



**MINUTES OF ORDINARY MEETING OF COUNCIL  
HELD ON 19 NOVEMBER 2013**

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

\_\_\_\_\_  
**Shire President Confirmed**

**Date:** \_\_\_\_\_

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**SHIRE OF WYNDHAM EAST KIMBERLEY  
AGENDA OF THE ORDINARY COUNCIL MEETING  
KUNUNURRA COUNCIL CHAMBERS**

**HELD ON TUESDAY, 19 NOVEMBER 2013 AT 5:00 PM.**

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**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

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

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

**ATTENDANCE**

Cr J Moulden	Shire President
Cr K Wright	Councillor
Cr B Robinson	Councillor
Cr D Spackman	Councillor
Cr S Cooke	Councillor
Cr G Taylor	Councillor
Cr G King	Councillor
G Gaffney	Chief Executive Officer
K Hannagan	Director Infrastructure
N Kearns	Director Community Development
E Davidson	Planning Officer
W Richards	Manager Community and Youth
M Callus	Executive Assistant to the Chief Executive Officer
D McCallum	Governance Officer (Minute Taker)

**APOLOGIES**

I Bishop                      Acting Director Corporate Services

**LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Cr D Learbuch	Councillor
Cr R Dessert	Councillor

### 3. DECLARATION OF INTEREST

- **Financial Interest**

Cr D Spackman  
Item 13.4.3 - Development application for home based business

- **Impartiality Interest**

Nil

- **Proximity Interest**

Nil

### 4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

### 5. PUBLIC QUESTION TIME

Di Oliver asked questions with respect to her application to the Western Australian Planning Commission (WAPC) to subdivide land at River Farm Road Kununurra, being

1. Why did the Shire take so long in replying to the referral from WAPC?
2. Why had the Shire refused to support the subdivision application?
3. Why hadn't a planner visited the site?

### 6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr S Cooke applies for leave of absence for January 2014 Ordinary Council Meeting.

#### **COUNCIL DECISION**

**Minute No. 10230**

**Moved: Cr K Wright  
Seconded: Cr B Robinson**

**That Council grants Cr S Cooke a leave of absence for January 2014 Ordinary Council Meeting.**

**Carried Unanimously 7/0**

**7. PETITIONS**

Nil

**8. CONFIRMATION OF MINUTES**

**8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 24 SEPTEMBER 2013 OCM**

**RECOMMENDATION**

That Council confirms the Minutes of the Ordinary Council Meeting held on 24 September 2013.

**COUNCIL DECISION**

**Minute No. 10231**

**Moved: Cr K Wright  
Seconded: Cr S Cooke**

**That Council confirms the Minutes of the Ordinary Council Meeting held on 24 September 2013.**

**Carried Unanimously 7/0**

**8.2 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 8 OCTOBER 2013**

**RECOMMENDATION**

That Council confirms the Minutes of the Special Council Meeting held on 8 October 2013.

**COUNCIL DECISION**

**Minute No. 10232**

**Moved: Cr S Cooke  
Seconded: Cr G King**

**That Council confirms the Minutes of the Special Council Meeting held on 8 October 2013.**

**Carried Unanimously 7/0**

**8.3 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 22 OCTOBER 2013**

**RECOMMENDATION**

That Council confirms the Minutes of the Special Council Meeting held on 22 October 2013.

**COUNCIL DECISION**

**Minute No. 10233**

**Moved: Cr K Wright  
Seconded: Cr B Robinson**

**That Council confirms the Minutes of the Special Council Meeting held on 22 October 2013.**

**Carried Unanimously 7/0**

**8.4 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 29 OCTOBER 2013**

**RECOMMENDATION**

That Council confirms the Minutes of the Ordinary Council Meeting held on 29 October 2013

Motion – Cr Keith Wright

That Council defers confirmation of the Minutes of the Ordinary Council Meeting held on 29 October 2013

**COUNCIL DECISION**

**Minute No. 10234**

**Moved: Cr K Wright  
Seconded: Cr D Spackman**

**That Council defers confirmation of the Minutes of the Ordinary Council Meeting held on 29 October 2013.**

**For: Cr G Taylor, Cr K Wright, Cr S Cooke, Cr G King, Cr B Robinson,  
Cr D Spackman  
Against: Cr J Moulden**

**9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

**10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS**

Nil

**12. MINUTES OF COUNCIL COMMITTEE MEETINGS**

**12.1 MINUTES OF AUDIT (RISK AND FINANCE) MEETING 5 NOVEMBER 2013**



## **Minutes of Audit (Risk and Finance) Committee Meeting**

### **5 November 2013**

I hereby certify that the Minutes of the Audit (Risk and Finance) Committee meeting held 5 November 2013 are a true and accurate record of the proceedings contained therein.

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**Chairperson confirmed**

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## 1. DECLARATION OF OPENING

The meeting was declared open by Shire President, John Moulden at 3.00pm.

Cr Moulden explains rules and conventions to newly elected members.

## 2. RECORD OF ATTENDANCE / APOLOGIES

Cr J Moulden            Committee member

Cr K Wright            Committee member

Cr B Robinson        Committee member

Cr D Spackman        Committee member

Gary Gaffney           Chief Executive Officer

Nick Kearns            Director Community Development

Asanka Jayakody      Accountant

Felicity Heading      Senior Finance Officer (Minute taker)

## 3. NOMINATION OF CHAIRPERSON

### 3.1 Shire President, Cr John Moulden Calls for Nominations for Audit (Risk and Finance) Committee Chairperson

Nominee:    Cr K Wright

Nominator: Cr D Spackman

Secunder:    Cr B Robinson

Nominee:    Cr J Moulden

Nominator: Cr J Moulden

Secunder:    Cr K Wright

Election by secret ballot

Ballot papers collected and counted by Gary Gaffney, CEO.

Cr K Wright            3 votes

Cr J Moulden           1 vote

Cr Wright elected chairperson of the Audit (Risk and Finance) Committee

Cr Wright assumes chair of the meeting 3:10pm

#### **4. DECLARATION OF INTEREST**

- **Financial Interest**  
Nil
- **Impartiality Interest**  
Nil
- **Proximity Interest**  
Nil

#### **5. ACCEPTANCE OF MINUTES OF PREVIOUS MEETING**

##### **5.1 Audit (Risk and Finance) Committee Meeting Minutes 27 August 2013**

###### **RECOMMENDATION**

**That the minutes of the Audit (Risk and Finance) Committee meeting of 27 August 2013 be accepted as a true and accurate record of proceedings.**

This item has been deferred until clarification has been sought from Department of Local Government on acceptance of minutes by newly elected members who were not present at the previous meeting and therefore are unable to confirm that the minutes are a true and accurate recording.

## 6. OFFICER'S REPORTS

### 6.1 SUNDRY DEBTORS

<b>DATE:</b>	5 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Paul Tily, Finance Officer Felicity Heading, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	FM.07.2

#### **PURPOSE**

To review status of sundry debtors, including airport debtors, and sundry debts in legal process.

#### **BACKGROUND**

The listing of 90+ Day Sundry Debtors was provided at the Ordinary Council Meeting on a monthly basis until March 2009 when Council resolved that the 90+ days debtor list be removed from the Council Agenda as a standing item and be presented to the then Audit Committee for consideration and to make recommended actions to Council as this falls within the scope of the committee's purpose.

In line with the more strategic focus of the new Committee the report in April 2012 only included debtor balances at 90+days and over \$500.

To further progress this strategic focus this item has been changed to provide summary information regarding all sundry debts including airport landing fees administered by Avdata on Councils behalf. Sundry debtors in legal process have also been incorporated into this item to give a complete picture of sundry debtors.

#### **STATUTORY IMPLICATIONS**

This item in a Council Meeting needs to be discussed behind closed doors under Section 5.23. (2) (e) (iii) of the Local Government Act 1995 because the item may disclose information about the business, professional, commercial or financial affairs of a person and because the item also contained legal advice to the Council.

As the Audit (Risk and Finance) Committee has no delegated powers it does not need to open to the public and therefore the provisions of Section 5.23 are not relevant.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

Legal fees may be incurred to recover debts or revenue written off if debt recovery is considered not economically viable.

## **STRATEGIC IMPLICATIONS**

The costs associated with legal fees to recover debt need to be weighed up against the debt to ensure and economically viable action is being taken.

## **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

## **COMMENT**

### **Sundry Debtors (General) Summary – 17<sup>th</sup> October 2013**

<b>Categories</b>	<b>90 Days</b>		<b>60 Days</b>	<b>30 Days</b>	<b>Current</b>	<b>Total</b>
	<b>No</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Airport & Airport Leases	4	31,693	81,542	4,952	428,378	546,565
Childcare	11	11,995	716	1,400	3,601	17,712
Grant	2	55,172	-	-	-	55,172
Health	2	410	-	-	-	410
Leisure	3	36,000	1,057	1,329	8,535	46,921
Waste	12	14,051	10,857	37,531	29,388	91,827
Other	5	134,267	47,363	53,247	158,678	393,555
<b>Total</b>		<b>283,588</b>	<b>141,535</b>	<b>98,459</b>	<b>628,580</b>	<b>1,152,162</b>

Note: The information in the above table is from Council's Debtors System. The revenue is recognised when the debt is raised.

### **Sundry Debtors (Airport Landing Fees) Summary – 01 October 2013**

<b>Categories</b>	<b>90 Days</b>		<b>60 Days</b>	<b>30 Days</b>	<b>Current</b>	<b>Total</b>
	<b>No</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Kununurra Airport	28	2,495	15,266	152,586	156,004	326,351
Wyndham Airport	2	76	203	5,239	4,843	10,361
<b>Total</b>		<b>2,571</b>	<b>15,469</b>	<b>157,825</b>	<b>160,847</b>	<b>336,712</b>

Note: The information in the above table is provided by Avdata. Airport Landing Fees are not detailed in any Council Systems; they are invoiced and collected on Council's behalf by Avdata. The revenue is recognised when the cash is deposited in Council's bank account.

## **ATTACHMENTS**

Attachment 1 – Sundry Debtors detailed report as at 17 October 2013 (Confidential - provided under separate cover)

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

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.

## **COMMITTEE RESOLUTION**

**Minute AC282**

**Moved: Cr J Moulden**

**Seconded: Cr B Robinson**

**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: 4/0**

## **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.**

## 6.2 RATES DEBTORS

<b>DATE:</b>	5 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Shelley Binnie, Finance Officer Rates
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	FM.11.1

### **PURPOSE**

To review status of rates debtors and rates debts in legal process.

### **BACKGROUND**

At the Ordinary Council Meeting, 16 October 2007, Council moved the following resolution:

*Minute No. 7936*

*That Council direct the CEO to provide a written report to Council under confidential cover each month in regard to all debts currently in legal process.*

*Carried Unanimously 5/0*

At the Ordinary Council Meeting, 18 March 2008, Council moved the following:

*Minute No: 8148*

*Moved: Cr J Parker    Seconded: Cr F Mills*

*That Council:*

- 1. note the confidential report provided to it in relation to debts owed to Council and under legal action.*
- 2. direct the Executive Manager Corporate Services to provide a written report to the Audit Committee under confidential cover at each Audit Committee meeting in regard to all debts currently in legal process.*
- 3. request the Audit Committee to make recommendations to Council as required and appropriate in relation to the report provided under confidential cover regarding debts currently in legal process.*
- 4. resolve that this requirement replaces the previous requirement on the CEO to report information to Council.*

*Carried Unanimously 8/0*

This requirement is now fulfilled by a combination of this report and item 5.1 Standing Item – Sundry Debtors.

Outstanding Rates Debtors over three years report has also been incorporated into the confidential attachment to this item to give a complete picture of rates debtors.

## **STATUTORY IMPLICATIONS**

This item in a Council Meeting needs to be discussed behind closed doors under Section 5.23. (2) (e) (iii) of the Local Government Act 1995 because the item may disclose information about the business, professional, commercial or financial affairs of a person and because the item also contained legal advice to the Council.

As the Audit (Risk and Finance) Committee has no delegated powers it does not need to open to the public and therefore the provisions of Section 5.23 are not relevant.  
Paid

## **POLICY IMPLICATIONS**

No policy implications apply in relation to this item.

## **FINANCIAL IMPLICATIONS**

Legal fees may be incurred to recover debts or revenue written off if debt recovery is considered not economically viable.

## **STRATEGIC IMPLICATIONS**

Strategic Community Plan – Strategy 1.4.3  
Maintain Council's long term financial viability

## **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

## **COMMENT**

### **Rates and Services Debtors Summary**

<b>Rates &amp; Services Levied 2013/2014 (including arrears)</b>	<b>Rates &amp; Services Debt at 16 October 2013</b>	<b>Overdue at 16 October 2013</b>
\$ 9,706,224.97	\$2,619,608.01	\$1,246,976.01

Rates for the financial year of 2013/14 were raised and issued on 13 August 2013. Interim rating occurs periodically throughout the year.

## **ATTACHMENTS**

Rates Debtors - Detailed Report (Confidential Attachment provided under separate cover)

## **VOTING REQUIREMENT**

Simple Majority

### **OFFICER'S RECOMMENDATION**

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.

### **COMMITTEE RESOLUTION**

**Minute AC283**

**Moved: Cr B Robinson**

**Seconded: Cr D Spackman**

**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: 4/0**

### **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.**

### 6.3 INTERIM AUDIT VISIT, YEAR ENDED 30 JUNE 2013

<b>DATE:</b>	5 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	FM.90.0

#### **PURPOSE**

To report on the progress undertaken to address the Interim Audit Visit Year Ended 30 June 2013 – Matters Noted and Requiring Follow Up from UHY Haines Norton.

#### **BACKGROUND**

The role of the Audit (Risk and Finance) Committee is to examine and consider the results of the annual audit as well as the management responses to any issues raised by Auditors.

UHY Haines Norton, Councils appointed auditors, conducted an onsite procedural audit in May 2013 in preparation for the 2012/13 Annual Audit. The Auditors have provided management with an Interim Audit Visit Year Ended 30 June 2013 – Matters Noted and Requiring Follow Up document which is for information purposes only and does not form part of the formal audit reporting process.

An officers report was tabled at the August 2013 Audit (Risk and Finance) Committee with a request from Committee members to present an update at each Committee meeting until the issues were finalised

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995

##### 7.9. Audit to be conducted

(1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —

- (a) the mayor or president;
  - (b) the CEO of the local government; and
  - (c) the Minister.
- (2) Without limiting the generality of subsection (1), where the auditor considers

that —

(a) there is any error or deficiency in an account or financial report submitted for audit;

(b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or

(c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government,

details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.

(3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —

- (a) prepare a report thereon; and
- (b) forward a copy of that report to the Minister, and that direction has effect according to its terms.

(4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government to be dealt with under section 7.12A.

#### 7.12A. Duties of local government with respect to audits

(1) A local government is to do everything in its power to —

(a) assist the auditor of the local government to conduct an audit and carry out his or her other duties under this Act in respect of the local government; and

(b) ensure that audits are conducted successfully and expeditiously.

(2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.

(3) A local government is to examine the report of the auditor prepared under section 7.9(1), and any report prepared under section 7.9(3) forwarded to it, and is to —

(a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and

(b) ensure that appropriate action is taken in respect of those matters.

(4) A local government is to —

(a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and

(b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.

### **POLICY IMPLICATIONS**

No policy implications apply in relation to this item at this stage however it is anticipated that specific financial policies will need to be reviewed in line with the final Annual Audit recommendations

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

### **STRATEGIC IMPLICATIONS**

Accountability and transparency of the Shire's accounting functions. The Audit (Risk and Finance) Committee fulfilling the functions and responsibilities of the Committee.

### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

### **COMMENT**

Interim Audit Visit Year Ended 30 June 2013 – Matters Noted and Requiring Follow Up Management Response

In response to the comments made in the Interim Audit Visit – Matters Noted and Requiring Follow Up, staff have developed an action plan to mitigate and/or resolve outstanding

matters. This action plan will be followed up by auditors during their next visit in 2013 to finalise the Annual Audit.

October 2013 Update:

### **ATTACHMENTS**

Interim Audit – matters for follow up (provided under separate cover)

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That the Audit (Risk and Finance) Committee notes the management response to audit issues and corrective actions being taken by management – October update.

### **COMMITTEE RESOLUTION**

**Minute AC284**

**Moved: Cr D Spackman**

**Seconded: Cr J Moulden**

**That the Audit (Risk and Finance) Committee notes the management response to audit issues and corrective actions being taken by management – October update.**

**Carried Unanimously: 4/0**

### **COMMITTEE RECOMMENDATION 3**

**That the Audit (Risk and Finance) Committee notes the management response to audit issues and corrective actions being taken by management – October update.**

## 6.4 RESPONSE TO TENNIS CLUB REGARDING OUTSTANDING COURT CONTRIBUTION

<b>DATE:</b>	5 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Wayne Richards, Manager Community and Youth
<b>REPORTING OFFICER:</b>	Nick Kearns, Director Community Development
<b>FILE NO:</b>	RC.09.9

### PURPOSE

At the 27 August 2013 Audit Committee meeting, an item was presented regarding the dispute of an outstanding debt by the Kununurra Netball Association. The Audit Committee recommended writing off the Netball Association additional contribution of \$8500. The information below relates to the Kununurra Tennis Club component of this same matter and it is proposed that the Audit Committee recommend the same action for the Tennis Club.

### BACKGROUND

In 2008 the Kununurra Netball Association, Kununurra Tennis Club and Kununurra Basketball Club committed to contributing \$51,000 towards an expansion of the Multipurpose Court Upgrade project. Following the completion of this project, the Basketball Association folded and do not have the capacity to contribute. Both remaining associations have confirmed that they are willing to pay one third of the total amount (\$17,000 each), however they believe they are not responsible for the remaining amount of \$17,000 that is owing due to the lack of contribution from the Basketball Association.

This information, as well as some information regarding other potential offsets due to in kind labour and damage to club owned property was presented at the August 2012 Audit Committee Meeting (Item Attached). The Audit Committee recommendation was:

#### *“AUDIT COMMITTEE RECOMMENDATION 5*

*That Council agree to the Shire President, Chair of Audit (Risk and Finance) Committee and Chief Executive Officer write to the Tennis Club, Basketball Club and Netball Club requiring the debt in regard to \$51,000 contribution to multi-purpose courts referred to in letter cosigned by the clubs on 21 November 2008 to be paid in full by 30 June 2013.”* This recommendation was adopted by Council at the 18 September 2012 Ordinary Council Meeting.

Letters were drafted to the clubs however no payments were made. It is understood that the Tennis Club are not in a financial position to pay the outstanding \$17,000 in one payment.

As the request for payment was a decision of Council, Officers were unable to negotiate further with the only option available to enforce payment being to prevent the Association from using the facility until the debt was paid. This is not desirable as the club provides a positive recreation activity for the community, as well as the likely negative response from the club, community and potentially future funding sources.

For this reason, at the 27 August 2013 Audit Committee Meeting, the recommendation was made to write off the Netball Association debt with the Audit Committee endorsing this recommendation. It is now a recommendation that the contribution of \$8500 from the Tennis Club be written off and a payment plan put in place for the outstanding \$17,000.

## **STATUTORY IMPLICATIONS**

There are no statutory implications associated with this report.

## **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

## **FINANCIAL IMPLICATIONS**

The Officers recommendation is to write off the outstanding debt of \$8500 from the Kununurra Tennis Club.

## **STRATEGIC IMPLICATIONS**

This item relates to Councils 10 Year Strategic Community Plan Objective

- 3.5 - An Outdoor lifestyle is encouraged and promoted

## **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

## **COMMENT**

The summary of the disputed debt comes down to the interpretation of a letter committing \$51,000 to the Multipurpose Court Project. The clubs believe that the letter commits them to a three way split and therefore the Basketball Association defaulting should not be their responsibility. The Shire has maintained that the commitment was made collectively as three clubs and therefore the Basketball Association defaulting should be covered by the remaining clubs.

It is understood that the direction of Council, through the Audit Committee recommendation at the 18 September 2012 OCM was that the clubs were responsible for the full amount owing and this was to be paid by 30 June 2013.

Interpretation of the letter aside, the consequences of the resultant actions are also an important part of this item. The Shire actively promotes the growth and sustainability of local clubs through its Community Grants program and Club Development project. The only action available to the Shire to enforce the payment of the outstanding contribution is to prevent usage of the facility. This is contrary to the Shire's strategic direction which is to encourage the community to develop such clubs and Associations.

The Tennis Club have made their position clear from the date that this dispute was raised that they were willing to pay one third of the \$51,000 amount owing, equating to \$17,000. The Tennis Club was willing to pay this amount through a payment plan to reduce the burden on the club (currently the Club pays an annual fee of \$5000 usage fee for the courts). As no agreement was reached in 2012, this payment plan has not yet been established. The Club is not however, willing to pay the additional \$8,500 attributed to them when it became apparent the Basketball Association would not be able to pay their contribution.

The actions available to the Shire to resolve this matter are:

- Write off the disputed figure of \$8500 and enter into a payment plan with the Tennis Club for the outstanding \$17,000.
- Insist on the full payment of \$25,500 and prevent access to the courts by the Club until the debt is cleared.

### **ATTACHMENTS**

The associated attachment will be provided under separate cover.

Attachment 1 – Audit Committee Item August 2012 - Recovery of Outstanding Multipurpose Court Contribution

Attachment 2 – Tennis Club response to invoices

Attachment 3 – Letter from Clubs committing to payment

Attachment 4 – Recommendations from August 2013, Audit (Risk and Finance) Committee meeting, Item 5.6, Response to Netball Association regarding outstanding court contribution

### **OFFICER'S RECOMMENDATION**

That the Audit Committee Delegate authority to the Director Corporate Services to:

- 1 Write off the amount of \$8500 owed by the Kununurra Tennis Club
- 2 Negotiate a payment plan with the Tennis Club for the outstanding \$17,000

### **COMMITTEE RESOLUTION**

**Minute AC285**

**Moved: Cr J Moulden**

**Seconded: Cr D Spackman**

**That the Audit Committee Delegate authority to the Director Corporate Services to:**

- 1 Write off the amount of \$8500 owed by the Kununurra Tennis Club**
- 2 Negotiate a payment plan with the Tennis Club for the outstanding \$17,000**

**Carried Unanimously: 4/0**

### **COMMITTEE RECOMMENDATION 4**

**That the Audit Committee Delegate authority to the Director Corporate Services to:**

- 1 Write off the amount of \$8500 owed by the Kununurra Tennis Club**
- 2 Negotiate a payment plan with the Tennis Club for the outstanding \$17,000**

## 7. PROJECT UPDATES

This item is to provide information to the Audit (Risk and Finance) Committee on

- ongoing projects not subject to officers reports
- items that do not require a Council decision

A confidential attachment has been provided under separate cover.

### 7.1 STRATEGIC RISK REPORT

Strategic Risk Report - Detailed Report (Confidential Attachment provided under separate cover)

### 7.2 LEASES

The Shire of Wyndham East Kimberley administers over thirty five leases ranging from Airport leases, community leases and commercial leases.

In December 2007 the Audit (Risk and Finance) Committee resolved:

*Minute No. A066*

*Moved Cr Keith Wright*

*Seconded Cr Frederic Mills*

- 1. That the Audit Committee note that the responsibility for the management of leases and periodical contracts is that of the Executive Manager Corporate Services.*
- 2. That the Audit Committee note that the Executive Manager Corporate Services monitors the leases and coordinates the lease data base and reporting to Executive Managers, the Audit Committee and Council.*
- 3. That the Audit Committee request staff to present an updated Lease Spreadsheet certified by Executive Manager Corporate Services to each Audit Committee meeting as a standing item.*

*CARRIED UNANIMOUSLY 4/0*

### ATTACHMENTS

Lease Schedule - Detailed Report (Confidential - provided under separate cover)

### 7.3 LEADERSHIP TEAM

### ATTACHMENTS

Nil

#### **7.4 COMPLIANCE CALENDAR 2013**

##### **ATTACHMENTS**

Nil

#### **7.5 STRATEGIC RATES REVIEW - STATUS REPORT**

##### **ATTACHMENTS**

Nil

#### **7.6 AUDIT (RISK AND FINANCE) COMMITTEE STATUS REPORT**

##### **ATTACHMENTS**

Audit (Risk and Finance) Committee Status Report (Confidential Attachment provided under separate cover)

#### **7.7 FINANCIAL SERVICES REVIEW REPORT**

##### **ATTACHMENTS**

Nil

#### **8. REQUESTS FOR OFFICER REPORTS**

This section is included in the agenda in place of General Business to improve the meeting process and to enable the Audit (Risk and Finance) Committee to make informed decisions based on adequate research and an officer recommendation. Even though this item exists committee members can request officer reports at any time (giving suitable preparation time prior to the agenda deadline).

#### **9. DATE OF NEXT MEETING**

11 February 2014

#### **10. CLOSURE**

Chairperson, Cr K Wright declares the meeting closed at 4:45pm.

## 13. REPORTS

### 13.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

#### 13.1.1 Matters Arising from Audit (Risk and Finance) Committee meeting held on 27 August 2013

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Felicity Heading, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	GN.05.2

#### **PURPOSE**

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

#### **BACKGROUND**

The Audit (Risk and Finance) Committee meets regularly to fulfil the requirement to provide an independent oversight of the financial systems of the local government on behalf of the Council. These meetings are not open to the public however the agenda and minutes are available.

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

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 7.1A

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

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

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

### **COMMENT**

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

### **ATTACHMENTS**

Nil

### **VOTING REQUIREMENT**

Simple Majority

### **AUDIT COMMITTEE RECOMMENDATION 3**

That the Audit (Risk and Finance) Committee recommends to Council to agree to the request to write off penalties of \$117.30 on Assessment A6507.

### **COUNCIL DECISION**

**Minute No. 10235**

**Moved: Cr B Robinson**

**Seconded: Cr D Spackman**

**That the Audit (Risk and Finance) Committee recommends to Council to agree to the request to write off penalties of \$117.30 on Assessment A6507.**

**Carried Unanimously 7/0**

#### **AUDIT COMMITTEE RECOMMENDATION 4**

That the Audit (Risk and Finance) Committee recommends to Council:

1. To write off service charges and penalties of \$3,762.25 for Nulleywah and \$7,059.39 for Mirima communities.
2. To ensure that an Administration Policy is developed that includes the mandatory provision of an Agreement between the Shire and the customer to ensure that service levels and financial obligations are understood and in place prior to services commencing.
3. Officers' report to be tabled at September briefing session.

#### **COUNCIL DECISION**

**Minute No. 10236**

**Moved: Cr B Robinson**

**Seconded: Cr D Spackman**

**That the Audit (Risk and Finance) Committee recommends to Council:**

- 1. To write off service charges and penalties of \$3,762.25 for Nulleywah and \$7,059.39 for Mirima communities.**
- 2. To ensure that an Administration Policy is developed that includes the mandatory provision of an Agreement between the Shire and the customer to ensure that service levels and financial obligations are understood and in place prior to services commencing.**
- 3. Officers' report to be tabled at September briefing session.**

**Carried Unanimously 7/0**

## **AUDIT COMMITTEE RECOMMENDATION 5**

That the Audit (Risk and Finance) Committee:

1. Receives the Interim Audit Visit Year Ended 30 June 2013 – Matters Noted and Requiring Follow Up.
2. Notes the management response to audit issues and corrective actions being proposed by management.
3. Recommends to Council to receive the Interim Audit Visit Year Ended 30 June 2013 – Matters Noted and Requiring Follow Up.
4. Recommends to Council:
  - That a report on the status of actions taken in relation to the results of Interim Audit for Year Ended 30 June 2013 and the final Annual Audit for Year Ended 30 June 2013 is included in the Audit (Risk and Finance) Committee Agenda as a standing item until all issues are resolved.

### **COUNCIL DECISION**

**Minute No. 10237**

**Moved: Cr K Wright**

**Seconded: G King**

**That the Audit (Risk and Finance) Committee:**

1. **Receives the Interim Audit Visit Year Ended 30 June 2013 – Matters Noted and Requiring Follow Up.**
2. **Notes the management response to audit issues and corrective actions being proposed by management.**
3. **Recommends to Council to receive the Interim Audit Visit Year Ended 30 June 2013 – Matters Noted and Requiring Follow Up.**
4. **Recommends to Council:**
  - **That a report on the status of actions taken in relation to the results of Interim Audit for Year Ended 30 June 2013 and the final Annual Audit for Year Ended 30 June 2013 is included in the Audit (Risk and Finance) Committee Agenda as a standing item until all issues are resolved.**

**Carried Unanimously 7/0**

## **AUDIT COMMITTEE RECOMMENDATION 6**

That the Audit (Risk and Finance) Committee recommends that Council write-off monies owing with respect to the contribution to the upgrade of the Kununurra netball, tennis and basketball courts and that an officers report will be required to address the write-off for the tennis club at the next Audit Committee meeting.

### **COUNCIL DECISION**

**Minute No. 10238**

**Moved: Cr K Wright**

**Seconded: Cr B Robinson**

**That the Audit (Risk and Finance) Committee recommends that Council write-off monies owing with respect to the contribution to the upgrade of the Kununurra netball, tennis and basketball courts and that an officers report will be required to address the write-off for the tennis club at the next Audit Committee meeting.**

**Carried Unanimously 7/0**

**13.1.2 Matters Arising from Audit (Risk and Finance) Committee  
meeting held on 5 November 2013**

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Felicity Heading, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	GN.05.2

**PURPOSE**

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

**BACKGROUND**

The Audit (Risk and Finance) Committee meets regularly to fulfil the requirement to provide an independent oversight of the financial systems of the local government on behalf of the Council. These meetings are not open to the public however the agenda and minutes are available.

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

**STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 7.1A

**POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

**COMMENT**

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

## **ATTACHMENTS**

Nil

## **VOTING REQUIREMENT**

Simple Majority

## **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.

## **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.

## **COMMITTEE RECOMMENDATION 3**

That the Audit (Risk and Finance) Committee notes the management response to audit issues and corrective actions being taken by management – October update.

## **COMMITTEE RECOMMENDATION 4**

That the Audit Committee delegates authority to the Director Corporate Services to:

- 1 Write off the amount of \$8500 owed by the Kununurra Tennis Club
- 2 Negotiate a payment plan with the Tennis Club for the outstanding \$17,000

Recommendation 1, 2, 3, and 4 of item 13.1.2 Matters Arising from Audit (Risk and Finance) Committee meeting held on 5 November 2013 accepted by en bloc resolution.

## **COUNCIL DECISION**

**Minute No. 10239**

**Moved: Cr K Wright**

**Seconded: Cr B Robinson**

**That Council accepts the Audit (Risk and Finance) Committee recommendations 1, 2, 3 and 4 from 5 November committee meeting *en bloc*.**

**Carried Unanimously 7/0**

## 13.2 CORPORATE SERVICES

### 13.2.1 Monthly Financial Report

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Asanka Jayakody, Accountant
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	FM.09.5

#### **PURPOSE**

For Council to note and accept the Monthly Financial Report for September 2013.

#### **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**

*Strategic Community Plan 2012 – 2022, objective 1.4, strategies 1.4.1 to 1.4.5*

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

#### **COMMENT**

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 September 2013.

**COUNCIL DECISION**

**Minute No. 10240**

**Moved: Cr S Cooke**

**Seconded: Cr G Taylor**

**That Council accepts the Monthly Financial Report for the month of September 2013.**

**Carried Unanimously 7/0**



# Shire of Wyndham East Kimberley

## Monthly Financial Report 2013/2014

**As at 30 September 2013**

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 30 September 2013

	YTD Actual 2013/14 \$	YTD Budget 2013/14 \$	YTD Variance 2013/14 \$	%	
<b>Revenue</b>					
General Purpose Funding	744,568	793,183	(48,615)	-6%	▼
Governance	26,950	11,143	15,807	142%	▲
Law, Order, Public Safety	3,035	14,073	(11,038)	-78%	▼
Health	5,056	5,790	(734)	-13%	▼
Education and Welfare	47,376	44,092	3,284	7%	▲
Housing	55,114	64,674	(9,560)	-15%	▼
Community Amenities	1,444,072	1,556,263	(112,191)	-7%	▼
Recreation and Culture	151,766	170,879	(19,113)	-11%	▼
Transport	1,079,830	1,226,135	(146,305)	-12%	▼
Economic Services	22,138	29,107	(6,969)	-24%	▼
Other Property and Services	86,080	89,922	(3,842)	-4%	▼
	<u>3,665,983</u>	<u>4,005,261</u>	<u>(339,278)</u>	<u>-8%</u>	<u>▼</u>
<b>Expenses</b>					
General Purpose Funding	(152,159)	(152,179)	20	0%	▼
Governance	(376,420)	(361,902)	(14,518)	4%	▲
Law, Order, Public Safety	(146,464)	(161,494)	15,030	-9%	▼
Health	(117,952)	(108,097)	(9,855)	9%	▲
Education and Welfare	(90,029)	(131,410)	41,381	-31%	▼
Housing	(118,130)	(174,543)	56,413	-32%	▼
Community Amenities	(1,234,829)	(1,244,273)	9,444	-1%	▼
Recreation & Culture	(1,098,184)	(1,326,443)	228,259	-17%	▼
Transport	(1,336,680)	(1,804,790)	468,110	-26%	▼
Economic Services	(218,120)	(194,123)	(23,997)	12%	▲
Other Property and Services	(6,979)	(115,313)	108,335	-94%	▼
	<u>(4,895,946)</u>	<u>(5,774,568)</u>	<u>878,621</u>	<u>-15%</u>	<u>▼</u>
<b>Adjustments for Cash Budget Requirements:</b>					
<b>Non-Cash Expenditure and Revenue</b>					
(Profit)/Loss on Asset Disposals	0	0	0	0%	▼
Movement in Accruals and Provisions	(1,074)	48,452	(49,526)	-102%	▲
Depreciation on Assets	0	1,173,636	(1,173,636)	-100%	▼
<b>Capital Expenditure and Revenue</b>					
Purchase Land Held for Resale	0	0	0	0%	▼
Purchase Land and Buildings	(96,223)	(226,720)	130,497	-58%	▼
Purchase Infrastructure Assets - Roads	(278,415)	(242,500)	(35,915)	15%	▲
Purchase Infrastructure Assets - Footpaths	0	0	0	0%	▼
Purchase Infrastructure Assets - Drainage	(311,959)	(305,000)	(6,959)	2%	▼
Purchase Infrastructure Assets - Other	(212,575)	(740,386)	527,811	-71%	▼
Purchase Plant and Equipment	(112,939)	(41,675)	(71,264)	0%	▲
Purchase Furniture and Equipment	(22,840)	(20,373)	(2,467)	12%	▼
Grants / Contributions for Development of Assets	712,771	203,461	509,310	0%	▼
Proceeds from Disposal of Assets	0	0	0	0%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(84,747)	(86,076)	1,329	-2%	▼
Proceeds from New Debentures	0	0	0	0%	▼
Transfers to Reserves (Restricted Assets)	0	0	0	0%	▼
Transfers from Reserves (Restricted Assets)	0	0	0	0%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	6,068,866	6,068,866	0	0%	▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	11,939,398	11,414,228	525,170	5%	▼
Minutes Ordinary Council Meeting	19 November 2013				
<b>Amount Required to be Raised from Rates</b>	<u>7,508,497</u>	<u>7,351,850</u>	<u>156,647</u>	<u>0%</u>	<u>▼</u>

## Shire of Wyndham East Kimberley

### Note to Statement of Financial Activity

#### Net Current Assets

as at 30 September 2013

### NET CURRENT ASSETS

#### Composition of Estimated Net Current Asset Position

	YTD Actual 2013/14	Brought Forward 1 July 2013
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	8,887,720	5,262,152
Cash - Restricted	7,317,693	7,288,404
Cash - Restricted Unspent Grants	0	0
Receivables	3,958,043	1,426,471
Inventories	41,409	17,288
	<u>20,204,865</u>	<u>13,994,314</u>
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	(947,774)	(637,045)
Less: Cash - Restricted	<u>(7,317,693)</u>	<u>(7,288,404)</u>
<b>NET CURRENT ASSET POSITION</b>	<u><u>11,939,398</u></u>	<u><u>6,068,866</u></u>

# Shire of Wyndham East Kimberley

## Notes to Statement of Financial Activity For the Period Ended 30 September 2013

### Explanation of Material Variances

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

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

#### Operating

<b>Recurrent Income - Excluding Rates</b>		▼	
<b>General Purpose Funding</b>		▼	
Interest Income - Reserve Fund	\$ 51,000	▼	Timing related to investment maturity. Expect to correct.
<b>Governance</b>		▲	
Interest Income - Kimberley Zone	\$ 17,300	▲	Interest earned due to delay in re-payment of unspent grant.
<b>Law, Order and Public Safety</b>		▼	
No material variances to report			
<b>Health</b>		▼	
No material variances to report			
<b>Education and Welfare</b>		▲	
No material variances to report			
<b>Housing</b>		▼	
No material variances to report			
<b>Community Amenities</b>		▼	
Waste Management Receptacle Charge	\$ 13,400	▲	Timing related to year to date budget estimates. Expect to correct.
Rubbish Disposal Charges	\$ 128,100	▼	Timing related to year to date budget estimates. Expect to correct.
<b>Recreation and Culture</b>		▼	
No material variances to report			
<b>Transport</b>		▼	
Aircraft Landing Fees - East Kimberley Regional Airport	\$ 56,700	▼	Timing related to year to date budget estimates. Expect to correct.
Passenger Head Tax - East Kimberley Regional Airport	\$ 61,000	▼	Timing due to delay in invoicing process. Expect to correct.
Passenger Screening Fees - East Kimberley Regional Airport	\$ 30,100	▼	Timing due to delay in invoicing process. Expect to correct.
Leases - East Kimberley Regional Airport Other	\$ 14,600	▼	Timing related to year to date budget estimates. Expect to correct.
<b>Other Property and Services</b>		▼	
No material variances to report			
<b>Recurrent Expenditure</b>		▼	
<b>General Purpose Funding</b>		▼	
No material variances to report			
<b>Governance</b>		▲	
Management Training - Governance	\$ 35,300	▲	Program started earlier than predicted. Timing.
Administration Salary and Wages Allocated - Other Governance	\$ 15,100	▲	Timing related to year to date budget estimates. Expect to correct. Non cash item.
Admin Overheads Allocated - Other Governance	\$ 22,600	▼	Timing related to year to date budget estimates. Expect to correct. Non cash item.
<b>Law, Order and Public Safety</b>		▼	
No material variances to report			
<b>Health</b>		▲	
No material variances to report			
<b>Education and Welfare</b>		▼	
Direct Salaries - Wyndham Childcare Centre	\$ 14,400	▼	Savings due to vacant positions.
Depreciation - Kununurra Childcare Centre	\$ 16,500	▼	Pending depreciation transaction due to assets revaluation process. Timing. Non cash item.

# Shire of Wyndham East Kimberley

## Notes to Statement of Financial Activity For the Period Ended 30 September 2013 (continued)

### Recurrent Expenditure (continued)

#### Housing

Depreciation - Staff Housing	\$ 62,500	▼	Pending depreciation transaction due to assets revaluation process. Timing. Non cash item.
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#### Community Amenities

Tip Maintenance	\$ 98,800	▲	Timing related to year to date budget estimates. Expect to correct.
Refuse Collection	\$ 33,600	▼	Pending invoices. Timing.
Litter Control	\$ 20,900	▲	Higher operational activities in Wyndham and Kununurra.
Cumbungi Management - Protection of Environment	\$ 17,400	▲	Seasonal works. Timing. Expected to correct.
Consultants - Local Planning Strategy MUN	\$ 40,900	▼	Timing related to year to date budget estimates. Expect to correct.
Admin Overheads Allocated - Town Planning & Regional Development	\$ 14,200	▼	Timing related to year to date budget estimates. Expect to correct. Non cash item.
Community Grants	\$ 13,600	▼	Pending invoices from approved grant recipients for payment.
Depreciation - Youth Services	\$ 17,500	▼	Pending depreciation transaction due to assets revaluation process. Timing. Non cash item.

#### Recreation and Culture

Depreciation - Recreation & Culture	\$ 180,800	▼	Pending depreciation transaction due to assets revaluation process. Timing. Non cash item.
Direct Salaries - Kununurra Swimming Complex	\$ 10,600	▼	Savings due to vacant positions.
Foreshores and Boat Ramps - Kununurra	\$ 21,600	▲	Timing related to year to date budget estimates. Expect to correct.
Grounds and Court Maintenance - Wyndham Youth and Recreation Centre	\$ 10,300	▲	Urgent repair due to vandalism. Possible insurance claim.
Parks and Gardens Maintenance - Kununurra	\$ 70,600	▲	Timing related to year to date budget estimates. Expect to correct.
Joint Use Contribution - Libraries	\$ 22,000	▼	Timing related to year to date budget estimates. Expect to correct.
Kununurra Oval & Ground Maintenance	\$ 16,400	▼	Timing related to year to date budget estimates. Expect to correct.

#### Transport

Rural Road Maintenance	\$ 19,700	▲	Timing related to year to date budget estimates. Expected to correct.
Urban Road Maintenance - Kununurra and Wyndham	\$ 34,300	▲	Timing related to year to date budget estimates. Expected to correct.
Kalumburu Road - Maintenance MUN	\$ 14,100	▲	Project started. Timing related to year to date budget estimates.
Depreciation - Streets, Roads & Bridges - Maintenance	\$ 362,500	▼	Pending depreciation transactions due to assets revaluation process. Timing. Non cash item.
Admin Overheads Allocated - East Kimberley Regional Airport	\$ 11,600	▼	Timing related to year to date budget estimates. Expect to correct. Non cash item.
Airport Terminal Building Maintenance - East Kimberley Regional Airport	\$ 11,700	▲	Cost includes unbudgeted new administration building maintenance expenses.
Airside Operations - East Kimberley Regional Airport	\$ 22,300	▲	Some maintenance has occurred earlier than expected.
Passenger Screening Expenses - East Kimberley Regional Airport	\$ 19,600	▼	Timing related to year to date budget estimates. Expect to correct.
Depreciation - East Kimberley Regional Airport	\$ 200,000	▼	Pending depreciation transaction due to assets revaluation process. Timing. Non cash item.

#### Economic Services

East Kimberley Tourism Action Plan - Tourism & Area Promotion MUN	\$ 30,400	▲	Project started earlier than expected. Timing.
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# Shire of Wyndham East Kimberley

## Notes to Statement of Financial Activity For the Period Ended 30 September 2013 (continued)

### Recurrent Expenditure (continued)

#### Other Property and Services ▼

Public Works Overheads Allocated - Contracts	\$	95,500	▲	Timing related to year to date budget estimates. Non cash item.
Administration Salary and Wages Allocated - General Administration Overheads	\$	21,700	▲	Timing related to year to date budget estimates. Non cash item.
Building Maintenance - Kununurra Depot	\$	13,600	▲	Timing related to year to date budget estimates. Expected to correct.
Depreciation - Kununurra Administration & Information Services	\$	98,700	▼	Pending depreciation transaction due to assets revaluation process. Timing. Non cash item.
Depreciation - Plant Operation	\$	150,000	▼	Pending depreciation transactions due to assets revaluation process. Timing. Non cash item.
POC - Insurance	\$	27,700	▲	Timing related to year to date budget estimates. Expect to correct.
POC Parts and Repairs	\$	36,800	▲	Timing related to year to date budget estimates. Expect to correct.
Landcorp /SWEK Deed Agreement - Expenses	\$	12,100	▼	Un-expended casual engineers time.

### Non Cash Expenditure and Revenue

#### Adjustments and Accruals

Movement in Accruals and Provisions	\$	49,500	▲	Net increase in actual accrual and provision lower than expected.
Depreciation	\$	1,173,600	▼	Pending depreciation transaction due to assets revaluation process. Timing. Non cash item.

### Capital

#### Purchase Land Held for Resale ▼

No material variances to report

#### Purchase Land and Buildings ▼

Waterlily Place - Staff Housing Stage One	\$	133,800	▼	Project in progress. Timing.
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#### Purchase Infrastructure Assets - Roads ▲

Kalumburu Road - Re-sheet	\$	95,000	▲	Project in progress. Timing.
Welch Street, Wyndham - Seal MUN	\$	23,200	▼	Project to be started to Oct 2013.
Coolibah Drive - Caravan pk & high school MUN	\$	45,200	▼	Project re-scheduled to Apr 2014.
Coolibah - Ironwood Mangaloo MUN	\$	28,200	▼	Project re-scheduled to Apr 2014.
Drainage Culvert Upgrade - Speargrass Street	\$	24,200	▲	Project not completed as expected by year end 2012/13. Budget will be amended at budget review 2013/14.

#### Purchase Infrastructure Assets - Footpaths ▼

No material variances to report

#### Purchase Infrastructure Assets - Drainage ▼

D2 Drain Rehabilitation	\$	11,900	▼	Project re-scheduled to Apr 2014.
Drainage - Picture Gardens/Coolibah Drive	\$	100,200	▲	Project completed. Pending invoices for payment.
Drainage Strategy, Cutoff Drain B, rock beaching MUN	\$	20,000	▼	Project completed by in house team. Internal cost to be transferred.
Replace culvert, Gulley Road, Wyndham MUN	\$	50,000	▼	Project work not yet commenced.
Repair drainage, Hibiscus Drive between Setosa / Gardenia MUN	\$	30,000	▼	Project work not yet commenced.

# Shire of Wyndham East Kimberley

## Notes to Statement of Financial Activity For the Period Ended 30 September 2013 (continued)

### Capital (continued)

#### Purchase Infrastructure Assets - Other ▼

Kununurra Landfill Site - Fencing Upgrades	\$ 30,100	▼ Project work progressing. Timing.
Kununurra Landfill Site - Liquid Waste Facility	\$ 66,600	▼ Project work progressing. Timing.
Kununurra Landfill Site - Extend Landfill Operating Face MUN	\$ 45,000	▼ Purchase orders raised. Waiting for contractor to start the project.
Kununurra Landfill Site - Green Waste Hardstand MUN	\$ 40,000	▼ Project started. Progressing in early stage.
Kununurra Landfill Site - Capping Existing Site. MUN	\$ 17,000	▼ Timing related to year to date budget estimates. Expect to correct.
Wyndham Landfill Site - Capping Existing Site MUN	\$ 21,000	▼ Project progressing in early stage.
Kununurra Landfill Site - Re-hab & De-commission Liquid Waste Lagoon MUN	\$ 104,100	▼ Project progressing in early stage.
Kununurra Landfill Site - New Landfill Site Identification MUN	\$ 20,300	▼ Project behind schedule due to availability of consultant.
Landfill Plant - Purchase Price MUN	\$ 97,600	▼ Some orders placed with suppliers.
Parking / Safety improvements Mangaloo St MUN	\$ 20,000	▼ Project re-scheduled to Jan 2014.
Security Fence Upgrade - East Kimberley Regional Airport	\$ 11,200	▼ Project started. Waiting for invoices for payment. Timing.

