTHORITY – 01 to 30 November 2012

APPLIC NO	DATE ISSUED	ASSESS NO.	CERT No	BUILDING PERMIT NO	LOCATION	DESCRIPTION
100076	20/11/2012	A7425P	BA4634	018/2012	Lot 101 (16) Riverfig Avenue Kununurra	Class 5 Offices with Ablutions
100143	28/11/2012	A1030P	BA4668	010/2012	Lot 250 (110) Weaber Plain Road Kununurra	2 x Class 10A Ablutions
72594	29/11/2012	A5833P	BA4683	050/2011	Lot 317 Laine Jones Drive Kununurra	Class 5 Office and Class 7B/8 Commercial Storage & Production

OCCUPANCY PERMITS (Form BA10 and BA12) ISSUED – 01 to 30 November 2012

OCCUP PERMIT NO	DATE	BUILDING PERMIT / LICENCE NO	ASSESS NO.	Receipt No	Building Class	OWNER	BUILDER	BRB / OB NO	LOCATION	DESCRIPTION
BA4635	20/11/2012	018/2012	A7425P	N/A prior to 01.04.2012	5	Bothkamp	Colin Wilkinson Developments Pty Ltd	WA 8925	Lot 101 (16) Riverfig Avenue Kununurra	Class 5 Offices with Ablutions
BA4676	28/11/2012	010/2012	A1030P	N/A prior to 01.04.2012	10A	Richard Hewitt	Richard Hewitt	WA 7360	"Hidden Valley Caravan Park" Lot 250 (110) Weaber Plain Road Kununurra	2 x Class 10A ablutions
BA4685	29/11/2012	050/2011	A5833P	N/A prior to 01.04.2012	5 & 7B/8	Marsarmatt Holdings Pty Ltd	Marsarmatt Holdings Pty Ltd	Owner/ Builder	Lot 317 Laine Jones Drive Kununurra	Class 5 Office and Class 7B/8 Commercial Storage & Production

SIGN LICENCES ISSUED – 01 to 30 November 2012

SIGN LIC#	DATE APPLIC RECVD	DATE LICENCED	ASSESS NO.	OWNER	ADDRESS	BUILDER/ CONTRACTOR	BUILDER ADDRESS	LOCATION	DESCRIPTION	Planning Approval / Delegation
SL 06/ 2012	14/11/2012	16/10/2012	A2148P	ROAD RESERVE	ROAD RESERVE	Kununurra Amateur Theatre Society	PO Box 1159 Kununurra	1/ Coolibah Drive and 2/ Cnr Messmate & Victoria Highway	Temporary Metal Frame sign	N/A exempt sign

THERE WERE NO FORMAL NOTICES RAISED PURSUANT TO THE BUILDING ACT 2011 ISSUED – 01 to 30 November 2012
 NOTICE OF PROPOSED BUILDING ORDER – pursuant to Building Act 2011 Part 8 Division 5 Section s.111 (14 day notice)

B/L No.	Date	Assess No	Owner	Builder	Subject Property Address	Description	Issue at hand	Follow Up
	19/11/2012	A780P	Hugh Scott Munro	Hugh Scott Munro	Lot 596 Bandicoot Drive Kununurra	Class 10A - Canopy	Unauthorised extension - No Planning or Building Permits	3/12/2012

12.5.3 Council Meeting Dates 2013

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Debbie McCallum, Governance Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	GN.05.4

PURPOSE

For Council to adopt Ordinary Council Meeting dates for 2013.

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 (2013)	Location	Briefing Sessions <i>Tuesday 5:00pm</i>	Ordinary Council Meetings <i>Tuesday 5:00pm</i>
January	Kununurra	No Briefing Session	22 January
February	Kununurra	5 February	19 February
March	Wyndham	5 March	19 March
April	Kununurra	9 April	23 April
May	Wyndham	14 May	28 May
June	Kununurra	4 June	18 June
July	Wyndham	2 July	16 July
August	Kununurra	13 August	27 August
September	Kununurra	3 September	17 September
October	Wyndham	1 October	15 October
November	Kununurra	5 November	19 November
December	Kununurra	3 December	10 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 2013:

- Tuesday, 22 January, Kununurra
- Tuesday, 19 February, Kununurra
- Tuesday, 19 March, Wyndham
- Tuesday, 23 April, Kununurra
- Tuesday, 28 May, Wyndham
- Tuesday, 18 June, Kununurra
- Tuesday, 16 July, Wyndham
- Tuesday, 27 August, Kununurra
- Tuesday, 17 September, Kununurra
- Tuesday, 15 October, Wyndham
- Tuesday, 19 November, Kununurra
- Tuesday, 10 December, Kununurra