#### Purchase Plant and Equipment ▲

Airport Plant - Purchase Price	\$ 24,800	▲ Plant required earlier than expected. Timing.
Heavy Plant - Purchase Price	\$ 53,500	▲ Acquisition of heavy plant earlier than expected. Timing.

#### Purchase Furniture and Equipment ▼

No material variances to report

#### Grants / Contributions for Development of Assets ▼

Aboriginal Roads Funding - State Grants	\$ 32,800	▲ Timing related to year to date budget estimates. Expect to correct.
Regional Road Group Grants	\$ 213,300	▲ Timing related to year to date budget estimates. Expect to correct.
Wyndham Airport Subdivision Land Sales MUN	\$ 257,500	▲ Re-zoning and development contribution for Wyndham Airport Land. Budget to be amended at budget review.

#### Proceeds from Disposal of Assets ▼

No material variances to report

#### Debentures ▼

No material variances to report

#### Reserves ▼

No material variances to report

# Shire of Wyndham East Kimberley

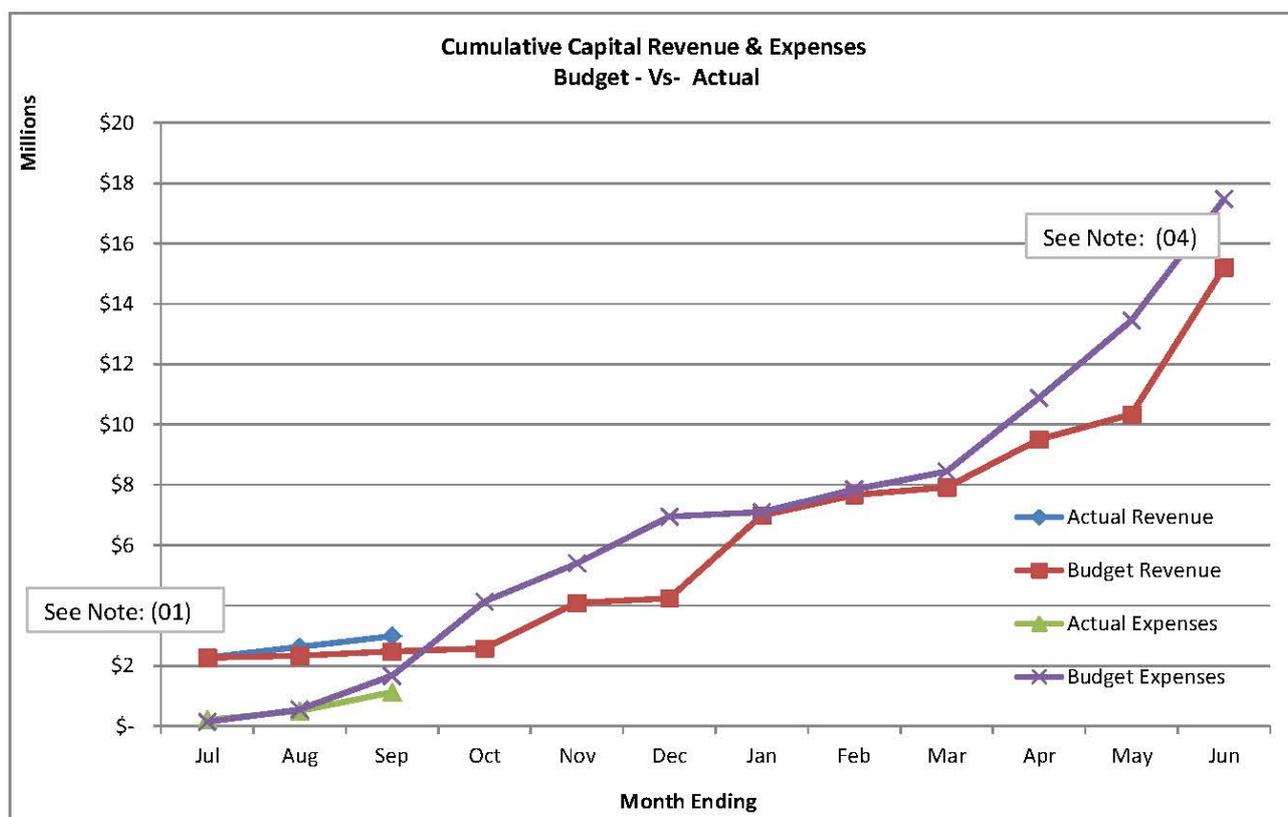
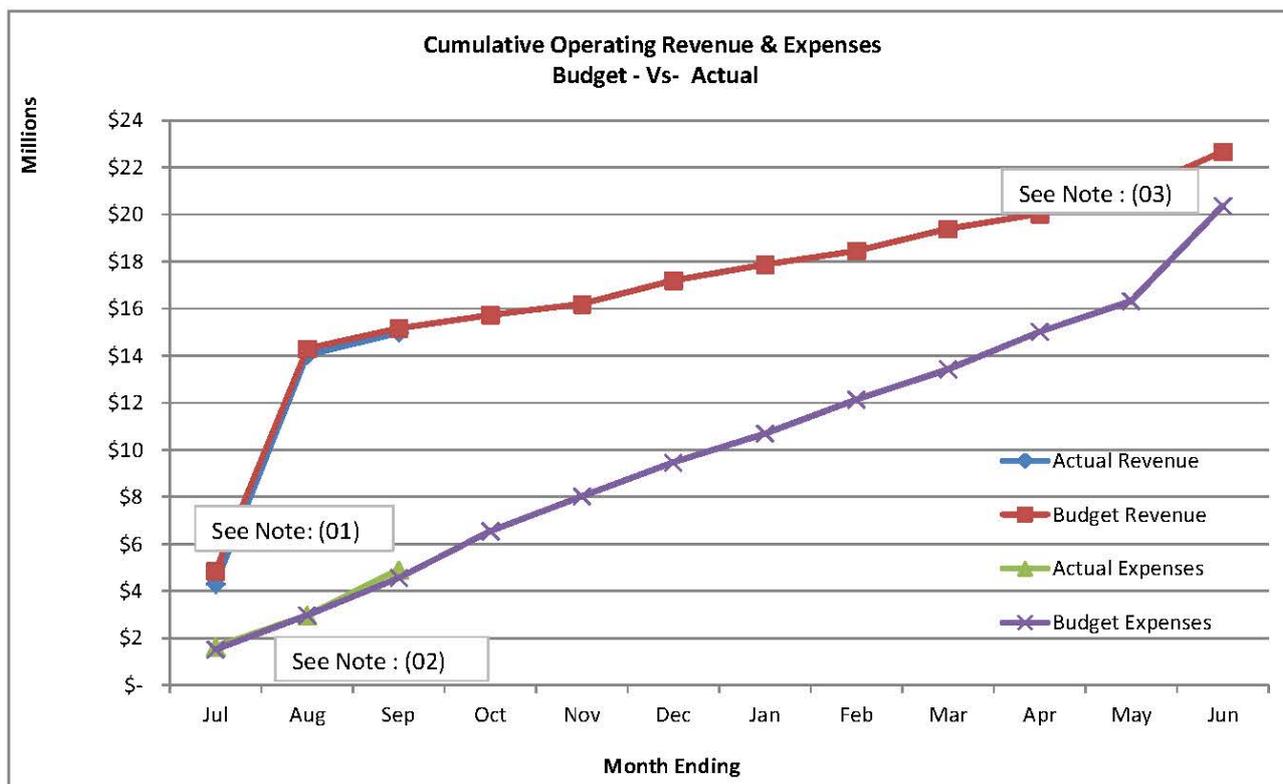
## Note to Statement of Financial Activity

### Budget Remaining to Collect/Spend as at 30 September 2013

	YTD Actual 2013/14 \$	Annual Budget 2013/14	Budget Remaining 2013/14 \$	%	
<b>Revenue</b>					
General Purpose Funding	744,568	2,251,545	1,506,977	67%	▼
Governance	26,950	103,850	76,900	74%	▼
Law, Order, Public Safety	3,035	53,318	50,283	94%	▼
Health	5,056	75,200	70,144	93%	▼
Education and Welfare	47,376	174,377	127,001	73%	▼
Housing	55,114	979,459	924,345	94%	▼
Community Amenities	1,444,072	2,592,983	1,148,911	44%	▼
Recreation and Culture	151,766	620,744	468,978	76%	▼
Transport	1,079,830	4,267,534	3,187,704	75%	▼
Economic Services	22,138	175,000	152,862	87%	▼
Other Property and Services	86,080	143,340	57,260	40%	▼
	<u>3,665,983</u>	<u>11,437,350</u>	<u>7,771,367</u>	<u>68%</u>	<u>▼</u>
<b>Expenses</b>					
General Purpose Funding	(152,159)	(650,513)	(498,353)	77%	▼
Governance	(376,420)	(3,385,311)	(3,008,891)	89%	▼
Law, Order, Public Safety	(146,464)	(674,839)	(528,375)	78%	▼
Health	(117,952)	(467,542)	(349,590)	75%	▼
Education and Welfare	(90,029)	(502,350)	(412,321)	82%	▼
Housing	(118,130)	(597,485)	(479,355)	80%	▼
Community Amenities	(1,234,829)	(4,824,868)	(3,590,038)	74%	▼
Recreation & Culture	(1,098,184)	(5,008,638)	(3,910,454)	78%	▼
Transport	(1,336,680)	(7,053,704)	(5,717,024)	81%	▼
Economic Services	(218,120)	(946,796)	(728,676)	77%	▼
Other Property and Services	(6,979)	(214,350)	(207,371)	97%	▼
	<u>(4,895,946)</u>	<u>(24,326,396)</u>	<u>(19,430,450)</u>	<u>80%</u>	<u>▼</u>
<b>Adjustments for Cash Budget Requirements:</b>					
<b>Non-Cash Expenditure and Revenue</b>					
(Profit)/Loss on Asset Disposals	0	(778,004)	(778,004)	100%	▼
Movement in Accruals and Provisions	(1,074)	48,452	49,526	102%	▼
Depreciation on Assets	0	4,694,750	4,694,750	100%	▼
<b>Capital Expenditure and Revenue</b>					
Purchase Land Held for Resale	0	(504,504)	(504,504)	100%	▼
Purchase Land and Buildings	(96,223)	(3,076,164)	(2,979,941)	97%	▼
Purchase Infrastructure Assets - Roads	(278,415)	(2,058,500)	(1,780,085)	86%	▼
Purchase Infrastructure Assets - Footpaths	0	(31,000)	(31,000)	100%	▼
Purchase Infrastructure Assets - Drainage	(311,959)	(675,000)	(363,041)	54%	▼
Purchase Infrastructure Assets - Other	(212,575)	(7,142,044)	(6,929,469)	97%	▼
Purchase Plant and Equipment	(112,939)	(833,485)	(720,546)	86%	▼
Purchase Furniture and Equipment	(22,840)	(469,264)	(446,424)	95%	▼
Grants / Contributions for Development of Assets	712,771	6,493,853	5,781,083	89%	▼
Proceeds from Disposal of Assets	0	1,015,027	1,015,027	100%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(84,747)	(478,397)	(393,650)	82%	▼
Proceeds from New Debentures	0	2,308,498	2,308,498	100%	▼
Transfers to Reserves (Restricted Assets)	0	(2,205,013)	(2,205,013)	100%	▼
Transfers from Reserves (Restricted Assets)	0	3,111,153	3,111,153	100%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	6,068,866	6,068,866	0	0%	▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	11,939,398	31,300	(11,908,098)	-38045%	▲
Minutes Ordinary Council Meeting	7,308,497	7,431,122	(77,375)	43 of 842	▲
<b>Amount Required to be Raised from Rates</b>	<u>7,308,497</u>	<u>7,431,122</u>	<u>(77,375)</u>		

# Shire of Wyndham East Kimberley

Note to Statement of Financial Activity  
as at 30 September 2013



**Note:**

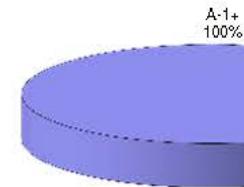
- (01) Start position includes allowance for brought forward surplus from previous financial year, Operating \$ 3.8M & Capital \$ 2.2M
- (02) Budget/Actual operating expenditure excludes non financial transactions (Depreciation, Loss/Profit on assets disposals).
- (03) Surplus income to fund Capital Revenue gap.
- (04) Surplus operating income funds capital gap.

## MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

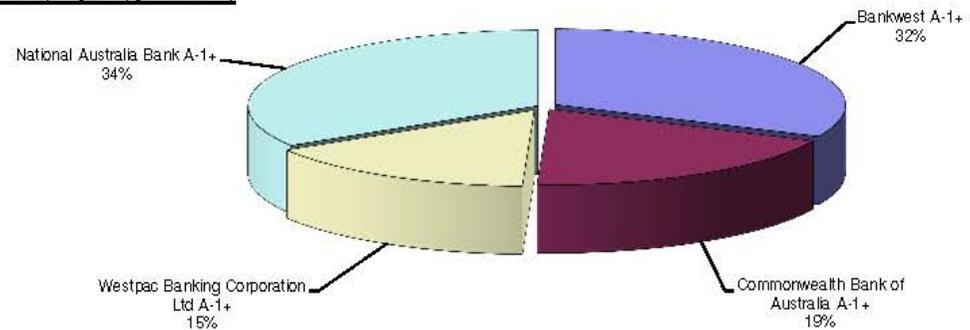
<b>INVESTMENT POLICY F17</b>			
<b>"Overall Portfolio Limits"</b>			
S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	80%	80%
<small>Note: "S &amp; P" relates to Standard &amp; Poors credit rating agency</small>	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

**RESULTS AS AT 30 SEPTEMBER 2013**

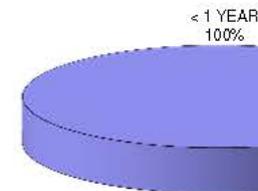
### Overall Portfolio



### Counterparty Credit



### Term to Maturity



### 13.2.2 List of Accounts Paid Under Delegation

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Paulette Strongman, Finance Officer Felicity Heading, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	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 16<sup>th</sup> 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**

Strategic Community Plan – Strategy 1.4.3  
Maintain Council's long term financial viability

#### **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 EFT119253 – EFT119458 (02 October – 25 October 13)	\$ 1,292,080.46
Municipal cheques 42355 - 42415 (04 October – 24 October 13)	\$ 170,172.76
Trust cheques 535 - 541 (11 October – 29 October 13)	\$ 3,940.00
Trust EFT 500579 - 500598 (01 October – 31 October 13)	\$ 17,012.35
Payroll (02 October – 30 October 13)	\$ 675,035.08
Direct bank debits (01 October – 31 October 13)	<u>\$ 30,836.55</u>
TOTAL	\$ 2,189,077.20

## **COUNCIL DECISION**

**Minute No. 10241**

**Moved: Cr S Cooke**

**Seconded: Cr G Taylor**

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

<b>Municipal EFT119253 – EFT119458 (02 October – 25 October 13)</b>	<b>\$ 1,292,080.46</b>
<b>Municipal cheques 42355 - 42415 (04 October – 24 October 13)</b>	<b>\$ 170,172.76</b>
<b>Trust cheques 535 - 541 (11 October – 29 October 13)</b>	<b>\$ 3,940.00</b>
<b>Trust EFT 500579 - 500598 (01 October – 31 October 13)</b>	<b>\$ 17,012.35</b>
<b>Payroll (02 October – 30 October 13)</b>	<b>\$ 675,035.08</b>
<b>Direct bank debits (01 October – 31 October 13)</b>	<b><u>\$ 30,836.55</u></b>
<b>TOTAL</b>	<b>\$ 2,189,077.20</b>

**Carried Unanimously 7/0**

**LIST OF ACCOUNTS SUBMITTED TO COUNCIL 19 NOVEMBER 2013**

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT119253	02/10/2013	WYNDHAM SUPERMARKET	OFFICE SUPPLIES, KITCHENWARE - OCT 12 - AUG 13 - WYN	6,556.44
EFT119254	04/10/2013	AUSTRALIA POST	POSTAGE AND STATIONERY PUCHASES - JUL/AUG 13	361.98
EFT119255	04/10/2013	LANDGATE	ARIEL IMAGE & ANNUAL SLIP NON COMMERCIAL LICENCE - INTRAMAPPING	1,347.75
EFT119256	04/10/2013	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING - T03 12/13	245.78
EFT119257	04/10/2013	4D LANDSCAPING SOLUTIONS	GROUND WORKS AROUND ONE LIGHT POLE - AG OVAL KNX	300.00
EFT119258	04/10/2013	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	325.72
EFT119259	04/10/2013	AUSTRALIAN FUEL DISTRIBUTORS	DIESEL - DEPOT KNX	11,489.48
EFT119260	04/10/2013	AUSTRAL MERCANTILE COLLECTIONS PTY LTD	DEBT COLLECTION - RATES MAY/AUG/SEP 13	1,253.34
EFT119261	04/10/2013	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	244.40
EFT119262	04/10/2013	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	67,464.00
EFT119263	04/10/2013	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL JUN 13	300.08
EFT119264	04/10/2013	BADGELINK	NAME BADGES - STAFF	507.50
EFT119265	04/10/2013	C & S JOLLY ELECTRICS PTY LTD	REPLACE CIRCUIT BREAKER WITH RCD - REC CENTRE WYN	686.11
EFT119266	04/10/2013	CIVIC LEGAL	LEGAL ADVISE	3,825.80
EFT119267	04/10/2013	DAVEY TYRE & BATTERY SERVICE	BATTERIES - P331	280.00
EFT119268	04/10/2013	DEPARTMENT OF TRANSPORT	ANNUAL LICENCE FEE - OBSERVATION SHELTER KNX - 13/14	36.31
EFT119269	04/10/2013	DIGITAL MAPPING SOLUTIONS	TRAINING - INTRODUCTION TO GIS MAPPING - X1 STAFF	1,320.00
EFT119270	04/10/2013	EAST KIMBERLEY HARDWARE	HARDWRE ITEMS-DEPOT,PARKS,TOILTS,AIRPRT,YTH CTR,LEISURE CTR,STAFF HSNG	1,886.60
EFT119271	04/10/2013	EAST KIMBERLEY PLUMBING	REPAIR WASTE WATER SYSTEM - AIRPORT KNX	209.00
EFT119272	04/10/2013	FIGLEAF POOL PRODUCTS	PLANT ROOM SERVICE - LEISRE CENTRE KNX. PRESSURE GUAGE - POOL WYN	8,473.00
EFT119273	04/10/2013	FLIGHT PUBLISHING (WINGS)	ADVERTISING - AIRPORT KNX	495.00
EFT119274	04/10/2013	GOV QUIP	ALUMINIUM COASTERS - CHAMBERS KNX	990.00
EFT119275	04/10/2013	GUERINONI & SONS	HIRE - GRADER - INSTALLATION DRAINAGE - KALUMBURU ROAD WORKS	89,050.50
EFT119276	04/10/2013	HOOCHERY	LUNCH - 2013 KIMBERLEY WRITERS FESTIVAL	680.00
EFT119277	04/10/2013	HORIZON POWER - NON ENERGY	STREET LIGHT UPGRADE - BANKSIA STREET KNX	16,020.00
EFT119278	04/10/2013	STAFF MEMBER	WATER SUBSIDY ALLOCATION	340.62
EFT119279	04/10/2013	STAFF MEMBER	WATER SUBSIDY ALLOCATION	298.75
EFT119280	04/10/2013	KIMBERLEY EXCAVATIONS PTY LTD	EXCAVATION WORKS - LOCATION OF SERVICES - WELCH STREET WYN	1,958.00
EFT119281	04/10/2013	KIMBERLEY KOOL REFRIG. & AIRCOND.	REPAIR A/C - SQUASH COURTS - LEISURE CENTRE KNX	242.00
EFT119282	04/10/2013	KIMBERLEY MOTORS	FUEL COST & VISITOR INFORMATION SERVICES - JUL 13 WYN	5,361.89
EFT119283	04/10/2013	KUNUNURRA GYMNASTICS CLUB	KIDSPORT MEMBERSHIP - X4 - KNX	800.00
EFT119284	04/10/2013	KUNUNURRA SECURITY SERVICE	SECURITY-PATROL, CALLOUTS-SEP 13-YTH CTR, ADMIN, LEISURE CTR KNX	3,509.00

EFT119285	04/10/2013	L.G.R.C.E.U	PAYROLL DEDUCTIONS	19.40
EFT119286	04/10/2013	LANGFORD MACHINERY PTY LTD	SERVICE - P382	450.00
EFT119287	04/10/2013	MCINTOSH & SON	PARTS - P354	631.38
EFT119288	04/10/2013	MCLEODS BARRISTERS AND SOLICITORS	LEGAL ADVICE - LOT 1510 KONKERBERRY DRIVE AND TUOHEY T	2,194.72
EFT119289	04/10/2013	MACRO PLAN DIMASI	EK@25 PROJECT - PART OF LOCAL PLANNING STRATEGY REVIEW	5,775.00
EFT119290	04/10/2013	MAXXIA	PAYROLL DEDUCTIONS	5,381.60
EFT119291	04/10/2013	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	VARIOUS RETICULATION AND PLUMBING ITEMS - KNX	394.52
EFT119292	04/10/2013	ORD FUEL SUPPLIES	DIESEL FUEL - AIRPORT KNX	7,172.86
EFT119293	04/10/2013	PACIFIC BIOLOGICS PTY LTD	PROLINK MOSQUITO LARVICIDE PELLETS	1,381.66
EFT119294	04/10/2013	PRITCHARD BOOKBINDERS	COUNCIL MINUTE BINDING JAN - MAR & APR-JUN X4	249.70
EFT119295	04/10/2013	SHELF SUPPLY	DOG FOOD, WORK BOOTS, MESH - POUND, DEPOT WYN/KNX	974.00
EFT119296	04/10/2013	SHAWMAC PTY LTD	CONCEPT DESIGNS FOR MODIFACTIONS TO THE KNX AIRPORT PARKING AREA	1,155.00
EFT119297	04/10/2013	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT119298	04/10/2013	THE CANVAS SHED	REPAIRS TO POOL FILTER BAG - KNX	49.50
EFT119299	04/10/2013	TOLL EXPRESS	FREIGHT - LIBRARY, LEISURE CENTRE, POOLS - WYN/KNX	2,233.54
EFT119300	04/10/2013	TOLL IPEC PTY LTD	FREIGHT -SIGNS - KNX	2,681.80
EFT119301	04/10/2013	THORLEY'S STORE - WYNDHAM	REFILL GAS BOTTLES - POOL BBQ WYN	45.00
EFT119302	04/10/2013	TOP END MOTORS	HIRE FLOAT - RECOVER FIRE DAMAGED P384 - RESEARCH STATION RD-DEPOT KNX	550.00
EFT119303	04/10/2013	TOWN CARAVAN PARK	ACCOMMODATION IN ACCORDANCE WITH EMPLOYMENT CONTRACT	3,221.37
EFT119304	04/10/2013	TOX FREE SOLUTIONS LTD	REFUSE COLLECTION - AUGUST 13 - KNX/WYN	73,153.28
EFT119305	04/10/2013	VANDERFIELD NORTHWEST PTY LTD	PARTS - P491. REPAIR - P491	919.02
EFT119306	04/10/2013	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	29,461.59
EFT119307	04/10/2013	WESTRAC EQUIPMENT PTY LTD	NEW 4 IN 1 BUCKET FOR LOADER - KNX	53,341.85
EFT119308	07/10/2013	WYNDHAM EXCAVATIONS	HIRE GRADER - CIVIC WORKS - KING RIVER ROAD WYN	41,652.50
EFT119309	10/10/2013	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL - MAR 13	313.91
EFT119310	11/10/2013	ASK WASTE MANAGEMENT	WASTE MANAGEMENT STRATEGY KNX	12,972.30
EFT119311	11/10/2013	BUSHCAMP SURPLUS STORE	OUTDOOR STAFF SAFETY WORKWEAR - KNX	489.50
EFT119312	11/10/2013	C & S JOLLY ELECTRICS PTY LTD	REPAIR A/C - STAFF HOUSING KNX	243.27
EFT119313	11/10/2013	CDM HYDRAULICS PTY LTD	MODIFICATIONS TO LOADER FOR THE FITTING OF THE NEW BUCKET - P488	72.05
EFT119314	11/10/2013	CPS WEAR PARTS	PARTS - P477	1,567.50
EFT119315	11/10/2013	COATES HIRE OPERATIONS PTY LTD	HIRE OF CHERRY PICKER - TRAILER MOUNTED BOOM - KNX	443.96
EFT119316	11/10/2013	COCA-COLA AMATIL	RESALE ITEMS - LEISURE CENTRE KNX	1,184.97
EFT119317	11/10/2013	DEPARTMENT OF TRANSPORT	ANNUAL JETTY LICENCE - 13/14 - FLOATING PONTOON WYN	36.31
EFT119318	11/10/2013	DRYSDALE RIVER STATION	FUEL - GIBB RIVER-KALUMBURU RD WORKS	329.13

EFT119319	11/10/2013	EAST KIMBERLEY REAL ESTATE	WATER CONSUMPTION - 1/25 KONKERBERRY DRV KNX	12.43
EFT119320	11/10/2013	FIGLEAF POOL PRODUCTS	POOL PLANT EQUIPMENT WYN	1,268.00
EFT119321	11/10/2013	HORIZON POWER - NON ENERGY	STREET LIGHT UPGRADE PAPUANA STREET KNX	19,491.70
EFT119322	11/10/2013	HYDRO KLEEN	A/C MAINTENANCE - STAFF HOUSING	264.00
EFT119323	11/10/2013	IT VISION ITV	CRYSTAL REPORT MODIFICATION	440.00
EFT119324	11/10/2013	JSW HOLDINGS PTY LTD	FILL WTER TNKS-POUND, LNDFILL, CONCRETE - RIVERFIG, WBER PLAIN & VIC HWY	1,526.80
EFT119325	11/10/2013	JAB INDUSTRIES	CRACKERDUST - WEABER PLAIN RD & IVANHOE ST MAINTENANCE KNX	330.00
EFT119326	11/10/2013	KUNUNURRA 4WD SPARES	SUPPLY AND FIT SUSPENSION. AMBER FLASHING LIGHT - P388	3,754.50
EFT119327	11/10/2013	KIMBERLEY CAFE	CATERING FOR WIP MEETINGS - KNX	78.00
EFT119328	11/10/2013	KIMBERLEY HYDRAULICS	HYDRAULIC FITTING - P390	21.73
EFT119329	11/10/2013	KIMBERLEY MOBILE DIESELS	REPAIRS - P485	2,689.51
EFT119330	11/10/2013	KUNUNURRA GYMNASTICS CLUB	ANNUAL COMMUNITY GRANT	5,000.00
EFT119331	11/10/2013	KUNUNURRA MOBILE WELDING SERVICE	WELDING REPAIRS - P485	159.50
EFT119332	11/10/2013	KUNUNURRA PANEL BEATING WORKS	REPAIRS - P472	3,979.80
EFT119333	11/10/2013	KUNUNURRA SECURITY SERVICE	CALL OUT DOCKETS - OLD ADMIN KNX	231.00
EFT119334	11/10/2013	LANGFORD MACHINERY PTY LTD	DIAGNOSE AND REPAIR - P482	330.00
EFT119335	11/10/2013	LAKE ARGYLE SWIM INC.	ANNUAL COMMUNITY GRANT	5,500.00
EFT119336	11/10/2013	ORD RIVER MAGPIES FOOTBALL CLUB	SHIRE PORTION OF POWER USED FOR OVAL LIGHTS KNX	1,617.51
EFT119337	11/10/2013	ORDCO	HERBICIDES - KNX	176.00
EFT119338	11/10/2013	OFFICE NATIONAL KUNUNURRA	STATIONERY - AIRPORT KNX	168.75
EFT119339	11/10/2013	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	POLY SOCKET, ALLTHREAD - RETIC ITEMS KNX	56.76
EFT119340	11/10/2013	ORD MACHINING	WEAR PLATES - P485	94.00
EFT119341	11/10/2013	SEARLES HOLDINGS T/A AUTO PRO	GLOBES - P367	96.00
EFT119342	11/10/2013	SEEK LIMITED	ADVERTISING	302.50
EFT119343	11/10/2013	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	249.00
EFT119344	11/10/2013	TOP END MOTORS	REGO CHECK - P370	94.90
EFT119345	11/10/2013	VANDERFIELD NORTHWEST PTY LTD	SERVICE - P123	294.34
EFT119346	11/10/2013	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING	1,639.95
EFT119347	11/10/2013	WESTERN AUST. TREASURY CORPORATION	LOAN NO 119	24,595.50
EFT119348	11/10/2013	CR CISSY GORE - BIRCH GAULT	MEMBERS PAYMENT 01/07/13-30/09/13	1,208.33
EFT119349	11/10/2013	CR DI AUSBURN	MEMBERS PAYMENT 01/07/13-30/09/13	5,049.75
EFT119350	11/10/2013	CR JACKIE MCCOY	MEMBERS PAYMENT 01/07/13-30/09/13	3,625.00
EFT119351	11/10/2013	CR JANE PARKER	MEMBERS PAYMENT 01/07/13-30/09/13	3,625.00
EFT119352	16/10/2013	AUSTRALIAN FUEL DISTRIBUTORS	REPAIR FAULTY FUEL PUMP - DEPOT KNX. FUEL COSTS - AUG 13 - KNX	3,625.57

EFT119353	16/10/2013	TOX FREE SOLUTIONS LTD	KDHS CAR PARK SWEEPING	495.00
EFT119354	18/10/2013	VANDERFIELD MACHINERY PTY LTD	PARTS - P476	55.57
EFT119355	18/10/2013	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	325.72
EFT119356	18/10/2013	ALCHEMY CORPORATE CONSULTING SERVICE	CONSULTING SERVICES - KNX	38,079.38
EFT119357	18/10/2013	ALLCLEAN COMMERCIAL CLEANERS	END OF TENANCY CLEAN - STAFF HOUSING KNX	385.00
EFT119358	18/10/2013	ALLGEAR MOTORCYCLES AND SMALL ENGINES	PARTS - P476	170.00
EFT119359	18/10/2013	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	244.40
EFT119360	18/10/2013	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	67,627.00
EFT119361	18/10/2013	BLACKWOODS ATKINS PTY LTD	FLURO LAMP-AIRPRT KNX. PARTS - P356, STAFF HSNG KNX, MEASURING WHEEL	623.70
EFT119362	18/10/2013	CDM HYDRAULICS PTY LTD	SERVICE - P477. HYDRAULIC WORK - P488	496.57
EFT119363	18/10/2013	CENTURION TRANSPORT	FREIGHT - POLES, PARTS, PUMP - KNX	1,957.83
EFT119364	18/10/2013	CIVIC LEGAL	LEGAL ADVICE	10,437.90
EFT119365	18/10/2013	DAVEY TYRE & BATTERY SERVICE	TYRES - P488,P358,P320,P477,P469.REPAIR - P124, P365, P491, 123,P477,P384	16,638.25
EFT119366	18/10/2013	DEPARTMENT OF TRANSPORT	ANNUAL JETTY LICENCE - MAMBE ISLAND 13/14	36.31
EFT119367	18/10/2013	DRYSDALE RIVER STATION	TRAVEL TO GIBB RIVER CAMPING SPOT REMOVE 44 GALLON DRUM & RUBBISH	480.00
EFT119368	18/10/2013	EAST KIMBERLEY PLUMBING	CLAIM 1 - MODIFY EXISTING AC MAIN - COTTON TREE AV & KONKERBERRY DR KNX	16,973.00
EFT119369	18/10/2013	GHD PTY LTD	REVIEW OF LOCAL PLANNING STRATEGY. REVIEW D2 DRAIN DESIGN	20,152.00
EFT119370	18/10/2013	HITACHI CONSTRUCTION MACHINERY	PARTS - P477	109.40
EFT119371	18/10/2013	IBAC PLUMBING PTY LTD	PLUMBING WORKS - STAFF HOUSING KNX	165.00
EFT119372	18/10/2013	JASON SIGNMAKERS LTD	ROAD ADVISORY SIGNS - GIBB RIVER-KALUMBURU RD MAINTENANCE	4,073.30
EFT119373	18/10/2013	JSW HOLDINGS PTY LTD	CONCRETE - SPEARGRASS ROAD - DRAIN CULVERT UPGRADE KNX	1,568.60
EFT119374	18/10/2013	JAB INDUSTRIES	EXCAVATOR HIRE - EXTINGUISH TIP FIRE. FLOAT HIRE - TRANSPORT P485 TO YARD	2,788.50
EFT119375	18/10/2013	KIMBERLEY INDUSTRIES EQUIPMENT HIRE	CRANE HIRE - LOAD AND UNLOAD P485 - TRANSPORT P485 TO YARD FOR MAINT.	528.00
EFT119376	18/10/2013	KUNUNURRA 4WD SPARES	SPOTLIGHTS - P116	660.00
EFT119377	18/10/2013	KIMBERLEY MARKETING - CASH AND CARRY	PLASTIC CUPS - AIRPORT KNX	269.39
EFT119378	18/10/2013	KUNUNURRA BUSHMAN'S RODEO ASSN	ANNUAL GRANT 13-14	22,421.30
EFT119379	18/10/2013	KUNUNURRA COMMERCIAL BODY WORKS	WINDSCREEN REPLACEMENT - P118	440.00
EFT119380	18/10/2013	KUNUNURRA DIESEL SERVICE	REPAIRS - P477	706.40
EFT119381	18/10/2013	KUNUNURRA DISTRICT HIGH SCHOOL	PHOTOCOPIER CHARGES - MAY, JUN, JUL, AUG 13	427.63
EFT119382	18/10/2013	KUNUNURRA MOBILE WELDING SERVICE	MESH - P485. WELD CROSS BAR - P485	1,001.00
EFT119383	18/10/2013	L.G.R.C.E.U	PAYROLL DEDUCTIONS	19.40
EFT119384	18/10/2013	LANDGATE	LAND ENQUIRIES - RATES	423.49
EFT119385	18/10/2013	MAXXIA	PAYROLL DEDUCTIONS	5,381.60
EFT119386	18/10/2013	MCLEAN ENTERPRISES PTY LTD	FREIGHT - GUIDE POSTS - KNX	132.00

EFT119387	18/10/2013	METALAND KUNUNURRA	STAINLESS STEEL TUBING - AIRPORT KNX	620.40
EFT119388	18/10/2013	ORD RIVER ELECTRICS	ELECTRICAL WORKS - YOUTH CENTRE, AIRPORT KNX	13,395.32
EFT119389	18/10/2013	ORICA AUSTRALIA PTY LTD	STORAGE AND HANDLING OF CHLORINE GAS CYLINDERS - POOLS WYN/KNX	1,131.90
EFT119390	18/10/2013	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	RETICULATION ITEMS, SPRINKLERS - MAINTENANCE WYN/KNX	3,101.45
EFT119391	18/10/2013	ORD FUEL SUPPLIES	POWERTRAN FLUID - P351	234.70
EFT119392	18/10/2013	ORD RIVER CONTRACTING	FLOODWAY REPAIRS - STATION CREEK AND UNNAMED CREEK NTH OF DRYSDALE	81,056.64
EFT119393	18/10/2013	PIVOTEL	SATELLITE PHONES COSTS - AUG 13	154.65
EFT119394	18/10/2013	PAINT INDUSTRIES PTY LTD	RUNWAY MARKING PAINT - AIRPORT KNX	5,726.96
EFT119395	18/10/2013	RJ & MG MARSHALL	DETAIL VEHICLE - P115	225.00
EFT119396	18/10/2013	RED SUN SPORTS	BIKE RACK - ADMIN KNX	60.00
EFT119397	18/10/2013	ROYAL LIFE SAVING (WA BRANCH)	ANNUAL REGISTRATION - WATCH AROUND WATER 13/14 - POOLS WYN/KNX	200.00
EFT119398	18/10/2013	SHELF SUPPLY	CAGES, DOG FOOD, TICK WASH, PROT. CLTHNG-POUND, RANGER WYN/KNX	855.00
EFT119399	18/10/2013	SJR CIVIL CONSULTING PTY LTD	DESIGN RIVER FARM ROAD DRAINAGE PROJECT	2,640.00
EFT119400	18/10/2013	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT119401	18/10/2013	SIMPLY UNIFORMS	STAFF UNIFORM - AIRPORT KNX	689.43
EFT119402	18/10/2013	STAPLES AUSTRALIA PTY LIMITED	TOILETRIES, CLEANING ITEMS, AIRPORT, DEPOT, LSRE CENTRE, ADMIN WYN/KNX	2,229.48
EFT119403	18/10/2013	SURVEY NORTH	SURVEY COSTS - CARLTON HILL RD,NEW SULLAGE PITS,DRAINAGE STRATEGY - KNX	13,817.10
EFT119404	18/10/2013	TNT AUSTRALIA PTY LIMITED	FREIGHT - SAMPLES - KNX	343.97
EFT119405	18/10/2013	TOLL EXPRESS	FREIGHT - WYN LIBRARY TO STATE LIBRARY SERVICES PERTH	177.55
EFT119406	18/10/2013	TST ELECTRICAL	INSTALL ULTRASONIC TEENAGE DETERRANT - ADMIN WYN	250.00
EFT119407	18/10/2013	TOX FREE SOLUTIONS LTD	SKIP BIN EMPTIES - SEP 13 - KUNUNURRA LEISURE CENTRE	640.00
EFT119408	18/10/2013	TUCKERBOX / RETRAVISION KUNUNURRA	REFRESHMENTS/KITCHEN SUPPLIES/IT EQUIP - AUG 13 - KNX	864.87
EFT119409	18/10/2013	VINIDEX PTY LIMITED	SUPPLY STORM PRO PIPE - RIVER FARM RD KNX	6,409.61
EFT119410	18/10/2013	VANDERFIELD NORTHWEST PTY LTD	REFILL A/C GAS - P478. SERVICE - P211. PARTS - P481, P356, P491, P345	907.32
EFT119411	18/10/2013	WA LOCAL GOVT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	30,449.96
EFT119412	18/10/2013	WOOD GROUP DARWIN	BA CYLINDER REFILL - POOL WYN	22.00
EFT119413	21/10/2013	AG MINE & STEEL PTY LTD T/AS LAYFIELDS	BALANCE - RAPID-FLOOD 10000	32,516.00
EFT119414	25/10/2013	DEPT. OF FIRE & EMERGENCY SERVICES WA	2013/14 EMERGENCY SERVICES LEVY	5,651.56
EFT119415	25/10/2013	GRIFFIN VALUATION ADVISORY	REVALUATION LAND & BUILDING ASSETS - 90% AGREED FEE	31,405.37
EFT119416	25/10/2013	VANDERFIELD MACHINERY PTY LTD	PARTS - P481	259.62
EFT119417	25/10/2013	AMD CHARTERED ACCOUNTANTS	AQUITTAL AUDITS 2013 - ZONE & REGIONAL COLLABORATIVE GROUP	12,760.00
EFT119418	25/10/2013	AMPAC DEBT RECOVERY (WA) PTY LTD	DEBT RECOVERY RATES - JUL/AUG 13	3,313.20
EFT119419	25/10/2013	AUSTRALIAN FUEL DISTRIBUTORS	FUEL COSTS - SEP 13 - WYN/KNX	1,721.41
EFT119420	25/10/2013	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL - SEP 13	300.08

EFT119421	25/10/2013	CIVIC LEGAL	LEGAL SERVICES	1,289.20
EFT119422	25/10/2013	CLEVERPATCH	STORYTIME CRAFT ACTIVITIES - LIBRARY KNX	649.55
EFT119423	25/10/2013	DELRON CLEANING PTY LTD	CLNING-JUN-SEP 13 LSRE CTR, ADMIN,DEPOT,YTH,TOILETS,OVAL,PARKS KNX	59,257.00
EFT119424	25/10/2013	DEPT. OF ENVIRONMENT REGULATION	ANNUAL LICENCE - 13/14 WASTE DISPOSAL SITE KNX	4,926.60
EFT119425	25/10/2013	EAST KIMBERLEY HARDWARE	VARIOUS HARWARE ITEMS - SEP 13	524.45
EFT119426	25/10/2013	ENVIRONMENTAL HEALTH AUSTRALIA	I'M ALERT ONLINE SET UP - HEALTH KNX	880.00
EFT119427	25/10/2013	FARMERS FRUIT AND VEG MART	CATERING - WA GOVERNOR TREE PLANTING CEREMONY KNX	285.00
EFT119428	25/10/2013	GUERINONI & SONS	HIRE SINGLE SIDE TIPPER,WATER CART, END TIPPER - LANDFILL KNX	26,654.38
EFT119429	25/10/2013	IT VISION ITV	ANNUAL LICENSE - SYNERGY SOFT & UNIVERSE 13/14	53,303.80
EFT119430	25/10/2013	JASON SIGNMAKERS LTD	DIRECTIONAL SIGN LAKE ARGYLE TOURS	104.50
EFT119431	25/10/2013	JSW HOLDINGS PTY LTD	AGGREGATE - JETPATCH KNX. REFILL WATER TANKS - POUND KNX	647.90
EFT119432	25/10/2013	KIMBERLEY ECHO - ALBANY ADVERTISER	ADVERTISING - SWEK NEWS - SEP 13	2,796.44
EFT119433	25/10/2013	KUNUNURRA COURIERS	WATER SUPPLIES - RECEPTION , LANDFILL KNX	409.00
EFT119434	25/10/2013	KUNUNURRA HOME & GARDEN	CEMENT, HOSE CONNECTOR - POOL WYN	33.30
EFT119435	25/10/2013	KUNUNURRA LOCK & KEY	REPAIR LOCK-WHITE GUM PK KNX.,INSTALL DEADLOCKS-OVAL TOILET BLOCK WYN	1,277.50
EFT119436	25/10/2013	KUNUNURRA NETBALL ASSOCIATION	COMMUNITY QUICK GRANT	500.00
EFT119437	25/10/2013	LEARNING DISCOVERY PTY LTD	CHILDCARE RESOURCES - CHILDCARE WYN	199.95
EFT119438	25/10/2013	MCLEODS BARRISTERS AND SOLICITORS	LEGAL SERVICES	321.20
EFT119439	25/10/2013	MACRO PLAN DIMASI	EK@25 PROJECT - PART OF LOCAL PLANNING STRATEGY REVIEW	10,450.00
EFT119440	25/10/2013	MCLEAN ENTERPRISES PTY LTD	FREIGHT - ADVENTURE POOL PUMP - POOL KNX	66.00
EFT119441	25/10/2013	ORICA AUSTRALIA PTY LTD	STORAGE AND HANDLING OF CHLORINE GAS CYLINDERS - POOLS WYN/KNX	385.51
EFT119442	25/10/2013	OFFICE NATIONAL KUNUNURRA	INK TONER CARTRIDGE - LEISURE CENTRE KNX	240.00
EFT119443	25/10/2013	ORD VALLEY FENCING & PRESSURE CLEANING	REPAIR FENCE ON SWEK LEASED BLOCK - SWIM BEACH	2,200.00
EFT119444	25/10/2013	PRITCHARD FRANCIS	HYDRAULIC ADVICE LOT 501 CASUARINA WAY KNX. GALT GEOTECHNICS VARIANCE	5,445.00
EFT119445	25/10/2013	PUMPLINE PTY LTD	LINEMARKER, LINE DRIVER & ACCESSORIES - AIRPORT KNX	26,693.20
EFT119446	25/10/2013	RED SUN SPORTS	STAFF UNIFORM IN ACCORDANCE WITH EMPLOYMENT CONTRACT	169.95
EFT119447	25/10/2013	SMITH, CRAIG	PROFESSIONAL SERVICES - 2013 KIMBERLEY WRITERS FESTIVAL	2,310.00
EFT119448	25/10/2013	SURVEY NORTH	FEATURE SURVEY ON RIVER FARM RD, WALL SET OUT WATERLILLY PLACE KNX	1,628.00
EFT119449	25/10/2013	TJ & KA DENTON	PROFESSIONAL SERVICES - 2013 KIMBERLEY WRITERS FESTIVAL	2,541.00
EFT119450	25/10/2013	TNT AUSTRALIA PTY LIMITED	FREIGHT - HEALTH SAMPLES - KNX	995.64
EFT119451	25/10/2013	TOLL EXPRESS	FREIGHT-AIRPORT,DEPOT,PRMH,CELEBRITY TREE PK,LEISURE CTR, ADMIN KNX	2,344.38
EFT119452	25/10/2013	TOP END MOTORS	SERVICE - P387	897.93
EFT119453	25/10/2013	TOX FREE SOLUTIONS LTD	REFUSE SERVICES - SEP 13 - KNX/WYN	27,940.08
EFT119454	25/10/2013	TUCKERBOX / RETRAVISION KUNUNURRA	REFRESHMENTS/KITCHEN SUPPLIES/IT EQUIP - SEP 13 - KNX	798.95

EFT119455	25/10/2013	VANDERFIELD NORTHWEST PTY LTD	SERVICE A/C - P482. PARTS - P128	869.07
EFT119456	25/10/2013	WESTRAC EQUIPMENT PTY LTD	SERVICE,PARTS - P390	8,789.07
EFT119457	25/10/2013	WATER DYNAMICS	ELECTRICAL WIRE - WATERLILLY PLACE KNX	3,300.00
EFT119458	25/10/2013	WYNDHAM SUPERMARKET	MORNING & AFTERNOON TEA SUPPLIES & PROGRAM RESOURCES - CHLD CRE WYN	196.65
<b>TOTAL EFT PAYMENTS</b>				<b><u>1,292,080.46</u></b>

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
42355	04/10/2013	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	424.21
42356	04/10/2013	AVIATION ID AUSTRALIA PTY LTD	ASIC CARD - STAFF MEMBER	432.00
42357	04/10/2013	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	1,276.59
42358	04/10/2013	AUSTRALIAN TAXATION OFFICE	PENALTY - FAILURE TO LODGE FBT RETURN ON TIME 01/02/13 - 31/03/13	861.52
42359	04/10/2013	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	266.55
42360	04/10/2013	CBUS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	205.66
42361	04/10/2013	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	250.96
42362	04/10/2013	HORIZON POWER	ELEC.- 75 COOLIBAH DR KNX - KNX LEISURE CTR, KNX AIRPORT: 8/8/13 - 11/9/13	33,530.43
42363	04/10/2013	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	210.61
42364	04/10/2013	JOOROOK NGARNI ABORIGINAL CORP	RATES REFUND ASSESSMENT A143 1 DORRIGO STREET WYNDHAM WA 6740	1,868.53
42365	04/10/2013	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	492.98
42366	04/10/2013	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	588.37
42367	04/10/2013	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	732.02
42368	04/10/2013	REST SUPER	SUPERANNUATION CONTRIBUTIONS	207.66
42369	04/10/2013	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	206.08
42370	04/10/2013	SHIRE OF WYNDHAM EAST KIMBERLEY	BUILDING APPLICATION 100933	1,858.81
42371	04/10/2013	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	442.59
42372	04/10/2013	TASPLAN	SUPERANNUATION CONTRIBUTIONS	61.44
42373	04/10/2013	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	437.18
42374	04/10/2013	UNISUPER	SUPERANNUATION CONTRIBUTIONS	148.06
42375	04/10/2013	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	4,584.93
42376	04/10/2013	WATTLEUP TRACTORS	P351 - PARTS, MAIN PLATE 3701011M91	913.95
42377	04/10/2013	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	224.67
42378	04/10/2013	WATER CORPORATION	WATER RATES AT AIRPORT VICTORIA HWY LOT 181: 13/7/13 - 12/9/13	1,921.86
42379	11/10/2013	DEPARTMENT OF TRANSPORT	REGISTRATION EXP: 23/10/13 - P490	526.10
42380	11/10/2013	HORIZON POWER	ELEC.-INCL. KNX YTH CTR, OFFICE, DEPOT, MESSMATE WY :12/07/13-12/09/13	15,054.74
42381	11/10/2013	PINE TIMBER PRODUCTS PTY LTD	PINE TREATED POLE - DOMED TOPPED BOLLARDS - SWIM BEACH PARK KNX	2,736.52

42382	11/10/2013	RADIOLOGICAL COUNCIL	APPLICATION FOR LICENCE (3 YRS) RADIATION SAFETY OFFICER - BRIAN SARGENT	111.00
42383	11/10/2013	WATER CORPORATION	WATER USE VAR. INCL. 20 COOLIBAH DR KNX, KNX DEPOT: 11/07/13-11/09/13	3,065.68
42384	11/10/2013	CR JOHN HAMILTON MOULDEN	MEMBERS PAYMENT 01/07/13-30/09/13 - SHIRE PRESIDENTS ALLOWANCE	9,323.75
42385	11/10/2013	CR DON LEARBUCH	MEMBERS PAYMENT 01/07/13-30/09/13 - MEETING FEES	3,625.00
42386	11/10/2013	CR MARYANNE KELLY	MEMBERS PAYMENT 01/07/13-30/09/13 - MEETING FEES	3,625.00
42387	11/10/2013	CR RALPH ADDIS	MEMBERS PAYMENT 01/07/13-30/09/13 - MEETING FEES	3,625.00
42388	11/10/2013	CR RAYMOND DESSERT	MEMBERS PAYMENT 01/07/13-30/09/13 - MEETING FEES	3,625.00
42389	18/10/2013	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	402.66
42390	18/10/2013	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	1,209.73
42391	18/10/2013	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	267.03
42392	18/10/2013	CASH - PETTY CASH KNX DEPOT	FLOAT - LANDFILL KNX	200.00
42393	18/10/2013	CBUS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	177.40
42394	18/10/2013	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	266.65
42395	18/10/2013	DEPARTMENT OF TRANSPORT	RECORDING FEE	24.50
42396	18/10/2013	HORIZON POWER	ELEC. INCL. CELEBTY TREE PK:10/07-09/09/13, WYN ARPT/DEPOT 23/7-23/9/13	4,859.37
42397	18/10/2013	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	212.51
42398	18/10/2013	KUNUNURRA WARINGARRI ABORIG. CORP.	RATES REFUND FOR ASSESSMENT A870 33 BOOBIALLA WAY KUNUNURRA 6743	5,581.20
42399	18/10/2013	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	492.98
42400	18/10/2013	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	649.96
42401	18/10/2013	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	690.66
42402	18/10/2013	MOONGOON DAWANG SOBER UP SHELTER	RATES REFUND ASSESSMENT A1128 - 1209 IRONWOOD DRIVE KUNUNURRA 6743	2,889.19
42403	18/10/2013	REST SUPER	SUPERANNUATION CONTRIBUTIONS	207.66
42404	18/10/2013	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	206.38
42405	18/10/2013	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	442.59
42406	18/10/2013	TELSTRA	LANDLINE COSTS - SHIRE OFFICE KNX - AUG 13	9,063.54
42407	18/10/2013	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	455.82
42408	18/10/2013	UNISUPER	SUPERANNUATION CONTRIBUTIONS	148.06
42409	18/10/2013	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	4,562.96
42410	18/10/2013	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	224.67
42411	18/10/2013	WATER CORPORATION	WATER USE - VAR. INCL. OFFICE, CHLD CR, DEPOT WYNDHAM :30/07/13-25/09/13	7,639.39
42412	24/10/2013	HORIZON POWER	ELEC- SHIRE OFFICE: 08/08/13-11/09/13, AG OVAL KNX 12/7/13-26/8/13	10,173.11
42413	24/10/2013	TELSTRA	LANDLINE COST - SEPT 2013 - SHIRE OFFICE KNX	6,561.99
42414	24/10/2013	THE HOUSE FACTORY	BUILDING LICENCE - NEW GATE HOUSE - KNX LANDFILL	14,853.00
42415	24/10/2013	WATER CORPORATION	WATER USE 6 IVANHOE ST WYNDHAM RES 30137 PERIOD: 29/7/13 - 25/9/13	244.30

**TOTAL MUNI CHEQUE PAYMENTS****170,172.76**

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
535	11/10/2013	CKC NOMINEES T/A ECOFFICIENT HOMES	FOOTPATH BOND REFUND BL 059/2013 11/7/13	1,540.00
536	11/10/2013	COURTNEY MCNEILL	FOOTPATH BOND REFUND BL 001/2011 14/1/11	300.00
537	11/10/2013	DRAGANA PETROVIC	FOOTPATH BOND REFUND BL 047/2012 3/5/12	500.00
538	11/10/2013	JUJU WILSON	BOND REFUND WHITEGUM PARK HIRE 10/9/13	250.00
539	11/10/2013	KGC ENTERPRISES T/A KIMB. GREEN CONST.	FOOTPATH BOND REFUND BL 131/2012 30/11/12	500.00
540	11/10/2013	KYLIE ANN DAWSON	BOND REFUND PARK & EQUIP HIRE 14/9/13	350.00
541	29/10/2013	ANDREA DOBSON	BOND REFUND AG OVAL HIRE 5/10/13	500.00
<b>TOTAL TRUST CHEQUE PAYMENTS</b>				<b>3,940.00</b>

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
500579	01/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 1/10/13	2,029.45
500580	02/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 2/10/13	559.15
500581	03/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 3/10/13	426.85
500582	04/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 4/10/13	2,206.15
500583	08/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 8/10/13	745.85
500584	09/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 9/10/13	401.70
500585	14/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 14/10/13	1,259.15
500586	15/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 15/10/13	404.70
500587	16/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 16/10/13	623.20
500588	17/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 17/10/13	759.50
500589	18/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 18/10/13	1,703.20
500590	21/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 21/10/13	24.00
500591	22/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 22/10/13	510.85
500592	23/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 23/10/13	1,140.75
500593	24/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 24/10/13	338.45
500594	25/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 25/10/13	931.60
500595	28/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 28/10/13	393.30
500596	29/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 29/10/13	2,057.00
500597	30/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 30/10/13	25.00
500598	31/10/2013	TRUST DPI CLEARING	TRANSPORT CLEARING 31/10/13	472.50

**TOTAL TRUST EFT PAYMENTS****17,012.35**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	2/10/2013	PAYROLL	PAYROLL	221,347.56
	16/10/2013	PAYROLL	PAYROLL	220,036.33
	17/10/2013	PAYROLL	PAYROLL	1,660.76
	21/10/2013	PAYROLL	PAYROLL	1,469.20
	21/10/2013	PAYROLL	PAYROLL	1,643.90
	30/10/2013	PAYROLL	PAYROLL	228,877.33
<b>TOTAL PAYROLL PAYMENTS</b>				<b>675,035.08</b>

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	1/10/2013	DIRECT DEBIT	FEE - BPAY	527.97
	1/10/2013	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	1,380.50
	1/10/2013	DIRECT DEBIT	LEASE COSTS - 11 KWINANA STREET WYNDHAM	1,441.00
	10/10/2013	DIRECT DEBIT	LEASE COSTS - 5 RATTLEPOD CLOSE KUNUNURRA	2,946.66
	10/10/2013	DIRECT DEBIT	LEASE COSTS - 38 GARDENIA DRIVE KUNUNURRA	3,606.55
	15/10/2013	DIRECT DEBIT	VEHICLE LEASE - SG FLEET AUSTRALIA	1,036.20
	15/10/2013	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	1,380.50
	17/10/2013	DIRECT DEBIT	LEASE COSTS - 1/25 KONKERBERRY DRIVE KUNUNURRA	3,141.66
	21/10/2013	DIRECT DEBIT	MASTERCARD PAYMENT	5,821.19
	28/10/2013	DIRECT DEBIT	LEASE COSTS - LOT 2433 (REAR) 60 COOLIBAH DRIVE KUNUNURRA	2,383.33
	28/10/2013	DIRECT DEBIT	LEASE COSTS 17/33 KONKERBERRY DRIVE KUNUNURRA	2,253.33
	29/10/2013	DIRECT DEBIT	LEASE COSTS 16/33 KONKERBERRY DRIVE KUNUNURRA	2,253.33
	29/10/2013	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	1,380.50
	31/10/2013	DIRECT DEBIT	FEE - BPAY	1,024.93
	31/10/2013	DIRECT DEBIT	BANK FEES	258.90
<b>TOTAL DIRECT DEBIT PAYMENTS</b>				<b>30,836.55</b>

### 13.2.3 Request to write off penalties A7711 and A7717

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Shelley Binnie, Finance Officer Rates and Property
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	FM11.33
<b>ASSESSMENT NO:</b>	A7711, A7717

#### **PURPOSE**

For Council to consider a request to write off rates and penalties for Assessments A7711 and A7717.

#### **BACKGROUND**

The Shire received schedules from the Valuer General's Office with valuations for the above mining tenements for the purpose of raising rates from the following dates:

Assessment A7711 – 13 September 2012

Assessment A7717 – 19 October 2012

Interim rates notices were issued on 2 November 2012 for assessment A7711 for \$1,175.16 and 5 December 2012 for assessment A7717 for \$1029.78. The rates on both tenements were below the threshold for minimum payment and so attracted a pro rata minimum payment for the period from the valuation date to 30 June 2013.

On 15 November 2012 the ratepayer for the tenements contacted the Shire's Rates Officer to advise that he would be surrendering the tenements as he could not afford to pay the rates.

Payment was not received for the rates and accrual of penalty interest commenced from the due dates 35 days after date of issue of the notices.

On 10 December 2012 the ratepayer contacted the Rates Officer to advise that he would be surrendering the tenement for assessment A7711 and would like to organise a payment arrangement for assessment A7717. He advised he would contact the Rates Officer the following week with a payment proposal.

On 12 March 2013 the ratepayer advised that he would be surrendering A7717 and would be writing to Council to advise that he did not believe that he should have to pay the outstanding rates.

Assessment A7711 was surrendered on 10 December 2012 and assessment A7717 was surrendered on 14 March 2013. The rates were adjusted following notification from the Valuer General's Office. The current balances outstanding including penalty interest are assessment A7711 \$652.51 and assessment A7717 \$398.21.

A letter was received from the ratepayer on 20 March 2013 (see attachment 1) explaining that they could not afford to pay the rates and advising that the most they could pay would be \$5-10 per week. A responding letter (see attachment 2) was sent explaining that all rates

were due and payable and advising that the Shire would accept a payment plan of \$100 per month.

On 14 May 2013 the ratepayer contacted the Rates Officer advising that he would write another letter as he would like his request not to pay the rates to go to Council.

Following the annual rates billing for 2013/14, final notices were sent to the ratepayer on 20 September 2013.

On 24 September 2013 the ratepayer contacted the Shire advising that once he was aware that he had to pay rates that he had surrendered the tenements as he could not afford to pay the rates. He stated that he believed that he should not have to pay rates as he had not been to the area to use the licence. The Rates Officer advised the ratepayer to put his request in writing as any request to write off rates would have to be submitted to Council.

On 9 October 2013 a letter was received from the ratepayer (see attachment 3) advising that he wished to appeal against paying the rates on the grounds that the Department of Mines and Petroleum did not inform him that he would have to pay rates on the tenements; that he was unable to afford the rates; that he had never been to the tenement area; that he could only afford to pay \$10 per week as he was under financial hardship.

On 17 October 2013 the ratepayer contacted the Rates Officer advising that he would pay half the amount owing in 3 weeks and the remainder 2 weeks after that, depending on the decision of Council regarding his request.

## **STATUTORY IMPLICATIONS**

Local Government Act 1995

### **6.29 . Valuation and rates on mining and petroleum interests**

(1) In this section —

Relevant interest means —

(a) a mining tenement held under the *Mining Act 1978* (whether within the meaning given to that term by that Act or by the *Mining Act 1904*<sup>3</sup>); or

(b) a permit, drilling reservation, lease or licence held under the *Petroleum and Geothermal Energy Resources Act 1967* .

(2) Regardless of any determination made under section 6.28(1), the basis for a rate on a relevant interest is to be the unimproved value of the land, except as provided for in subsection (3).

(3) Subsection (2) does not apply to a relevant interest in a portion of land on which capital improvements are located if —

(a) the Minister has determined under section 6.28(1) that the gross rental value of the land is to be used as the basis for a rate on that interest; and

(b) the determination expressly excludes the application of subsection (2).

### **6.12. Power to defer, grant discounts, waive or write off debts**

(1) Subject to subsection (2) and any other written law, a local government may –

- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money ; or
  - (c) write off any amount of money,
- which is owed to the local government.

*\*absolute majority required.*

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

#### **6.49 . Agreement as to payment of rates and service charges**

A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

#### **6.50 . Rates or service charges due and payable**

- (1) Subject to —
- (a) subsections (2) and (3); and
  - (b) any concession granted under section 6.47; and
  - (c) the *Rates and Charges (Rebates and Deferments) Act 1992* ,

a rate or service charge becomes due and payable on such date as is determined by the local government.

The date determined by a local government under subsection (1) is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued.

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

If the request for a write off of the rates is accepted the financial implications would be \$398.21 for Assessment A7711 and \$652.51 for assessment A7717 with a total of \$1,050.72 to be written off.

#### **STRATEGIC IMPLICATIONS**

Strategic Community Plan, Strategy 1.4.3 Maintain Council's long term financial viability:  
A write off of rates legitimately charged under the Local Government Act may set a precedent for further write offs affecting future rates revenue.

## **COMMUNITY CONSULTATION**

Community consultation is not relevant to this item.

## **COMMENT**

The rates raised and the minimum payments applied to these mining tenements are legitimate charges under the Local Government Act. It is the responsibility of the holder of a mining tenement to make themselves aware of any rates or charges applicable to a mining tenement.

Under the Local Government Act a rates waiver can only be granted at the time of setting the annual budget.

A write off of rates is allowed under the Local Government Act if passed by an absolute majority of Council. This course of action is recommended when all avenues for the collection of a debt have been exhausted and the debt is deemed to be uncollectible. As the ratepayer has advised that he will pay the outstanding debt this is not considered to be the case.

Whilst it is understood that the ratepayer may be suffering financial hardship, if a write off is allowed for the rates and penalties on assessments A7711 and A7717 this would set a precedent for other ratepayers to request the same option. It is therefore recommended that the request for a write off of rates be refused and that a payment plan be offered to the ratepayer for the outstanding debt.

## **ATTACHMENTS**

The associated attachments are provided under separate cover

## **VOTING REQUIREMENT**

Absolute Majority

## **OFFICER'S RECOMMENDATION**

That Council refuses the request to write off rates and penalties on Assessments A7711 and A7717 and that the ratepayer is offered a payment plan for the outstanding debt if still unable to pay the amount in full.

Motion  
Cr K Wright

That Council refuse the request to write off rates and penalties on Assessments A7711 and A7717 and that the ratepayer is offered a payment plan of a minimum of \$50 per month or a higher negotiated amount.

**COUNCIL DECISION**

**Minute No. 10242**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council refuse the request to write off rates and penalties on Assessments A7711 and A7717 and that the ratepayer is offered a payment plan of a minimum of \$50 per month or a higher negotiated amount.**

**Carried Unanimously 7/0**

### 13.2.4 Request for reduction in rates and to waive waste management charges for assessments A7445 to A7453 and A7588 to A7600

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHORS:</b>	Shelley Binnie, Finance Officer, Rates and Property Felicity Heading, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	FM11.33
<b>ASSESSMENT NO:</b>	A7445-A7453, A7588-A7600

#### **PURPOSE**

For Council to consider a request for a reduction in rates and to waive waste management charges for assessments A7445 to A7453 and A7588 to A7600.

#### **BACKGROUND**

Rates assessments A7445-A7453 and A7458-A7600 are 22 mining tenements all held by one company (the ratepayer). These tenements have been active since 2009 and 2010 respectively and all rates and charges have been paid in full in previous years.

Rates notices for 2013/14 for these assessments were issued on 13 August 2013 with a due date of 17 September 2013. As the rates for each of these assessment was less than the minimum payment adopted by Council, the minimum payment of \$925 for rates and \$200 for waste management charge was applied to all the assessments giving a total due for the 22 assessments of \$24,750. On 17 September 2013, the ratepayer contacted the Rates Officer and enquired about the charges on the rate notices and how these charges are calculated. The Rates Officer explained that the Shire receives a valuation schedule from the Valuer Generals Office with the Unimproved Value (UV) of the mining tenement, that the rate in the dollar adopted by Council is applied to this value to calculate the rates and that as the rates was under the minimum payment the minimum payment is applied. The ratepayer informed the rates officer that a majority of the tenements were underwater and that they will never be able to mine them.

A letter was received on the 18 September 2013 (see attachment 1) requesting that Council reduce the rates due to the location and purpose of the tenements and requesting that Council waive the waste management charges due to the location of the tenements. The reason given for the request was that approximately half the tenements are inaccessible as they are under water and that they are within environmentally sensitive areas that restrict access and approvals for exploration.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995

##### **6.26. Rateable land**

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land —
  - (a) land which is the property of the Crown and —

- (i) is being used or held for a public purpose; or
- (ii) is unoccupied, except —
  - (I) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or

## **6.29. Valuation and rates on mining and petroleum interests**

- (1) In this section —  
*relevant interest* means —
- (a) a mining tenement held under the *Mining Act 1978* (whether within the meaning given to that term by that Act or by the *Mining Act 1904*<sup>3</sup>); or
  - (b) a permit, drilling reservation, lease or licence held under the *Petroleum and Geothermal Energy Resources Act 1967*.
- (2) Regardless of any determination made under section 6.28(1), the basis for a rate on a relevant interest is to be the unimproved value of the land, except as provided for in subsection (3).
- (3) Subsection (2) does not apply to a relevant interest in a portion of land on which capital improvements are located if —
- (a) the Minister has determined under section 6.28(1) that the gross rental value of the land is to be used as the basis for a rate on that interest: and
  - (b) the determination expressly excludes the application of subsection (2).

## **6.35. Minimum payment**

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.

## **6.12. Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money ; or
  - (c) write off any amount of money, which is owed to the local government.

*\*absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

## **6.47. Concessions**

Subject to the *Rates and Charges (Rebates and Deferments) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive\* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

*\*absolute majority required.*

Waste Avoidance and Resource Recovery Act 2007

## **66. Local government may impose waste collection rate**

- (1) A local government may impose on rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides.
- (2) The annual rate must not exceed —
  - (a) 12 cents in the dollar on the gross rental value; or
  - (b) where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple.
- (2) The provisions of the *Local Government Act 1995* relating to the making, payment and recovery of general rates apply with respect to rates referred to in subsection (1).

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

The total value of the rates raised for 2013/14 on Assessments A7445-A7453 and A7588-A7600 is \$24,750. This is made up of rates \$20,350 and waste management charges \$4,400. The financial implications of a reduction in rates would depend upon the amount of the reduction. The financial implications of a waiver of the waste management charge would be a loss of revenue of \$4,400.

## **STRATEGIC IMPLICATIONS**

There are no strategic implications associated with this item.

## **COMMUNITY CONSULTATION**

Community consultation is not relevant to this item.

## **COMMENT**

Section 6.26 of the Local Government Act (LGA) states that all land is rateable unless specifically excluded under the Act. This is irrespective of whether the land is located under water. A mining tenement granted on an area which exceeds 10 hectares is rateable land under section 6.26. Under section 6.29 of the LGA the basis for a rate on mining tenements is the unimproved value of the land.

Confirmation has been obtained from the Department of Mines and Petroleum that the areas covered by these mining tenements are under the jurisdiction of the Shire for rating purposes. Confirmation has been obtained from the Valuer General's Office that the values applied to the mining tenements are correct.

The minimum payment of \$925.00 for mining tenements is applied under section 6.35 of the LGA and was adopted in the 2013/14 annual budget.

The waste management charge is a charge allowed under the Waste Avoidance and Resource Recovery Act to provide revenue to contribute to the overall waste management of the Shire. This charge is not a fee for service and is applied to all rateable assessments within the Shire including all mining tenements.

Under Section 6.12(1)(c) of the LGA a write off is allowed by resolution of Council with an absolute majority. A write off is generally only recommended for debts where all debt collection efforts have been exhausted and where there is little or no prospect of recovery of the monies owed or when the cost of recovery exceeds the amount of the debt.

Under Section 6.47 of the LGA a concession or waiver is generally only applied to a rate or service charge so that all ratepayers on that rate or service charge receive the concession or waiver.

Environmentally Sensitive Areas are determined under the Environmental Protection (Clearing of Native Vegetation) Regulations. This does not affect the status of the tenements as rateable land.

The rates and waste management charges levied on these mining tenements are legitimate charges applied to all mining tenements within the Shire. It is therefore recommended that the request for a reduction in rates and a waiver of the waste management charges for assessments A7445 to A7453 and A7588 to A7600 be refused.

### **ATTACHMENTS**

Attachment 1: The associated attachment will be provided under separate cover.

### **VOTING REQUIREMENT**

Absolute Majority

### **OFFICER'S RECOMMENDATION**

That Council refuse the request for a reduction in rates and to waive the waste management charge on assessments A7445 to A7453 and A7588 to A7600.

Motion  
Cr K Wright

That Council write off waste management charge and enter into a payment plan and that the ratepayer is offered a payment plan that offers the ratepayer the option to pay between \$50 - \$100 a month until the entire amount is eliminated.

**COUNCIL DECISION**

**Minute No. 10243**

**Moved: Cr K Wright  
Seconded: Cr G King**

**That Council write off waste management charge and enter into a payment plan and that the ratepayer is offered a payment plan that offers the ratepayer the option to pay between \$50 - \$100 a month until the entire amount is eliminated.**

**4/3**

**For: Cr K Wright, Cr J Moulden, Cr G King, Cr D Spackman  
Against: Cr S Cooke, Cr B Robinson, Cr G Taylor**

### 13.2.5 Review of Council Investment Policy CP FIN-3203

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Felicity Heading, Senior Finance Officer
<b>REPORTING OFFICER:</b>	Asanka Jayakody, Accountant
<b>FILE NO:</b>	CM.11.2

#### **PURPOSE**

For Council to review and consider amendments to Investment Policy CP FIN-3203Policy.

#### **BACKGROUND**

Council policy CP FIN-3203 Investment Policy was adopted on 20 December 2005 and was last reviewed on 17 February 2009. Amendments to the Local Government (Financial Management) Regulations require amendments to Council's Investment Policy to ensure that it is compliant with the regulations.

#### **STATUTORY IMPLICATIONS**

Amendments to the Local Government (Financial Management) Regulations are as follows:

Local Government Act 1995

Local Government (Financial Management) Amendment Regulations 2012.

#### **9. Regulation 19C inserted**

After regulation 19B insert:

##### **19C. Investment of money — s. 6.14(2)(a)**

(1) In this regulation —

***authorised institution*** means —

(a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or

(b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

***foreign currency*** means a currency except the currency of Australia.

(2) When investing money under section 6.14(1), a local government may not do any of the following —

(a) deposit with an institution except an authorised institution;

(b) deposit for a fixed term of more than 12 months;

(c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;

(d) invest in bonds with a term to maturity of more than 3 years;

(e) invest in a foreign currency.

### **POLICY IMPLICATIONS**

The Investment Policy is a Council policy and as such can only be amended by resolution of Council.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this matter.

### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

### **COMMENT**

An amendment to Council's Investment policy is required for the policy to remain compliant with the Local Government (Financial Management) Regulations.

### **ATTACHMENTS**

Attachment 1 – Current Council Investment Policy CP FIN-3203

Attachment 2 – Proposed amended Council Investment Policy CP FIN-3203

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICERS RECOMMENDATION:**

That Council adopts the attached amended Council Investment Policy, CP FIN-3203

Motion

Cr K Wright

That Council defer item 13.2.4 Review of Council Investment Policy, of the November 2013 Council meeting until the next Audit Committee meeting.

**COUNCIL DECISION**

**Minute No. 10244**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council defer item 13.2.4 Review of Council Investment Policy, of the November 2013 Council meeting until the next Audit Committee meeting.**

**Carried Unanimously 7/0**



*Shire of Wyndham East Kimberley*  
**Council Policy**  
**F17**

<b>POLICY No:</b>	<b>F17</b>
<b>DIVISION</b>	<b>Finance</b>
<b>SUBJECT:</b>	<b>Investment Policy</b>
<b>REPORTING OFFICER</b>	<b>Executive Manager of Corporate Services</b>

**Objective:**

To invest the Shire of Wyndham East Kimberley surplus funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, whilst ensuring that liquidity requirements are being met.

Preservation of capital is to be the principal objective with consideration given to liquidity, cash flow requirements and return on investment.

**Legislative Requirements**

All investments are to comply with the following:

- Local Government Act 1995 – Section 6.14
- The Trustees Act 1962 – Part III Investments
- Local Government (Financial Management) Regulations 1996 – Regulations 19, 28 and 49
- Australian Accounting Standards

**Delegation of Authority**

Authority for implementation of the Investment Policy is delegated by Council to the CEO in accordance with the Local Government Act 1995. The CEO may in turn delegate the day-to-day management of Council's Investment to senior staff subject to regular reviews.

**Policy:**

*Prudent Person Standard*

Investments are to be managed with the care, diligence and skill that a “prudent person” (as derived by legislation, *Trustees Act 1962*, and case law) would exercise. Officers are to manage investments to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

*Ethics and Conflicts of Interest*

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investments, and must disclose any conflict of interest to the CEO.

*Approved Investments*

Acceptable methods of investing are:

- State/Commonwealth Government Bonds;
- Interest Bearing Deposits;
- Bank accepted/endorsed bank bills;
- Commercial paper;
- Bank negotiable Certificate of Deposits; and
- Managed funds with a minimum long term Standard & Poor (S&P) rating of “A” and a short term rating of “A2”.

*Prohibited Investments*

This policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments; (*Derivatives are financial contracts, or financial instruments, whose values are derived from the value of something else (known as the underlying). The underlying on which a derivative is based can be an asset (e.g., commodities, equities (stocks), residential mortgages, commercial real estate, loans, bonds), an index (e.g., interest rates, exchange rates, stock market indices, consumer price index (CPI) — see inflation derivatives), or other items (e.g., weather conditions, or other derivatives). Credit derivatives are based on loans, bonds or other forms of credit. The main types of derivatives are: forwards (which if traded on an exchange are known as futures); options; and swaps.*)
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

*Risk Management Guidelines*

Investments obtained are to comply with three key criteria relating to:

- a. Portfolio Credit Framework - to limit overall credit exposure of the portfolio
- b. Counterparty Credit Framework – to limit exposure to individual counterparties/institutions
- c. Term to Maturity Framework – limits based upon maturity of securities

*a) Overall Portfolio Limits*

To control quality on the entire portfolio, the following framework limits the percentage of the portfolio exposed to a particular credit rating category:

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

*b) Counterparty Credit Framework*

Exposure to an individual institution will be restricted by its credit rating so that single entity exposure is limited as detailed in the table below:

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%

If any of the investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

Investments fixed for greater than 12 months are to be approved by Council, reviewed on a regular term and invested for no longer than 5 years.

*c) Term to Maturity Framework*

The following maturity constraints will apply:

Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100 Max; 40% Min
Portfolio % > 1 year	60%
Portfolio % > 3 year	35%
Portfolio % > 5 year	25%

Individual Investment Maturity Limits	
Authorised Deposit Institution	5 years
Non Authorised Deposit Institution	3 years

Note: Authorised Deposit Institutions are corporations that are authorised under the Banking Act 1959 to take deposits from customers.

*Investment Guidelines*

Municipal funds will be invested for short to medium terms, and reserve funds for medium to long terms. To maintain accountability and transparency, municipal funds and reserve funds are to be invested in separate accounts.

For the purposes of this policy:

- “Long term” refers to a term of up to 12 months.
- “Medium term” refers to a term of up to 6 months.
- “Short term” refers to liquid investments (at call) or up to 3 months or less that are readily convertible to cash with no impairment to the original value of the investment.

Appendix B - Investment Policy checklist from Local Government Operational Guidelines – Number 19 - Investment Policy (February 2008) shall be used to assess each new investment. The form shall be retained as evidence.

Three quotes will be obtained when investing any funds. Once the rate is finalised the investment must be approved by two signatories to the bank account.

#### *Investment Strategy*

An Investment Strategy will run in conjunction with this investment policy. The investment strategy will be presented to Councils Audit Committee every six months.

The Strategy will outline:

- Council's cash flow expectations
- Optimal target allocation of investment types, credit rating exposure, and term to maturity exposure and
- Appropriateness of overall investment types for Council's Portfolio

#### *Investment Advisor*

Should an Investment Advisor be appointed this must be approved by Council and be licensed by the Australian Securities and Investment Commission. Any advisor appointed must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the investment policy.

#### *Reporting and Review*

A monthly report will be provided to Council in support of the monthly statement of activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value (if applicable).

Documentary evidence must be held for each investment and details thereof maintained in an investment register.

Certificates will be obtained from financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes.

**ADOPTED: 20/12/2005**

**REVIEWED: 17/2/2009**

**AMENDED: 17/2/2009**



*Shire of Wyndham East Kimberley*  
**Council Policy**  
**FIN -3203**

<b>POLICY No:</b>	<b>FIN - 3203</b>
<b>DIVISION</b>	<b>Finance</b>
<b>SUBJECT:</b>	<b>Investment Policy</b>
<b>REPORTING OFFICER</b>	<b>Director Corporate Services</b>

**Objective:**

To invest the Shire of Wyndham East Kimberley surplus funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, whilst ensuring that liquidity requirements are being met.

Preservation of capital is to be the principal objective with consideration given to liquidity, cash flow requirements and return on investment.

**Legislative Requirements**

All investments are to comply with the following:

- Local Government Act 1995 – Section 6.14
- The Trustees Act 1962 – Part III Investments
- Local Government (Financial Management) Regulations 1996 – Regulations 19, 28 and 49 **and Amendment regulations 2012**
- Australian Accounting Standards

**Delegation of Authority**

Authority for implementation of the Investment Policy is delegated by Council to the CEO in accordance with the Local Government Act 1995. The CEO may in turn delegate the day-to-day management of Council's Investment to senior staff subject to regular reviews.

**Policy:**

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Investments are to be managed with the care, diligence and skill that a “prudent person” (as derived by legislation, *Trustees Act 1962*, and case law) would exercise. Officers are to manage investments to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

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Acceptable methods of investing are:

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- Managed funds with a minimum long term Standard & Poor (S&P) rating of “A” and a short term rating of “A2”.

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- Derivative based instruments; (*Derivatives are financial contracts, or financial instruments, whose values are derived from the value of something else (known as the underlying). The underlying on which a derivative is based can be an asset (e.g., commodities, equities (stocks), residential mortgages, commercial real estate, loans, bonds), an index (e.g., interest rates, exchange rates, stock market indices, consumer price index (CPI) — see inflation derivatives), or other items (e.g., weather conditions, or other derivatives). Credit derivatives are based on loans, bonds or other forms of credit. The main types of derivatives are: forwards (which if traded on an exchange are known as futures); options; and swaps.*)
- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Stand alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.
- Deposit with an institution except an authorised institution. (*Authorised institution mean (a) an authorised deposit taking institution as defined in the Banking Act 1959 (Commonwealth) section 5: or (b) the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986*)
- Deposit for a fixed term of more than 12 months:
- Investment in bond that are not guaranteed by the Commonwealth Government, or a State or Territory government:
- Invest in bonds with a term to maturity of more than 3 years:
- Investment in a foreign currency: (*foreign currency means a currency except the currency of Australia*)

This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

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If any of the investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

Investments fixed for greater than 12 months are to be approved by Council, reviewed on a regular term and invested for no longer than 5 years.

*c) Term to Maturity Framework*

The following maturity constraints will apply:

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Note: Authorised Deposit Institutions are corporations that are authorised under the Banking Act 1959 to take deposits from customers.

### *Investment Guidelines*

Municipal funds will be invested for short to medium terms, and reserve funds for medium to long terms. To maintain accountability and transparency, municipal funds and reserve funds are to be invested in separate accounts.

For the purposes of this policy:

- “Long term” refers to a term of up to **maximum** 12 months.
- “Medium term” refers to a term of up to 6 months.
- “Short term” refers to liquid investments (at call) or up to 3 months or less that are readily convertible to cash with no impairment to the original value of the investment.

Appendix B - Investment Policy checklist from Local Government Operational Guidelines – Number 19 - Investment Policy (February 2008) shall be used to assess each new investment. The form shall be retained as evidence.

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### *Investment Strategy*

An Investment Strategy will run in conjunction with this investment policy. The investment strategy will be presented to Councils Audit Committee every six months.

The Strategy will outline:

- Council's cash flow expectations
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- Appropriateness of overall investment types for Council's Portfolio

### *Investment Advisor*

Should an Investment Advisor be appointed this must be approved by Council and be licensed by the Australian Securities and Investment Commission. Any advisor appointed must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the investment policy.

### *Reporting and Review*

A monthly report will be provided to Council in support of the monthly statement of activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value (if applicable).

Documentary evidence must be held for each investment and details thereof maintained in an investment register.

Certificates will be obtained from financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes.

**ADOPTED: 20/12/2005**  
**REVIEWED: 19/11/2013**  
**AMENDED: 19/11/2013**

### 13.2.6 Amendment to schedule of fees and charges for 2013/14

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Niroshini Nandasiri
<b>REPORTING OFFICER:</b>	Ingrid Bishop, Acting Director Corporate Services
<b>FILE NO:</b>	FM.08.1

#### **PURPOSE**

To notify Council of the statutory amendments to the Schedule of Fees and Charges - 2013/14.

#### **BACKGROUND**

From 1 November 2013, new provisions commenced for dog owners under the Dog Act 1976. On 24 October 2013 parliament passed amendments to the Act together with new regulations which will now bring the Dog Life time registration into effect.

#### **STATUTORY IMPLICATIONS**

Cat Act 2011 & Dog Act 1976.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

The introduction of the Lifetime Dog registration fee will provide additional revenue to Council for the coming year.

#### **STRATEGIC IMPLICATIONS**

Strategic Community Plan – Strategy 1.4.1  
Ensure legislative compliance and follow best practice principles in planning and service delivery.

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.



## **COUNCIL DECISION**

**Minute No. 10245**

**Moved: Cr B Robinson**

**Seconded: Cr G Taylor**

**That Council adopts the following amendments to the Schedule of Fees and Charges for 2013/14:**

- **Registration fees prescribed under the Dog Act 1976 are as follows:**

- **Unsterilized Dog & Cat Registration**

**Lifetime:**

**Normal Fee 250.00**

**Pensioner Concession 125.00**

**Working Dogs 62.50**

- **Sterilised Dog & Cat Registration**

**Lifetime:**

**Normal Fee 100.00**

**Pensioner Concession 50.00**

**Working Dogs 25.00**

**Carried Unanimously 7/0**

## **SHIRE OF WYNDHAM EAST KIMBERLEY**

**Adopted Budget - 2013-2014**

### **Fees and Charges**

***Fees and Charges are set by Council as part of the budget setting process and may be amended from time to time.***

***These Fees and Charges can only be modified by a resolution of Council or under delegated authority by the Chief Executive Officer.***

***All requests for concessions on Fees and Charges must be in made in advance, in writing.***

***Requests should be addressed to the Chief Executive Officer.***

***Collection of Fees and Charges will be in accordance with Council Policy.***

***The prescribed rate of 11% per annum applies to overdue payment of these charges that are permitted to be invoiced as per Council Policy.***

***Statutory charges are charges that are set by another legislative body.***

***These have been published in this document for indicative reference only, and may change at any time without this document being amended.***

## SHIRE OF WYNDHAM EAST KIMBERLEY

Adopted Budget - 2013-2014

### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>GOVERNANCE AND GENERAL PURPOSE FUNDING</b>					
<b>Administrative Charges</b>					
Change of Ownership Advices (via settlement agents) - Rating information - per lot	x	36.00			LGA 1995 Part 6 Division 5 Subdivision 2
Copy of Rate Notice - per copy (Hard/Electronic copy)	x	20.00			
Debtor special payment arrangement administrative charge (by prior approval only)	√	33.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Special Series Number Plates	x	286.00			
Retrieval and research fee for information / documentation (per hour - one hour minimum). <i>Note: freedom of information restrictions may apply (additional fees apply for copying)</i>	√	57.00			LGA 1995 Part 6 Division 5 Subdivision 2
<b>Photocopying / Printing</b>					
A4 Black & white (single sided) per copy - multiply by two for a double sided copy.	√	0.60			
A4 Colour (single sided) per copy - multiply by two for a double sided copy.	√	3.00			
A3 Black & White (single sided) per copy - multiply by two for a double sided copy	√	1.20			
A3 Colour (single sided) per copy - multiply by two for a double sided copy	√	5.60			
A2 Black & White (single sided) per copy	√	3.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
A2 Colour (single sided) per copy (printing electronic version only)	√	11.00			
A1 Black & White (single sided) per copy	√	5.50			
A1 Colour (single sided) per copy (printing electronic version only)	√	22.50			
A0 Black & White (single sided) per copy	√	12.50			
A0 Colour (single sided) per copy (printing electronic version only)	√	45.00			
<b>Agenda's / Minutes</b>					
<i>Note: these are available free of charge on Councils website and provided to Media at no cost. Hard copies will not be provided in colour.</i>					
Agenda Only (per meeting)	x	22.50			
Minutes Only (per meeting)	x	22.50			
Minutes & Agenda (per meeting)	x	39.00			LGA 1995 Part 6 Division 5 Subdivision 2
Agenda Only (per annum)	x	195.00			
Minutes Only (per annum)	x	195.00			
Minutes & Agendas (per annum)	x	378.00			

## SHIRE OF WYNDHAM EAST KIMBERLEY

Adopted Budget - 2013-2014

Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>GOVERNANCE AND GENERAL PURPOSE FUNDING (continued)</b>					
<b>Other Council Publications</b>					
<b>Rate Book</b>					
<i>Rate book will only be provided on completion of a statutory declaration that the information will not be used for commercial purposes by the purchaser or another person.</i>					
Annual Rate Book (per Hard Copy) - at billing	x	348.00			
Annual Rate Book (per Electronic Copy) - at billing	x	14.50			LGA 1995 Part 6 Division 5 Subdivision 2
Rate Book Subscription Per Annum (Electronic Copy - amendments sent each update during year)	x	118.00			
<b>Other</b>					
Local Laws (per law) - note these can be downloaded at no cost from State Publisher website	√	27.00			LGA 1995 Part 6 Division 5 Subdivision 2
Tender documents (where document charge is required in tender information)	√	67.50			

## SHIRE OF WYNDHAM EAST KIMBERLEY

Adopted Budget - 2013-2014

Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>LAW, ORDER, PUBLIC SAFETY</b>					
<b>Animal Control</b>				For registration period exp 31 Oct 13	For registration period 1 Nov 13 to 31 Oct 14
<i>Note: The Cat Act 2011 does not take effect until 1 November 2013.</i>					
<b>Sterilised Dog &amp; Cat Registration</b>					
<b>One Year</b>					
Normal Fee	x	10.00		20.00	
Pensioner Concession	x	5.00		10.00	
Working Dogs	x	2.50		5.00	
<b>Three Years</b>					
Normal Fee	x	18.00		42.50	
Pensioner Concession	x	9.00		21.25	
Working Dogs	x	4.50		10.62	
<b>Lifetime</b>					
Normal Fee	x			100.00	
Pensioner Concession	x			50.00	
Working Dogs	x			25.00	
<b>Unsterilised Dog &amp; Cat Registration</b>					
<b>One Year</b>					
Normal Fee	x	30.00		50.00	
Pensioner Concession	x	15.00		25.00	
Working Dogs	x	7.50		12.50	
<b>Three Years</b>					
Normal Fee	x	75.00		120.00	
Pensioner Concession	x	37.50		60.00	
Working Dogs	x	18.75		30.00	
<b>Lifetime</b>					
Normal Fee	x			250.00	
Pensioner Concession	x			125.00	
Working Dogs	x			62.50	

Cat Act 2011 & Dog Regulations 1976  
Second Schedule

**SHIRE OF WYNDHAM EAST KIMBERLEY**  
**Adopted Budget - 2013-2014**  
**Fees and Charges**

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>LAW, ORDER, PUBLIC SAFETY (continued)</b>					
<b>Other Animal Control</b>					
Replacement Dog Tags	√	5.00			
Dog Seizure Fees. <i>Note: this fee is payable in addition to Infringement Fees as per Dog Act 1976 and Dog Regulations 1976.</i>	×	83.00			
Dog pound charge - each day thereafter	×	21.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Destruction of dog. <i>Note: impounded animals are destroyed after 72 hours of detention.</i>	√	73.00			
Cat Breeders Annual Registration Fee	×			100.00	Cat Act 2011
<b>Abandoned Vehicles</b>					
Abandoned Vehicle Infringement	×			100.00	Activities in Thoroughfares and Public Places and Trading Local Law 2003
Towing Abandoned Vehicle - In addition to Infringement	√	Full cost recovery			
Poundage Charges, each day	×	15.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Road Closure Approval for Public Events</b>					
Not for Profit / Non Government user groups as defined under "Community and Recreation Facilities and Services"	×	83.00			LGA 1995 Part 6 Division 5 Subdivision 2
Commercial / Government / Private user groups as defined under "Community and Recreation Facilities and Services"	×	166.50			
<b>Traffic Management Signage and Temporary Fencing</b>					
Short term Hire of SWEK Traffic Management Signs (per sign / per week). <i>Note: erection of Traffic Management Signage must be undertaken by qualified person(s) and is only available to approved public events</i>	√	5.50			
Erection of Traffic Management Signage by qualified Shire employees per hour	√	143.50			LGA 1995 Part 6 Division 5 Subdivision 2
Short term hire of SWEK temporary fencing (per panel / per week). <i>Note: only available to Not for Profit / Non Government User Groups as defined under "Community and Recreation Facilities and Services". Pick up and delivery is hirers responsibility.</i>	√	5.50			
Bond	×	520.00			

## SHIRE OF WYNDHAM EAST KIMBERLEY

### Adopted Budget - 2013-2014

#### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>BUILDING CONTROL</b>					
Building License as per Building Regulations (0.35% of 10/11 Domestic and 0.2% of 10/11 Commercial building cost (GST inclusive) or minimum charge of \$85). <i>Note: applications made prior to 2/4/2012.</i>	x			Calculation	Building Regulations 1989 (part 6)
Building Permit Application <b>Certified</b> Class 1 -10 (0.19% of the estimated value of work - but not less than \$90)	x			Calculation (minimum fee \$90)	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 1 & Building Act 2011 (s. 16(1))
Building Permit Application <b>Certified</b> Class 1B, 2 -9 (0.09% of the estimated value of work - but not less than \$90)	x			Calculation (minimum fee \$90)	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 1 & Building Act 2011 (s. 16(1))
Building Permit Application <b>Uncertified</b> Class 1A & 10 (0.32% of the estimated value of work - but not less than \$90)	x				
Amended building License - 50% of full fee (minimum of \$20). <i>Note: applications made prior to 2/4/2012.</i>	x			Calculation	
Building approval Certificate Fee class 1 & 10, 0.7% of 10/11 of the estimated current value of the unauthorised building work as determined by the Local Gov., but not less than \$170. <i>Note: applications made prior to 2/4/2012.</i>	x			Calculation	Building Regulations 1989 (part 6)
Building approval Certificate Fee for a building other than a class 1 & 10, 0.4% of 10/11 of the estimated current value of the unauthorised building work as determined by the Local Gov., but not less than \$170. <i>Note: applications made prior to 2/4/2012.</i>	x			Calculation	
Building Approval Certificate Application (for a building in respect of which unauthorised work has been carried out) (0.38% of the estimated value of work - but not less than \$90)	x			Calculation (minimum fee \$90)	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 1 & Building Act 2011 (s. 51(3))
Building Approval Certificate Application (for existing building where unauthorised work has not been carried out)	x			<b>90.00</b>	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 2 & Building Act 2011 (s. 52(2))
Application for Hoarding , Road Closure & Permit to excavate/deposit materials on street. (\$1.00 per metre square per month)	x			Calculation	Building Regulations 2012 Part 9 Division 3 (r 64 (4))