COUNCIL DECISION

Minute No. 9958

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council confirms the following dates and locations of Ordinary Council Meetings in 2013:

- **Tuesday, 22 January, Kununurra**
- **Tuesday, 19 February, Kununurra**
- **Tuesday, 19 March, Wyndham**
- **Tuesday, 23 April, Kununurra**
- **Tuesday, 28 May, Wyndham**
- **Tuesday, 18 June, Kununurra**
- **Tuesday, 16 July, Wyndham**
- **Tuesday, 27 August, Kununurra**
- **Tuesday, 17 September, Kununurra**
- **Tuesday, 15 October, Wyndham**
- **Tuesday, 19 November, Kununurra**
- **Tuesday, 10 December, Kununurra**

Carried Unanimously 7/0

**Cr John Moulden leaves the meeting due to impartiality interest with item 12.5.4
Elected Member Training 5:44pm**

12.5.4 ELECTED MEMBER TRAINING

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Gary Gaffney, Chief Executive Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer

PURPOSE

That Council agrees to the Shire President attend a Company Director's training course in 2013.

BACKGROUND

Elected members training is to ensure that councillors have the opportunity to participate in relevant training and development opportunities in order to assist them to more effectively undertake their role as a community representative.

Council policy CPMC18 states "elected members are encouraged to participate in training and development opportunities that are aimed at assisting them to fulfil their role affected." The Australian Institute of Company Directors are recognised for providing professional development for directors and has been used by local governments for both councillors and executives to enhance their knowledge in governance.

With the constantly changing responsibilities placed on local government the company directors course allows for participants to keep up-to-date with the latest developments in governance so they can contribute to improving the organisation's performance. Ongoing professional development ensures currency and relevance and assists in the strategic thinking and knowledge.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

The Shire of Wyndham East Kimberley Council Policy Number CPMC18 covers all aspects of elected member training.

FINANCIAL IMPLICATIONS

This training is budgeted in the Councillor conferences and travel component of the budget. The course cost is \$8 435 but potential savings may be achieved with joining the Institute of Company Directors and the regional scholarships which could reduce the cost to \$4825.

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 annual budget process allows for conferences and training allocations for elected members.

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council agrees to the Shire President attending a Company Director's training course in 2013.

COUNCIL DECISION

Minute No. 9959

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

That Council agrees to the Shire President attending a Company Director's training course in 2013.

Carried Unanimously 6/0

Cr John Moulden returns to the meeting 5:45pm

12.5.5 ANNUAL REPORT

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Debbie McCallum, Governance Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	GN.08

PURPOSE

To consider the adoption of the Annual Report of the Shire of Wyndham East Kimberley for the Year Ended 30 June 2012

BACKGROUND

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

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

STATUTORY IMPLICATIONS

Local Government Act 1995

5.27. Electors' general meetings

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

5.53. Annual reports

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

- (iii) any other details that the regulations may require; and
- (i) such other information as may be prescribed.

5.54. Acceptance of annual reports

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

** Absolute majority required.*

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

5.55. Notice of annual reports

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

6.4. Financial report

- 5) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

- 6) The financial report is to —

- a) be prepared and presented in the manner and form prescribed; and
- b) contain the prescribed information.

By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —

- a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
- b) the annual financial report of the local government for the preceding financial year.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

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

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item. However a general meeting in which the Annual Report is presented is to be convened by the CEO giving at least 14 days local public notice.

COMMENT

The Annual Report 2010-11 includes the Shire President's Report, CEO's Report, reports on Operations, Financial Report for the Year Ended 30 June 2011 and the Independent Audit to the Electors of the Shire of Wyndham East Kimberley.

A general meeting of electors is to be held on Thursday 24 January 2013 from 5:00pm to 6:00pm at Wyndham Council Chambers.

ATTACHMENTS

Attachment 1 – Annual Report 2011-12 (Provided under separate cover)

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council accepts the Annual Report for the year ended 30 June 2012.

COUNCIL DECISION

Minute No. 9960

Moved: Cr D Ausburn
Seconded: Cr R Addis

That Council accepts the Annual Report for the year ended 30 June 2012.

Carried Unanimously 7/0

12.5.6 50TH BIRTHDAY PAVERS

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Gary Gaffney, Chief Executive Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	CR.05.1

PURPOSE

The purpose of this report is for Council to consider the construction of a path containing the Kununurra 50th Birthday Paving Bricks at White Gum/ Warlarring Park.