## SHIRE OF WYNDHAM EAST KIMBERLEY

Adopted Budget - 2013-2014

### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>BUILDING CONTROL (continued)</b>					
Demolition - per storey. <i>Note: applications made prior to 2/4/2012.</i>	x			Calculation	Building Regulations 1989 (part 6)
Demolition Permit Application - Class 1 - 10	x			<b>90.00</b>	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 1 & Building Act 2011 (s.
Demolition Permit Application - Class 2 - 9 ( \$90 for each storey of the building)	x			Calculation	16(1))
Application Extension of Time (Building or Demolition Permit)	x			<b>90.00</b>	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 1 & Building Act 2011 (s.
Application for Occupancy Permit (completed building)	x			<b>90.00</b>	32(3)(f))
Application for Temporary Occupancy Permit (incomplete building)	x			<b>90.00</b>	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 2 & Building Act 2011 (s.
Application for Modification of Occupancy Permit (additional use of building on a temporary basis)	x			<b>90.00</b>	46)
Application for Replacement Occupancy Permit (permanent change of use/classification)	x			<b>90.00</b>	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 2 & Building Act 2011 (s.
Application for Occupancy Permit or Building Approval Certificate (for registration of strata scheme, plan of re-subdivision) (\$10.00 for each strata unit, but not less than \$100)	x			Calculation (minimum fee \$100)	47)
Application for Occupancy Permit (for building in respect of which unauthorised work has been done) (0.18% of estimated value of unauthorised work but not less than \$90.00)	x			Calculation (minimum fee \$90)	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 2 & Building Act 2011 (s.
Application to Replace Occupancy Permit (for an existing building)	x			<b>90.00</b>	51 (2))
Application to extend the time during which an Occupancy Permit or Building Approval Certificate has effect.	x			<b>90.00</b>	Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 2 & Building Act 2011 (s.
					52 (1))
					Building Regulations 2012 Schedule 2 - Fees (reg 11) Division 2 & Building Act 2011 (s.
					65 (3)(a))

**SHIRE OF WYNDHAM EAST KIMBERLEY**  
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**Fees and Charges**

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>BUILDING CONTROL (continued)</b>					
Annual Swimming Pool Fee - \$55 every 4 years (charged pro-rata)	x			13.75 per annum	Building Regulations 1989 Part 10 Regulation 38F Building Regulations 2012 Part 8 Division 2 (r 53 (2))
Application for Approval of Battery Operated Smoke Alarm	x			170.00	Building Regulations 2012 Part 8 Division 3 (r 61 (3)(b))
Application for Variation/Modification of Building Standards in which declaration is sought from Building Commissioner	x			2,000 per standard variation	Building Regulations 2012 Part 9 Division 3 (r 64 (4))
Inspection Fees (for third party requests)	√	<b>230.00</b>			LGA 1995 section 6.16.
Builder registration board levy. <i>Note: applications made prior to 2/4/2012.</i>	x			40.50	Set by Builders Registration Board.
Building Services Levy for Building Permit (Minimum \$40.50 and 0.09% of work value exceeding \$45,000)	x			Calculation (minimum fee \$40.50)	
Building Services Levy for Demolition Permit (Minimum \$40.50 and 0.09% of work value exceeding \$45,000)	x			40.50	Set by Building (Services) Act 2011 and Building Services Commission
Building Services Levy for Occupancy Permit (Minimum)	x			40.50	
Building Services Levy for Building Approval Certificate (Minimum)	x			Calculation (minimum fee \$91.00)	
Building Services Levy for Unauthorised Building Work (Minimum \$91.00 and 0.18% of work value exceeding \$45,000)	x			Calculation	Set by Construction and Training Industry group.
Construction Industry Training Fund (0.2% of construction value over \$20,000.)	x			Calculation	
Retrieval and research fee for building information / documentation (per hour - one hour minimum). <i>Note-freedom of information restrictions may apply (additional fees apply for copying)</i>	√	<b>57.00</b>			LGA 1995 Part 6 Division 5 Subdivision 2
Change of Ownership Advices (via settlement agents) - Building - per lot	x	<b>73.00</b>			
<b>Signage Approvals</b>					
<b>Standard Signs</b>					
Pylon Sign	√	<b>32.00</b>			
Illuminated Sign	√	<b>27.00</b>			
Hoardings per annum	√	<b>54.00</b>			LGA 1995 Pt 6 Division 5 Subdivision 2; Local Planning Policy
Portable sign	√	<b>27.00</b>			
Development sign	√	<b>27.00</b>			
Any other sign	√	<b>16.00</b>			

## SHIRE OF WYNDHAM EAST KIMBERLEY

Adopted Budget - 2013-2014

### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>BUILDING CONTROL (continued)</b>					
<b>Signage Approvals (continued)</b>					
<b>Non Standard Signs</b>					
Pylon Sign	√	65.00			
Illuminated Sign	√	54.00			
Hoardings per annum	√	108.00			LGA 1995 Pt 6 Division 5 Subdivision 2; Local Planning Policy
Portable sign	√	54.00			
Development sign	√	54.00			
Any other sign	√	27.00			
Instructional Sign	√	16.00			LGA 1995 Pt 6 Division 5 Subdivision 2; Local Planning Policy
Confiscated sign	√	27.00			
<b>Supply of Generic Engineering Footing Specification Detail (per set)</b>					
Sea Containers	√	54.00			LGA 1995 Part 6 Division 5 Subdivision 2
Shade Sails	√	54.00			
<b>Deposit to Repair Damage to Footpath, Kerb, Road or Road Reserve</b>					
<i>(Footpath and kerb bond)</i>					
Single Residential Block, having one street boundary	×	520.00			
Single Residential Block, having two street boundaries	×	624.00			
Duplex Block, having one street boundary	×	624.00			
Duplex Block, having two street boundaries	×	728.00			LGA 1995 Part 6 Division 5 Subdivision 2
Multi Residential Block, up to maximum	×	1,092.00			
Services Trades and Commercial, up to maximum	×	1,664.00			

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Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>ECONOMIC SERVICES</b>					
<b>Water Supply/Reticulation Charges</b>					
Water supply/retic charges, per kilolitre	x	0.70			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>HEALTH</b>					
<b>Caravan Parks</b>					
Registration Per Camp Site / annum	x			3.00	
Registration Per Short Stay Site / annum	x			6.00	
Registration Per Long Stay Site / annum	x			6.00	
Registration Per Overflow Site / annum	x			1.50	Caravan Parks and Camping Ground Regulations 1997
<i>** Note: a \$200 minimum overall fees / annum applies to above. **</i>					
Additional fee for renewal after expiry	x			20.00	
Transfer of Caravan Park Licence	x			100.00	
<b>Food Business</b>					
<b>Food Registration and Notification</b>					
Temporary Food Stall Application	x			50.00	Food Act 2008 s107; LGA 1995 Part 6 Div 5 Subdiv 2.
Registration Application	x			50.00	
Temporary Food Stall Application - Not for Profit / Non Government User Groups as defined under "Community and Recreation Facilities and Services"			No Cost		Food Act 2008 s107; LGA 1995 Part 6 Div 5 Subdiv 2.; Food Regulations 2009 r.10
<b>Assessment of Food Business</b>					
<i>(Assessment fees below are in addition to the Registration Application fee above)</i>					
High Risk	x	250.00			Food Act 2008 s110 4(B); LGA 1995 Part 6 Div 5 Subdiv 2.
Medium Risk	x	125.00			
Low Risk	x	62.40			
<b>Food Business Annual Surveillance Charge</b>					
High Risk	x	400.00			Food Act 2008 s140 (1) ; LGA 1995 Part 6 Div 5 Subdiv 2
Medium Risk	x	266.00			
Low Risk	x	133.00			

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### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>HEALTH (continued)</b>					
<b>Infringements</b>					
Offences under the Food Act 2008	x			<b>As prescribed</b>	Food Act 2008
Offences under the Food Regulations 2009	x			<b>As prescribed</b>	Food Regulations 2009
Offences under the Environmental Protection Act 1986	x			<b>As prescribed</b>	Environmental Protection Act 1986
Offences under the Environmental Protection (Noise) Regulations 1997	x			<b>As prescribed</b>	Environmental Protection (Noise) Regulations 1997
Offences under the Environmental Protection (Unauthorised Discharges) Regulations 2004	x			<b>As prescribed</b>	Environmental Protection (Unauthorised Discharges) Regulations 2004
<b>Effluent Disposal</b>					
On-site effluent disposal applications (includes local government application fee \$113 and permit to use apparatus fee \$113)	x			<b>226.00</b>	Determined by WA Department of Health.
<b>Swimming Pool Sampling</b>					
Pool Sample Fee	√	<b>75.00</b>			LGA 1995 section 6.16.
Re-sample of pool following failure of monthly sample	√	<b>166.00</b>			
<b>Application for a Public Event</b>					
Low Risk building or event			<b>No Cost</b>		Health Act 1911 Sec 176, Health (Public Building) Regulations 1992 schedule 1
Medium Risk building or event	√	<b>112.00</b>			
High Risk building or event	√	<b>222.00</b>			
<b>Other Health Fees and Charges</b>					
Lodging House Registration per annum	x	<b>205.00</b>			Health Act 1911 section 158; Sec 8.1.4 of SWEK Health Local Law; 344C of the Health Act 1911.
Inspection Fee (Settlement request, certificate of local government under Liquor Control Act 1988)	√	<b>215.00</b>			LGA 1995 Part 6 Division 5 Subdivision 2
Offensive Trade Registration	x			<b>As prescribed</b>	Offensive Trade (Fees) Regulations 1976
Retrieval and research fee for health information / documentation (per hour - one hour minimum). <i>Note-freedom of information restrictions may apply (additional fees apply for copying)</i>	√	<b>57.00</b>			LGA 1995 Part 6 Division 5 Subdivision 2

## SHIRE OF WYNDHAM EAST KIMBERLEY

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### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>TOWN PLANNING AND REGIONAL DEVELOPMENT</b>					
<b>Determination of Applications</b>					
<b>Development Application (other than for an extractive industry) where the development has not commenced or been carried out and the estimated cost of the development (Ex GST) is:</b>					
A) not more than \$50 000	x			<b>147.00</b>	
B) more than \$50 000 but not more than \$500 000	x			<b>0.32% of the estimated cost of development</b>	Planning and Development Act 2005, Town Planning Regulations 2009 Reg47 Schedule 2.
C) more than \$500 000 but not more than \$2.5 million	x			<b>\$1,600 + 0.257% for every \$1 in excess of \$500 000</b>	
D) more than \$2.5 million but not more than \$5 million	x			<b>\$6,740 + 0.206% for every \$1 in excess of \$2.5 million</b>	
E) more than \$5 million but not more than \$21.5 million	x			<b>\$11,890 + 0.123% for every \$1 in excess of \$5 million</b>	
F) more than \$21.5 million	x			<b>34,196.00</b>	Planning and Development Act 2005, Town Planning Regulations 2009 Reg47 Schedule 2.
Extractive Industry Application - where the development has not commenced or been carried out	x			<b>739.00</b>	
Change of Use and Non Conforming Use Application Only	x			<b>295.00</b>	
Retrospective Applications for Development / Land use - Non Conforming Use / Extractive Industry - To discourage unlawful development	x			<b>3 x cost of application fee as per above categories</b>	
<b>Public Event Approval</b>					
Low Risk building or event				<b>No cost</b>	
Medium Risk building or event	x			<b>70.00</b>	Planning and Development Act 2005, Town Planning Regulations 2009 Reg47 Schedule 2.
High Risk building or event	x			<b>139.00</b>	
<b>Home Occupation</b>					
Initial Application	x			<b>222.00</b>	
Annual Renewal	x			<b>73.00</b>	Planning and Development Act 2005, Town Planning Regulations 2009 Reg47 Schedule 2.
Penalty for conducting Home Occupation without Planning Consent, or for conducting a Home Occupation after expiration of annual renewal	x			<b>3 x Home Occupation Application or Renewal</b>	

## SHIRE OF WYNDHAM EAST KIMBERLEY

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### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>TOWN PLANNING AND REGIONAL DEVELOPMENT (continued)</b>					
<b>Scheme Amendment and Structure Plans</b>					
<i>Note: Fees are calculated per officer per hour.</i>					
Initial application fee	√			<b>2,500.00</b>	
Assessment fees will then be calculated on the following basis - per hour per officer:					
<i>Director / City / Shire Planner \$83.00 per hour</i>					
<i>Manager / Senior Planner \$63.00 per hour</i>					
<i>Planning Officer \$34.70 per hour</i>					
<i>Other staff eg: Environmental Health Officer \$34.70 per hour</i>					
<i>Secretary / Administration Clerk \$28.40 per hour</i>					
Fees will be calculated when works completed as per above. A refund or further charge will then apply for any costs outside the initial application fee.					
Advertising	√			<b>Full cost recovery</b>	
<b>Strata Plan, Re-subdivision or Consolidation of Lots Applications (per lot)</b>					
A) Not more than 5 lots					
Base assessment fee; plus	x			<b>637.00</b>	
Assessment fee per lot	x			<b>64.00</b>	
B) More than 5 lots (up to and including 100 lots)					
Base assessment fee; plus	x			<b>957.00</b>	WA Planning Commission Fees
Assessment fee per lot	x			<b>42.40</b>	
C) More than 100 lots (capped)					
	x			<b>4,985.00</b>	
<b>Subdivision / Strata Clearance (per lot)</b>					
Not more than 5 lots (per lot)					
	x			<b>73.00</b>	
More than 5 lots but not more than 195 lots - first 5 lots as per fee above, Lots 6 - 195 (per lot)					
	x			<b>73.00</b>	WA Planning Commission Fees
More than 195 lots					
	x			<b>7,393.00</b>	
Strata Form 7 Clearance Certificate under section 5B(2), 8A(f) or 9(3) of the Strata Titles Act	x			<b>0.20 per sqm of floor area (with a minimum fee of \$100)</b>	Strata Titles General Regulations 1996, Schedule 1 (2).

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Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
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<b>TOWN PLANNING AND REGIONAL DEVELOPMENT (continued)</b>					
<b>Other Planning Fees</b>					
Property Settlement Questionnaire	√			<b>73.00</b>	Planning and Development Act 2005, Town Planning Regulations
Zoning Certificate	×			<b>73.00</b>	Planning and Development Act 2005, Town Planning Regulations
Written Zoning Enquiries	√			<b>73.00</b>	Planning and Development Act 2005, Town Planning Regulations
Retrieval and research fee for planning information / documentation (per hour - one hour minimum). <i>Note-freedom of information restrictions may apply (additional fees apply for copying)</i>	√	<b>57.00</b>			LGA 1995 Part 6 Division 5 Subdivision 2
Section 40 Liquor License Certificate	×			<b>105.00</b>	
Temporary Trading Permit in a Public Place (per day) - Non Food	×			<b>50.00</b>	LGA 1995 Part 6 Division 5 Subdivision 2
Permanent Road Closure Application ( <i>Temporary road closures for events are not included in this fee category, please refer to Public Events</i> )	×			<b>260.00</b>	
<b>SANITATION</b>					
<b>Refuse / Waste</b>					
<b>Waste Management and Collection Charges (where applicable)</b>					
Waste Management Charge (per annum)	×			<b>200.00</b>	Waste Avoidance and Resource Recovery Act 2007 Part 6 Div 3 (66)
Waste Receptacle Charge - once weekly service (per receptacle per annum)	×			<b>264.00</b>	
Additional Waste Receptacle Charge (per receptacle per service per annum) (GST applied)	×			<b>464.00</b>	Waste Avoidance and Resource Recovery Act 2007 Part 6 Div 3 (67)
Waste Collection Service (Exempt / Non-Rateable) (per receptacle per annum)	×			<b>464.00</b>	Effective from 1 July 2013
Replacement of Bin (per bin at cost) (GST applied)	×			<b>Full cost recovery</b>	Waste Avoidance and Resource Recovery Act 2007 Part 6 Div 3 (68), LGA 1995 (6.16)
Repairs to Bin (per repair at cost)	×			<b>Full cost recovery</b>	
<b>Disposal Charges</b>					
Domestic Waste Disposal Fee - per m3	√	<b>No Cost</b>		<b>38.50</b>	- Effective from 1 October 2013
Domestic Waste Disposal Fee - per m3 - Uncontaminated Green Waste - <b>**No cost up to 1m3 daily**</b>	√	<b>No Cost</b>		<b>23.10</b>	- Effective from 1 October 2013
Commercial Waste Disposal Fee - per m3 (not green waste)	√	<b>15.50</b>		<b>38.50</b>	- Effective from 1 October 2013
Commercial Waste Disposal Fee - per m3 - Uncontaminated Green Waste	√			<b>23.10</b>	Waste Avoidance and Resource Recovery Act 2007 Part 6 Div 3 (68), LGA 1995 (6.16)

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Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>SANITATION (continued)</b>					
<b>Refuse / Waste (continued)</b>					
<b>Disposal Charges (continued)</b>					
Liquid Waste (per 1000 ltrs)	√	132.00		165.00 - Effective from 1 October 2013	
Medical Waste - per m3	√	125.40			
Compact Waste - per m3	√	38.50			
Disposal Fee for Asbestos Disposal, per cubic metre	√	128.70			
Waste Oil - per litre	√	0.77			
Disposal of Waste Oil Drums (44 gallon drums & over)	√	5.50			
Car Bodies		<b>No cost</b>			
Car Tyres	√	7.70			Waste Avoidance and Resource Recovery Act 2007 Part 6 Div 3 (68), LGA 1995 (6.16)
4WD Tyres	√	9.90			
Truck Tyres	√	26.40			
Earthmoving Tyres	√	74.80			
Pallets (per pallet)	√	6.60			
Contaminated soil - hydrocarbons (CSH) - per m3	√	170.50			
Contaminated soil - others (CSO) - per m3		<b>No Longer Accepted</b>			
Clean Fill - Uncontaminated		<b>No cost</b>			
<b>Other Sanitation Charges</b>					
Sale of mulch (standard 1.8m x 1.2m trailer) - per load	√	22.00			
Ground compost bin (whilst stock lasts)	√	41.80			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Tumbler compost bin (whilst stock lasts)	√	145.20			
<b>Littering Infringements (as per Litter Regulations 1981)</b>					
Littering - Cigarette Butt	x			75.00	
Littering - Any Other	x			200.00	Litter Regulations 1981 Schedule 1
Breaking Glass, metal or earthenware	x			200.00	

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### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>SANITATION (continued)</b>					
<b>Littering Infringements (as per Litter Regulations 1981) (continued)</b>					
Bill Posting	x			<b>200.00</b>	
Bill Posting on a vehicle	x			<b>200.00</b>	
Depositing domestic or commercial waste in a public litter receptacle	x			<b>200.00</b>	Litter Regulations 1981 Schedule 1
Transporting Load inadequately secured	x			<b>200.00</b>	
<b>CEMETERIES</b>					
<b>Public Cemeteries</b>					
1. On application for an order for burial the following fees shall be payable:					
(a) For sinking grave 1.83 m deep (Adult)	√			<b>1,155.00</b>	
(b) For sinking grave 1.83 m deep (Child under 10 years)	√			<b>915.00</b>	
(c) For sinking grave 1.4 m deep (Stillborn child)	√			<b>610.00</b>	
(d) Surcharge for weekend interments	√			<b>880.00</b>	
2. For sinking grave deeper than normal depth (per metre or part thereof)	√			<b>245.00</b>	
Re-opening of an Ordinary grave - as for interment	√			<b>1,155.00</b>	
Interment in a new grave after exhumation	√			<b>490.00</b>	Cemeteries Act 1986, part VII, s53
3. (a) Undertakers Annual License Fee	x			<b>300.00</b>	
3. (b) Undertakers Ad Hoc licence fee	x			<b>75.00</b>	
4. (a) Permission to erect headstone or to enclose any grave with a slab	x			<b>31.00</b>	
(b) Registration of Right of Burial (25 years)	x			<b>155.00</b>	
(c) Copy of Right of Burial	x			<b>33.00</b>	
<b>Roadside Memorial</b>					
Installation of Roadside Memorial (Refer Policy CP/INP-3600)	√			<b>290.00</b>	Cemeteries Act 1986, part VII, s53

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	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
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<b>AERODROMES</b>					
<b>Airport private works</b>					
Slashing per hour (includes tractor, slasher & labour)	√	270.50			
Weed control per hour (includes truck, labour & poison)	√	239.00			LGA 1995 Part 6 Division 5 Subdivision 2
Towing (airside) per hour (includes truck & labour)	√	187.00			
<b>Aircraft Landing Fees</b>					
<i>[MTOW = Maximum take off weight]</i>					
<b>Fixed Wing Aircraft (per landing)</b>					
8.999kg (MTOW) per tonne and part thereof	√	20.00	21.00		LGA 1995 Part 6 Division 5 Subdivision 2
9.000 tonnes (MTOW) and over, per tonne and part thereof	√	25.00	26.00		
<b>Rotary Wing Aircraft (per landing)</b>					
2.499 tonnes (MTOW), per tonne and part thereof	√	20.00	21.00		LGA 1995 Part 6 Division 5 Subdivision 2
2.500 tonne (MTOW) and over per tonne and part thereof	√	25.00	26.00		
<b>Passenger Service Fees</b>					
Passenger handling fee	√	18.50	19.25		LGA 1995 Part 6 Division 5 Subdivision 2
Passenger Screening fee	√	18.50	19.25		
<b>Aircraft Parking Fees</b>					
Aircraft Parking Fees (per night, landing Fees NOT Included)	√	22.00			LGA 1995 Part 6 Division 5 Subdivision 2
<b>Call Out Fees</b>					
Kununurra Airport, after hours, per hour	√	114.50			LGA 1995 Part 6 Division 5 Subdivision 2
Wyndham Airport, after hours, per hour	√	114.50			
<b>Terminal Usage Fee</b>					
Fee is calculated on number of seats in aircraft (per seat)	√	19.00			
Kununurra Terminal Key Fee (per annum)	√	119.50			LGA 1995 Part 6 Division 5 Subdivision 2
Kununurra Terminal Security Access Card Bond	x	104.00			

## SHIRE OF WYNDHAM EAST KIMBERLEY

Adopted Budget - 2013-2014

Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>LIBRARY SERVICES</b>					
<b>Photocopying/Printing/Faxing/Internet</b>					
A4 Black & White (single sided) per copy - multiply by two for a double sided copy	√	0.20			Public Library Services Framework Agreement 2010
A4 Colour (single sided) per copy - multiply by two for a double sided copy	√	1.00			
A3 Black & White (single sided) per copy - multiply by two for double sided copy	√	0.50			
A3 Colour (single sided) per copy - multiply by two for double sided copy	√	2.10			
Faxing	√	\$4 for first page then \$1			
Internet Use for Research and Education purposes		No cost			
Internet - 30 minute usage	√	4.00			
<b>Other Library Services</b>					
Lost & Damaged books/items Admin fee (plus depreciated replacement cost)	√	5.20			Public Library Services Framework Agreement 2010
<b>WYNDHAM CHILDCARE</b>					
<b>Childcare Full Week</b>					
Babies (0-2yrs) per child	×	350.00	385.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
Toddies (2-3yrs) per child	×	325.00	358.00		
Big Kids (3+yrs) per child	×	317.50	350.00		
<b>Childcare Full Day</b>					
Babies (0-2yrs) per child	×	80.00	88.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
Toddies (2-3yrs) per child	×	75.00	83.00		
Big Kids (3+yrs) per child	×	73.50	81.00		
<b>Childcare Half Day</b>					
Babies (0-2yrs) per child	×	50.00	55.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
Toddies (2-3yrs) per child	×	48.00	53.00		
Big Kids (3+yrs) per child	×	48.00	53.00		

**SHIRE OF WYNDHAM EAST KIMBERLEY**  
**Adopted Budget - 2013-2014**  
**Fees and Charges**

GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
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**COMMUNITY AND RECREATION FACILITIES AND SERVICES**

**Notes:**

- A minimum of 30% discount applies for not for profit groups / non government groups and youth service providers.
- Rates are calculated from when the group begins to set up, to the time they finish cleaning up.
- Consecutive hiring days discounts apply (ie: 10% second day, 20% third day, 25% per day thereafter (with the exception of Category 2 Equipment).
- Conditions of use apply to all Council facilities and equipment.

**Definitions:**

Not for profit/non government user groups

- Where the sum of income generated by the activity is equal to or less than the total cost of the hire fee or other applicable fee; or
- Group is registered as not for profit with the Australian Taxation Office; or
- Incorporated sporting groups or community service organisations (as defined by their constitution).

Commercial / government / private user groups

- All groups not classified as not for profit as defined above; or
- All government agencies; or
- Any private function not hired on behalf of a group or organisation.

Hall only

- Any activity that takes place that does not require the use of equipment other than the items stated on the hire terms and conditions form, or where this equipment is provided by the hirer.

Youth Service Providers:

- All groups that deliver service targeting young people within the age range of 10 to 24; and
- Must be defined as not for profit/non government; or Specific registered youth agencies.

Including equipment

- Any activity that requires the use of equipment / items other than those listed in the hall hire terms and conditions. Specifically chairs and tables.

## SHIRE OF WYNDHAM EAST KIMBERLEY

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		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Hire Bonds</b>					
<i>Note: Bonds apply to ALL facility and equipment hire.</i>					
Bond - High Risk (as defined by policy)	x		1,000.00		
Bond - Medium Risk (as defined by policy)	x		500.00		
Bond - Low Risk (as defined by policy)	x		250.00		
Bond - Category 1 Equipment Hire (where not provided in function/facility hire) (as defined by policy)	x		100.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
Bond - Category 2 Equipment Hire	x		500.00		
Bond - Key Hire Seasonal (Sporting clubs rooms)	x		150.00		
Bond - Key Hire (short term / casual use)	x		20.00		
<b>Facility Hire</b>					
Recreation Services Staffing Fee (per staff member per hour)	√		83.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Non Sporting Activity Facility Hire</b>					
<b>Kununurra Leisure Centre Hall - Hall only:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√		36.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
2) Commercial / Government / Private - per hour	√		55.00		
<b>Kununurra Leisure Centre Hall - Including Equipment:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√		50.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
2) Commercial / Government / Private - per hour	√		75.00		
<b>Kununurra Leisure Centre Kitchen:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√		23.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
2) Commercial / Government/Private - per hour	√		35.00		
<b>Kununurra Leisure Centre Stage:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√		12.00		
2) Not for Profit / Non Government & Youth Service Providers - per day	√		55.00		LGA 1995 (6.16, 6.17, 6.18, 6.19)
3) Commercial / Government / Private - per hour	√		22.00		
3) Commercial / Government / Private - per day	√		108.00		

## SHIRE OF WYNDHAM EAST KIMBERLEY

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Fees and Charges

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		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Facility Hire (continued)</b>					
<b>Non Sporting Activity Facility Hire (continued)</b>					
<b>Peter Reid Memorial Hall - Hall Only:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	36.00			
2) Commercial / Government / Private - per hour	√	54.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Peter Reid Memorial Hall - Including Equipment:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	50.00			
2) Commercial / Government / Private - per hour	√	70.00			
1) Not for Profit/Non Government & Youth Service Providers - per day	√	100.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
2) Commercial/Government/Private - per day	√	200.00			
<b>Kununurra Youth Centre - Activity Building including Kitchen:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	20.00			
2) Commercial / Government / Private - per hour	√	26.00			
1) Not for Profit / Non Government & Youth Service Providers - per day	√	50.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
2) Commercial / Government / Private - per day	√	200.00			
<b>Kununurra Youth Centre - Desk Space:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per week	√	250.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Kununurra Youth Centre - Half Activity Building including Kitchen:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	15.00			
2) Commercial / Government / Private - per hour	√	35.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Kununurra Youth Centre - Kitchen only:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	15.00			
2) Commercial / Government / Private - per hour	√	35.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Meeting Rooms</b>					
<b>Peter Reid Memorial Hall - meeting room:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	24.00			
2) Commercial / Government / Private - per hour	√	35.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)

## SHIRE OF WYNDHAM EAST KIMBERLEY

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Fees and Charges

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		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Facility Hire (continued)</b>					
<b>Non Sporting Activity Facility Hire (continued)</b>					
<b>Kununurra Youth Centre - meeting room:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	15.00			
2) Commercial / Government / Private - per hour	√	33.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Wyndham Council Office - meeting room (includes digital projector &amp; screen):</b>					
1) Not for Profit / Non Government & Youth Service Providers - per day. <i>Note: fee is reduced by 50% for half day hire.</i>	√	190.00			
2) Commercial / Government / Private per day. <i>Note: fee is reduced by 50% for half day hire.</i>	√	275.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Sporting Activity Facility Hire</b>					
<b>Kununurra Leisure Centre Hall:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	36.00			
2) Commercial / Government / Private - per hour	√	51.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
3) School sporting activities per hour	√	36.00			
<b>Kununurra Leisure Centre Squash and Badminton:</b>					
1) Viewing Area - Not for Profit / Non Government & Youth Service Providers - per hour	√	28.00			
2) Viewing Area - Commercial / Government/Private - per hour	√	43.00			
Squash - 1 hour (per person, per court)	√	9.00			
Squash - 1/2 hour (per person, per court)	√	6.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Squash Courts + Viewing Area per hour	√	43.00			
Badminton Court (per court, per hour)	√	13.00			
<b>Wyndham Recreation Centre Undercover Courts:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	10.00			
2) Commercial / Government / Private - per hour	√	31.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Wyndham Recreation Centre Enclosed Area:</b>					
1) Not for Profit / Non Government & Youth Service Providers - per hour	√	10.00			
2) Commercial / Government / Private - per hour	√	16.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)

## SHIRE OF WYNDHAM EAST KIMBERLEY

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		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Facility Hire (continued)</b>					
<b>Sporting Activity Facility Hire (continued)</b>					
<b>Swimming Pool Facility Hire</b>					
Day Rate (includes qualified Pool Operator) - per hour	√	66.00			
Night Rate (includes qualified Pool Operator and lights) - per hour	√	96.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Swimming Clubs Night Rate - per hour	√	81.00			
<b>Ovals (Includes Wyndham, Kununurra and Ag Society Oval).</b>					
<i>Note: Includes access to power. If lighting required refer additional fees below.</i>					
Oval (Not for Profit / Non Government & Youth Service Providers) - per hour	√	27.00			
Oval (Commercial / Government/Private) - per hour	√	40.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Oval (Not for Profit / Non Government & Youth Service Providers) - per day	√	130.00			
Oval (Commercial / Government / Private) - per day	√	315.00			
<b>Ovals (Includes Wyndham, Kununurra and Ag Society Oval).</b>					
Oval Surrounds (Not for Profit / Non Government & Youth Service Providers) - per day	√	130.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Oval Surrounds (Commercial / Government / Private) - per day	√	270.00			
<b>Oval Lights</b>					
Kununurra Oval (Not for Profit / Non Government & Youth Service Providers) - per pole, per hour	√	13.50			
Kununurra Oval (Commercial / Government / Private) - per pole, per hour	√	22.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Kununurra Cricket Net Lights - per hour	√	13.50			

## SHIRE OF WYNDHAM EAST KIMBERLEY

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<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Facility Hire (continued)</b>					
<b>Sporting Activity Facility Hire (continued)</b>					
<b>Oval Lights (continued)</b>					
Kununurra Agricultural Society Oval 50 Lux (Not for Profit/Non Government/Youth Service Providers) - per half oval, per hour	√	15.00			
Kununurra Agricultural Society Oval 50 Lux (Commercial/Government/Private) - half oval, per hour	√	30.00			
Kununurra Agricultural Society Oval 100 Lux (Not for Profit/Non Government/Youth Service Providers) - per half oval, per hour	√	18.00			
Kununurra Agricultural Society Oval 100 Lux (Commercial/Government/Private) - half oval, per hour	√	35.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Kununurra Agricultural Society Oval 250 Lux (Not for Profit/Non Government/Youth Service Providers) - per half oval, per hour	√	25.00			
Kununurra Agricultural Society Oval 250 Lux (Commercial/Government/Private) - half oval, per hour	√	40.00			
Wyndham Oval (Not for Profit / Non Government & Youth Service Providers) - per hour	√	27.00			
Wyndham Oval (Commercial / Government / Private) - per hour	√	40.00			
<b>Seasonal Oval Hire (see policy for full details)</b>					
<i>Note: Fee Calculation: Oval use (formula) + light use (formula) + change room use (formula)</i>					
Oval Use (per person) calculated as below:	√	0.50			
<i>Formula: Players per team x percentage of oval used x Oval use fee x discount below (if applicable)</i>					
<i>Discount: x 0.5 for junior team (under 18 years) - (50% discount) or discount: x 0.75 for newly formed sporting groups (25% discount)</i>					
Light Charge - per pole, per person, per hour	√	0.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<i>Formula: Players per team x hours used x light charge x number of lights (if applicable)</i>					
Change room use - per person	√	0.20			
<i>Formula: Players per team x change room use fee (if applicable)</i>					
<b>Multipurpose Courts</b>					
Court Hire - per court, per hour	√	10.00			
Light Fees - per switch, per hour	√	8.00			
Multipurpose Courts Kununurra Block (6 courts) - day use, per hour	√	50.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Multipurpose Courts Kununurra Block (6 courts) - night use, per hour	√	60.00			

## SHIRE OF WYNDHAM EAST KIMBERLEY

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<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Facility Hire (continued)</b>					
<b>Sporting Activity Facility Hire (continued)</b>					
<b>Parks</b>					
Activities - per hour or part thereof	√	12.50			
Markets - per day or part thereof includes access to power and water	√	315.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Category 1 Equipment</b>					
Chair hire (Not for Profit / Non Government & Youth Service Providers) - per chair, per day	√	1.50			
Chair hire (Commercial / Government / Private) - per chair, per day	√	2.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Table Hire (Not for Profit / Non Government & Youth Service Providers) - per table, per day	√	7.50			
Table Hire (Commercial / Government / Private) - per table, per day	√	11.50			
Pin up boards (Not for Profit / Non Government & Youth Service Providers) - per board, per day	√	7.50			
Pin up boards (Commercial / Government / Private) - per board, per day	√	11.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Racquets - per racquet, per day	√	4.00			
<b>Category 2 Equipment</b>					
Kununurra Leisure Centre In-House Light and/or Sound Equipment - (Not for Profit / Non Government & Youth Service Providers) - per hour. <i>Note: must be operated or set up by a trained person. Training is to be arranged a minimum of 14 days prior to event.</i>	√	15.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Kununurra Leisure Centre In-House Light and/or Sound Equipment - (Commercial / Government / Private) - per hour. <i>Note: must be operated or set up by a trained person. Training is to be arranged a minimum of 14 days prior to event.</i>	√	23.00			
<b>Youth Bus - 12 Seater Hiace Note: Fuel not included in hire fees.</b>					
1) Not for Profit / Non Government & Youth Service Providers - per day for consecutive days - first 100kms included	√	<b>\$45 per day (per km rate applies over 100km per day)</b>			
2) Not for Profit / Non Government & Youth Service Providers - per hour (in town only - Kununurra or Wyndham)	√	5.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
3) Not for Profit / Non Government & Youth Service Providers - per km for outside town and same day return OR over 100km per day	√	0.50			

## SHIRE OF WYNDHAM EAST KIMBERLEY

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Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
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<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Facility Hire (continued)</b>					
<b>Category 2 Equipment (continued)</b>					
<b>Youth Bus - 22 Seater Coaster</b> Note: Fuel not included in hire fees.					
1) Not for Profit / Non Government & Youth Service Providers - per day for consecutive days - first 100kms included	√	<b>\$90 per day (per km rate applies over 100km per day)</b>			
2) Not for Profit / Non Government & Youth Service Providers - per hour (in town only - Kununurra and Wyndham)	√	<b>11.00</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
3) Not for Profit / Non Government & Youth Service Providers - per km for outside town and same day return OR over 100km per day	√	<b>0.50</b>			
<b>Cleaning Charges</b>					
Should any Shire facility or equipment be left in a state deemed not acceptable, commercial cleaning will be organised with costs charged to the hirer (minimum charge \$300)	√	<b>Cost Recovery with a minimum of \$300.00</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Recreation Services</b>					
<b>Kununurra Gymnasium</b>					
<i>Note: Membership includes access to gymnasium only. Minimum age to gymnasium is 16 year.</i>					
Membership - 1 Month	√	<b>75.00</b>			
Membership - 3 Months	√	<b>165.00</b>			
Membership - 6 Months	√	<b>285.00</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Membership - 12 Months	√	<b>520.00</b>			
<i>Note: Concession is available on production of proof of eligibility for concession including Disability Support Card, Australian Student Card and Seniors Concession Card.</i>					
Membership (Concession) - 1 Month	√	<b>65.00</b>			
Membership (Concession) - 3 Months	√	<b>150.00</b>			
Membership (Concession) - 6 Months	√	<b>265.00</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Membership (Concession) - 12 Months	√	<b>475.00</b>			
Casual use of Gym	√	<b>10.00</b>			

## SHIRE OF WYNDHAM EAST KIMBERLEY

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<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Recreation Services (continued)</b>					
<b>Kununurra Swimming Complex</b>					
<i>Note: Membership includes access to swimming area's only. Minimum unaccompanied age to swimming area's is 12 years.</i>					
Aquatic Membership (child) - 1 Month	√	36.00			
Aquatic Membership (child) - 3 Months	√	85.00			
Aquatic Membership (child) - 6 Months	√	135.00			
Aquatic Membership (child) - 12 Months	√	230.00			
Aquatic Membership (adult) - 1 Month	√	47.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Aquatic Membership (adult) - 3 Months	√	105.00			
Aquatic Membership (adult) - 6 Months	√	165.00			
Aquatic Membership (adult) - 12 Months	√	315.00			
<b>Kununurra Leisure Centre</b>					
<i>Note: Gold membership includes access to gymnasium, squash courts, all fitness classes, swimming pool, all aqua aerobics classes, initial and quarterly fitness program updates (for member only).</i>					
Gold Membership - 1 Month	√	90.00			
Gold Membership - 3 Months	√	205.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Gold Membership - 6 Months	√	365.00			
Gold Membership - 12 Months	√	645.00			
<i>Note: Concession is available on production of proof of eligibility for concession including Disability Support Card, Australian Student Card and Seniors Concession Card.</i>					
Gold Membership (Concession) - 1 Month	√	80.00			
Gold Membership (Concession) - 3 Months	√	170.00			
Gold Membership (Concession) - 6 Months	√	335.00			
Gold Membership (Concession) - 12 Months	√	555.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Replacement membership card fee	√	5.00			
Personal Training - per hour session	√	70.00			
Personal Training - per half hour session	√	40.00			

## SHIRE OF WYNDHAM EAST KIMBERLEY

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### Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
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<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Recreation Services (continued)</b>					
<b>Kununurra Leisure Centre (continued)</b>					
<b>Classes and Programs</b>					
Recreation Programs	√	<b>POA</b>			
Aquatic Fitness Classes	√	<b>10.00</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Fitness Classes	√	<b>10.00</b>			
Book of 10 passes	√	<b>90.00</b>			
<i>Note: Passes can be used for casual entry to Gym, Fitness Classes and Aquatic Fitness Classes.</i>					
<b>Swimming Pools</b>					
2 years and under		<b>Free</b>			
Supervisors of children 5-12 years (non swimmers)		<b>Free</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Spectator (non swimmers)	√	<b>1.00</b>			
Hire of Lane Space (per lane, per hour) - not including pool entry charge per person to be charged in addition	√	<b>13.50</b>			
<b>Swim School</b>					
Swimming Lessons (1/2 hour) Individual	√	<b>30.00</b>			
I Series (8 sessions), (per child)	√	<b>89.00</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
I Series (8 sessions), 2 or more children from same family enrolled in same series (per child)	√	<b>75.00</b>			
Royal Life Saving Society Course (includes updates) Prices set as per RLSS WA standard fees and charges	√			<b>POA</b>	Royal Life Saving Society
<b>Swimming Pool Facility Hire</b>					
See "Swimming Pool Facility Hire" above					LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Kununurra Swimming Pool Entry</b>					
Adult swimmers	√	<b>3.50</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Child swimmers (under 16 years)	√	<b>2.50</b>			
<b>Adult Ticket Books</b>					
Book of 10	√	<b>30.00</b>			LGA 1995 (6.16, 6.17, 6.18, 6.19)
Book of 20	√	<b>60.00</b>			

## SHIRE OF WYNDHAM EAST KIMBERLEY

Adopted Budget - 2013-2014

Fees and Charges

	GST	COUNCIL CHARGE		STATUTORY CHARGE	LEGISLATIVE REFERENCE
		Effective 01 July 2013	Effective 1 January 2014	Per regulation as at 01 July 2013	
<b>COMMUNITY AND RECREATION FACILITIES AND SERVICES (continued)</b>					
<b>Recreation Services (continued)</b>					
<b>Swimming Pools (continued)</b>					
<b>Child Ticket Books (under 16 years)</b>					
Book of 10	√	20.00			
Book of 20	√	40.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Wyndham Swimming Pool Entry</b>					
Adult swimmers	√	3.50			
Child swimmers (under 16 years)	√	2.50			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Adult Ticket Books</b>					
Book of 10	√	30.00			
Book of 20	√	60.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)
<b>Child Ticket Books (under 16 years)</b>					
Book of 10	√	20.00			
Book of 20	√	40.00			LGA 1995 (6.16, 6.17, 6.18, 6.19)

## PUBLIC EVENTS

**Public Events activities can require a mixture of approvals under varying legislation which can attract a range of fees and charges. These are referenced below for ease.**

### Health

Refer to "Application for a Public Event" and/or "Temporary Food Stalls"

### Town Planning and Regional Development

Refer to "Public Events Approval"

### Other Law Order and Public Safety

Refer to "Road Closure Approval for Public Events"

### Facility and Equipment Hire

#### Signage / Fencing

Refer to "Other Law Order and Public Safety"

#### Facilities / Equipment

Refer to "Community and Recreation Facilities and Services"

## 13.3 INFRASTRUCTURE

### 13.3.1 Amendment & Review 2013/14 Adopted Fees and Charges

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Kevin Hannagan, Director Infrastructure
<b>REPORTING OFFICER:</b>	Kevin Hannagan, Director Infrastructure
<b>FILE NO:</b>	LE.05.3

#### **PURPOSE**

To recommend to Council action required to:

1. Review all 'Fees and Charges' associated with Ranger Services,
2. Introduce and adopt new fee's for Parking and Illegal camping,
3. Introduce and adopt new fees for the introduction of the Cat Act (Replacement Cat Tags, Cat Seizure Fees, Cat pound charges and Destruction of Cats), and
4. Ensure that the Shire continues to act in accordance with its Local Laws and the Local Government Act 1995 in relation to sourcing important overdue infringements / offences income to the benefit of the Shire.

#### **BACKGROUND**

Infrastructure staff have now set up the new Infringements Module in the Synergy program. The setup procedure involves the inclusions of the Shire's Fees and Charges to be able to issue notices and undertake enforcement of Council's Local Laws. During the process it has been discovered that a number of fees and charges such as parking and illegal camping have not been included in the adoption of the Fees and Charges by Council for some years.

It has also been noted that some of the Shire's adopted Fees and Charges have not had an increase over the last ten (10) year period since the introduction of the Shire of Wyndham East Kimberley's Local Laws in 2003.

#### **STATUTORY IMPLICATIONS**

As Council has not 'formally' adopted these Fees and Charges, technically Shire Officers cannot legally enforce their application and should the Shire be challenged it is unlikely the Shire would be successful in enforcing its fees and charges.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

The combined fees and charges that will be raised by the review of all fees will result in new income to the Shire's Animal, Litter, Fire Hazard/Fire Breaks, Parking and Illegal Camping Accounts. Additionally by not formally adopting Fees and Charges exposes the Shire to risk of financial loss as it may not be able to undertake fines enforcement.

## **COMMUNITY CONSULTATION**

Public Notice must be given for at least seven (7) days of Council's review and imposition of new Fees and Charges.

## **COMMENT**

Shire staff have previously sought legal advice on the review and introduction of new fees and charges applicable to the above and the process to implement these changes. Council is able to set an effective date of 1 July 2013.

Councillors (prior to the Election) were given a presentation on the new Fees and Charges and review of the old Fees and Charges and sought some direction on proposed Fees and Charges.

Subsequently the new Council requested a Briefing on this matter. Minor amendments (attached) were made and are now recommended to Council for adoption.

Attached is a list of the recommended fees and charges for adoption by Council (with additional items recommended not to be adopted by the new Council). Also attached is a list of the Fees and Charges that have been removed from the original presentation list, for Councillor Information.

## **ATTACHMENTS**

Attachment 1 – Proposed amended / new Fees and Charges list for adoption

Attachment 2 – Fees and Charges removed from original presentation.

## **VOTING REQUIREMENT**

Absolute Majority

## **OFFICER'S RECOMMENDATION**

That Council:

1. Adopts Attachment 1 containing amended / new Fees and Charges effective 1 July 2013,
2. Gives Notice of those changes in accordance with the Local Government Act; and
3. Updates the current published Fees and Charges Schedule to reflect these changes.

**COUNCIL DECISION**

**Minute No. 10246**

**Moved: Cr G King**

**Seconded: Cr B Robinson**

**That Council:**

- 1. Adopts Attachment 1 containing amended / new Fees and Charges effective 1 July 2013,**
- 2. Gives Notice of those changes in accordance with the Local Government Act; and**
- 3. Updates the current published Fees and Charges Schedule to reflect these changes.**

**Carried Unanimously 7/0**

INFRINGEMENTS/ LAW, ORDER, PUBLIC SAFETY					
<b>OTHER ANIMAL CONTROL CAT &amp; DOG</b>	<b>SWEK Fee</b>		<b>Proposed Fee</b>		
Replacement cat tags	\$ 5.00		\$ 7.00		
Cat Seizure Fees (fee payable in addition to infringement fees)	\$ 83.00		\$ 110.00		
Cat Pound Charge	\$ 21.00		\$ 30.00		
Destruction of Cat (impounded cat is destroyed after 72 hours of detention)	\$ 73.00		\$ 95.00		
<b>CAT REGULATIONS 2012 Schedule 2</b>					<b>SCHEDULE</b>
Unregistered Cat			\$ 200.00		5(1)
Failure to ensure cat is wearing its registration tag in public			\$ 200.00		6(1)
Removing, or interfering with a cat's registration tag			\$ 200.00		7
Failure to ensure cat is micro chipped			\$ 200.00		14(1)
Removing, or interfering with a cat's microchip			\$ 200.00		17
Failure to ensure cat is sterilised			\$ 200.00		18(1)
Identifying a cat as sterilised that is not			\$ 200.00		19
Transfer of a cat that is not micro chipped (and is not exempt)			\$ 200.00		23(1)
Transfer of a cat that is not sterilised (and is not exempt)			\$ 200.00		23(2)
Failure to notify local government or microchip database company of a new owner			\$ 200.00		24
Failure to notify local government or microchip database company of a change of details			\$ 200.00		25
Breeding cats, not being an approved cat breeder			\$ 200.00		35(1)
Cats not to be offered as prizes			\$ 200.00		41
Refusal by alleged offender to give information on request			\$ 200.00		50(2)

<b>PARKING AND PARKING FACILITIES LOCAL LAW</b>	<b>Local Laws Fee</b>	<b>Proposed Fee</b>	<b>Local Law</b>
Failure to Park Wholly within parking bay	\$ 35.00	\$ 45.00	2.2
Parking contrary to directions of Authorised Person	\$ 45.00	\$ 60.00	2.3(1)c
Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	\$ 35.00	\$ 45.00	2.3(1)(d)
Parking during prohibited period	\$ 40.00	\$ 55.00	3.1(1)c
Parking contrary to signs or limitations	\$ 35.00	\$ 45.00	3.1(3)(a)
<del>Parking vehicle in motor cycle only area</del>	<del>\$ 35.00</del>	<del>\$ 45.00</del>	<del>3.1(3)(b)</del>
Parking without permission in an area designated for 'Authorised Vehicle Only'	\$ 40.00	\$ 55.00	3.1(4)
Failure to park on the left of two way carriageway	\$ 35.00	\$ 45.00	3.1(5)
Parking when distance from farther boundary less than 3 metres	\$ 40.00	\$ 55.00	3.2(1)(a) or (3.2(1)(b)
<del>Parking closer than 1 metre from another vehicle</del>	<del>\$ 35.00</del>	<del>\$ 45.00</del>	<del>3.2(1)c</del>
Causing Obstruction	\$ 45.00	\$ 60.00	3.2(1)(d)
Double Parking	\$ 40.00	\$ 55.00	3.4(2)
Denying access to private drive or right of way	\$ 40.00	\$ 55.00	3.5(2)(b)
Parking on footpath/pedestrian crossing	\$ 45.00	\$ 60.00	3.5(2)e
Parking contrary to continuous line markings	\$ 40.00	\$ 55.00	3.5(2)(f)
Parking within 1 metre of fire hydrant or fire plug	\$ 45.00	\$ 60.00	3.5(2)(g)
Parking on intersection	\$ 40.00	\$ 55.00	3.5(2)(i)
Parking within 10 metres of intersection	\$ 40.00	\$ 55.00	3.5(2)(j)
Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	\$ 45.00	\$ 60.00	3.5(2)(k)
Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	\$ 45.00	\$ 60.00	3.5(3)(a) or (b)
Parking vehicle within 20 metres of approach side or departure side of railway level crossing	\$ 45.00	\$ 60.00	3.5(5)
Removing mark of authorised person	\$ 50.00	\$ 65.00	3.7(2)
Parking a trailer/caravan on a thoroughfare	\$ 35.00	\$ 45.00	3.9c
Parking on land that is not a parking facility without consent	\$ 50.00	\$ 65.00	3.10(1) or (2)
Driving or parking on reserve	\$ 35.00	\$ 45.00	3.11
Stopping contrary to a 'no stopping' sign	\$ 35.00	\$ 45.00	4.1(1)
Parking contrary to a 'no parking' sign	\$ 35.00	\$ 45.00	4.1(2)
Stopping within continuous yellow lines	\$ 35.00	\$ 45.00	4.1(3)
Stopping unlawfully in a loading zone	\$ 35.00	\$ 45.00	5.1
Stopping unlawfully in a taxi zone or bus zone	\$ 35.00	\$ 45.00	5.2
Stopping in a zone contrary to a sign	\$ 35.00	\$ 45.00	5.4
Stopping on a bridge or tunnel	\$ 35.00	\$ 45.00	6.4
Stopping on crests/curves etc.	\$ 50.00	\$ 65.00	6.5

<b>BUSH FIRES</b>				<b>ACT Fee</b>	<b>SCHEDULE</b>
Setting Fire to Bush During Prohibited Burning Times				\$ 250.00	Section 17(12)
Offences relating to burning of bush				\$ 250.00	Section 18
Failure to prepare a fire break in accordance with section 22(3)(b) before setting fire to bush on land adjoining exempt land				\$ 250.00	Section 22(3)(b)
Failure to produce permit to burn				\$ 100.00	Section 24B(3)(a)
Failure or refusal to identify person who issued permit to burn				\$ 100.00	Section 24B(3)(b)
Burning garden refuse at rubbish tip contrary to notice				\$ 1,000.00	Section 24E
Burning garden refuse during limited burning times				\$ 250.00	Section 24F
Offences relating to lighting of fires in the open air				\$ 250.00	Section 25
Lighting a fire contrary to a notice issued under section 25A(5) by a local government				\$ 250.00	Section 25A (7)
Offences relating to the operation of tractors or self propelled harvesters, engines, machinery and vehicles during the prohibited and restricted burning times				\$ 250.00	Section 27(1)
Operation of a tractor or self propelled harvester without a fire extinguisher contrary to a notice issued by a local government				\$ 250.00	Section 27(5)
Giving a false alarm of fire				\$ 250.00	Section 27B(1)
Vandalism				\$ 250.00	Section 27C(1)
Failure of occupier of land to extinguish a bush fire burning on the land				\$ 250.00	Section 28(1)
Offences relating to the disposal of cigarettes, cigars and matches				\$ 100.00	Section 30
Refusal to state name and abode or stating false name and abode				\$ 100.00	Section 56(3)
Obstruction				\$ 250.00	Section 57
Applying to another bush fire control officer for permit where permit already refused or granted subject to special conditions				\$ 250.00	Regulation 15(2)
Failure to notify or report the escape of a fire lit under permit				\$ 250.00	Regulation 22
Failure to comply with a requisition of a bush fire control officer relating to burning under section 24A of the Act				\$ 250.00	Regulation 22B(2)
Offences relating to operation of bulldozer or road grader				\$ 250.00	Regulation 37A
Operating harvesting machine or header during prohibited burning times or restricted burning times without fire extinguisher				\$ 250.00	Regulation 38
Operating or using engines, vehicles, plant or machinery contrary to notice or direction				\$ 500.00	Regulation 38A(3)
Failure to fit spark arrester to power saw, bag loader or other plant or equipment				\$ 250.00	Regulation 38B(3)(b)
Offences relating to operation of motor vehicles				\$ 250.00	Regulation 39A
Offences relating to operation of aeroplanes				\$ 250.00	Regulation 39B
Offences relating to operation of welding and cutting apparatus				\$ 250.00	Regulation 39C
Failure to comply with directions of bush fire control officer				\$ 250.00	Regulation 39CA(5)
Offences relating to the use of fireworks				\$ 250.00	Regulation 39E(2)
Failure to comply with the directions of a bush fire control officer				\$ 250.00	Regulation 39E(3)
Failure to give prescribed notification to local government regarding the occurrence of a bush fire				\$ 100.00	Regulation 43(1)
Failure by owner or occupier of land to give prescribed notice of intention to exercise powers conferred by section 34 of the Act				\$ 250.00	Regulation 44(a)

<b>Property Law</b>	<b>Local Laws Fee</b>	<b>Proposed Fee</b>	<b>Local Law</b>
Failure to comply with determination	\$ 100.00	\$ 130.00	2.4
Failure to comply with conditions of permit	\$ 100.00	\$ 130.00	3.6
Failure to obtain a permit	\$ 100.00	\$ 130.00	3.13(1)
Failure to obtain permit to camp outside a facility	\$ 100.00	\$ 130.00	3.14(3)
Failure to obtain permit for liquor	\$ 100.00	\$ 130.00	3.15(1)
Failure of permit holder to comply with responsibilities	\$ 100.00	\$ 130.00	3.16
Behaviour detrimental to property	\$ 100.00	\$ 130.00	4.2(1)
Under influence of liquor or prohibited drug	\$ 100.00	\$ 130.00	4.4
Failure to comply with sign on local government property	\$ 100.00	\$ 130.00	4.6(2)
Consuming food or drink in prohibited area	\$ 100.00	\$ 130.00	5.4
Failure to comply with signs prohibiting water activities	\$ 100.00	\$ 130.00	5.9
Fishing in permitted bathing area	\$ 100.00	\$ 130.00	5.10(1)
Unlawfully depositing dead fish or offal	\$ 100.00	\$ 130.00	5.10(2)
Driving or riding surfboard, personal watercraft or boat in permitted bathing area	\$ 100.00	\$ 130.00	5.11(1)
Driving or riding personal watercraft within 50 metres of person bathing	\$ 100.00	\$ 130.00	5.11(2)
Unauthorised use of any part of jetty which is closed or under repair or constructor	\$ 100.00	\$ 130.00	5.13
Mooring of boats in unauthorised manner	\$ 100.00	\$ 130.00	5.14
Unauthorised mooring of a boat to jetty	\$ 100.00	\$ 130.00	5.15
Failure to remove moored boat on direction of authorised person	\$ 100.00	\$ 130.00	5.16
Causing obstruction on jetty	\$ 200.00	\$ 260.00	5.17
Fishing from jetty so as to obstruct a boat or another person	\$ 100.00	\$ 130.00	5.19
Unauthorized entry to fenced or closed local government property	\$ 100.00	\$ 130.00	5.20
Gender not specified using entry of toilet block or change room	\$ 100.00	\$ 130.00	5.21
Unauthorised presence of animal on aerodrome	\$ 300.00	\$ 390.00	5.25(1)
Animal wandering at large on aerodrome - person in charge	\$ 300.00	\$ 390.00	5.25(2)
Animal wandering at large on aerodrome - owner	\$ 300.00	\$ 390.00	5.25(3)
Unauthorized entry to facility without paying fee or charge	\$ 100.00	\$ 130.00	5.27
Exceeding speed limit within facility	\$ 100.00	\$ 130.00	5.28
Placement or disposal of waste in a place not designated for that class of waste	\$ 200.00	\$ 260.00	5.29
Unauthorised removal of waste	\$ 100.00	\$ 130.00	5.30
Disposal or dumping of unauthorised waste	\$ 200.00	\$ 260.00	5.31
Unauthorised entry to function on local government property	\$ 100.00	\$ 130.00	6.1(1)
Failure to comply with notice	\$ 200.00	\$ 260.00	9.1

<b>ACTIVITIES IN THOROUGHFARES &amp; PUBLIC PLACES</b>	<b>Local Laws Fee</b>	<b>Proposed Fee</b>	<b>Local Law</b>
Damaging or interfering with signpost or structure on thoroughfare	\$ 300.00	\$ 390.00	2.1 (E)
Digging a trench through a kerb or footpath without a permit	\$ 100.00	\$ 130.00	2.2 (1) (A)
Throwing or placing anything on a verge without a permit	\$ 100.00	\$ 130.00	2.2 (1) (B)
Lighting a fire on a thoroughfare without a permit	\$ 300.00	\$ 390.00	2.2 (1) (G)
Felling tree onto thoroughfare without a permit	\$ 100.00	\$ 130.00	2.2 (1) (H)
Placing a bulk rubbish container on a thoroughfare without a permit	\$ 100.00	\$ 130.00	2.2 (1) (L)
Consumption or possession of liquor on thoroughfare	\$ 100.00	\$ 130.00	2.3 (1)
Failure to comply with notice to rectify default	\$ 100.00	\$ 130.00	2.11
Failure to comply with sign on public place	\$ 100.00	\$ 130.00	2.17 (2)
Driving or taking a vehicle on a closed thoroughfare	\$ 300.00	\$ 390.00	2.19 (1)
Placing advertising sign or affixing any advertisement on a thoroughfare without a permit	\$ 100.00	\$ 130.00	3.2 (1)
Erecting or placing of advertising sign in a prohibited area	\$ 100.00	\$ 130.00	3.2 (3)
Animal or vehicle obstructing a public place or local government property	\$ 100.00	\$ 130.00	4.1 (1)
Animal on thoroughfare when not led, ridden or driven	\$ 100.00	\$ 130.00	4.2 (2) (A)
Person leaving shopping trolley in public place other than trolley bay	\$ 100.00	\$ 130.00	4.5
Failure to remove shopping trolley upon being advised of location	\$ 100.00	\$ 130.00	4.6 (2)
Conducting of stall in public place without a permit	\$ 300.00	\$ 390.00	5.2 (1)
Trading without a permit	\$ 300.00	\$ 390.00	5.3 (1)
Failure of stallholder or trader to display or carry permit	\$ 100.00	\$ 130.00	5.8 (1) (A)
Stallholder or trader not displaying valid permit	\$ 100.00	\$ 130.00	5.8 (1) (B)
Stallholder or trader not carrying certified scales when selling good/s by weight	\$ 100.00	\$ 130.00	5.8 (1) (C)
Stallholder or trader engaged in prohibited conduct	\$ 100.00	\$ 130.00	5.8 (2)
Establishment or conduct of outdoor eating facility without a permit	\$ 300.00	\$ 390.00	5.10'
Failure of permit holder of outdoor eating facility to comply with obligations	\$ 100.00	\$ 130.00	5.11
Use of equipment of outdoor eating facility without purchase of food or drink from facility	\$ 50.00	\$ 65.00	5.14 (1)
Failure to leave outdoor eating facility when requested to do so by permit holder	\$ 50.00	\$ 65.00	5.14 (2)
Failure to comply with a condition of a permit	\$ 100.00	\$ 130.00	6.5
Failure to produce permit on request of authorised person	\$ 100.00	\$ 130.00	6.9
Failure to comply with notice given under local law	\$ 100.00	\$ 130.00	9.1

		<b>Local Laws Fee</b>	<b>Proposed Fee</b>		<b>Local Law</b>
<b>EXTRACTIVE INDUSTRIES</b>					
Carry on extractive industry without licence or in breach of terms and conditions		\$ 300.00	\$ 390.00		2.1
Excavate near boundary		\$ 200.00	\$ 260.00		6.1
Gateways not kept locked where required		\$ 300.00	\$ 390.00		6.2 (A)
Warning signs not erected or maintained as required		\$ 300.00	\$ 390.00		6.2 (B)
Excavation not drained as required		\$ 300.00	\$ 390.00		6.2 (C)
Remove trees or shrubs near boundary without approval		\$ 250.00	\$ 325.00		6.3 (A)
Store without required approval, explosives or explosive devices		\$ 300.00	\$ 390.00		6.3 (B)
Fill or excavate in breach of licence		\$ 300.00	\$ 390.00		6.3 (C)
Blasting without approval of the local government		\$ 200.00	\$ 260.00		6.5 (1) (A)
Blasting outside times authorised		\$ 300.00	\$ 390.00		6.4 (1) (B)
Blasting in breach of conditions imposed by the local government		\$ 300.00	\$ 390.00		6.4 (1) (D)
Blasting without approval on Saturday, Sunday, or Public Holiday		\$ 200.00	\$ 260.00		6.4 (2)
<b>CAMPING &amp; CARAVANS</b>					
				<b>ACT Fee</b>	<b>REGULATION</b>
Occupied a park home not in a caravan park				\$ 200.00	Regulation 9
Camped other than at a licensed caravan park or camping ground				\$ 100.00	Regulation 10
Excessive number of caravans on a lot without approval				\$ 100.00	12 (1)
Failed to maintain a caravan or a camp in a condition such that it was not a hazard to safety or				\$ 100.00	14
Failed to ensure that a caravan or park home was transportable				\$ 100.00	15
Failed to ensure that a caravan complied with standards for caravans				\$ 100.00	22 (a)
Failed to ensure that an annex complied to standards for annexes				\$ 100.00	22 (b)
Being an occupier of a site, failed to ensure the site complied with the requirements of Schedule 7 of the Regulations being:					23
a. being a vehicle parked on a facility road				\$ 50.00	23
b. being a caravan, storage shed or other building on a site not tied down or made safe as approved				\$ 200.00	23
Being an owner or person who has control of a dog which is not kept on a leash or kept in an enclosed or fenced area				\$ 100.00	25 (2)
Drove a vehicle in a facility at a speed exceeding 8km/hour				\$ 50.00	26
Brought a park home onto a facility without the prior approval of the facility licence holder				\$ 200.00	30 (1) (b)
Attached a rigid annex to a caravan without the written approval of the licence holders, and also requires written approval of local government				\$ 200.00	34 (1) (b)
Constructed a carport or pergola without the prior written approval of the Shire of Wyndham East Kimberley and the licence holder				\$ 200.00	39 (1)c
Constructed a carport or pergola in a facility without the written approval of the licence holder and the Shire of Wyndham East Kimberley				\$ 200.00	39 (2) (b)

<b>LITTER REGULATIONS 1981</b>				<b>ACT Fee</b>	<b>SCHEDULE</b>
Littering creating public risk				\$ 500.00	s23
Littering - any other litter				\$ 200.00	s23
Breaking glass, metal or earthenware				\$ 500.00	s24
Bill posting				\$ 200.00	s24A(1)
Bill posting on vehicle				\$ 200.00	s24A(2)
Depositing domestic or commercial waste in public litter receptacle				\$ 200.00	Regulation 6
Transporting load inadequately secured				\$ 200.00	Regulation 8

<b>Attachment 2 – Fees and Charges removed from original presentation</b>					
	<b>SWEK Fee</b>	<b>Local Laws Fee</b>	<b>Proposed Fee</b>	<b>Local Law</b>	
<b>PARKING AND PARKING FACILITIES LOCAL LAW</b>					
Failure to park wholly within parking fee		\$ 35.00	\$ 45.00	2.2(4)	
Causing obstruction in parking station		\$ 45.00	\$ 60.00	2.3(1)(a)	
Parking contrary to sign in parking station		\$ 45.00	\$ 60.00	2.3(1)(b)	
Parking the wrong class vehicle		\$ 35.00	\$ 45.00	3.1(1)(a)	
Parking by persons of a different class		\$ 40.00	\$ 55.00	3.1(1)(b)	
Parking motor cycle in stall not marked M/C		\$ 35.00	\$ 45.00	3.1(3)c	
Failure to park on boundary of one way carriage		\$ 35.00	\$ 45.00	3.2(1)(a)	
Parking against the flow of traffic		\$ 40.00	\$ 55.00	3.2(1)(b)	
Failure to park at approximate right angle		\$ 35.00	\$ 45.00	3.2(1)e	
Failure to park at an appropriate angle		\$ 35.00	\$ 45.00	3.3(b)	
Parking on or adjacent to a median strip		\$ 35.00	\$ 45.00	3.5(2)(a) & 6.2	
Parking beside excavation or obstruction so as to obstruct traffic		\$ 45.00	\$ 60.00	3.5(2)c	
Parking within 10 metres of traffic island		\$ 40.00	\$ 55.00	2.5(2)(d)	
Parking within 3 metres of public letter box		\$ 40.00	\$ 55.00	3.5(2)(h)	
Parking contrary to direction of Authorised person moving vehicle to avoid time limitation		\$ 45.00	\$ 60.00	3.6	
Parking in thoroughfare for purpose of sale		\$ 35.00	\$ 45.00	3.8	
Parking unlicensed vehicle in thoroughfare		\$ 35.00	\$ 45.00	3.9(a)	
Parking in a thoroughfare for purpose of repairs		\$ 35.00	\$ 45.00	3.9(b)	
Parking on land not in accordance with consent		\$ 35.00	\$ 45.00	3.9(d)	
Stopping unlawfully in a mail zone		\$ 35.00	\$ 45.00	3.10(3)	
Stopping in a shared zone		\$ 35.00	\$ 45.00	5.3	
Stopping near an obstruction		\$ 40.00	\$ 55.00	6.1	
Stopping near fire hydrant		\$ 50.00	\$ 65.00	6.3	
Stopping near bus stop		\$ 40.00	\$ 55.00	6.6	
Stopping on path, median strip or traffic island		\$ 35.00	\$ 45.00	6.7	
Stopping on verge		\$ 35.00	\$ 45.00	6.8	
Obstructing path, a driveway etc.		\$ 35.00	\$ 45.00	6.9	
Stopping near letter box		\$ 35.00	\$ 45.00	6.10	
Stopping heavy or long vehicles on carriageway		\$ 40.00	\$ 55.00	6.11	
Stopping in bicycle parking area		\$ 35.00	\$ 45.00	6.12	
Stopping in motorcycle parking area		\$ 35.00	\$ 45.00	6.13	
Stopping in disabled parking area		\$ 40.00	\$ 55.00	6.14	
Leaving vehicle so as to obstruct a public place		\$ 45.00	\$ 60.00	6.15	
All other offences not specified		\$ 30.00	\$ 40.00	7.6	

<b>BUSH FIRES</b>				<b>ACT Fee</b>	<b>SCHEDULE</b>
Failure to notify and obtain approval of local government before setting fire to bush on land adjoining exempt land				250	Section 22(3)(a)
Burning garden refuse when fire danger is extreme or very high				250	Section 24D
Burning garden refuse contrary to Ministerial or local government prohibition or restriction				250	Section 24G
Failure to observe and carry out the condition of an exemption from section 25				250	Section 25A(4)
Failure to carry out burning of proclaimed plants or refuse thereof in accordance with the regulations				250	Section 26
Failure to carry out burning of declared plants or refuse thereof in accordance with the regulations				250	Section 26A
Offence related to the carriage of incendiary material in a motor vehicle				250	Section 27D(2)
Offence relating to the depositing of incendiary material				250	Section 27D(3)
Failure of owner or occupier of land to comply with a notice requiring him to take action to plough or clear firebreaks or take other action to prevent the outbreak or spread of bushfires				250	Section 33(3)
Lighting fire contrary to section 46 or failing to carry out directions bush fire control officer, local government or forest officer				250	Section 46(2)
Lighting a firebreak without direction while bush fire burning				250	Section 47
Failure to comply with conditions in regulation 15B in relation to the burning of the bush				250	Regulation 15B(1)
Failure to deliver prescribed notice of intention to burn clover				250	Regulation 19A(1)
Burning clover in an area or at a time other than that specified in a permit				250	Regulation 19A(2)
Failure to have 3 men in attendance during the burning of clover				250	Regulation 19A(3)
Burning clover contrary to conditions or requisitions specified in a permit				250	Regulation 21
Burning clover contrary to a direction given by a bush fire control officer				250	Regulation 21B(2)
Offence relating to burning under section 24A of the Act in certain parts of the State				250	Regulation 22B(1)
Offences relating to charcoal burning				250	Regulation 23(1) and (3)
Failure to provide plough or other machine or equipment when required by local government				250	Regulation 38A(4)
Operating any power saw, bag loaders or other plant or equipment activated by an internal combustion engine contrary to harvest ban				500	Regulation 38B(3)(a)
Operating harvesting machine or head when prohibited				500	Regulation 38C(3)
Offences relating to operation of chaff cutting plants				250	Regulation 39
Offences relating to operation of bee smoker devices				250	Regulation 39CA(3) and (4)
Offences relating to use of explosives				250	Regulation 39C(1)
Failure to comply with directions of bush fire control officers as to use of explosives				250	Regulation 39D(2)

	Local Laws Fee	Proposed Fee	Local Law
<b>ACTIVITIES IN THOROUGHFARES &amp; PUBLIC PLACES</b>			
Plant of 0.75m in height on thoroughfare within 10m of intersection	\$ 100.00	\$ 130.00	
Damaging lawn or garden	\$ 100.00	\$ 130.00	
Plant (except grass) on thoroughfare within 2m carriageway	\$ 100.00	\$ 130.00	
Placing hazardous substance on footpath	\$ 100.00	\$ 130.00	
Playing games so as to impede vehicles or persons on thoroughfare	\$ 100.00	\$ 130.00	
Riding of skateboard or similar device on mall or veranda of shopping centre	\$ 100.00	\$ 130.00	
Causing obstruction to vehicle or person on thoroughfare without a permit	\$ 100.00	\$ 130.00	
Causing obstruction to water channel on thoroughfare without a permit	\$ 200.00	\$ 260.00	
Placing or draining offensive fluid on thoroughfare without a permit	\$ 200.00	\$ 260.00	
Installing pipes or stone on thoroughfare without a permit	\$ 100.00	\$ 130.00	
Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	\$ 300.00	\$ 390.00	
Creating a nuisance on a thoroughfare without a permit	\$ 100.00	\$ 130.00	
Interfering with anything on a thoroughfare without a permit	\$ 100.00	\$ 130.00	
Failure to obtain permit for temporary crossing	\$ 200.00	\$ 260.00	
Failure to comply with notice to remove crossing and reinstate kerb	\$ 300.00	\$ 390.00	
Installation of verge treatment other than permissible verge treatment	\$ 200.00	\$ 260.00	
Failure to maintain permissible verge treatment or placement of obstruction on verge	\$ 100.00	\$ 130.00	
Training or racing animal on thoroughfare in build up area	\$ 100.00	\$ 130.00	
Horse led, ridden or driven on thoroughfare in build up area	\$ 100.00	\$ 130.00	

## 13.4 COMMUNITY DEVELOPMENT

### 13.4.1 Development Application for Change of Use – Single Dwelling at Lot 2 O'Donnell Street, Wyndham

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Glenn Highett and Debra Strickland
<b>LOCATION:</b>	Lot 2 O'Donnell Street, Wyndham
<b>AUTHOR:</b>	Elle Davidson, Planning Officer
<b>REPORTING OFFICER:</b>	Nick Kearns, Director Community Development
<b>FILE NO:</b>	A256P

#### **PURPOSE**

For Council to consider a Change of Use – Single Dwelling and the installation of a shade sail to be used as a carport at Lot 2 O'Donnell Street, Wyndham.

#### **BACKGROUND**

An application for planning approval was lodged on 5 September 2013 by Glen Highett and Debra Strickland for a Change of Use – Single Dwelling and installation of a shade sail to be used as a carport at Lot 2 O'Donnell Street, Wyndham.

The property has two street frontages being O'Donnell Street and Foreshore Road with the main access from Foreshore Road. The land is zoned Town Centre under *Town Planning Scheme No. 6 – Wyndham Townsite (TPS6)* and has an area of 781m<sup>2</sup>. The property contains an existing building, which was previously known as the Postmasters Residence and is currently approved as the Gulf Breeze Guest house. It has been located on this property since 1920, being moved from Telegraph Hill where it served as staff accommodation. When the Post Office closed in 1968 the property was sold privately and became a guest house for tourism accommodation. In 1993 a building licence was issued for the addition of a laundry, storeroom, two showers and two ablutions at the Foreshore Road end of the building.



Location of Property

The O'Donnell Street precinct features some occupied and vacant commercial premises, including the Department of Child Protection and Family Support house which is currently being constructed, the old hospital which is being used for accommodation purposes, Wyndham Hotel and a recently approved single dwelling.

### *Proposal*

The applicant proposes to change the current use of a Guest house to the use of a single dwelling as shown on the plans at Attachment 1. Furthermore, the application includes the addition of a heritage red shade structure to be utilised as a carport, which is proposed to measure 13 x 9 metres and setback 1 metre. The rear fence has recently been removed and the entire 15 metre rear boundary is being utilised as an unauthorised crossover.

Although the applicant proposes to change the use to a single dwelling, it is noted that in the future the building may be returned to a guest house or Bed and Breakfast.

## **STATUTORY IMPLICATIONS**

Town Planning Scheme No. 6 – Wyndham Townsite

The land at Lot 2 O'Donnell Street is zoned Town Centre under *TPS6*. The objectives of this zone are:

- (a) To zone adequate land for the continued development of a main commercial and community facility centre for the town;*
- (b) To prepare an overall Town Centre Strategy Policy to guide and promote development;*
- (c) To apply appropriate development and land use controls to ensure the development is to a satisfactory standard.*

Residential development within the Town Centre Zone may be permitted in accordance with the provisions of the R50 Residential Design Codes as stated in section 5.6.6 of *TPS6*.

A single house is an 'AA' use in the Town Centre Zone, which needs Council's consent. The land is located in a designated heritage area under *TPS6*, which stipulates in clause 9.4 that "alteration (whether internal or external), the demolition, the adaption or modification of any building or structure" also requires endorsement by Council.

## **POLICY IMPLICATIONS**

### *Design Guidelines for O'Donnell Street Wyndham Port*

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

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

### *Anthon's Landing Landscape Concept Plan*

A landscaping plan has been developed for the Anthon's Landing precinct to identify the proposed works to complement the recently completed landing. This plan fails to nominate a crossover into the subject site as historically the property has not had a formal access point. In Stage One of the proposed landscaping works the area adjacent to Foreshore Road is identified for the planting of salt tolerant shade trees out the front of this property.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications associated with this item.

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

#### **COMMENT**

The O'Donnell Street guidelines identify that occupancy and use of the heritage buildings in this precinct help to protect the character of the area. The applicant proposes to change the use of the building to a single dwelling from a residential building (guest house) with the intent that the building will be occupied on a full time basis. This request complies with the O'Donnell Street Design Guidelines and it is noted that in the future the building could revert to a guesthouse.

The proposed shade cloth structure will not detrimentally affect the heritage preservation applicable to the O'Donnell Street precinct and is to be heritage red to reflect the existing cladding at the rear of the property.

Access into the property should conform to the Anton's Landing Landscape Concept Plan, which identifies improvements of Foreshore Road in the future. The applicant will need to negotiate with the Infrastructure Directorate to ensure that the proposed access into the property from Foreshore Road complies with the Anton's Landing Landscape Plan. An amended plan that addresses these requirements will be requested prior to endorsement by the Director of Community Development.

#### **ATTACHMENTS**

Attachment 1 – Proposed Plan and Letter

#### **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council, grants planning consent for the use of Lot 2 O'Donnell Street, Wyndham for a single house and development of a shade cloth carport subject to the following conditions:

- 1) The use 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) No vehicle access is permitted onto the site from O'Donnell Street, unless approval is given in writing from the Shire.
- 3) Any future alterations require prior Council consent due to the property being located within the O'Donnell Street Heritage precinct.
- 4) The location and construction details for any vehicle crossing to Foreshore Road must be approved by the Shire's Infrastructure Director within three months of this approval.

## **COUNCIL DECISION**

**Minute No. 10247**

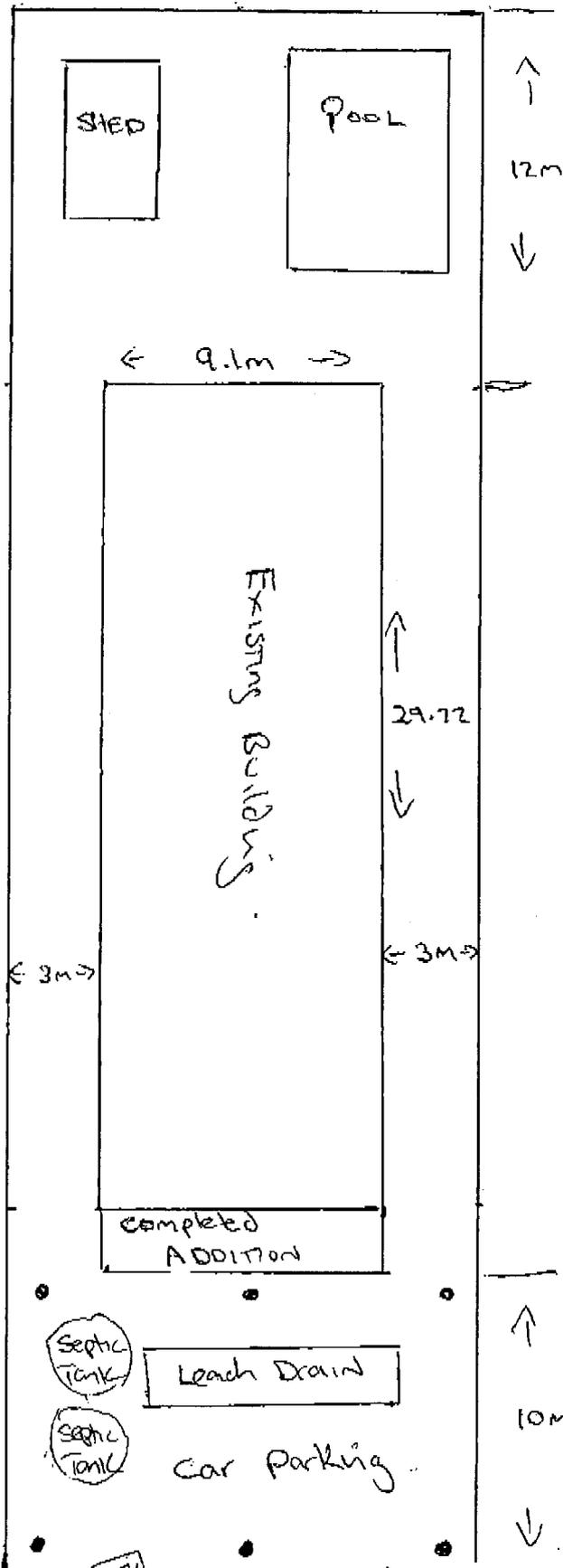
**Moved: Cr K Wright  
Seconded: Cr G King**

**That Council, grants planning consent for the use of Lot 2 O'Donnell Street, Wyndham for a single house and development of a shade cloth carport subject to the following conditions:**

- 1) The use 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) No vehicle access is permitted onto the site from O'Donnell Street, unless approval is given in writing from the Shire.**
- 3) Any future alterations require prior Council consent due to the property being located within the O'Donnell Street Heritage precinct.**
- 4) The location and construction details for any vehicle crossing to Foreshore Road must be approved by the Shire's Infrastructure Director within three months of this approval.**

**Carried Unanimously 7/0**

# O'DONNELL ST



posts for shade cloth set back 1m from all boundaries

Access for parking

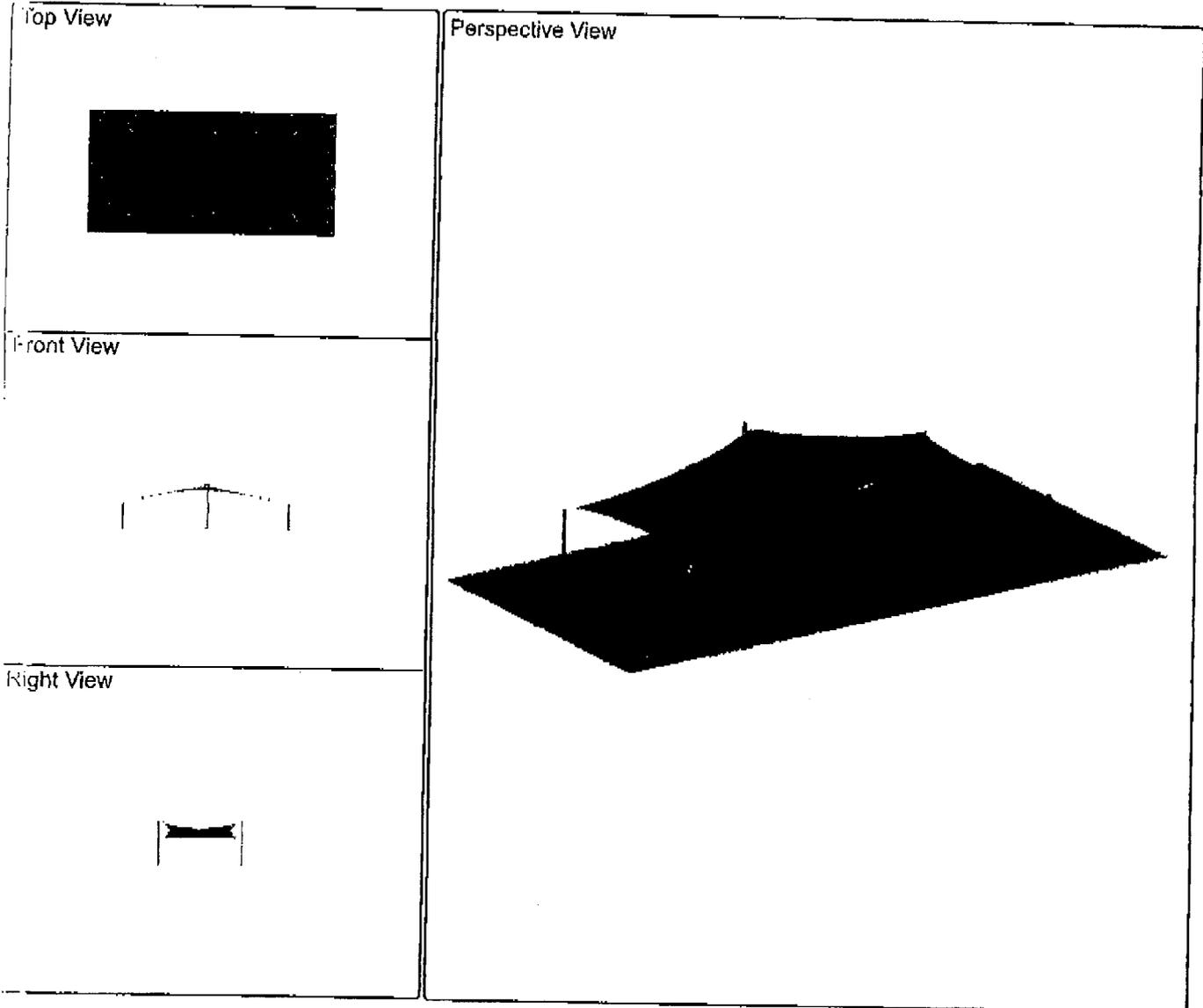
Fore shore ROAD.

Access for parking.

# MPanel Shade Designer - Visualization Report

Client	Sail City Perth
Project	Glen Highett
Sail #	1 of 1
Order Date	01-Oct-13
Req'd Date	01-Oct-13
Units	Millimeters

Project #	1
Report Date	01-Oct-13



Fabric Type:	Architect 400	Project Description: 13m by 9m shade with six posts Budget cost \$9000 plus freight from Perth. Wind loading W41, post works 150nb, 5mm wall all galv steel. Fabric Comshade Architect 400 gsm. Hardware all stainless steel 316 with 6mm SS wire rope in hems. Turnbuckles to all points. Colour shown is Aquamarine (not Black, for illustration only)
Fabric Color:	Aquamarine	
Edge Type:	wire rope	
Thread Type:	PTFE	
Corner H'ware:	D ring	

Project Approval / Client Acceptance

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Signature \_\_\_\_\_ Date \_\_\_\_\_

To Elle Davidson/ Shire Planning Officer

As per your request for further information to support our application for change of usage for the property at Lot 2 O'Donnell St, please find the following.

In regards to the change of usage, from commercial [Gulf Breeze Guest House], to residential we refer to the Shires Town Planning Schedule No.6 Wyndham. This states that the best protection for the heritage stock is effected by occupancy and use. In addition the building was originally the Postmasters private residence and remained so until the Post Office closure. This application does not preclude the possibility of returning the building back to a Guest House/ B&B in the future. The recent addition to the property of gardens, the planned painting, original French doors and overall TLC will add to the fabric of this buildings heritage stock.

The Shire has also recently approved the building of new premises on O'Donnell St [DCP building] that is effectively a residence for 4 to 5 children in the Town Centre Zone.

In regards to the application for a shade structure to the rear of the property Foreshore Rd, we submit the following.

This shade structure is required to provide shade for car parking and to cool the rear of the building.

We require rear access to the block for car parking, as council regulations preclude access from O'Donnell St

Due to the wet season flow of water along Foreshore Rd, it is desirable to have car parking access to the rear of the Lot, rather than on council land itself.

The land between Foreshore Rd and the boundary of Lot 2 is used to facilitate water drainage out into the Gulf via the culvert next door. The water flows from O'Donnell St down onto Foreshore Rd.

We believe that the shade structure is within the shires aim of keeping the character of O'Donnell St intact, i.e. the town's marine connection as expressed in the Town Planning Scheme No.6 Wyndham.

Also there already exist large shade structures that are visible from O'Donnell St on the building site of the new DCP house.

The colour of the shade cloth would be Heritage Red as in keeping with the existing house colour.

We hope you view this application favourably.

Regards Glen Highett and Debra Strickland

### 13.4.2 Development Application for Proposed Aquaculture Workshop, Office and Workers Accommodation at King Location 612, Lake Argyle Road, Lake Argyle

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Global Barramundi
<b>LOCATION:</b>	King Location 612, Lake Argyle Road, Lake Argyle
<b>AUTHOR:</b>	Elle Davidson, Planning Officer
<b>REPORTING OFFICER:</b>	Nick Kearns, Director Community Development
<b>FILE NO:</b>	A632P

#### **PURPOSE**

For Council to consider a development application for a proposed Aquaculture Workshop, Office and Workers Accommodation at King Location 612, Lake Argyle Road, Lake Argyle.

#### **BACKGROUND**

An application for planning approval was lodged on 27 February 2013 by Global Barramundi for the development of Workers Accommodation, Office and Workshop at King Location 612, Lake Argyle Road, Lake Argyle.

The site is located on a portion of King Location 612 at Lake Argyle, adjacent to Argyle Homestead museum and has an area of 10.3 hectares. The land is not currently within the Shire's Planning Scheme area however is subject to Interim Development Order No 10. A lease over the land has been agreed to by the Department of Lands (formally Department of Regional Development and Lands) for the purpose of Aquaculture. The property is currently undeveloped.

#### Proposal

The applicant proposes to develop two lockable buildings covered by a tropical roof to create an outdoor workspace totalling 129.6m<sup>2</sup> that will be utilised as a workshop and storage for aquaculture purposes. An additional tropical roof totalling 158.4m<sup>2</sup> will cover the proposed workers accommodation consisting of 4 bedrooms with common kitchen and bathroom facilities and an office associated with the aquaculture activity. The applicant has nominated Shale Grey Colorbond for the walls and Pale Eucalypt Colorbond for the roof of the buildings.

A copy of the proposal is provided at Attachment 1.

The building is proposed to be setback 273 metres from the Durack Homestead and 148 metres from Lake Argyle Road. Plans attached to the application show the development as viewed from the Durack Homestead and Lake Argyle Road, which illustrate that the development will not be highly visible. It is also important to note that existing vegetation has not been included in these plans and therefore will create an additional buffer to the development.

It is proposed to screen the buildings by use of a native vegetation buffer. After discussing the most suitable species with a local nursery regarding indigenous trees for screening and to suit the conditions the following vegetation has been nominated:

- Black Wattle – *Acacia bidwilli*
- *Acacia tumida*
- Club leaf wattle – *Acacia hemignosta*
- Coolibah – *Eucalyptus colina*
- Cooktown ironwood – *Erythrophleum chloroshachys*

The applicant has contacted Department of Lands to discuss the use of the existing rear access track utilised by Durack Homestead staff as access into the proposed development. It is anticipated that when the lease area is finalised with Department of Lands an easement will be created in favour of Global Barramundi for the use of this access track. This will reduce the need to construct new vehicle access and hence lessen the impact on vegetation removal.

Shire Officers have discussed with Department of Lands the option to reduce the proposed lease area for Global Barramundi. It was concluded that once the development application is supported by Council, Department of Lands can negotiate with the proponent to reduce the lease area to simply cover the proposed development area.

### **STATUTORY IMPLICATIONS**

*Interim Development Order No. 10*

The *Interim Development Order No. 10* (IDO) applies to all land and water comprising Lake Argyle and land within 1 kilometre of the high water mark that is currently not included in any Local Planning Scheme, as illustrated in attachment one. Any development within this area requires Planning Approval and Council consent. Clause 4 of the IDO requires the following to be illustrated on submitted plans:

- i) The location of the site in relation to adjoining land and nearby roads, and where appropriate the foreshore of Lake Argyle.
- ii) The position, type and use of all existing buildings and improvements on the land and those removed or altered as part of the proposed development.
- iii) The nature and extent of natural vegetation on the land and the type of soil.
- iv) The contours of the land and the extent of any earthworks to be undertaken as part of the development.
- v) The position, type and use of any new buildings and/or improvements proposed for the land including materials to be used for external cladding and the use and treatment of open areas of the site including land to be used for parking and landscaping.

### **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**

*Shire of Wyndham East Kimberley Local Planning Strategy*

The Shire of Wyndham East Kimberley Local Planning Strategy 2005 (SWEK LPS) identifies Lake Argyle as a development node for aquaculture (Section 5.1.3). and recommends land release is to be guided by the following:

*In the short to medium term it is envisaged that this area will co-locate tourism and the development of aquaculture enterprises to capitalise on the existing infrastructure in this area.*

Economic development within the Lake Argyle area is recognised as promising in section 5.7.3 of SWEK LPS, particularly in relation to aquaculture opportunities and states:

*Lake Argyle has long been mooted as an area with great potential for further commercial aquaculture opportunities. The Kimberley Aquaculture Development Strategy (1998) identified 13 suitable aquaculture sites on the surface of the lake, with subsequent investigation by the Department of Fisheries delineating 8 aquaculture zones able to support one or more sites each. These areas involve several management scenarios and a total lake production level of 500 tonne per zone per annum has been set for the 8 zones.*

The strategies are outlined in section 6 of this document and specifically encourage the development of aquaculture sectors considered most likely to demonstrate success, which includes barramundi.

#### *Review of Local Planning Strategy*

The Shire of Wyndham East Kimberley has engaged consultants, GHD, to review and update the LPS, which includes an evaluation of Lake Argyle and the future development of this area.

#### *Draft Lake Argyle Structure Plan*

The purpose of the Draft Lake Argyle Structure plan (LASP) is to establish a strategic framework for the orderly allocation of future land and waterway use within the Lake Argyle study area.

It is noted in section 5.3 of LASP that there are potential conflicts associated with the continued co-location of tourism and aquaculture and places of importance on the suitable siting and design of buildings, which includes the establishment of adequate buffers between these uses.

Aquaculture is specifically addressed in section 5.5 of the LASP and notes that the Kimberley region has long been noted for its high potential for aquaculture development. Further, this section notes that in 1998 the Department of Fisheries released the Kimberley Aquaculture Development Strategy. The Strategy recognised that offshore production systems in the Lake employing floating cages would be well suited to barramundi.

In development of new land based aquaculture sites, the LASP notes that proposals will need to address current limitations including delivery of water, capacity of the sewerage treatment plant and absence of waste disposal systems. Additional activity around the boat ramp may also result in congestion and require infrastructure upgrades.

The planning implications of aquaculture development recommends that visual impact of additional land based industrial buildings, structures, farm cages and navigational aids is managed through site location and design considerations.

The following guidelines have been provided to ensure that all development is low impact:

- ⇒ *Located to avoid ridgelines, escarpments or visually exposed sites and situated where screening vegetation or land form can be utilised*
- ⇒ *Building structures should not exceed 1 storey from ground level*
- ⇒ *Be appropriately located and sited to avoid conflicts and protect and enhance the unique characteristics of the Lake Argyle area*
- ⇒ *Utilise local indigenous vegetation for screening, buffers, windbreaks, rehabilitation and landscaping*
- ⇒ *Use and development should be sensitively located and designed to minimise impact on vegetation, water courses, soil quality and existing land uses*
- ⇒ *Minimise the requirements for changes to the landform (cut and fill) and topography to accommodate buildings*
- ⇒ *Minimise disturbance or loss of native vegetation*
- ⇒ *Select architectural style, landscape design and construction materials to reflect local elements*
- ⇒ *Select materials with muted or recessive colours and low reflective qualities that closely complement the settings*
- ⇒ *Be designed to withstand the effects of cyclones and flooding, and*
- ⇒ *Ensure adequate capacity for servicing of activities.*

### **COMMUNITY CONSULTATION**

The applicant has received a letter of support from the Kununurra Visitors Centre, as the managers of the Durack Homestead Museum, for the proposed development.