BACKGROUND

The paving bricks were part of the 50th Birthday committee idea as a surround for the town clock that was proposed. The Shire was the banker for this proposal and has held \$7305 in trust for the purchase of the pavers. We have received requests from many of the people who have purchased the bricks asking when the Shire was going to install them. Ninety six people have ordered the bricks during the period they were available.

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

There are financial implications regarding this report with the cost associated with ordering and laying the bricks.

At present 102 pavers have been requested. Delivery cost is nil due to the quantity of pavers ordered being over 100.

The cost of the pavers to the Shire are:

Single	\$18.59 each
Double	\$46.75 each
Hand Drawn	\$21.45 each
Business/Group Logo	\$77.00 each

The cost charged to the residents was:

Single	\$35.00 each
Double	\$75.00 each
Hand Drawn	\$35.00 each
Business/Group Logo	\$150.00 each

In total we have had ordered - 41 Single, 35 Double, 6 Hand Drawn and 17 Business/Group Logo pavers with a total cost of \$3836.14.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

COMMUNITY CONSULTATION

There has been no community consultation regarding this matter. The location of the pavers has been discussed with Mr Keith Wright the Chairman of the 50th Birthday Committee who was receptive to the idea.

COMMENT

As this was part of the 50th Birthday committee concept and was never actioned. There has been feedback via both media and Facebook that the project should proceed and that the Shire should install the pavers in an appropriate location.

Several locations have been suggested including Celebrity Tree Park and White Gum/ Warlarring Park. Discussions with the Infrastructure department have indicated that a connection pathway could be established with the 50th Anniversary pavers in White Gum/ Warlarring Park.

Production time for the pavers is estimated to be four weeks. There are two choices of colour – being red or cream – with black printing. The supplier has advised that production would not be able to start until post-Christmas.

Further consideration is required regarding the pavers as the cost that the public was charged included a contribution to the 50th Anniversary clock.

20 March 2012 under Council Decision minute number 9726:

That Council advises the Kununurra 50th Anniversary committee that it does not support the clock tower concept. Council has concerns that this project will have significant financial impost on the rate payers of the future and committee has not provided evidence of community support.

As this project did not proceed consideration that the balance of funds that are left after the path construction should be returned on a pro-rata basis.

Consideration may also be given to writing to all participants asking if they would prefer to be refunded their contribution or would like to see the project continue.

ATTACHMENTS

Attachment 1 – proposed area for pavers

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Construct a link path in White Gum/Warlarring that contains the 50th anniversary Pavers
- 2) Reimburse all participants unexpended funds on a pro-rata basis.

Motion Cr Jane Parker

That Council engage in public consultation via media explaining the background of the 50th Anniversary pavers and seeking the community's preference for a brick walkway in their preferred location.

COUNCIL DECISION

Minute No. 9961

Moved: Cr J Parker

Seconded: Cr C Gore-Birch Gault

That Council engage in public consultation via media explaining the background of the 50th Anniversary pavers and seeking the community's preference for a brick walkway in their preferred location.

Carried Unanimously 7/0

Kenn Donohoe enters the room 5:50pm

White Gum Park

Brick Paving

Brick Paving

Tuckerbox



12.6 ELECTED MEMBER REPORTS

CR JOHN MOULDEN

- 19 /11/12 Ord Stage 2 Successful Tenderer Announcement, Perth
- 21 /11/12 Financial Services Review, Ingrid Bishop
- 23 /11/12 M2 Channel Official Opening
 Ord East Kimberley Expansion Project Public Forum, Kununurra
- 27 /11/12 Clontarf Academy Awards Night
- 29 /11/12 Tender Opening, Pavement Maintenance
 Kununurra District High School Awards Night
- 4 /11/12 Liquor Accord Meeting
 Audit Committee Meeting
 Briefing Session, Kununurra Council Chambers

CR JANE PARKER

- 22 – 25 /11/12 Kimberley Zone of WALGA / Regional Collaborative Group conference,
 Darwin

CR CISSY GORE-BIRCH GAULT

- 22 – 25 /11/12 Kimberley Zone of WALGA / Regional Collaborative Group conference,
 Darwin

COUNCIL DECISION

Minute No. 9962

Moved: Cr R Addis

Seconded: Cr C Gore-Birch Gault

That Council accept the Elected Member reports for 16 November 2012 to 6 December 2012.

Carried Unanimously 7/0

Cr Jane Parker

Following on from Kimberley Zone conference Cr Parker requests the Shire invite Jim Parashos, Director Airport Services, Northern Territory Airports to Kununurra for a meeting on Airport Services specific to East Kimberley Regional Airport.