### **COMMENT**

The proposal is considered to meet the requirements of the Interim Development Order No. 10 with respect to the lodgement of the application. The proposal, furthermore, is in a location that has been envisaged for development of which may have included aquaculture. In any case, the buildings will not be highly visible or be likely to have any impact on either the landscape or the Homestead. The buildings are low in scale as illustrated in the applicant's submission accompanying the planning application and will use indigenous vegetation to form a screen barrier.

The materials and colours selected are unlikely to be highly visible and will blend with the landscape. The proposal furthermore is unlikely to have any impacts with regard to utility services.

The Shire is currently undertaking a review of the draft Lake Argyle Structure Plan, which will revise the nominated areas for aquaculture, tourism and public space and which may affect the ultimate lease area relevant to this proposal.

The Department of Lands has been contacted to further discuss a reduction in the lease area and term. The Department agree that by reducing these elements of the lease the development will be better managed into the future and the Shire and Department of Lands has more opportunity for renegotiating in the future if required.

The application is recommended for approval with conditions to ensure that the structures are adequately screened and to ensure amenity is retained.

### **ATTACHMENTS**

Attachment 1 – Planning report and proposed plans

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council:

1. Grants planning consent for Proposed Aquaculture Workshop, Office and Workers Accommodation at King Location 612, Lake Argyle Road, Lake Argyle, subject to the following conditions:
  - a) The applicant is to submit a floor plan and elevations of proposed workshop for approval by Shire Officers.
  - b) Upon request, the applicant must, within 30 days of receiving a written request, produce evidence of Aquaculture operations to verify the business activity. The approved development must be used for Aquaculture purposes at all times. If the Aquaculture activity ceases to operate on the property the development must be removed immediately and the area reinstated.
  - c) Screening of the development through native vegetation is to be in accordance with the approved plans and maintained to a standard acceptable to the Shire.
  - d) Clearance of vegetation is to be minimised.
  - e) Amenity of the development is to be restricted to a residential standard.
  - f) The site is to be kept to a clean and tidy, to the satisfaction of the Shire.
  - g) Buildings are to be removed at the expiration of the lease.
2. Writes to Department of Lands to request a reduction in lease area to 1 hectare and the term of lease of 5 years with an additional 5 year option, associated with the proposal to use the land for aquaculture.

Motion  
Cr K Wright

That Council suspends standing orders 7.5 Limitation on Number of Speeches to discuss item 13.4.2 Development Application for Proposed Aquaculture Workshop, Office and Workers Accommodation at King Location 612, Lake Argyle Road, Lake Argyle.

**COUNCIL DECISION**

**Minute No. 10248**

**Moved: Cr K Wright**

**Seconded: Cr B Robinson**

**That Council suspends standing orders 7.5 Limitation on Number of Speeches to discuss item 13.4.2 Development Application for Proposed Aquaculture Workshop, Office and Workers Accommodation at King Location 612, Lake Argyle Road, Lake Argyle.**

**Carried Unanimously 7/0**

**5:51pm – Council suspends standing orders.**

Motion

Cr S Cooke

That Council adjourn the meeting.

**COUNCIL DECISION**

**Minute No. 10249**

**Moved: Cr S Cooke**

**Seconded: Cr B Robinson**

**That Council adjourn the meeting.**

**Carried Unanimously 7/0**

**5:56pm Council adjourns meeting.**

**6:02pm Meeting resumes.**

Motion

Cr K Wright

That Council resumes standing orders.

**COUNCIL DECISION**

**Minute No. 10250**

**Moved: Cr K Wright**

**Seconded: Cr B Robinson**

**That Council resumes standing orders.**

**Carried Unanimously 7/0**

Motion  
Cr K Wright

That Council grant planning consent for Aquaculture Workshop, Office and Workers Accommodation at King Location 612, Lake Argyle Road, Lake Argyle, subject to the following conditions:

- a) Amended plans be submitted and approved by the Shire to show:
  - a. A floor plan and elevations of proposed workshop for approval by Shire Officers.
  - b. Reduction in the lease area to 1 hectare.
  - c. All vehicle access to the site.
- b) Upon request, the applicant must, within 30 days of receiving a written request, produce evidence of Aquaculture operations to verify the business activity. The approved development must be used for Aquaculture purposes at all times. If the Aquaculture activity ceases to operate on the property the development must be removed immediately and the area reinstated.
- c) Screening of the development through native vegetation is to be in accordance with the approved plans and maintained to a standard acceptable to the Shire.
- d) Clearance of vegetation is to be minimised.
- e) Amenity of the development is to be restricted to a residential standard.
- f) The site is to be kept to a clean and tidy, to the satisfaction of the Shire.
- g) This approval is valid for a period of five (5) years. Within 6 months of the expiry of this approval, Council consent is required to continue the use.
- h) Buildings are to be removed at the expiration of the lease or when the use lapses.

## **COUNCIL DECISION**

**Minute No. 10251**

**Moved: Cr S Cooke**

**Seconded: Cr G Taylor**

**That Council grant planning consent for Aquaculture Workshop, Office and Workers Accommodation at King Location 612, Lake Argyle Road, Lake Argyle, subject to the following conditions:**

- a) Amended plans be submitted and approved by the Shire to show:
  - a. A floor plan and elevations of proposed workshop for approval by Shire Officers.**
  - b. Reduction in the lease area to 1 hectare.**
  - c. All vehicle access to the site.****
- b) Upon request, the applicant must, within 30 days of receiving a written request, produce evidence of Aquaculture operations to verify the business activity. The approved development must be used for Aquaculture purposes at all times. If the Aquaculture activity ceases to operate on the property the development must be removed immediately and the area reinstated.**
- c) Screening of the development through native vegetation is to be in accordance with the approved plans and maintained to a standard acceptable to the Shire.**
- d) Clearance of vegetation is to be minimised.**
- e) Amenity of the development is to be restricted to a residential standard.**
- f) The site is to be kept to a clean and tidy, to the satisfaction of the Shire.**
- g) This approval is valid for a period of five (5) years. Within 6 months of the expiry of this approval, Council consent is required to continue the use.**
- h) Buildings are to be removed at the expiration of the lease or when the use lapses.**

**6/1**

**For: Cr J Moulden, Cr G Taylor, Cr K Wright, Cr S Cooke, Cr G King, Cr B Robinson  
Against: Cr D Spackman.**

**6:09pm – Cr D Spackman leaves the meeting due to conflict of interest with item 13.4.3 - Development Application for Home Based Business (including Retail Trade by Appointment) at Lot 107 Nutwood Crescent, Kununurra.**

**APPLICATION FOR PLANNING APPROVAL  
WORKERS ACCOMMODATION & WORKSHOP**

**GLOBAL BARRAMUNDI**

**KING LOCATION 612  
LAKE ARGYLE ROAD  
LAKE ARGYLE**

**PREPARED FOR GLOBAL BARRAMUNDI  
OCTOBER 2013**

## REVISION INFORMATION

<b>JOB NO:</b>	14248	<b>CLIENT:</b>	Global Barramundi
<b>FILE:</b>	J:\14823 Global Barramundi\14823 Planning\Reports_14823 DA Report Version A.docx		
<b>REV</b>	<b>DATE</b>	<b>AUTHOR</b>	<b>ISSUED TO:</b>
A	27/09/13	SDP	Global Barramundi
B	02/10/13	SDP	Shire of Wyndham-East Kimberley
C			
D			
E			
F			
G			
H			

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# REPORT





### 1.2.1 Site Context

## 1 INTRODUCTION

### 1.1 Proposal

Harley Global has been engaged by Global Barramundi to act on its behalf in relation to its Application for Planning Approval for the proposed aquaculture development by Global Barramundi at King Location 612, Lake Argyle Road, Lake Argyle. The purpose of this report is to outline the Application for Planning Approval, provide undated, scaled site plans, as well as indicative models as to how the proposed development could look on the subject land.

Global Barramundi proposes to develop two medium sized buildings on the subject land, with the intent of one building providing workers accommodation, whilst the other building will be provide for a workshop area.

This report outlines the proposal, as well as providing justification for the proposal based upon the applicable planning documents and strategies.

### 1.2 Background

The subject land is located approximately 36 kilometres due south of the Kununurra townsite and is accessed via Lake Argyle Road. Nearby land uses include:

- Durack Homestead Museum;
- Lake Argyle Tourist Village; and
- Lake Argyle Boat Ramp and Ord River Dam.

The proposal seeks to create minimum visual or amenity impact on these existing land uses.



Figure 1: Site Context Plan.

[Source: Google Earth]



## 2 SITE DETAILS

### 2.1 Property and Ownership Details

King Location 612 is in ownership of the Crown, with a vesting order in the Department of Lands.

Global Barramundi proposes to lease the portion of the land on which the proposal is located. The lease location has been negotiated with the Department of Lands, however, it is our understanding that the details of the lease will not be finalised until such time as the appropriate approvals have been issued by the Shire of Wyndham East Kimberley.

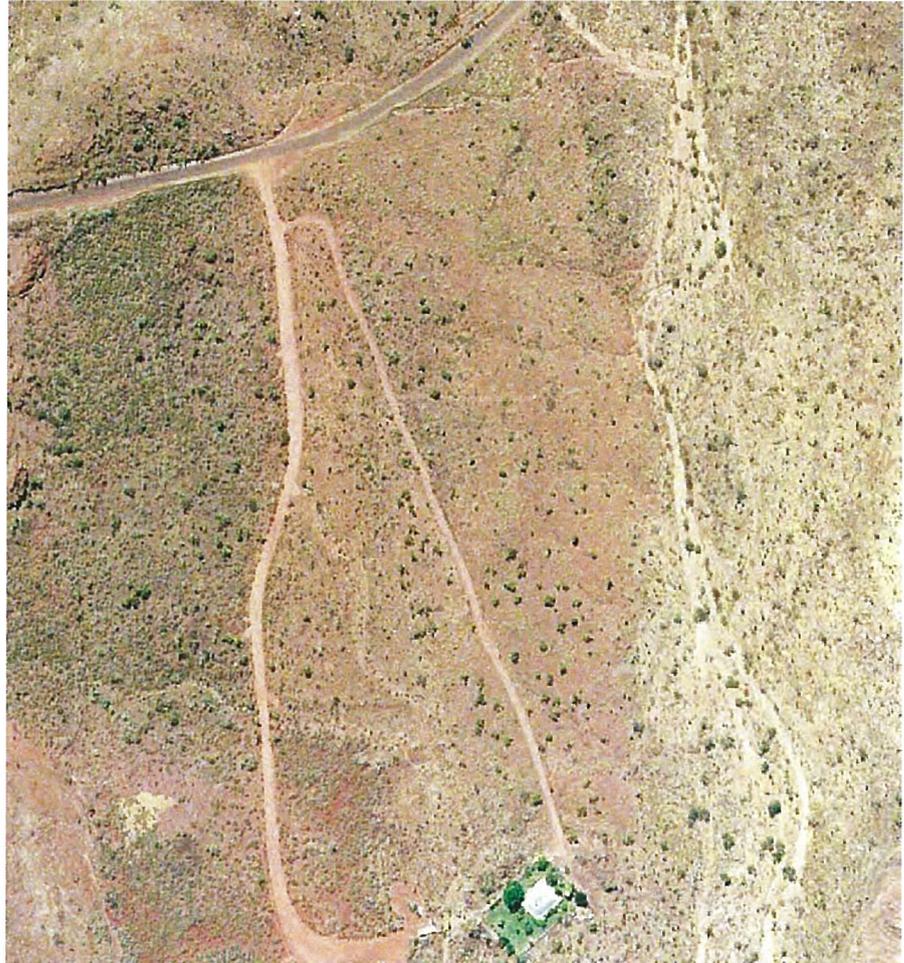


Figure 2: Aerial photograph of the land the subject of this application.

[Source: Landgate 2013]

### 2.2 Zoning

The property is outside of the zoned areas included in the Shire of Wyndham-East Kimberley's Town Planning Schemes No.6 and 7. As such, *Interim Development Order No.10* is applicable to the proposed development and is discussed later in this report.

### 2.3 Location

The application is located close to the northwestern side of Lake Argyle, accessed from Lake Argyle Road, 36 kilometres due south of the Kununurra townsite.



### 3 THE PROPOSAL

#### 3.1 Development Plans

It is proposed to construct two buildings, one being for workers accommodation and the other being for a workshop. However, the central part of both buildings will be an open space, which will be open ended, to allow for cross ventilation as well as improved access into each of the respective buildings.

The total area of each of the building is:

- Workers Accommodation, Kitchen/Living, Bathroom/WC, Office and Alfresco area 158.4m<sup>2</sup>
- Workshop and Covered Area 129.6m<sup>2</sup>

The development will also include the installation of two (2) 3.6m diameter rain water tanks, to provide on-site water storage.

Both of the buildings will be located within a development area/building envelope, which is 30m X 40m in dimensions and measuring 1200m<sup>2</sup> in area. Surrounding this envelope, it is proposed to plant endemic species for screening of the proposed development. Other features of the proposal include:

- Provision of five (5) car parking spaces measuring 6m X 3m for parking by workers and storage of a "tinny" (small dinghy used to access fish in Lake Argyle);
- Access from the existing track through easement on King Location 612, ensuring that an additional access point to Lake Argyle Road is not required and disturbance of the natural environment is minimised; and
- Installation of septic and leach drain for on-site effluent disposal.

The development will allow for the installation of suitable ancillary uses to accompany Global Barramundi's proposed operations in Lake Argyle.

A Site Plan and Enlarged Site Plan of the proposed development are included in Appendix A of this report.

#### 3.2 Compatibility with Surrounding Uses

As previously outlined, nearby land uses include:

- The Durack Homestead Museum;
- Lake Argyle Tourist Village; and
- The Lake Argyle Boat Ramp and Ord River Dam.

The proposal seeks to ensure that the impact on the existing land uses and future land uses planned for the area in the draft Lake Argyle Structure Plan is minimised. This will occur through:

- Installation of screening vegetation to ensure the visual impact of the proposed development is minimised from Lake Argyle Road;
- Access through existing roads, to ensure further clearing and construction for roads is minimised; and
- Low profile structures, which will be constructed of materials of a suitable colour in keeping with the landscape attributes of the area.

How the development complies with the relevant requirements is outlined in Section 5, having particular regard to amenity and surrounding land uses.



### 3.3 Workers Accommodation

It is proposed to provide a Workers Accommodation building, which will consist of the following elements:

- Four (4) rooms for single accommodation 10m<sup>2</sup> to 10.35m<sup>2</sup> each;
- Living Area and Kitchen 20m<sup>2</sup>;
- Bathroom and WC 10.35m<sup>2</sup>;
- Office 10.35m<sup>2</sup>; and
- Alfresco 72m<sup>2</sup>.

The Alfresco area will form the covered area between the accommodation component and the office, living/kitchen and bathroom/WC.

The wall height of the proposed buildings varies between 2.4m (outer) and 2.9m (inner – joining Alfresco area). The proposed maximum roof height of the structure will be 4m.

### 3.4 Workshop and Covered Area

The workshop area will consist of two lockable buildings joined with a covered workshop area that will be open ended. The two area will be 2.4m wide and 12m long, with an area of 28.8m<sup>2</sup> each and combined area of 57.6m<sup>2</sup>. The covered area between the building will be 6m in width and a total area of 72m<sup>2</sup>.

During discussions with the Shire of Wyndham-East Kimberley, it was expressed that sea contained may not be the best structure to improve visual amenity, therefore, it is proposed to construct two permanent sheds in the place of these containers.

The wall height of the proposed buildings varies between 2.4m (outer) and 2.9m (inner – joining covered workshop area). The proposed maximum roof height of the structure will be 4m.

### 3.5 Connection to Services

The proposed development will provide the following:

- Connection to the Horizon Power network for electricity supply;
- Water provision through bore water sourced from a local supplier, which will be stored in the on-site water tanks; and
- On-site effluent disposal through a septic and leach drain system.

As the proposed development is located on leased land, it is important to ensure that all infrastructure proposed can be relatively easily removed, whilst still maintaining the permanent outward appearance of the structures in the landscape.

### 3.6 Screening

It is proposed to undertake the following screening measures for the proposed development:

- Two (2) rows of screening vegetation will be planted around the development;
- Screening vegetation will consists of the following endemic species:
  1. *Acacia bidwillii* (Black Wattle)
  2. *Acacia tumida*
  3. *Acacia Hemignosta* (Club Leaf Wattle)



#### 4. *Eucalyptus coolabah* (Coolibah)

#### 5. *Erythrophleum chlorostachys* (Cooktown Ironwood)

- Species 1 and 2 can be considered quick growing 'middle storey' shrubs/trees. It is likely that these will be planted in the inner row of the screening vegetation. Global Barramundi has been advised that these species are capable of growing to a height of 1.8m within an 18 month timeframe, offering screening in the short term;
- Species 3 can be considered a 'upper storey' plant;
- Species 4 and 5 are relatively slow growing, but will be able to provide screening in the longer term and will be planted in the outer row of the screening. These trees can grow between 8m-15m in height; and
- Screening plants have the possibility of being water during the dry season with the septic and leach drain system, though this will be subject to the approval of the Shire of Wyndham-East Kimberley Environmental Health Officer.

The proposed development seeks to provide short term and long term screening to ensure the visual impact of any development and use is minimised.

### 3.7 Access, Vehicle Movements and Car Parking

#### 3.7.1 Access

Access to the proposed development is to be via the existing track running within King Location 612. This track connects to the driveway of the Durack Homestead Museum before connecting to Lake Argyle Road. This will ensure that an additional crossover and driveway will not be required to provide constructed access to the proposed development, thus minimising impact on the natural landscape and amenity and reduce vehicle conflict access Lake Argyle Road.

Discussions have occurred with the Department of Lands in relation to the use of the track. Whilst an easement for use has not yet been granted, it is anticipated that this will be resolved at the same time as the lease of the land, once the Shire of Wyndham-East Kimberley has granted the necessary approvals for the development to occur.

In addition to the above, Kununurra Visitor Centre has raised that the proposed development may have some tourism merit and contribute to the Lake Argyle Tourism Precinct. Therefore, having two attractions accessible from a single driveway may be beneficial.

#### 3.7.2 Vehicle Movements

Given the proposed development is for workers accommodation, it is unlikely that there would be a high number of movements in and out from the site, with those only arriving and departing the site for necessary shifts on-site.

As outlined previously to Council, Global Barramundi will regularly feed and check its fish stocks in Lake Argyle via the Lake Argyle Boat Ramp. This occurs on a twice-daily basis, resulting in four (4) trips per day to the Lake Argyle Boat Ramp from the proposed development.

#### 3.7.3 Car Parking

As shown on the Enlarged Site Plan and as previously submitted to Council, it is proposed to have five parking bays available in the proposed development. These will accommodate the maximum of four (4) staff cars located on the site at any given time, as well as a 'tinny' and trailer used to inspect and feed fish in Lake Argyle.

#### 4 OUTSTANDING ISSUES LETTER

This Application for Planning Approval has previously been submitted to the Shire of Wyndham – East Kimberley for assessment. Following a Council Briefing Session on the 10 September 2013, the applicant, Global Barramundi, was sent a letter regarding Council response to the application and a number of issues that were required to be addressed. These were:

- *“How the building will respond to the surrounding environment noting its proximity to the Argyle Downs Homestead Museum (Durack Homestead Museum) and being located on a major tourist road;*
- *How the proposal responds to a takes into account the development guidelines in the draft Lake Argyle Structure Plan;*
- *The level of details provided in the application. The Councillors are not confident to decide the matter based on what has been submitted. Primarily, they are unsure with respect to the actual distance to Argyle Downs Homestead Museum, the access from Lake Argyle Road and principally what the development will look like.”*

It was also advised that the applicant seek professional assistance to provide the necessary information for Council to consider the item.

The proponent has taken consideration of the above advice and wishes to advise the following:

- They have sought the services of Harley Global (a town planning and surveying company) to provide models of the proposed development and how it will sit in the landscape.
- With regards to how the building will respond to the landscape, the proposal will ensure sensitivity to ensure that minimum impact occurs on the Lake Argyle Road vista, the vista from the Durack Homestead Museum and entrance to Durack Homestead Museum. The measures incorporated in the proposal include:
  - Walls of buildings to be clad in Colorbond ‘Shale Grey’;
  - Roof of buildings to be clad in Colorbond ‘Pale Eucalypt’;
  - Development will be low profile with a maximum wall height of 2.4m and maximum pitch/roof height of 4m;
  - The development is not located on a major ridgeline and in fact is located downslope from Lake Argyle Road, lessening its visual bulk and presence;
  - The applicant will install screening trees to protect major views from Lake Argyle Road and the Durack Homestead. As previously discussed with the Shire of Wyndham – East Kimberley, the applicant has outlined that some of the species chosen will reach an average height of 1.8m within 18 months of planting, with the larger trees to provide higher screening in the medium and long term. Due to the nature of screening vegetation, it will take an initial establishment period before effective screening occurs. However, it should be noted by Council that there are already scattered trees and vegetation which will offer some screening in the interim from Lake Argyle Road and Durack Homestead.
- How the proposal responds to the requirements of the draft Lake Argyle Structure Plan is outlined in Section 5.1 of this report.





- With regards to the level of detail provided to Council previously, the purpose of this report is to ensure that all details previously submitted to Council are amalgamated into a single report for easy reference and assessment of the proposed development.

To accompany this report, Harley Global have prepared three (3) models of how the proposed development could look when viewed from the following positions:

- Durack Homestead;
- The entrance to Durack Homestead from Lake Argyle Road; and
- Lake Argyle Road.

These models are attached at Appendix B and have been compiled using aerial photography and contour information from Landgate. It is respectfully requested that Council note that the models do not take consideration of existing trees which may screen the site.

The models have been compiled based upon a view at a height of 1.6m from each of the above locations and show the proposed development and screening vegetation, with the anticipated height of the screening vegetation being depicted as 1.8m, which is expected to be achieved within 18 months of establishment.

## 5 PLANNING REQUIREMENTS

### 5.1 Draft Lake Argyle Structure Plan

#### 5.1.1 Introduction

The purpose of the draft Lake Argyle Structure Plan (LASP) is to provide strategic land use direction for land uses in the study area. This plan is currently a draft, but still needs referencing in regards to the proposal, given it is the latest planning document outlining controls applicable to the proposed development.

#### 5.1.2 Development Guidelines – Section 6.3 of the draft LASP

The site is located in the Ord Dam Area of the draft LASP. Section 6.4 contains Development Guidelines applicable to development within the Ord Dam Area, which are:

*“All development should be low impact. That is, use and development of land should occur in such a manner that it does not detract from the natural amenity and be subject to the following criteria:*

- *Located to avoid ridgelines, escarpments or visually exposed sites and situated where screening vegetation or land form can be utilised*
- *Utilise local indigenous vegetation for screening, buffers, windbreaks, rehabilitation and landscaping*
- *Use and development should be sensitively located and designed to minimise impact on vegetation, water courses, soil quality and existing land uses*
- *Minimise the requirements for changes to the landform (cut and fill) and topography to accommodate buildings*
- *Minimise disturbance or loss of native vegetation*
- *Select architectural style, landscape design and construction materials to reflect local elements*
- *Select materials with muted or recessive colours and low reflective qualities that closely complement the settings*
- *Be designed to withstand the effects of cyclones and flooding, and*
- *Ensure adequate capacity for servicing of activities.”*

The proposed development complies with the requirements of the draft LASP, as evidenced by the following comments:

- The development is not located on a ridgeline and is located lower in the landscape to the Lake Argyle Road. This ensures that visual impact is lessened for the proposed development, given it is located in excess of 140m from Lake Argyle Road, but is also approximately 5m lower in the landscape than the adjacent road. With regards to the utilisation of existing vegetation for screening, The below photo from Google Street View shows the presence of trees between 2-3m in height which will be located between the proposed development and the Lake Argyle Road, which will provide staggered screening of the proposed development, given that an additional access is not required to cleared;





Figure 3: Google Street View image of site from Lake Argyle Road.

- As outlined in Section 3.6 of this report, the development will utilise endemic species to provide screening vegetation. It is anticipated that the height of screening will reach 1.8m within 18 months of establishment, with the height of proposed trees being achieved between 5-10 years of establishment;
- The proposed development has been located so as to minimise impact on water courses, existing vegetation and existing land uses. It is located approximately 273m from the Durack Homestead Museum, 148m from Lake Argyle Road and 108m from the nearby washout/creepline, complying with the minimum setbacks of the Department of Health for effluent disposal, which for conventional septic systems is typically 100m from a nearby water course. It should be noted that the location of the proposed development is relatively clear of trees, only containing some native grasses;
- The cross slope of the site is approximately 3%. Any cutting filling is unlikely to exceed 500mm (0.5m) above/below the existing ground level;
- As previously outlined in this section, the chosen site of the buildings is clear of existing trees and large shrubs. The proposal will only require the clearing of some native grasses to establish a suitable building envelope, hence disturbance on native vegetation will be minimised by the proposed development;
- The proposal seeks to erect two buildings, which will be clad in Colorbond. The buildings have a total height of 4m and are considered to be of small scale, which will minimise the impact on the visual amenity of the locality;
- The colour palette of the proposed development has been chosen in consultation with the Shire of Wyndham – East Kimberley. However, it is noted that the no specific colour guidelines are applicable within the draft LASP area. Therefore, should Council be willing to entertain the proposal, should it be required, the colour of materials chosen will be able to be modified;
- The buildings will be built to comply with the Building Code of Australia in relation to being cyclone proof. This will be demonstrated when the applicant applies for a Building License. Given the elevation of the site and setback from the washout/creepline, it is highly unlikely that the proposed development would be subject to flooding; and



- The proposed buildings will be serviced by an electricity supply from Horizon Power, as well as being serviced by bore water sourced from a local supplier (in addition to rainwater tanks located on the site).

#### 5.1.3 Aquaculture – Section 6.7 of the draft LASP

This section is noted in relation to the proposed development. It is not proposed to develop aquaculture on the site at this time, which will only be used for workers accommodation and storage of necessary materials to maintain fish kept in Lake Argyle.

#### 5.1.4 Workforce Accommodation – Section 6.10 of the draft LASP

This section of the draft LASP outlines the requirements for workforce accommodation to support industries and projects associated with Lake Argyle. The objective is

*“To identify a sufficient and suitably located area to accommodate a workforce associated with economic and service activity at Lake Argyle”*

Figure 9 of the draft LASP contains the (Indicative) Land Use Plan – Ord Dam Area. On this plan, the area for ‘Potential Workers Accommodation’ is clearly aligned with the proposed development. The proposed development seeks to locate workers accommodation and a workshop/storage buildings in accordance with the requirements of the draft LASP.

#### 5.1.5 Conclusion

The proposed development for workers accommodation and storage/workshop complies with the requirements of the draft LASP, with particular regard to screening, the location of the development and other factors.

### 5.2 Interim Development Order No.10

The purpose of Interim Development Order No.10 is to require that all development within the Interim Development Order area is subject to the issue of Planning Approval by the Shire of Wyndham – East Kimberley. The proposed development falls within this area, hence is required to submit an Application for Planning Approval, which is required to be approved by the Shire of Wyndham – East Kimberley prior to development commencing.

### 5.3 Shire of Wyndham-East Kimberley Local Planning Strategy

#### 5.3.1 Introduction

The Shire of Wyndham – East Kimberley Local Planning Strategy (LPS) provides the strategic framework for planning within the local government area, which is then formalised through the Town Planning Schemes. Local Planning Strategies have a typical strategic direction which is applied for a period of 10-15 years.

#### 5.3.2 Lake Argyle – Section 5.1.3 of the LPS

The LPS notes that Lake Argyle has been identified as a development node for future tourism and aquaculture development which is refined by the draft LASP. It also states that

*“The draft Lake Argyle Land and Waterway Use Structure Plan is based on the principles of sustainability as well as the following key tenets.*

- *Protection of the facility’s primary functions as a source of power and water that are not to be compromised by future activities;*



- *Recognition and protection of indigenous and European heritage, as well as the opportunities this presents for increased awareness and understanding through the development of indigenous enterprise;*
- *Acknowledgement and possible accommodation of stakeholder aspirations;*
- *Protection of areas of high conservation values, including the Carr Boyd Ranges;*
- *Protection of the area's remote landscape and high aesthetic values;*
- *Support for sustainable economic development opportunities; and*
- *An appropriate level of infrastructure provision to support the social and economic activities of the area."*

The proposed development complies with the requirements of Section 5.1.3 of the LPS, as evidenced by the following comments:

- The proposed development will not compromise the function of Lake Argyle and Ord River Dam to provide sustainable sources of water and power;
- It is noted that the land is located in close proximity to the Durack Homestead Museum, being of European Heritage significance. The proposed development seeks to install screening to ensure visual impact on this tourism attraction is minimised;
- The site is not identified as a high value conservation area;
- The proposed development seeks to be sympathetic to the landscape values of the locality and will make every effort to ensure visual impact is minimised; and
- The proposal to install workers accommodation will support the economic development of a new business. The small scale of the first stage of this proposal is to ensure it is sustainable in the long term.

#### 5.3.3 Economic Development – Section 5.7.3 of Local Planning Strategy

Section 5.7.3 outlines that Lake Argyle has been identified as a location of commercial aquaculture to occur. Global Barramundi proposes to undertake small scale commercial aquaculture, for the production of Barramundi, with the associated workers accommodation, workshop and office to be provided by the proposed development.

## 6 CONCLUSION

The proposed development of the workers accommodation, office and workshop for Global Barramundi on King Location 612 has demonstrated compliance with the relevant requirements of the Shire of Wyndham - East Kimberley. It is respectfully requested that Planning Approval is issued for the proposed development in accordance with the requirements of Interim Development Order No.10.

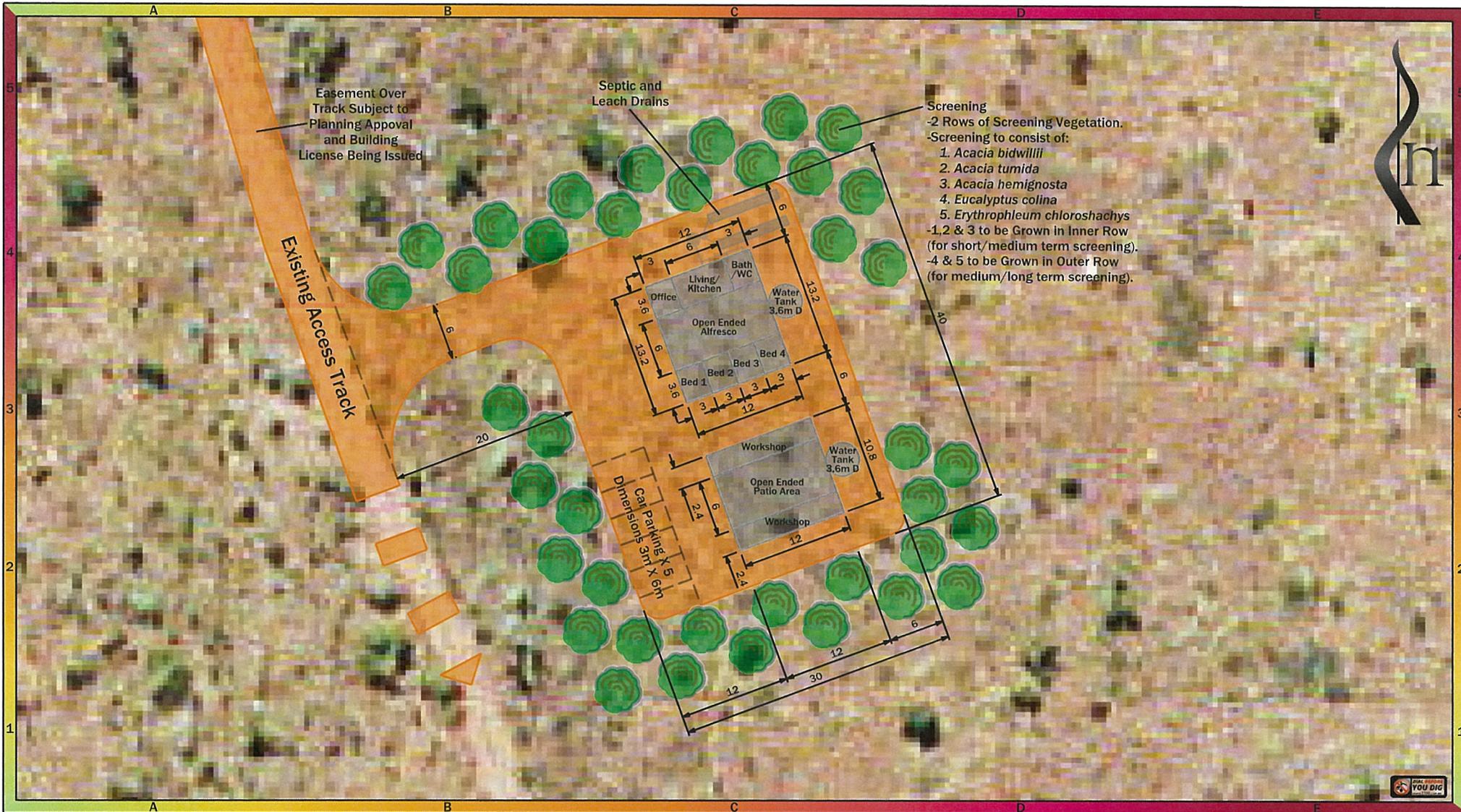


# APPENDICES



# APPENDIX A

Site Plan and Enlarged Site Plan



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REV	DESCRIPTION	DATE
A	Original Drawing	27/09/13

**PROPOSED DEVELOPMENT  
 WORKERS ACCOMMODATION  
 AND WORKSHOP**

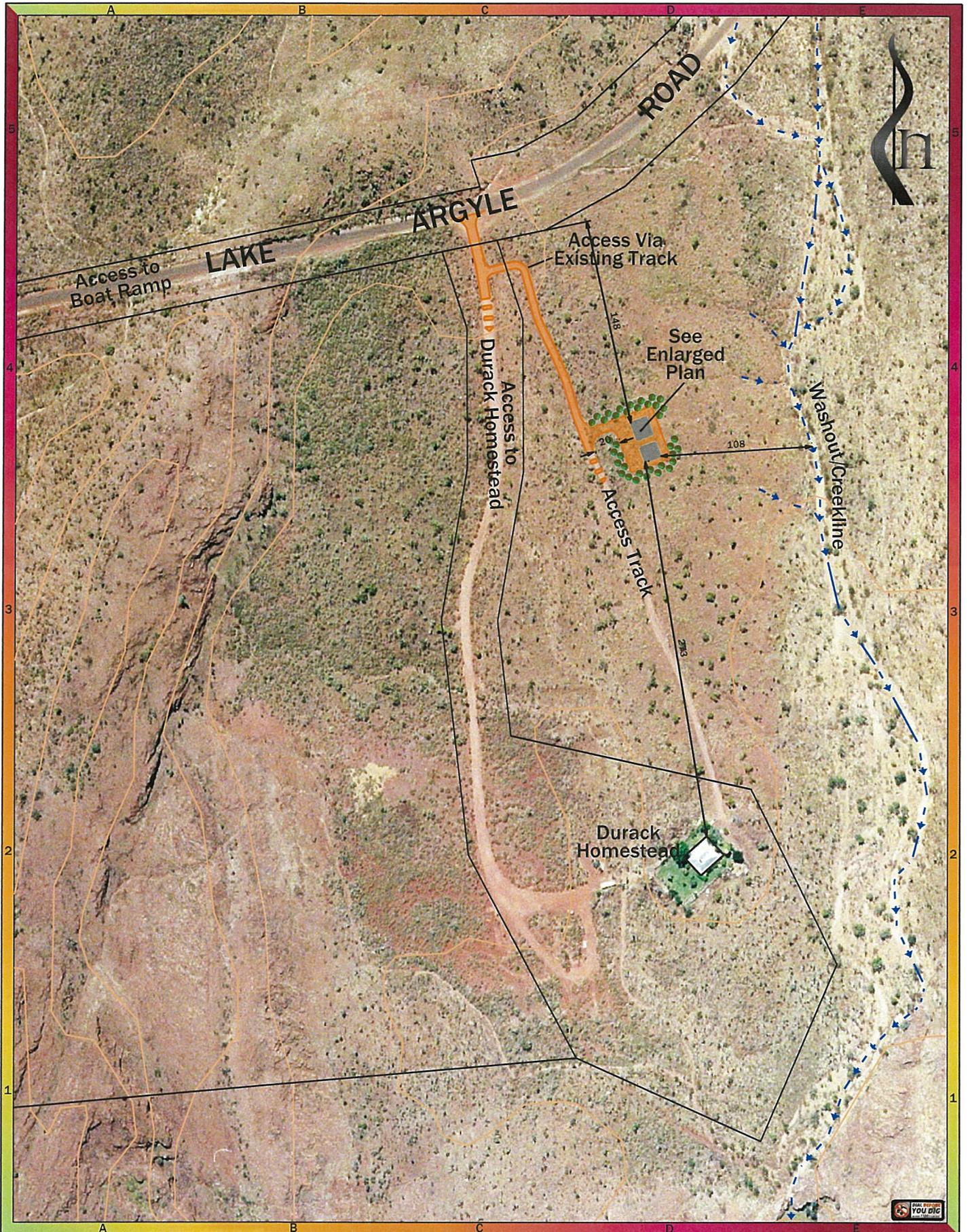


**ENLARGED  
 SITE PLAN**

DRAWING No  
 14823-03A.dgn  
 DRAWN  
 SDP 27-09-13  
 CHECKED BY  
 ABS 27-09-13

GLOBAL BARRAMUNDI  
 KING LOCATION 612  
 LAKE ARGYLE





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REV	DESCRIPTION	DATE
A	Original Drawing	27/09/13

**PROPOSED DEVELOPMENT  
 WORKERS ACCOMMODATION  
 AND WORKSHOP**

GLOBAL BARRAMUNDI

KING LOCATION 612  
 LAKE ARGYLE

SCALE AT A3 1:2500

drawing no  
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 drawn  
 SDP 27-09-13  
 checked  
 ABS 27-09-13

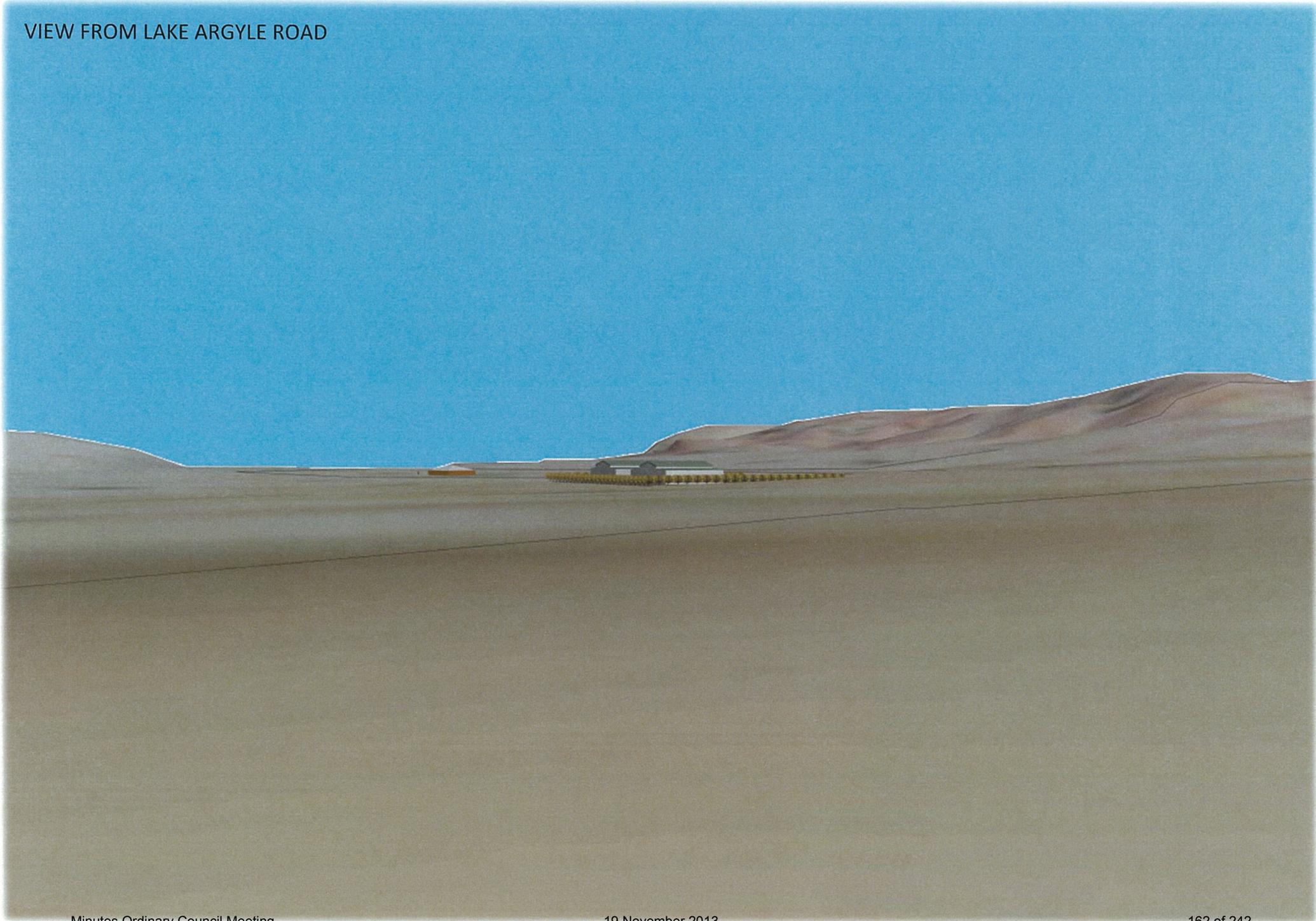


**SITE PLAN**

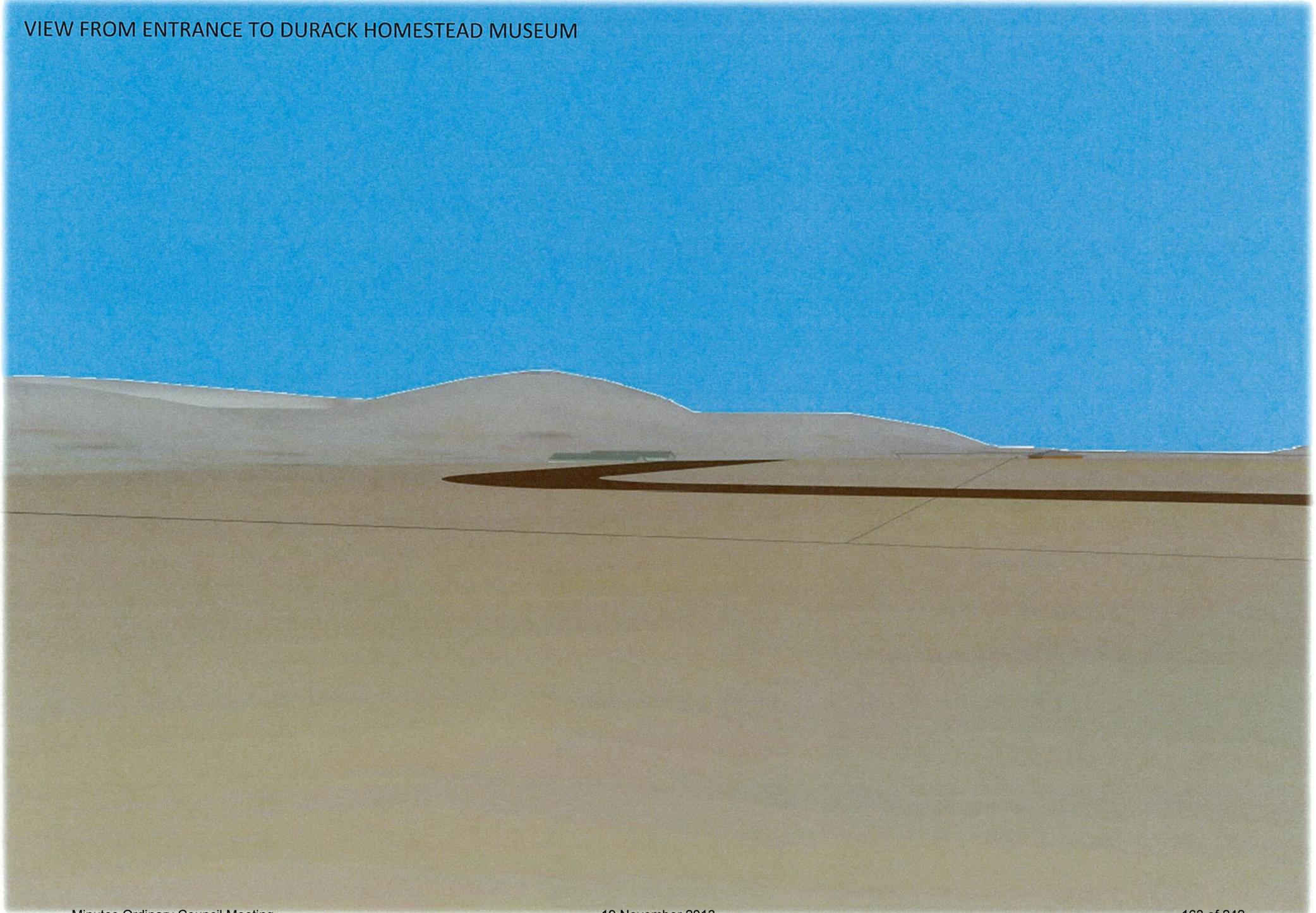
## APPENDIX B

Models of Development

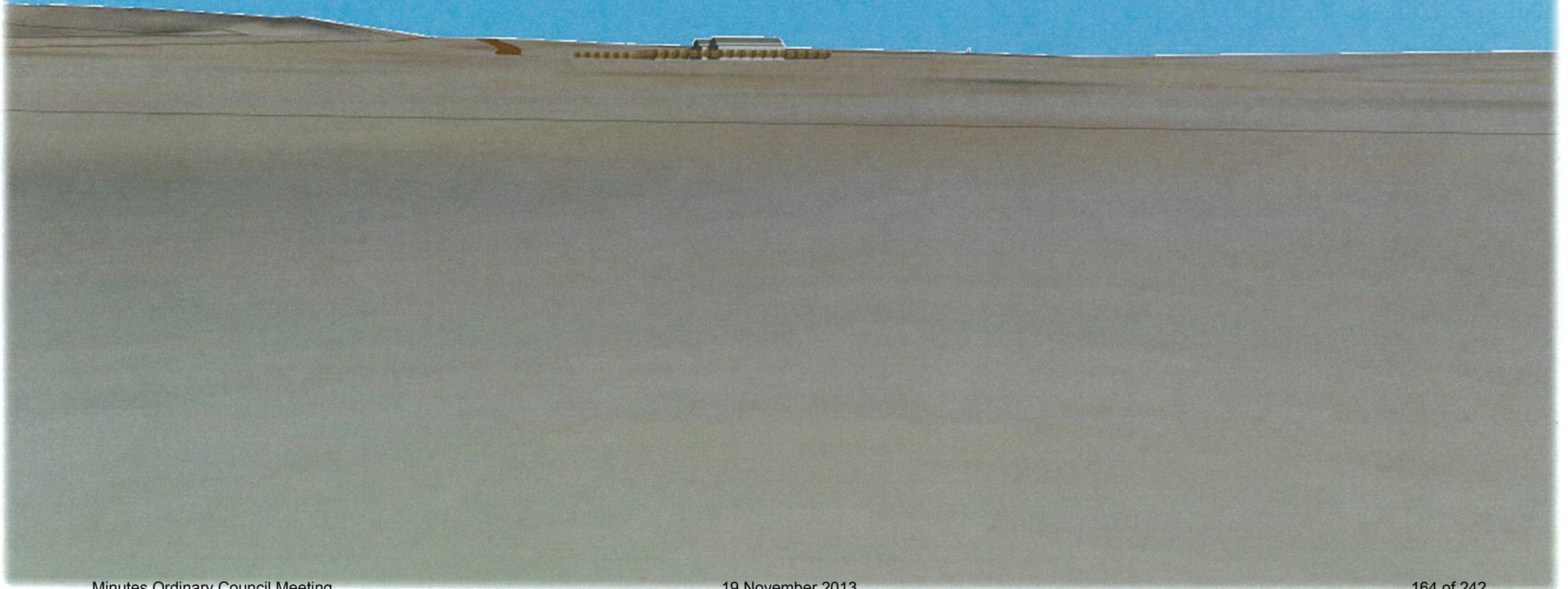
VIEW FROM LAKE ARGYLE ROAD

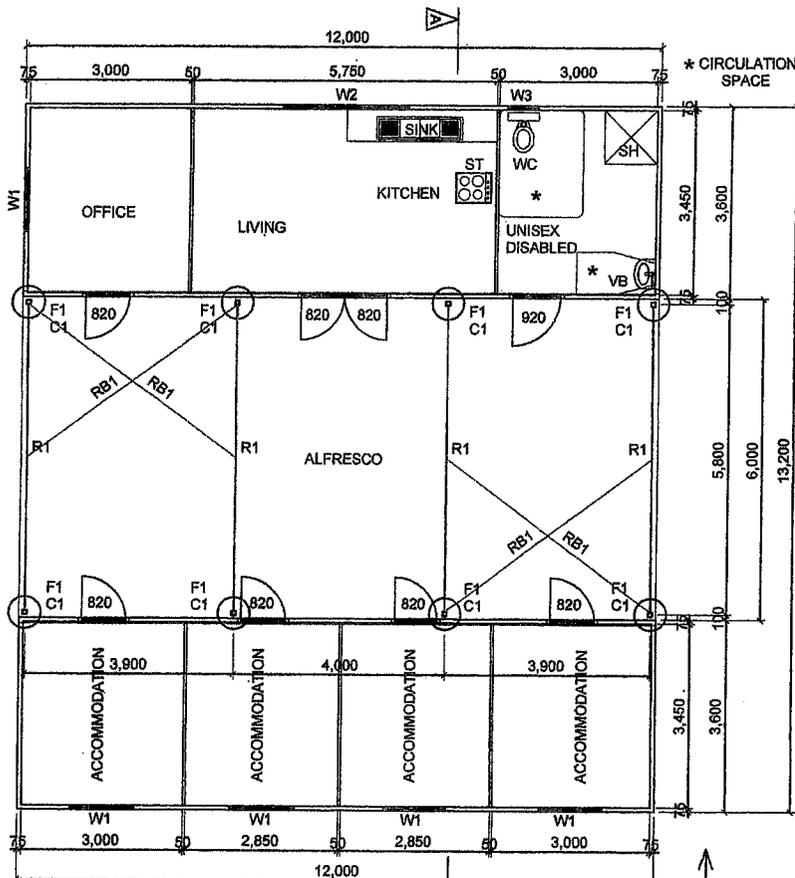


VIEW FROM ENTRANCE TO DURACK HOMESTEAD MUSEUM

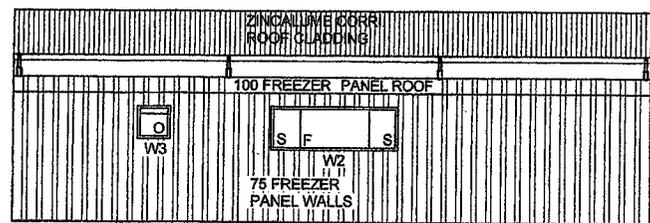
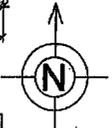


VIEW FROM DURACK HOMESTEAD MUSEUM

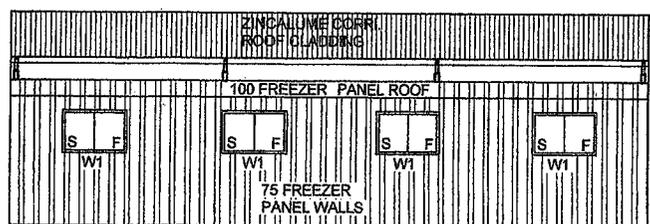




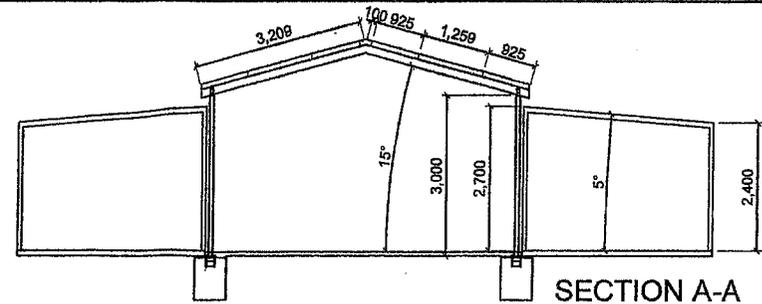
**FLOOR PLAN**  
SCALE 1:100



**NORTH ELEVATION**  
SCALE 1:100



**SOUTH ELEVATION**  
SCALE 1:100

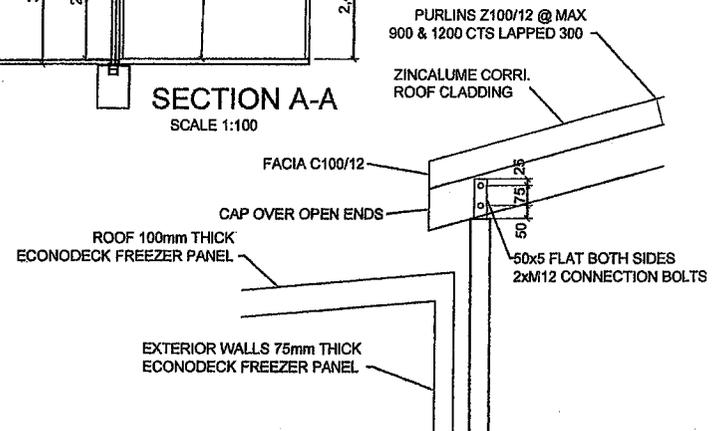


**SECTION A-A**  
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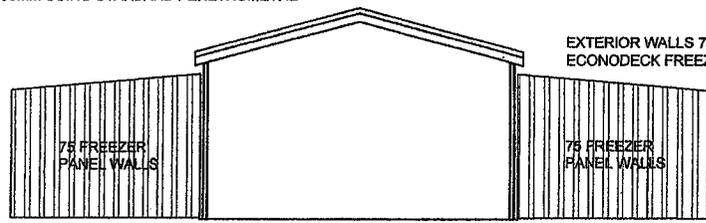
**MEMBERS SCHEDULE**

- ALFRESCO
- F1 600Øx800 DEEP CONCRETE FOOTING
- C1 75x3 SHS DURAGAL COLUMN
- R1 150x50x3 RHS DURAGAL RAFTER
- RB1 12mm GAL ROD WITH TURNBUCKLE ONE END
- ROOF 100mm THICK ZINCALUME CUSTOM ORB 0.42 BMT
- PURLINS Z100/12 @ MAX 900 & 1200 CTS LAPPED 300
- FLOOR CONCRETE OR PAVERS BY OTHERS

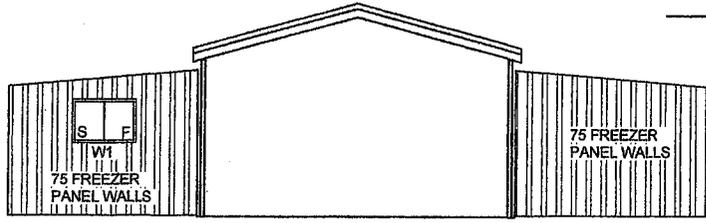
- ACCOMADATION / ADMINISTRATION
- ROOF 100mm THICK ECONODECK FREEZER PANEL
- EXTERIOR WALLS 75mm THICK ECONODECK FREEZER PANEL
- INTERIOR WALLS 50mm THICK ECONODECK FREEZER PANEL
- FLOOR 100mm THICK CONCRETE FLOOR F62 MESH WITH MEMBRANE UNDER SOIL COMPACTED TO 7 BLOWS PER 300mm USING STANDARD PENETROMETRE



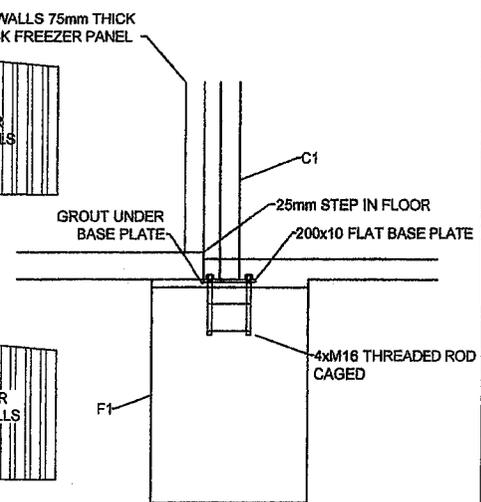
**TYPICAL CONNECTION DETAIL**  
SCALE 1:20



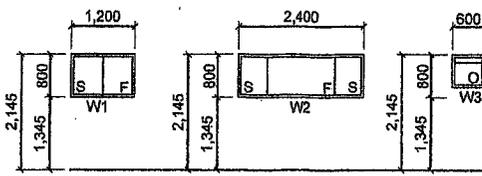
**EAST ELEVATION**  
SCALE 1:100



**WEST ELEVATION**  
SCALE 1:100



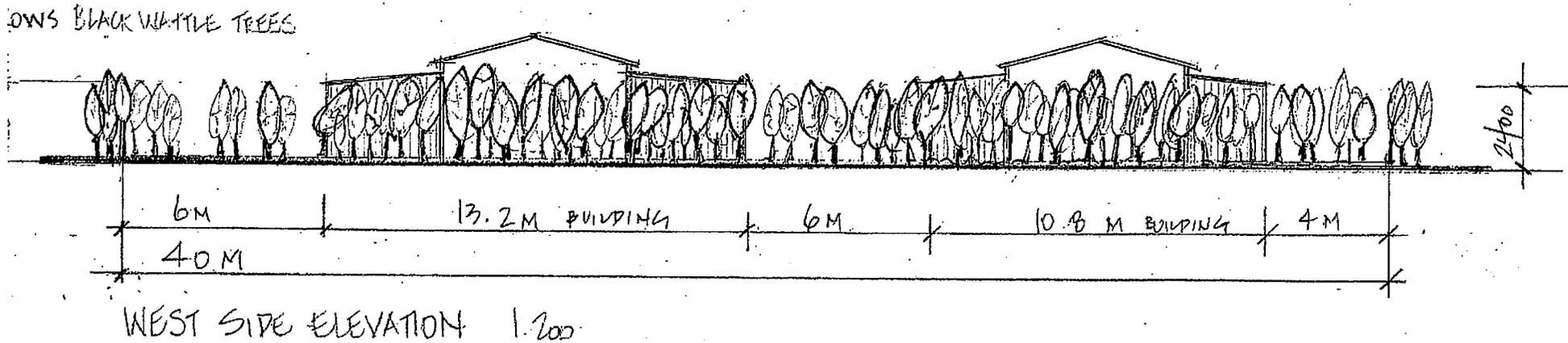
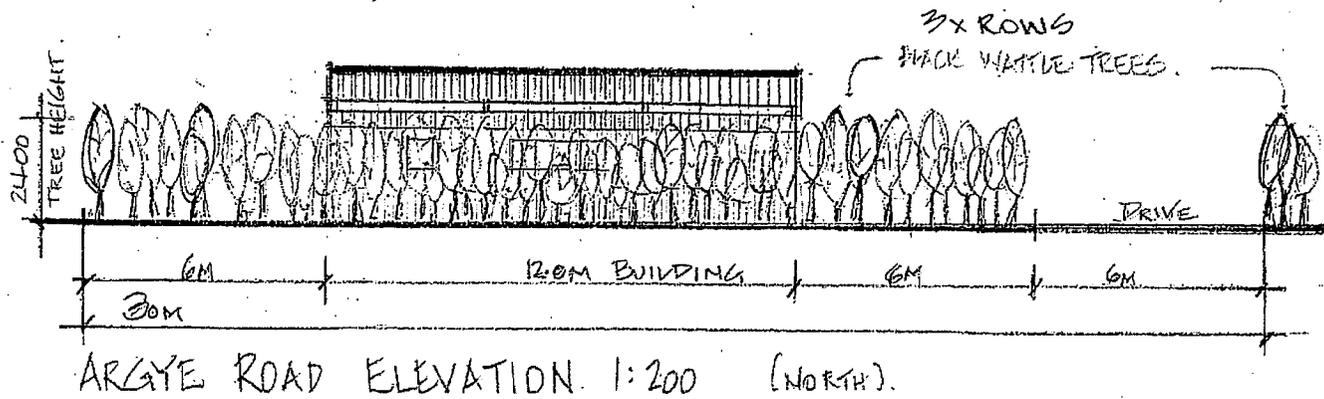
**TYPICAL FOOTING DETAIL**  
SCALE 1:20



**WINDOW SCHEDULE**  
SCALE 1:100

DRAWN	B. Wallis
SHEET	A3
DATE	12/09/12
REV	A
PAGE	1 OF 2
SCALE	1:100

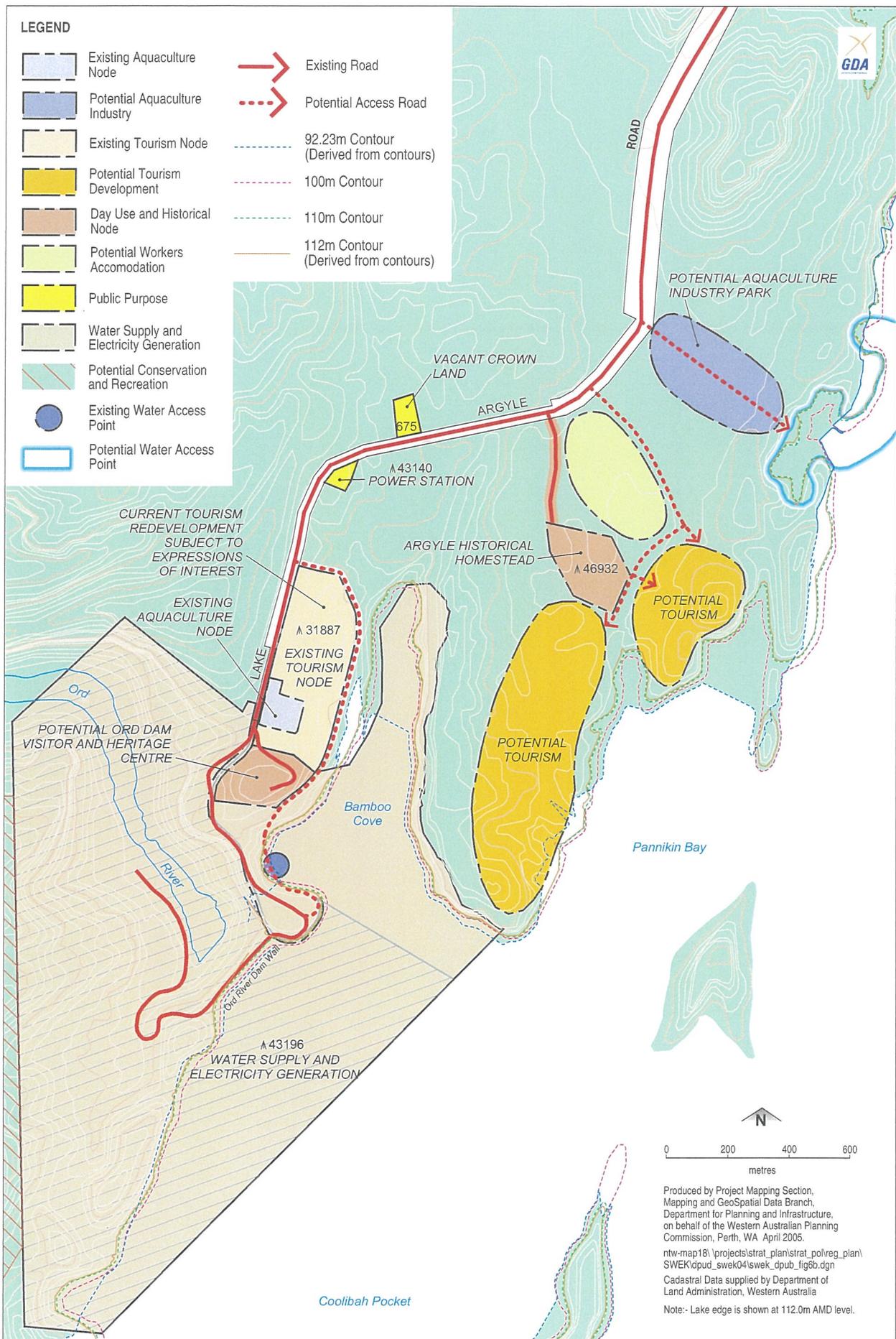
**BRENTON WALLIS**  
PH: 0429 804485



BUFFER ZONE PLANTING

PROPOSED SITE PLAN SCALE 1:200  
FOR GLOBAL BARRAMUNDI

**SUE**  
**HOLBEN** Cert Arch Dftg Stud  
ARCHITECTURAL DESIGN AND DRAFTING SERVICES



### 13.4.3 Development Application for Home Based Business (including Retail Trade by Appointment) at Lot 107 Nutwood Crescent, Kununurra

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Kylie and Danny Carter
<b>LOCATION:</b>	Lot 107 Nutwood Crescent, Kununurra
<b>AUTHOR:</b>	Elle Davidson, Planning Officer
<b>REPORTING OFFICER:</b>	Nick Kearns, Director Community Development
<b>FILE NO:</b>	A812P

#### **PURPOSE**

For Council to consider a development application for Home Business (including Retail Trade by Appointment) at Lot 107 Nutwood Crescent, Kununurra.

#### **BACKGROUND**

An application for planning approval was lodged on 23 October 2013 by Kylie Carter of Organic Kreation for the development of a Home Business (including Retail Trade by Appointment) at Lot 107 Nutwood Crescent, Kununurra.

The property is located on Nutwood Crescent, which is predominantly residential with Kununurra Backpackers in the vicinity and has an area of 967m<sup>2</sup>. The land is zoned R20 under *Town Planning Scheme No. 7 – Kununurra and Environs (TPS 7)* and contains a single dwelling.

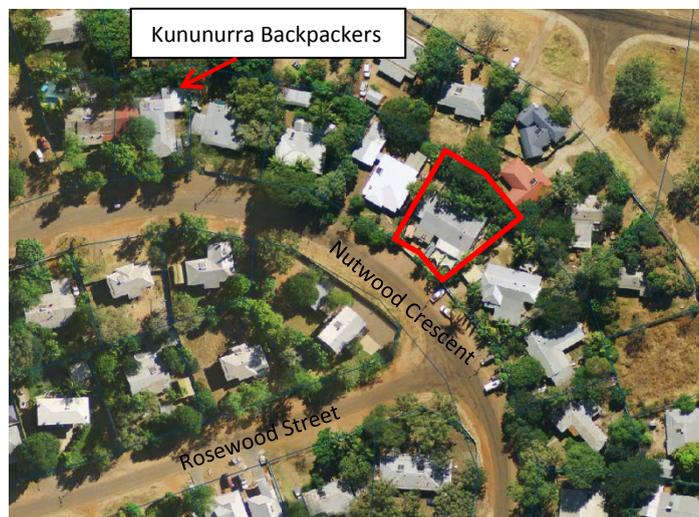


Figure One – Location of Lot 107 Nutwood Crescent

On 27 September 2013, an application was lodged for a Home Based Business to operate Organic Kreation from Lot 107 Nutwood Crescent, Kununurra. The applicant was advised that retail sale is not permissible under the definition of a Home Business and therefore received approval for a Home Business without retail sale to allow for trade by home delivery.

*Proposal*

The applicant proposes to operate a Home Business, Organic Kreation, with retail sale by appointment from a room measuring 11.6m<sup>2</sup>. Organic Kreation has previously operated from a market stall and the applicant wishes to continue to provide health foods and products to the community.

The applicant seeks approval to operate on a minimal basis, nominating Friday afternoons and Saturday Mornings, due to both owners working full-time. The expected number of visitors is estimated to be 1 per day, based on the current client base and interest. Deliveries will not be directly to the dwelling and will either be sent to the post office or the applicant's place of work.

A copy of the application is provided at Attachment 1.

### **STATUTORY IMPLICATIONS**

Town Planning Scheme No. 7 – Kununurra and Environs

The land at Lot 107 Nutwood Crescent is zoned R20 – Residential Zone under *TPS7*. The objectives of this zone are to allocate a density coding for the Residential zone throughout the Scheme area to:

- i) Provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;
- ii) Promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas;
- iii) Allow redevelopment opportunities for areas of older housing stock.

The definition of a Home Business under *TPS7* is defined as:

A business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which –

- a) does not employ more than 2 people not members of the occupier's household;
- b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- c) does not occupy an area greater than 20 square metres;
- d) does not involve the retail sale, display or hire of goods of any nature;
- e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- f) does not involve the use of an essential service of greater capacity than normally required in the zone.

The proposed use does not comply with the definition of a Home Business and therefore is a land use that requires Council's discretion.

Under section 3.1.6 of *TPS7* the Council can grant approval for the use of land that is not specifically mentioned in the Zoning table and cannot reasonably be determined as falling within the interpretation of one of the use classes. The determination must be made by absolute majority and resolved that the proposed use is consistent with the objectives and purpose of the particular zone. This is required in this instance as the applicant proposes to retail trade by appointment, which does not comply with point (d) of the Home Business definition.

## **POLICY IMPLICATIONS**

Local Planning Policy 28 – Home Based Businesses (including Cottage Industry)

The definition of a Home Business under Local Planning Policy 28 – Home Based Businesses (including Cottage Industry) (*LPP28*) is identical to the definition under *TPS7*, as found above. The objectives of *LPP28* are:

- To provide clarification as to the different types and scale of home based businesses (or commonly referred to as “home occupations” or “cottage industries”).
- To ensure that these types of uses do not compromise the amenity of the area.
- To ensure that the activity remains an ancillary use to the main dwelling or the principle land use on the property.

Part 2.4 of *LPP28* states that operating hours should be determined on the type of business being undertaken and having regard to the objectives of the policy. It is suggested that normal business hours should be applied and a guide of 7.30am-5.30pm, Monday to Friday and 8.30am to 1.00pm on a Saturday is provided. *LPP28* outlines that if an activity involves visitation of clients or customers’ appointments should be limited to 10 per day, under Clause 2.5.

Under Part 2.8 of *LPP28*, home business activities must be ancillary to the principal use of the land as a residence, and are not to be construed as an alternative use.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

## **STRATEGIC IMPLICATIONS**

There are no financial implications associated with this item.

## **COMMUNITY CONSULTATION**

Council are afforded the ability to approve the use of land which is not specifically mentioned in the Zoning Table under Section 3.1.6 of *TPS7*. If the Council decides that the proposed use is consistent with the objectives of the particular zone thereafter the Council will consider the application “SA”, which requires public advertising.

On 24 October 2013, adjoining neighbours were notified of the proposed development and no submissions have been received. Upon lodgement of the application, a list of signatures from neighbouring properties was provided in support of the proposal.

## **COMMENT**

The applicant seeks concession in relation to the retail trade of products by appointment from a residential dwelling, which does not comply with the definition of a Home Business under *TPS7*. Trade is proposed for afternoon periods and Saturday mornings and therefore the impact on the amenity of the area is classified as minimal. The applicant projects that on average one customer will visit the dwelling per day, which complies with Clause 2.5 of *TPS7*. The business will not employ people not members of the household and deliveries will not be directly to the dwelling, which further minimises the impact of the proposal on residential amenity.

Retail sale from a Home Business was limited in the definition under TPS7 to minimise the possibility of a shop use operating in a Residential Zone. From the information provided by the applicant, it is the intention that the Home Business will simply be an ancillary use to the main dwelling and they will continue with full time employment outside of the business.

A standard note included in the Letter of Approval for Home Based Businesses states the following:

*The Home Business must be carried out in accordance with the conditions of the approval, and the Home Business must be renewed annually, as per the advice on the approval. Please note that the approval is required to be renewed no later than 30 June 2014.*

*Council will monitor the impact of the Home Business and if determined to be having a detrimental impact on residential amenity, will revoke the approval.*

It is concluded that the application complies with the objectives of LPP28 and the intent of the Residential Zone under TPS7.

## **ATTACHMENTS**

Attachment 1 – Proposed Report and Plan

## **VOTING REQUIREMENT**

Absolute Majority

## **OFFICER'S RECOMMENDATION**

That Council, grants planning consent for a Home Business (Retail Trade by Appointment) at Lot 107 Nutwood Crescent, Kununurra subject to the following conditions:

1. The use 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. Retail trade must be by appointment only and any advertising associated with the business must not include the address of the property.
3. Appointments must only occur between 7am-7pm.
4. Products associated with the business are not to be delivered directly to the dwelling.
5. Any change of use shall be subject to further Council consent.
6. Does not employ any person not a member of the occupiers household except with the consent of the Shire.
7. The use shall not cause injury to or prejudicially affect the amenity of the neighbourhood.
8. The use shall not occupy an area greater than 20m<sup>2</sup>.

9. In relation to vehicles and parking, does not result in the requirement of a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles.
10. Does not involve the use of an essential service of greater capacity than normally required in the zone.

Motion  
Cr K Wright

That Council, grants planning consent for a Home Business (Retail Trade by Appointment) at Lot 107 Nutwood Crescent, Kununurra subject to the following conditions:

1. The use 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.
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10. Does not involve the use of an essential service of greater capacity than normally required in the zone.
11. That approval be granted for a 12 monthly period with any such renewal to be brought to Council for re approval.

## **COUNCIL DECISION**

**Minute No. 10252**

**Moved: Cr K Wright**

**Seconded: Cr G Taylor**

**That Council, grants planning consent for a Home Business (Retail Trade by Appointment) at Lot 107 Nutwood Crescent, Kununurra subject to the following conditions:**

- 1. The use 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. Retail trade must be by appointment only and any advertising associated with the business must not include the address of the property.**
- 3. Appointments must only occur between 7am-7pm.**
- 4. Products associated with the business are not to be delivered directly to the dwelling.**
- 5. Any change of use shall be subject to further Council consent.**
- 6. Does not employ any person not a member of the occupiers household except with the consent of the Shire.**
- 7. The use shall not cause injury to or prejudicially affect the amenity of the neighbourhood.**
- 8. The use shall not occupy an area greater than 20m<sup>2</sup>.**
- 9. In relation to vehicles and parking, does not result in the requirement of a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles.**
- 10. Does not involve the use of an essential service of greater capacity than normally required in the zone.**
- 11. That approval be granted for a 12 monthly period with any such renewal to be brought to Council for re approval.**

**Carried Unanimously 6/0**

**6.12pm Cr D Spackman enters the meeting**

## Organic Kreations Home Business

### History of Organic creations

I started the markets 3 years ago just selling clothing, and at the beginning of 2013, and after both of us making a conscious decision to become healthy, and being inspired by friends back in Perth that worked in the health foods industry we realised there was a market in Kununurra for providing health foods, superfoods, wholefoods, and providing healthy organic food for the town.

Our first objective was to see how and if there was a market available for supplying customers with organic superfoods and wholefoods. The response was amazing, the feedback was incredible, and customers were really seeing how amazing it would be to have an alternative store to buy organic products.

We both worked very hard at this year's markets lugging all the products into the car every Saturday morning over the dry and not only did we realise that there is a market, but found the importance of meeting and networking with likeminded people in regards to the food industry and escalating health issues from poor diet and poor education within the food and health industry.

We also sold many drums and instruments and loved getting people, especially kids to be creative through sound, and before you know it, we had a few local artists playing tunes behind organic Kreations stall.

It was such an amazing year to watch and to grow the market stall. We both can't wait to get amongst it next year.

## Organic Kreations Home Business

### **What is Organic Kreations going to manifest**

The future of our business we would like to create a beautiful space for love, healing, creativity, healthy living, philosophy and forming strong friendships within our community. Our business plan is to trade superfoods, health foods, whole foods, raw organic chocolate, alternative medicines, spiritual and health books, instruments, alternative clothing.

We want to teach people how to eat healthy for example showing them how to make super smoothies, and make their own raw chocolate.

It is not just organic Kreations products we want to sell us also want to support our local growers with their fresh produce.

### **A list of some of our product**

- Organic Spirulina
- Organic Apple Cider Vinegar
- Organic Maca
- Organic Acai berries
- Organic Raw Cacao Chocolate
- Organic Coconut oil
- Organic Agave
- Chia seeds
- Organic Gogi berries
- Organic Bee Pollen
- Organic Dried organic fruit and nuts
- Organic laundry detergent
- Organic toothpaste
- Cotton clothing
- Incense
- Hapi drums
- Djembe's
- Books
- And much more

## Organic Kreations Home Business

The vision of Organic Kreations is to provide the town with fresh organic fruit and vegetables as an option, obviously depending on freight costs. Organic growing will only thrive in the future if we support the organic farmers. We do realise the conditions in the East Kimberley do not provide farmers the best conditions to grow, so the importance of networking with our southern friends is essential, to providing fresh organic produce.

We are also trying to encourage friends to run workshops for the community with making Bread (sourdough), fermenting foods, and pickling produce. Organic Kreations is now soon going to facilitate chocolate making workshops and also creating super smoothies and juicing workshops.

## Organic Kreations Home Business

**Why we are we applying for a Home Business to trade by appointment only from our residential home.**

**We are seeking approval to trade from home by appointment only, to help gain momentum for the business to grow. It is essential for Organic Kreations to grow as a small business and we need to be able to create a small space to promote our products. . I realise the risks involved in starting a new business and due to obvious financial strains, we had to make the decision to invest in our business or to purchase a home, and we are both proud owners of our humble little dwelling on nutwood crescent.**

**It is imperative for our business to grow that we need the support from our local shire in supporting our wishes but we are fully aware of the implications of trading retail from home, but are looking to seek permission to help our business grow, and promote healthier living in the East Kimberley.**

**We have looked at the limited available rentals for our business and it would be financial suicide for us to invest in this option so early in our venture. There is not going to be an outrageous amount of customers and we regard 70% of our customers are friends visiting.**

**We have become members of the Kununurra visitor's centre who are going to support Organic Kreations by having a display every couple of months in the centre. We have also become a member of the chamber of commerce to help gain knowledge and to network with other successful business owners. We have full support and backing from the small business centre.**

## Organic Kreations Home Business

### **Why is Organic Kreations important to Kununurra and the East Kimberley**

**I feel there is a great opportunity in Kununurra to start a health food store and spread the word to be healthy and eat healthy. I believe there needs to be radical education within culture and western society to what food we are eating. We have networked within the industry and tried very hard to stock food that has been labelled with fair trade.**

**What we have seen in the last 50 years in changes to the food industry has been more drastic than over the course of 10,000 years and as consumers of a profit driven, corporatized food industry we need more proactive changes within the generations to come.**

**We believe it is the truth if mainstream medicine invested and focused on prevention, even half as much as they focused on intervention the world would be a different place. We believe the doctors of the future will no longer treat humans just with prescription drugs, but rather will cure and most importantly prevent disease with nutrition and healthy living. Today in western culture 80% of all chronic diseases are caused by bad food choices, toxic food ingredients, nutritional deficiencies and lack of physical exercise. By cleansing our bodies on a regular basis and eliminating as many toxins as possible from our environment, our bodies can heal itself, prevent disease and become stronger and more resilient to disease and mental illness.**

**The vision of Organic Kreations is not just to be a retailer, but to also offer a service of education, support and most importantly friendships, networking within the town of Kununurra and the East Kimberley. We would like to offer this town another option of becoming healthier happier human beings 😊**

## Organic Kreations Home Business

Development standards TPS7 and seeking a concession to apply for home retail by appointment only

Organic Kreations will not be employing any staff. I the sole owner with my husband will be the only staff.

We feel our business will certainly not cause injury or adversely affect amenity to anyone in our neighbour.

The room space for our business plus storage is under the 20m<sup>2</sup>, and if you refer to house plan you will see it is approx. 11 m<sup>2</sup>.

We are seeking approval to show our products to customers by appointment only and asking to be granted leniency for the TPS7 AMG 13 GG (d) due to health benefit we are trying to create for our town.

With traffic and parking we will only ever want 1 customer at a time, due to keeping our street quiet and respecting our neighbours and the backpackers situated 3 houses down. There will be no heavy vehicles used and as we stated, all our stock is delivered to my work.

We have read residential zone 5.8.1 objectives and 11.3 determination of applications and feel very confident that we can adhere to the above. Organic Kreations wants to pride itself in only creating the safest environment for our small amount of customers. We want nothing more to respect our street, neighbourhood and town and to supply other options for healthy living and eating.

## *Organic Kreations Home Business*

**Detail how products will be delivered to the residence.**

All our products are delivered to Kylie where she works fulltime, through nexus transport and we also receive stock through Australia post. There will be no couriers that deliver to our home.

## Organic Kreations Home Business

### **Estimated numbers of customers per day**

Going by the numbers of calls we have had in recent weeks which is less than an average 5, we think the number is going to be low. At the moment we have held back on marketing the business due to anticipation on getting approval of this application to trade from home by appointment only. We are really only projecting to have visitors Friday arvo, and Saturday morning, because of the fact we both work fulltime jobs.

We are more than happy to liaise with anyone within shire if the numbers swell, especially within our neighbours, we certainly don't want to annoy anyone in close proximity.

In all honesty we aren't expecting a big influx of customers at the moment, so early in the business. Most of our loyal customers are good friends within the town. If numbers swell it means it's closer to the dream of having a small retail shop in town.

So to answer the question of customers per day, let's say 1.



Organic Kreations

Attn: Kylie Dawson

11 October 2013

Dear Kylie,

The Small Business Centre East Kimberley has had the pleasure guiding your business idea into a viable business in the past year. We saw all your hard work, commitment and passion coming to fruition at your weekly market stall. The Organic Kreations stall was well visited by many locals and tourists throughout the season. As the small business centre manager I think your business and the services you are offering are essential to this town. We can appreciate as a start-up business; it is hard to acquire the capital for a commercial retail outlet as well as stock simultaneously.

On this basis, we support your application to the shire for relaxation of the trading conditions on your Home Based business licence and wish you every success.

Kind regards

Anita Sutherland

Manager SBCEK



Bank of Western Australia  
Shop 1, Konkerberry Drive  
Kununurra  
PO Box 413  
KUNUNURRA WA 6743

Telephone: (08) 9166 5200  
Facsimile: (08) 9168 2624

11 October 2013

To Whom It May Concern,

I have known Daniel Carter and Kylie Carter (nee Dawson) in a professional manner now for close to 12 months. Daniel and Kylie are organized, efficient, and extremely competent and have an excellent rapport with the people of all ages within our community.

I understand that they are looking to expand their organic food business in a larger way within the Kununurra community and are highly passionate about the health and lifestyle industry. I feel that they are perfect business owners to take this growing industry to the Kununurra people and succeed in offering our community healthy alternatives.

In summary, I highly recommend Daniel and Kylie for any endeavour that they may seek to pursue within their business and wish them the best of luck. I know I personally will be purchasing goods they have to offer and I am excited at this opportunity for Kununurra.

If you have any questions, please do not hesitate to contact me.

Kind Regards

Tanya Craig  
Store Manager

Hi Kylie and Danny,

Wishing you luck with your proposal tomorrow. I really hope the Shire of Wyndham East Kimberley will see what you are offering to our town is something long overdue. I can really appreciate that rent in town can make a dream like yours near impossible and I think being able to run your small business from your home will make it that little more personal, as well as sensible.

I have had the pleasure of making several purchases from your business while it was at the markets. I love the idea that we (fingers crossed) will have products available to us all year round from a home based business.

Let's hope the Shire accept and approve Organic Kreations so that many more families can benefit from your business and healthy goodness.

Best of luck

Bridget Parish and Family x

10<sup>th</sup> October 2013

To Whom it may concern,

I am writing this letter in support of “Organic Kreations” retailing organics to customers from Kununurra and East Kimberley area.

We are distributors and for the past 18 years have been supplying Perth and country areas with organic products. It is very exciting for us and I would imagine for other distributors from Perth to finally supply organics to this remote area of Western Australia.

We wish Kylie and Danny well in their endeavour to promote and sell healthy organics to their community.

Kind Regards,

Larry Pottier

**ALINAL Pty Ltd**

Tel: 08 9409 4992

Fax: 08 9409 6005

email: [alinal@optustnet.com.au](mailto:alinal@optustnet.com.au)

To whom it may concern,

I write this letter to express my gratitude for Danny and Kylie Carter and Organic Kreation, and to convince you that allowing them to run their retail business from home would be a move in the right direction for Kununurra. In fact, it would be an absolute DIS-service to Kununurra to NOT allow them to.

Danny and Kylie have amazing vision in regards to where they see health and wellness of Kununurra heading, a vision that excites me. Not only do they sell amazing products, but they are both amazing individuals. It is hard not to get excited about the movement of mental clarity and body wellness that is slowly becoming ever present in Kununurra. In fact, it is the world over. Embrace it now, and it can only continue to grow.

As a gluten intolerant, lactose intolerant, and plant-based diet eating individual, I am trying to do the best I can in a town where the quality of plant produce from our two supermarkets is considerably lacking due to the long distances they need to travel to get here. Danny and Kylie's products help make up the nutritional short-fall. Sure, in these modern times, I could just order everything from an online store, but where would the Danny Carter love be? A small community like ours is supposed to be about supporting each other. How can we do that if we aren't even given the opportunity?

Danny and Kylie are unique and fabulous, just like their incredible products, and Kununurra needs all of them! Kununurra needs future-hopeful people, and Kununurra also needs the amazing organic super-foods that Danny and Kylie source and provide. Please allow Kununurra to continue to grow in the right healthful direction. Say YES! to Organic Kreation home-trading.

Kind regards,

Lisa Pilypaitis

P.S Because of Danny and Kylie's products, I wake up every day feeling amazing! Do you?

To Whom it may concern

I Tony Davies & Sarah Law from 12 Nutwood Crescent, would encourage the availability of healthy food options to be sold from our neighbours property.

We have known Kylie & Danny Carter for 3yrs and hold them in high regards.

We already purchase their products from their store at the markets and would like to continue to purchase these products locally.

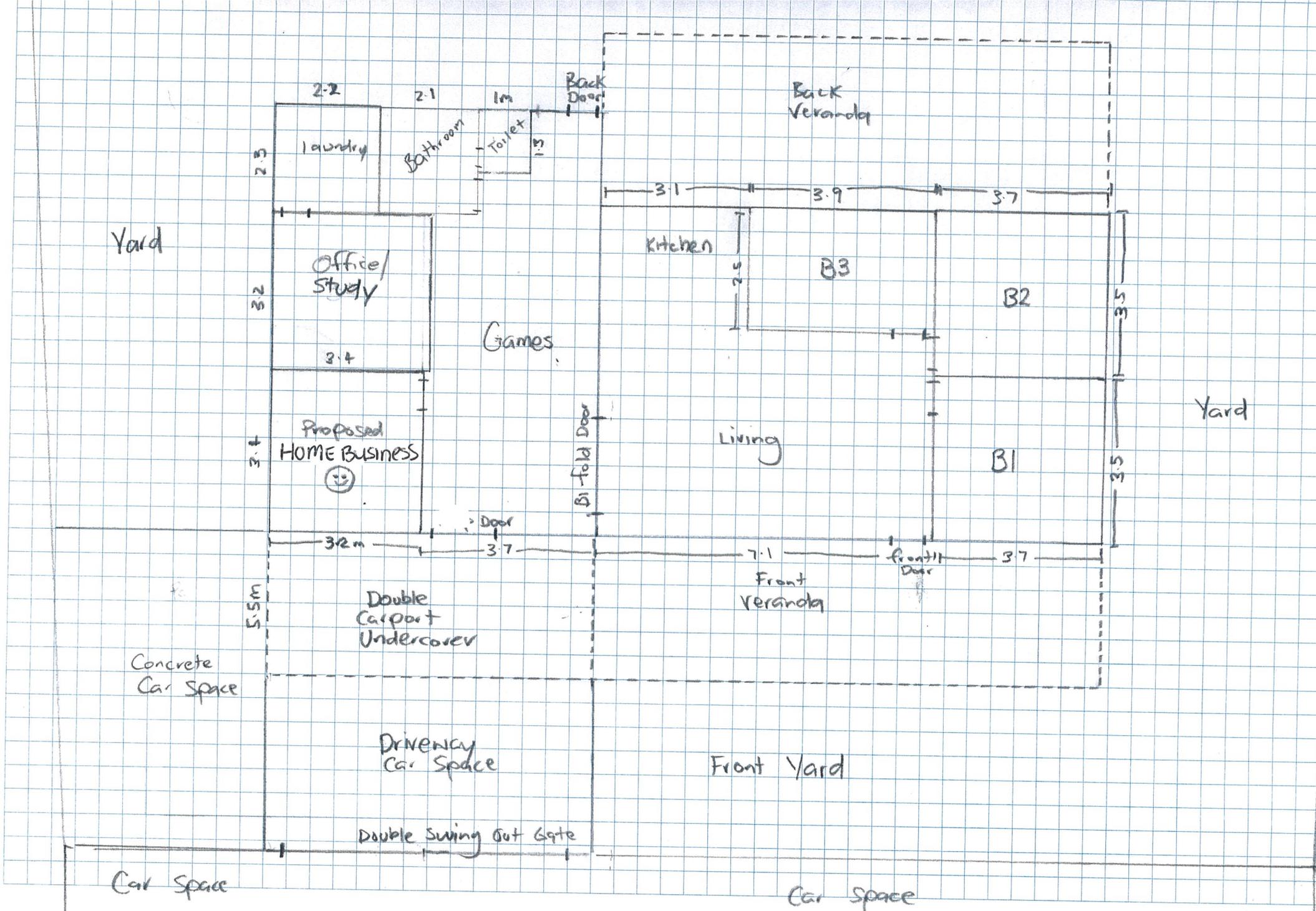
Regards

Tony Davies  
Davies  
0408 939 527

&

Sarah Law  
~~Sarah Law~~  
041 597 7442.





**13.4.4 Application for planning approval for additions to a general industry for office, trade display and parking within road reserve at Lot 1, Cocus Way, Kununurra**

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Amanda and Phil McLean
<b>LOCATION:</b>	Lot 1 Cocus Way, Kununurra
<b>AUTHOR:</b>	Elle Davidson, Planning Officer
<b>REPORTING OFFICER:</b>	Nick Kearns, Director Community Development
<b>FILE NO:</b>	A2861P

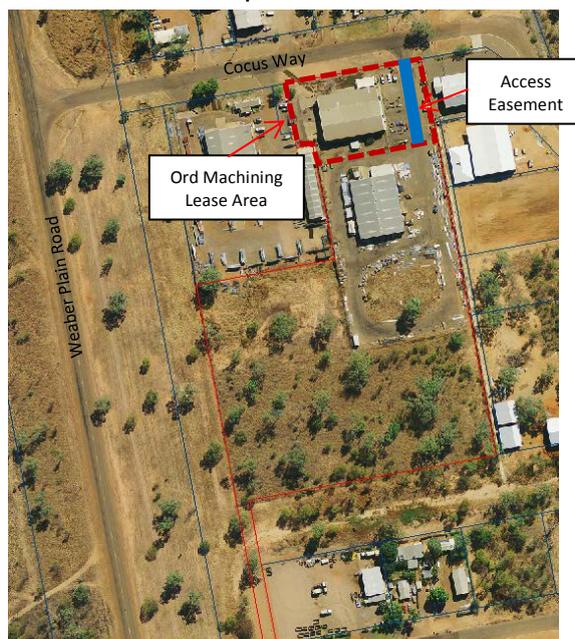
**PURPOSE**

For Council to consider an application for planning approval for Additions to a General Industry for Trade Display, Office and parking within the road reserve at Lot 1 Cocus Way, Kununurra.

**BACKGROUND**

An application for planning approval was lodged on 23 October 2013 by Amanda McLean of Ord Machining for planning approval for Trade Display, Office, Showroom and parking within the road reserve at Lot 1 Cocus Way, Kununurra.

The property is located on the southern side of Cocus Way and has an area of 1.44ha. Ord Machining currently leases the property from Sealink Transport and occupies the area facing Cocus Way which covers approximately 3,500m<sup>2</sup>. The land is zoned Light Industry under *Town Planning Scheme No. 7 – Kununurra and Environs (TPS 7)*. The property contains an existing industrial shed, transportable office within the front setback and ablution block at the rear utilised by Ord Machining. An approval was issued on 20 May 1999 by Council for a reduced setback of 5.4 metres for the transportable office.