12.7 CHIEF EXECUTIVE OFFICER REPORTS

The Chief Executive Officer attended the following meetings on behalf of Council:

1/11/12	Woodside
1/11/12	Director General – Department of Regional Development and Lands Chairman – WA Regional Development Trust
6/11/12	Watercorp
6/11/12	Tourism WA
7/11/12	Regional Centres Future Forum
13/11/12-16/11/12	Aviation Australia Association National Convention
21/11/12-25/11/12	Kimberley Zone & Kimberley RCG
27/11/12	Department of Housing – Louise Patterson – Waterlily Place
27/11/12	Commonwealth Bank Australia
27/11/12	DLA Piper
28/11/12	David Lauter – CEO Katherine Shire
28/11/12	LGIS Insurance
30/11/12	Civil Aviation Safety Authority
6/12/12	Ord State Implementation Committee

COUNCIL DECISION

Minute No. 9963

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

**That Council accept the Chief Executive Officer reports for 16 November 2012 to 6
December 2012.**

Carried Unanimously 7/0

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

COUNCIL DECISION

Minute No. 9964

Moved: Cr R Addis

Seconded: Cr D Ausburn

That Council move behind closed doors.

Carried Unanimously 7/0

Council move behind closed doors at 5:57pm.

The following attendees leave the meeting at 5:57pm;

Wayne Richards

Rob Drew

Peter Kerp

Kenn Donohoe

Elle Davidson

Jacinta Thompson

Janet Takarangi

Jennifer Ninnette

16. MATTERS BEHIND CLOSED DOORS

16.1 Confidential – Tender Evaluation Report T03 12/13

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Peter Kerp, Manager Engineering Services
REPORTING OFFICER:	Kevin Hannagan, Director Infrastructure
FILE NO:	CM.16.51
ASSESSMENT NO:	Tender T03 12/13

The business of the meeting is of a confidential nature as it relates to the business affairs of a person. The 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 provide Council with details of the Tenders received for T03 12/13 Periodic Maintenance of Sealed Road Pavements, document the results of the tender assessment and make recommendations regarding award of the Tender.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Minute No. 9965

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

That Council accept the tender submitted by Martell Road Maintenance, PO Box 234 Kununurra, WA 6743 for Tender T03 12/13 Periodic Maintenance of Sealed Road Pavements in accordance with the tender documentation and submitted schedule of rate prices for the contract period from date of execution of the contract to 31 December 2014.

Carried Unanimously 7/0

Cr Addis left the meeting due to conflict of interest with item 16.2 Regional Housing Construction Facility 6:06pm.

16.2 Regional Housing Construction Facility

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Janet Takarangi Economic Development Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	RK.01.13

The business of the meeting is of a confidential nature as it relates to the business affairs of a person. The 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

This report provides Council with an update on Regional Housing Construction Facility which was discussed at the Kimberley RCG/ZONE meeting held in Darwin 24 November 2012.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Minute No. 9966

Moved: Cr J Parker

Seconded: Cr C Gore-Birch Gault

- 1) That Council note the Ordinary Council Meeting report on Regional Housing construction facility which was discussed at the Kimberley Regional Collaborative Group / Zone meeting held in Darwin on 24 November 2012.**
- 2) That Council resolves to agree that the Country Local Government Fund regional component 2010/11 be reallocated to regional staff housing project.**

Carried Unanimously 6/0

Cr Addis returns to the meeting 6:08pm.

16.3 Kimberley Regional Group Governance Agreement

DATE:	11 December 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Janet Takarangi Economic Development Advisor
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	RK.02.3

The business of the meeting is of a confidential nature as it relates to the business affairs of a person. The 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

This paper seeks Council to consider the issues associated with supporting the draft Kimberley Regional Group Governance Agreement and following discussion to send any comments on the matter to the Secretariat of the Kimberley Regional Collaborative Group (RCG) Shire of Broome who will then proceed to finalise the Agreement.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Minute No. 9967

Moved: Cr J Parker

Seconded: Cr D Ausburn

That Council postpone item 16.3 Kimberley Regional Group Governance Agreement until 2013 where it can be discussed in depth at a briefing session.

Carried Unanimously 7/0

COUNCIL DECISION

Minute No. 9968

Moved: Cr R Addis

Seconded: Cr D Ausburn

That Council move out from behind closed doors.

Carried Unanimously 7/0

Council move out from behind closed doors 6:12pm.

17. CLOSURE

The Shire President declares the meeting closed at 6:12pm. Thank you to staff for attendance in the gallery.