Location of Property

In 2003, the owner of the property, Sealink Transport, applied for a 'preliminary approval' for an office and showroom. This application included a reduced setback and parking within the road reserve, similar to the current application, which forms attachment 1. At a Council Meeting held 21 October 2003, Council resolved to:

1. *Write to the proponent and indicate it is willing to approve the Use and Development of a Showroom at Lot 2339 Cocus Way, Kununurra exercising discretion to allow for a reduced front setback and car parking to be located on the front road verge, subject to the proponent making a cash-in-lieu payment to Council in accordance with Policy DC4 – Car Parking for Commercial Development.*
2. *Provide the Chief Executive Officer with delegation to approve the Planning Approval referred to in resolution 1 above following submission of a satisfactory application.*
3. *To cater for future traffic flow. The proponent be instructed to install a drive through car park as presented, with 45 degree parking bays and cars nosing against the fence.*

### *Proposal*

The applicant proposes to develop an Office and Trade Display at Lot 1 Cocus Way, Kununurra, treated as additions to the existing General Industry. The proposed office will feature a reception area, staff amenities, two offices and display space, which is proposed to measure 15 x 8.2 metres. This structure is proposed to be setback 1 metre from the front boundary.

Ord Machining would like to expand the operations of their business to include the sale of agricultural machinery, which requires an area for trade display. The applicant proposes an area measuring 9 x 21.5 metres for a trade display to be located at the front of the property. This structure is proposed to be setback 1 metre from the front boundary.

Under Table 2 – Development Standards of *TPS7* the development requires 14 parking bays. The applicant has indicated that to ensure safety for clients, it is proposed to construct additional bays for customer parking within the road reserve. Construction of these parking spaces would be fully funded by the applicant.

### **STATUTORY IMPLICATIONS**

Town Planning Scheme No. 7 – Kununurra and Environs

The land at Lot 1 Cocus Way is zoned Light Industry under *TPS7*. The primary objective of this zone is:

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

Development within the Light Industry zone requires a 9 metre setback under Table 2 in *TPS7*, which outlines particular development standards required for planning approval. Under section 5.16.4 of *TPS7*:

*The Council may approve the construction of a carport or pergola or like structure between the building line and the front boundary providing:*

- a) *that any such structure remains open sided and not in-filled with any material which would ordinarily prevent the free passage of light and air, but may include lattice, battens or mesh as approved by the Council;*
- b) *that any activity beneath such structure does not include any industrial use and is only used for car parking, landscaping, display purposes or any other uses the Council may deem fit.*

Section 5.16.6 of *TPS7* specifies that the first 5 metres of a Light Industry development should be landscaped to the satisfaction of the Shire.

The proposed office and trade display is a use that is permissible; however the applicant proposes to develop within the front setback area and parking within the road reserve and therefore the proposal requires Council's discretion.

Under section 5.5.3 of *TPS7*, Council is given authority to approve variations to site and development standards and requirements, if it is satisfied with the following conditions:

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

Under *TPS7* a trade display:

*means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.*

### **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 item.

### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

### **COMMENT**

The proposal meets the primary objective for development in the Light Industry Zone and is considered an extension to the existing Ord Machining business that currently operates on the property.

The 1999 approval already compromised the setback, being only 5.4 metres from the front boundary. This has not left enough room for parking and further development at the front of the property for administrative and trade purposes. There are no safety implications of reducing the setback and *TPS7* envisages instances where the setback may be built in and developed for display purposes.

The existing shed is setback 9 metres and therefore it is difficult to locate an office and trade display without reducing the front setback. The office, showroom and trade display should be located at the front of the property for amenity and safety reasons, hence to minimise the need for customers to conflict with the industrial activities on the property.

Although the proposed structures are within the front setback, the proposal is considered orderly and proper planning. This type of development is expected within the Light Industry Zone and the applicant seeks concession for the proposed setback. The impact of the proposed trade display structure will be minimal as it is unenclosed, sits centrally within the property and permits airflow and light, which complies with clause 5.16.4 of *TPS7*. Further, the trade display will not be utilised for industrial use and will simply be an area for the display of agricultural machinery. The office building will measure 15 x 8 metres and therefore will not adversely impact the scale and appearance of the development. It is also important to note that the proposed office will be replacing the existing transportable structure, which is currently located within the front setback area.

Light Industry developments require the front 5 metres of the setback to be landscaped to the satisfaction of the Shire. Due to the proposed reduced setback of the development this requirement cannot be fulfilled, however, the applicant is willing to landscape to the Shires specifications. An amended site plan will be submitted that illustrates landscaping within the 1 metre setback and with endorsement from the Infrastructure Directorate between the front boundary and proposed parking.

The number of car parking spaces for the development has been calculated to be 14 bays and the applicant has requested consideration for 8 bays to be constructed within the road reserve for customers. Council's Infrastructure Directorate has indicated no objection to the proposal. Cocus Way has not been identified for a road widening in the future and therefore it is not envisaged that the proposal will impact future use of this area. At this stage, the desired outcome for a parking arrangement within the road reserve has not been finalised and therefore further drawings are being negotiated with the Infrastructure Directorate and the applicant.

The Infrastructure team are also mindful of needing to protect the Shire from any claim or compensation associated with the parking within the Shires road reserve. It is therefore necessary to include conditions that indemnify the Shire from any matters that may arise. Any required maintenance and repair should also be the responsibility of the applicant. These matters can be covered by issuing a Local Law approval under the Shire of Wyndham East Kimberley Thoroughfares and Public Places Local Law.

It is concluded that the applicants request for a concession in relation to a reduced setback observes the requirements of *TPS7*. Further, the proposal for parking within the road reserve is supported by the Shires Infrastructure Directorate.

## **ATTACHMENTS**

Attachment 1 – Proposed plans and correspondence

Attachment 2 – Preliminary approval and plans

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council, grants planning consent for the development of Lot 1 Cocus Way, Kununurra for additions to General Industry, Trade Display and Parking within the Road Reserve subject to the following conditions:

- 1) Revised plans must be submitted for approval that addresses parking and landscaping requirements for endorsement by Director Community Development and Director Infrastructure, prior to any works commencing.
- 2) Any change of use will require consent from the Shire.
- 3) A total of 14 parking spaces are required for the development.
- 4) The approved Trade Display area is to remain unenclosed and shall be used for the sole purpose of displaying products.
- 5) Areas set aside for vehicle access and parking on site and within adjacent road reserve, including driveways and vehicle crossings as shown on the endorsed plan(s), must be, to the satisfaction of Council:
  - a. Constructed and surfaced with an all-weather seal coat to meet the applicable Australian Standards; and
  - b. Drained to a legal point of discharge.
- 6) For works within the adjacent road verge, the proponent must:
  - a. Take out and maintain with an insurer, approved by the Shire, public liability insurance to the sum of not less than \$10 million.
  - b. Prepare and register a notification under section 70A Notification of the Transfer of Land Act, in a form acceptable to the Shire, giving notice of the landowner(s) responsibility for maintenance of the verges to a standard acceptable to the Shire, prior to occupation of the developments.
  - c. Carry out all maintenance of the car parks to the satisfaction of the Shire.
- 7) All stormwater must be contained and disposed of on-site at all time, to the satisfaction of the Shire.
- 8) Crossovers to the development must be constructed in accordance with the Shire's commercial/industrial crossover specifications.
- 9) Landscaping areas to be in accordance with the approved site plan and must be completed prior to occupation of the development. All landscaping must be maintained at all times to the satisfaction of the Shire.

## Motion

Cr K Wright moves the officer's recommendation with amendment to points 1 and 7.

That Council, grants planning consent for the development of Lot 1 Cocus Way, Kununurra for additions to General Industry, Trade Display and Parking within the Road Reserve subject to the following conditions:

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  - a. Take out and maintain with an insurer, approved by the Shire, public liability insurance to the sum of not less than \$10 million.
  - b. Prepare and register a notification under section 70A Notification of the Transfer of Land Act, in a form acceptable to the Shire, giving notice of the landowner(s) responsibility for maintenance of the verges to a standard acceptable to the Shire, prior to occupation of the developments.
  - c. Carry out all maintenance of the car parks to the satisfaction of the Shire.
- 7) All stormwater generated on site of lot 1, Cocus Way must be contained and disposed of on-site at all time, to the satisfaction of the Shire.
- 8) Crossovers to the development must be constructed in accordance with the Shire's commercial/industrial crossover specifications.
- 9) Landscaping areas to be in accordance with the approved site plan and must be completed prior to occupation of the development. All landscaping must be maintained at all times to the satisfaction of the Shire.

## **COUNCIL DECISION**

**Minute No. 10253**

**Moved: Cr K Wright**

**Seconded: Cr G King**

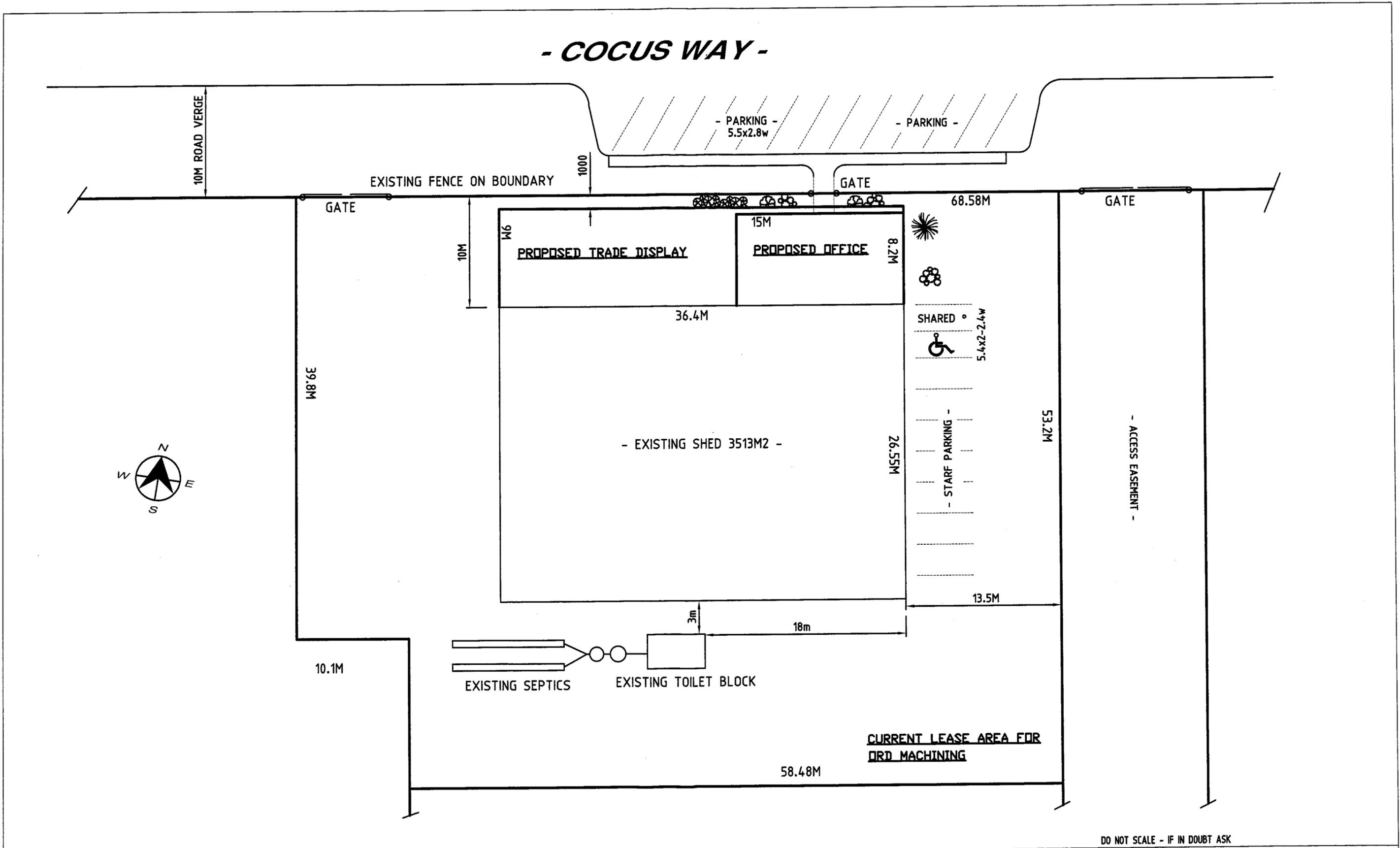
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  - a. Constructed and surfaced with an all-weather seal coat to meet the applicable Australian Standards; and**
  - b. Drained to a legal point of discharge.**
- 6) For works within the adjacent road verge, the proponent must:**
  - a. Take out and maintain with an insurer, approved by the Shire, public liability insurance to the sum of not less than \$10 million.**
  - b. Prepare and register a notification under section 70A Notification of the Transfer of Land Act, in a form acceptable to the Shire, giving notice of the landowner(s) responsibility for maintenance of the verges to a standard acceptable to the Shire, prior to occupation of the developments.**
  - c. Carry out all maintenance of the car parks to the satisfaction of the Shire.**
- 7) All stormwater generated on site of lot 1, Cocus Way must be contained and disposed of on-site at all time, to the satisfaction of the Shire.**

- 8) Crossovers to the development must be constructed in accordance with the Shire's commercial/industrial crossover specifications.**
- 9) Landscaping areas to be in accordance with the approved site plan and must be completed prior to occupation of the development. All landscaping must be maintained at all times to the satisfaction of the Shire.**

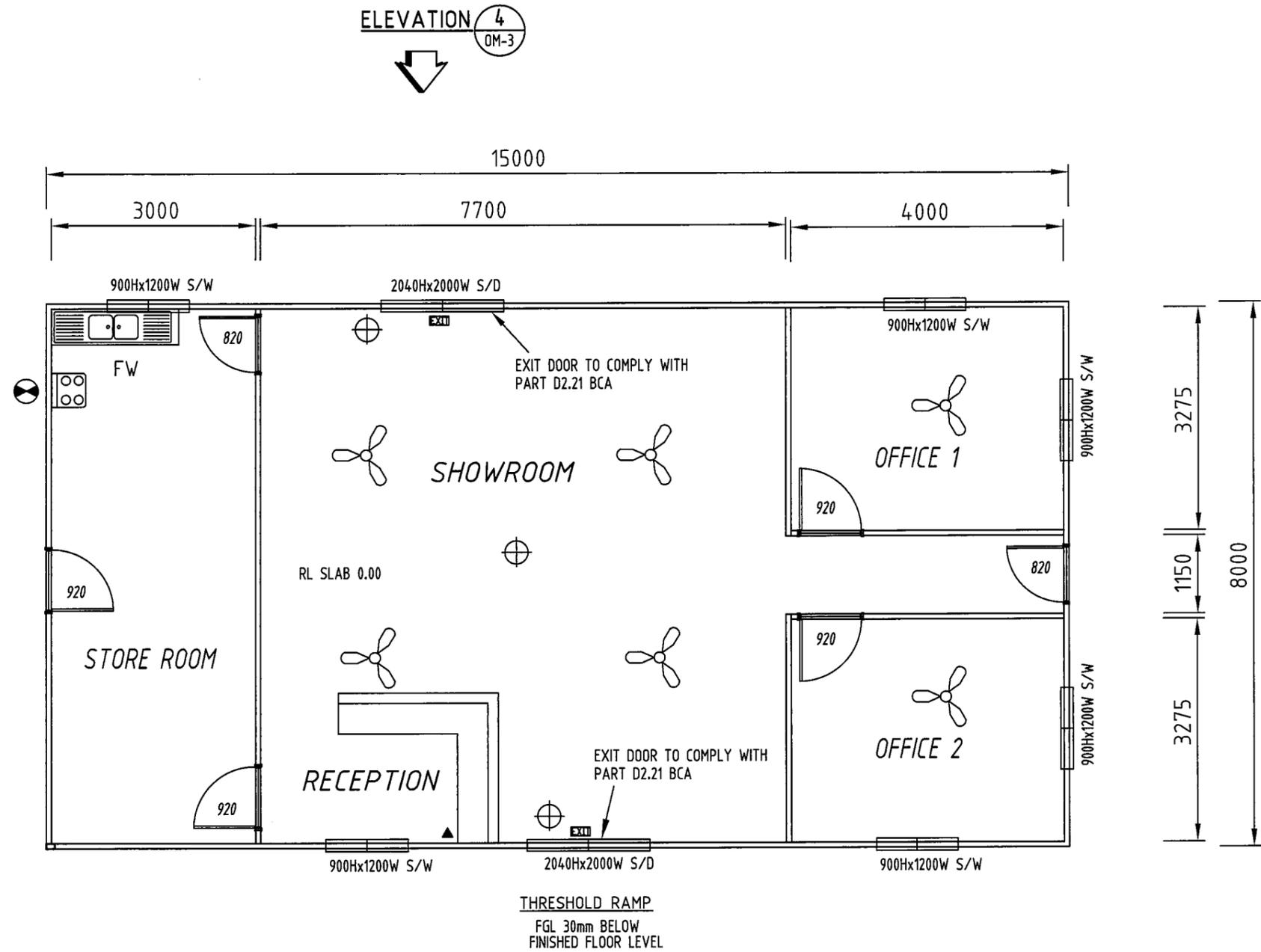
**Carried Unanimously 7/0**

**- COCUS WAY -**



DO NOT SCALE - IF IN DOUBT ASK

				D. R. READ P.O. BOX 348 KUNUNURRA, WA. 6743 TELEPHONE 08-91691638 FAX 08-91691630 MOBILE 0408-868728				SCALE 1:300		NORTHERN DESIGN CONSULTANTS	
				DRAWN BY DR CHECKED DR PROJECT ENG APPROVED	DATE 25-09-13 25-09-13	CONTRACT NO. EQUIPMENT NO.	TITLE PROPOSED ADDITIONS TO LOT 1 COCUS WAY KUNUNURRA FOR ORD MACHINING SITE LAYOUT	PROJECT X SECTION X DRG. NO. OM-109-0042	REV. A		
XXX Minutes Ordinary Council Meeting REFERENCE DRAWING TITLE	XXX-X-XXX DRG. NO.	A REV	25-09-13 DATE	ISSUED FOR APPROVAL REVISIONS	DR DR XXXXXX MADE CKD APP AS	November 2013	SHT 1 OF 1	109-0042	A		



ELEVATION 2  
OM-2

ELEVATION 4  
OM-3

ELEVATION 3  
OM-3

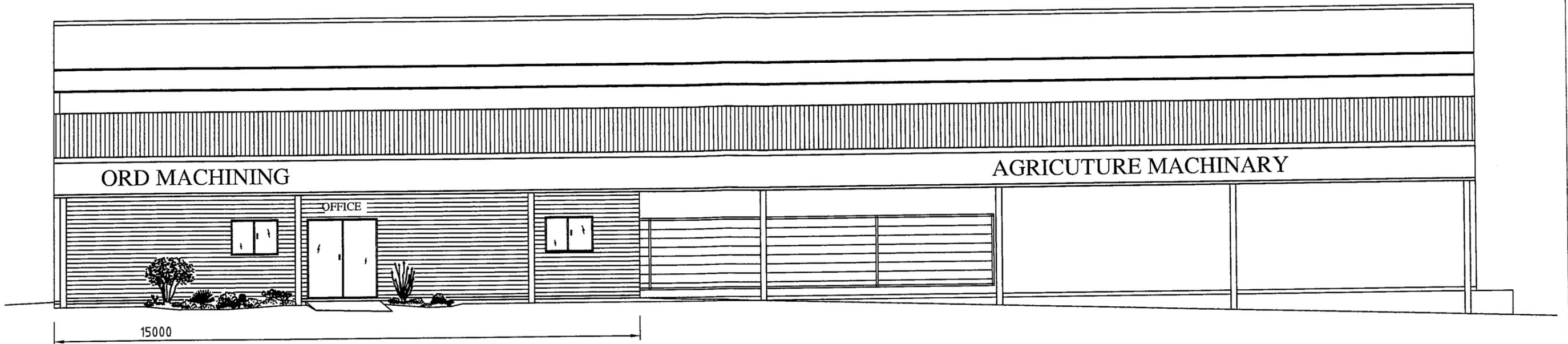
ELEVATION 1  
OM-2

\* SEE DWG 005 FOR DISABLED PARKING & ACCESS DETAILS

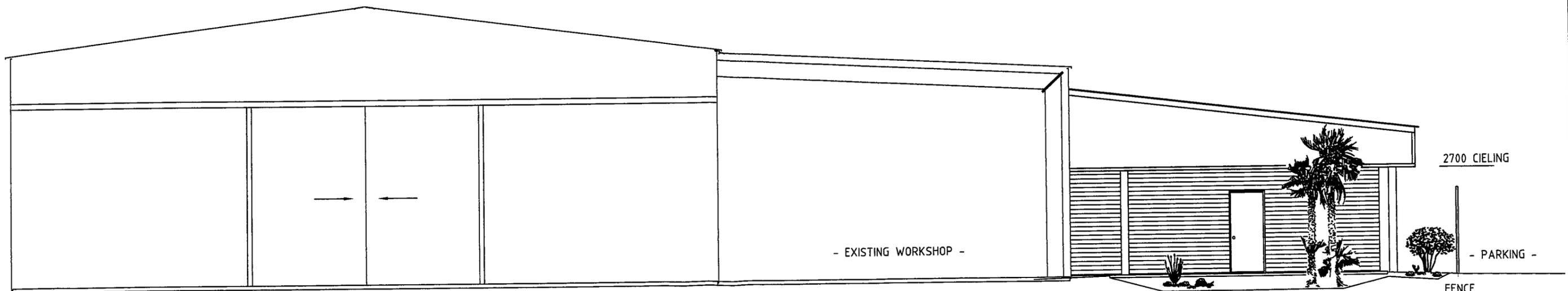
- ⊕ EMERGENCY LIGHTING
- ⊗ MECHANICAL VENTILATION TO EXTERNAL AIR
- FW FLOOR WAIST
- ▲ PORTABLE FIRE EXTINGUISHER
- EXIT ILLUMINATED EXIT SIGN

DO NOT SCALE - IF IN DOUBT ASK

				D.R. READ P.O. BOX 348 KUNUNURRA, WA. 6743		SCALE 1:75		<b>NORTHERN DESIGN CONSULTANTS</b>					
				TELEPHONE 08-91691632		DRAWN BY DR		DATE 25-09-13		CONTRACT NO.		PROJECT X	
				FAX 08-91691630		CHECKED DR		DATE 25-09-13		EQUIPMENT NO.		SECTION X	
				MOBILE 0408-353728		PROJECT ENG						DRG. NO. 199 of 242	
XXX Minutes Ordinary Council Meeting				ISSUED FOR APPROVAL		APPROVED				TITLE PROPOSED ADDITIONS TO LOT 1 COCUS WAY KUNUNURRA FOR ORD MACHINING FLOOR PLAN		REV. A	
XXX	DRG. NO.	REV	DATE	REVISIONS	MADE	CKD	APP	A3	SHT 1 OF 1		OM-LW-004		



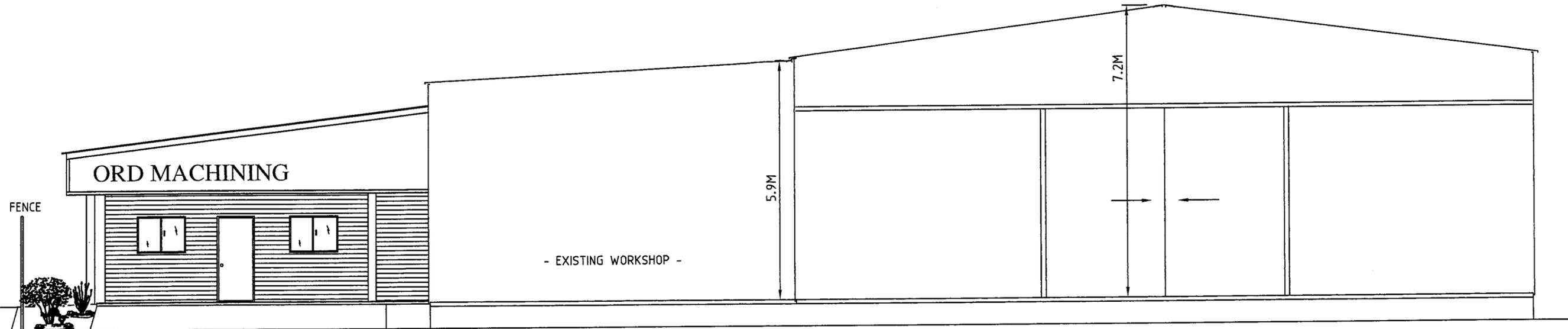
ELEVATION 1  
FRONT ELEVATION OM-4 LOOKING SOUTH



ELEVATION 2  
SIDE ELEVATION OM-4 LOOKING WEST

DO NOT SCALE - IF IN DOUBT ASK

				D.R. READ P.O. BOX 348 KUNUNURRA, WA. 6743 TELEPHONE 08-91691632 FAX 08-91691630 MOBILE 0408-353728				SCALE 1:100		<b>NORTHERN DESIGN CONSULTANTS</b>	
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				DR XXXXXX	CHECKED	25-09-13	EQUIPMENT NO.	PROPOSED ADDITIONS TO LOT 1 COCUS WAY KUNUNURRA FOR ORD MACHINING ELEVATIONS		DRG. NO. 00001002	
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	REFERENCE DRAWING TITLE	DRG. NO.	REV	DATE	REVISIONS	MADE	CKD	APP	A3		



ELEVATION 3 LOOKING EAST  
 SIDE ELEVATION DM-4

DO NOT SCALE - IF IN DOUBT ASK

				<b>D. R. READ</b> P.O. BOX 348 KUNUNURRA, WA. 6743		SCALE <b>1:100</b>		<b>NORTHERN DESIGN CONSULTANTS</b>				
				TELEPHONE <b>08-91691632</b> FAX <b>08-91691630</b> MOBILE <b>0408-353728</b>		DRAWN BY DR CHECKED DR PROJECT ENG APPROVED	DATE 25-09-13 25-09-13	CONTRACT NO. EQUIPMENT NO.	TITLE PROPOSED ADDITIONS TO LOT 1 COCUS WAY KUNUNURRA FOR ORD MACHINING ELEVATIONS		PROJECT X SECTION X DRG. NO. 201 of 242 OM-CW-003	REV. A
XXX	Minutes Ordinary Council Meeting	XXX-X-XXX	A	25-09-13	ISSUED FOR APPROVAL	DR	DR XXX/XXX			SHT 2 OF 2		
	REFERENCE DRAWING TITLE	DRG. NO.	REV	DATE	REVISIONS	MADE	CKD	APP	A3			

PO Box 1742  
Kununurra 6743

# Ord MACHINING

Phone: (08) 9168 3228  
Fax: (08) 9169 3022

17<sup>th</sup> October 2013

Elle Davidson  
Planning Officer  
Shire of Wyndham East Kimberley  
PO Box 614  
Kununurra WA 6743

Dear Elle

In response to your letter requesting a formal planning application, and in which you have advised what issues need to be addressed, I make the following comments.

- Issues relating to section 5.5.3 of the Town Planning Scheme No.7 – Kununurra and Environs (TPS7), specifically related to the reduce setback.

Ord Machining currently operates from its premises in Cocus Way, which is within the light industrial area. Our business comprises of a machining, repairs and engineering workshop and a bearing / agricultural supplies business. All of these uses are permissible within the light industrial zone.

Currently Ord Machining has an office and sales building which situated within a small transportable building that is inadequate for our needs. The building is aged and untidy from the exterior. The request for the reduced setback is to enable Ord Machining to erect a larger office, sales building and shelter for trade display that is adequate for our needs and which is far more pleasing in presence from the exterior. It is hoped that improving the office buildings appearance will improve the street scape in Cocus Way.

Under section 5.16.4 of TPS7 a reduce setback is permissible for display purposes however we would like for the office, showroom and display area to be incorporated under one roof line for a neater appearance and also to have them located together for smoother running of our operations. Therefore we are requesting approval for a reduce setback for the office and showroom area.

Section 5.16.4 of TPS7, requests that any buildings within a reduced setback must not have an adverse effect on surrounding properties in relation to airflow and passage of light. Our request for a reduced setback is in an area central to our properties front boundary and would therefore not be close enough to surrounding properties to affect them in any negative ways.

We would like to incorporate landscaping into our design which will improve the appearance of the property and streetscape.

- Issues relating to section 3.1.6 of TPS7 – specifically relating to Trade Display.

A Trade Display is not listed in the Zoning Table. Ord Machining's core business falls under class Industry, light and our office and showroom are sub uses to that business. We sell products from our showroom which complement our machining and repairable business. We wish to use the Trade Display area to display products that are too large to display within the showroom.

The trade display and to some degree the office area are planned to be constructed on a slopping area on our property. After speaking with the drafts person we have planned to have a roof line parallel to the current roof line of the workshop. It is though that the trade display will have a flat floor that gradually steps up with the fall of the land and is ramped for access. This will be further discussed with builders and engineers and will be outlined further when final planning and building plans are submitted.

- Proposal to construct a car park within the road reserve.

We currently have a lot of activity within our yard adjacent to our workshop and office area. We have forklifts and cranes in operation and trucks being loaded and unloaded. At the same time we have customer, staff and work vehicles all entering the area and parking within the area. We wish to request permission to construct a car park within the road reserve to reduce the need for customer's vehicles to enter our yard. We feel this will make for a safer environment for our staff and customers. We are also planning to direct foot traffic from the car park through a pathway into the office / showroom area rather than the workshop yard. Safety is our main motivator in this request.

We do think that the car park will however improve the general appearance of the street scape and reduce the number of vehicles driving on the road reserve and over the kerbing which is something that happens regularly in Cocus Way.

Thank you for the opportunity to clarify these points. Please contact me immediately if further information or clarification is required.

Regards

Amanda McLean

## Elle Davidson

---

**From:** Ord Machining <ordmachining1@westnet.com.au>  
**Sent:** Wednesday, 6 November 2013 2:10 PM  
**To:** Elle Davidson  
**Subject:** Response to Briefing Questions

Good Afternoon Elle

Thank you for your feedback regarding our planning application. We would be very happy to address in our final planning application any requests Council may have surrounding landscaping and car parking.

Firstly, we had planned to landscape the area and would be happy to comply with any requests. Secondly, the car park is something that we require for functionality and safety and therefore we are happy and open to feedback from engineers and council regarding its design.

Regards

Amanda McLean  
Ord Machining  
0417981041

Attention: Brian Cole

Sealink Transport P/L  
5 Tulloch Court  
JANDABUP WA 6065

Dear Brian,

RE: LOT 2339 COCUS WAY, KUNUNURRA

I refer to your fax dated 12 September 2003 regarding development of the abovementioned land. Please be advised that Council at its Ordinary Meeting on 21 October 2003 resolved the following:

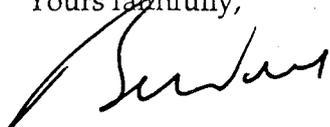
*"That Council:*

- 1. Write to the proponent and indicate it is willing to approve the Use and Development of a Showroom at Lot 2339 Cocus Way, Kununurra exercising discretion to allow for a reduced front setback and car parking to be located on the front road verge, subject to the proponent making a cash-in-lieu payment to Council in accordance with Policy DC4 – Car Parking Provision for Commercial Development.*
- 2. Provide the Chief Executive Officer with delegation to approve the Planning Approval referred to in resolution 1 above following submission of a satisfactory application.*
- 3. To cater for future traffic flow. The proponent be instructed to install a drive through car park as presented, with 45 degree parking bays and cars nosing against the fence."*

Please find attached a copy of Council's Policy DC4 "Car Parking provisions for Commercial Development" highlighting the basis for valuation of land for cash in lieu payment. Council may consider the proponent constructing the car park at their cost providing it complies with Council's Engineering standards.

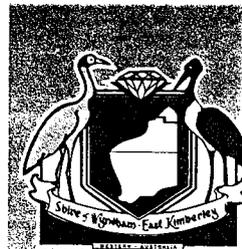
Should you have any further queries please contact Council's Planning Officer Emma Hitchens on 9618 4100.

Yours faithfully,



**BRIAN WALL**  
**EXECUTIVE MANAGER**  
**ENGINEERING AND DEVELOPMENT SERVICES**

23 October 2003



Shire of  
Wyndham  
East  
Kimberley

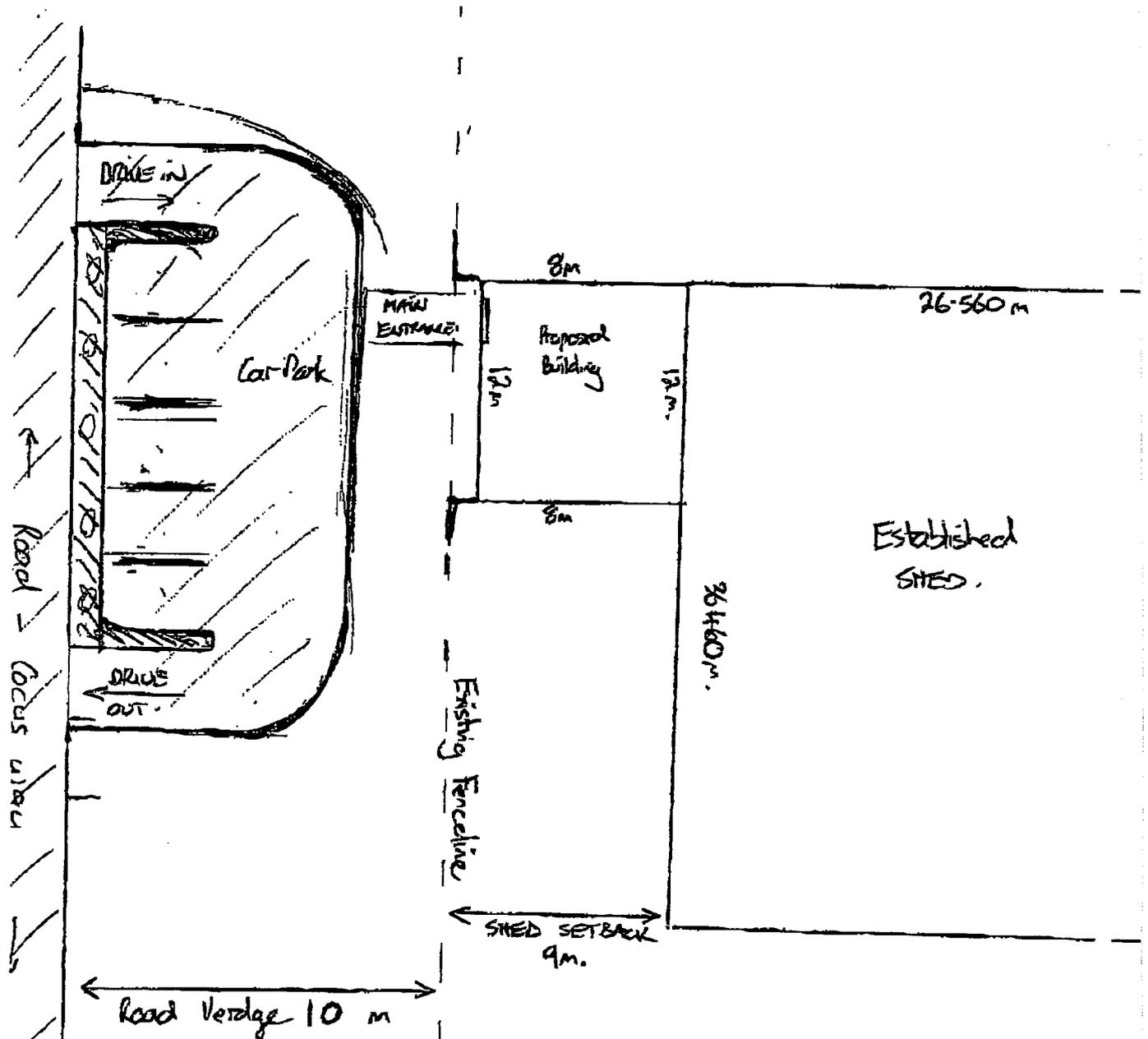
All communications  
to be addressed to the  
Chief Executive Officer  
PO Box 614  
Kununurra WA 6743  
Ph (08) 9168 1677  
Fax (08) 9168 1798  
Email:  
mail@thelastfrontier.com.au

**Kununurra Office:**  
115 Coolibah Drive  
Kununurra

**Wyndham Office:**  
Koolama Street  
Wyndham

The Last Frontier

# USE AND DEVELOPMENT PLAN



- \* Proposed building is shown with 1metre set back from fence line however would ideally be built on the fence line
- \* Car Park area to be kerbed and sealed with landscaping to beautify area.

**LOT 2339 COCUS WAY KUNUNURRA**

### 13.4.5 Proposed Council Policy – Trading in public places

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Shire of Wyndham East Kimberley
<b>AUTHOR:</b>	Elle Davidson, Planning Officer
<b>REPORTING OFFICER:</b>	Nick Kearns, Director Community Development
<b>FILE NO:</b>	43.02.1

#### **PURPOSE**

For Council to consider a new Council policy relating to trading in public places.

#### **BACKGROUND**

Shire Officers have received a number of applications and enquiries relating to permission to trade in public places. At the OCM held 18 June 2013, Council considered an application made by Kelvin Early to operate a mobile food van at Swim Beach and Celebrity Tree Park.

On 21 August 1997, the Council adopted Development Control 14 – Traders Permits, which has the objective to allow for the operating of Itinerant Food Vendors to cater for Community convenience without adverse disruption to public amenity and existing economic trade. This Policy limited trade strictly to approved events, however allowed Ice-Cream vans to operate in Town Centre and Residential zones.

On 18 May 2010, the Council resolved to adopt the Draft Development Control Policy 6 – Mobile and Itinerant Vendors for the purpose of advertising. The objectives of this Draft Policy were:

- *To avoid the creation of adverse traffic, pedestrian and general public safety conditions, particularly on routes where the dominant function is the safe movement of vehicular traffic.*
- *To regulate the level and intensity of vendor activities on road reserves and other public places necessary to ensure that the site is retained primarily for its purpose (ie. community/traffic use and not commercial).*
- *To accommodate appropriate vendor activities in order to provide services that enhance the visitor/resident experience.*
- *To ensure that the parking of vehicles (or erection of other equipment) will not adversely affect the public amenity and the streetscape characteristic of the area and the street.*

Advertising was not completed in accordance with Town Planning Scheme No. 7 – Kununurra and Environs and nor was the policy adopted by the Council.

Proposed draft Council Policy

The new draft Council Policy – Trading in public places has been developed to manage the activities of traders on land governed by the Shire. This draft Policy will ensure that appropriate types of traders are permitted in suitable locations and the management of permits is fair and equitable.

Guidelines for assessing and approving trader's permits are required to ensure that trading takes place in a manner that does not affect the amenity and primary purpose of public places. The draft policy aims to encourage a high standard of service delivery to our local community and visitors whilst supporting local economic development and commercial viability.

A copy of the proposed Draft Policy is included in Attachment 1.

### **STATUTORY IMPLICATIONS**

The Council are authorised to develop policy under section 2.7(2)(b) of the *Local Government Act 1995*. Further, under section 6.5 of the *Thoroughfares and Public Places Local Law 2005*:

*Policy means the policy of the Shire adopted by the Council containing conditions subject to which an application may be approved.*

### **POLICY IMPLICATIONS**

By adopting this draft Council Policy Shire Officers will be guided in making decisions relating to applications to trade on public places managed by the Shire. Assessment processes will be made transparent for applicants and permissible trading operations will be defined.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this item.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications associated with this item.

### **COMMUNITY CONSULTATION**

The *Thoroughfares and Public Places Local Law 2005* states that the policy does not require advertising for public comment.

### **COMMENT**

The draft Policy has been developed in accordance with section 2.7(2)(b) of the *Local Government Act 1995* and section 6.5 of the *Thoroughfares and Public Places Local Law 2005*.

The draft policy will provide a usable process for applying for a traders permit within the Shire of Wyndham East Kimberley and establish clear guidelines for the Shire's expectations for trading in public places. It aims to encourage a high standard of service delivery whilst supporting local economic development.

Requirements for the lodgement of applications have been determined and limitations for approvals are clearly outlined for those interested in trading in public places. It is imperative that the Shire establish conditions for trading to ensure the assessment and approval of applications is fair and equitable.

Conditions relating to trading in public places include the protection of public safety, provision of parking, preservation of public amenity, specific locations for trading, limitation in trading times, control of products offered and ability to provide own services.

This Draft Policy has been developed to guide the assessment of traders permit applications and to ensure that the use of public places is managed appropriately. Impacts of trading relating to traffic hazards, commercial competition and management of amenity have been considered in the development of the Draft Policy.

### **ATTACHMENTS**

Attachment 1 – Draft Development Control Policy

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council adopts the draft policy, trading in public places, for the purpose of advertising for a period of 21 days.

Motion  
Cr K Wright

That Council adopts the draft policy, trading in public places, with the following amendments, for the purpose of advertising for a period of 21 days.

Trading times amended to 6am – 6pm  
No trading within 200m of schools between the hours of 8am and 3pm.

### **COUNCIL DECISION**

**Minute No. 10254**

**Moved: Cr K Wright  
Seconded: Cr B Robinson**

**That Council adopts the draft policy, trading in public places, with the following amendments, for the purpose of advertising for a period of 21 days.**

**Trading times amended to 6am – 6pm  
No trading within 200m of schools between the hours of 8am and 3pm.**

**5/2**

**For: Cr K Wright, Cr B Robinson, Cr J Moulden, Cr G King, Cr G Taylor  
Against: Cr D Spackman, Cr S Cooke.**



## **Council Policy Number Trading in public places**

### **OBJECTIVE:**

#### *Statement of intent*

The objective of this policy is to manage the activities of traders on land managed by the Shire. This is to ensure that appropriate types of traders are permitted in suitable locations and the management of permits is fair and equitable.

### **POLICY:**

#### *Scope & Limitations*

Under the *Thoroughfares and Public Places Local Law 2005* traders are able to apply for a permit to trade within the Shire. This policy has been developed to ensure that applications for trading permits are assessed against set guidelines and standard conditions are placed upon all approvals. Traders permits are only issued when the proposed location is on land that is managed by the Shire.

People wishing to trade on private property will need separate planning approval from the Shire.

#### *Background*

Guidelines for assessing and approving traders permits are required to ensure that trading takes place in a manner that does not affect the amenity and primary purpose of public places.

This policy aims to encourage a high standard of service delivery to our local community and visitors whilst supporting local economic development and commercial viability.

#### *Guiding Statement*

### **1. APPLICATION REQUIREMENTS**

Applications must be in writing and be accompanied by:

- Details of goods/merchandise and or services to be offered.
- Details of vehicle or stall intended to be used for trading including a photograph of the vehicle (such vehicle may be subject to assessment in order to determine its suitability for the purpose proposed).
- Specific details of area(s) or route (including site plans).
- Times, days and dates sought.
- Evidence of public liability insurance.

## 2. STANDARD LIMITATIONS AND CONDITIONS

### *Location*

- Traders are only permitted to operate in locations approved by the Shire.
- No trading is permitted within 200m of schools, between the hours of 8am and 4pm including adjoining streets (except during school holidays).
- The permit holder is limited to supply products and services approved by the Shire.
- Approvals will generally not be given on sites within 300 metres of permanent businesses that sell or offer the same or similar product or service.

### *Timeframes*

- Trading is to take place between 7am – 7pm.
- Traders operating from a mobile van shall not stop at any one location longer than 15 minutes and are to move on when all customers at a particular location have been satisfied.

### *Operations*

- Where food is proposed to be sold, the vehicle, stall or place of trading must notify/register with the Shire in accordance with the Food Act 2008.
- The permit holder must ensure that the area is kept clean and tidy at all times. It is the licensee's responsibility to remove all litter associated with their operations.
- Food vehicles are not permitted to set up or provide external tables or chairs for customers.
- The permit holder must maintain a minimum of \$10 million Public Liability insurance.
- Traders must provide their own power and water.
- All advertising must be affixed to the vehicle or stall.
- Trading must not impede traffic flow or cause a traffic hazard or pose a danger to the safety of the general public.

## 3. TRADING ON PUBLIC LAND

Council does not generally allow trading on reserves in excess of 15 minutes except for during approved events. An application to trade on public land managed by Council may be considered should all the standard limitations and conditions be satisfied and subject to the following:

- The land must be readily and safely accessible to customers.
- Adequate parking is available.
- The activity will not interfere with the overall public enjoyment of the area, the facilitation of approved businesses or authorised events, including to occupy public parking.
- The Shire will approve a specific location for trading.

- Approval periods for stall holders generally restricted to a maximum of 3 days per week with no more than 3 consecutive days of operation at one time.
- Traders are not permitted to operate for more than 4 hours in any one location each day.
- Trading will be strictly limited to the sale of food and drink.
- The following assessment criteria will guide selection:
  - Offering a range of food products.
  - Ability to provide own power and water supply.
  - Appropriate waste management plan.

To ensure that the process for approving a permit to trade on public land is equitable, permits will only be issued for a term of one year and may be subject to an Expressions of Interest process.

### Outcomes

The guidelines for trading in public places managed by the Shire have been developed to ensure that the use of Shire land is appropriate and regulated.

### GOVERNANCE REFERENCES

<b>Statutory Compliance</b>	<i>Thoroughfares and Public Places Local Law 2005 Food Act 2008</i>
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### POLICY ADMINISTRATION

<b>Directorate</b>		<b>Officer Title</b>		<b>Contact:</b>	
<i>Community Development</i>		<i>Planning Officer</i>		Ext: 177	
<b>Date Effective</b>	DD/MM/YYYY	<b>CEO Approved</b>			
<b>Date Adopted</b>	DD/MM/YYYY	<b>Last Reviewed</b>	DD/MM/YYYY		
<b>Risk Rating</b>	Medium	<b>Review Cycle</b>	Annual	<b>Next Due</b>	MM/YYYY

## **13.5 CHIEF EXECUTIVE OFFICER**

### **13.5.1 Use of the Common Seal**

No Reports

### 13.5.2 Delegated Authority

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Debbie McCallum, Governance Officer
<b>REPORTING OFFICER:</b>	Gary Gaffney, Chief Executive Officer
<b>FILE NO:</b>	PL.02.1

#### **PURPOSE**

To report to Council on the use of Delegated Authority by Officers for the period 1 October to 31 October 2013.

#### **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**

There are no strategic implications associated with this matter

#### **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 October to 31 October 2013.

### **COUNCIL DECISION**

**Minute No. 10255**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council receives the Delegated Authority Report for the period 1 October to 31 October 2013.**

**Carried Unanimously 7/0**

**Attachment: Delegated Authority Report**

**AMENDMENTS TO EXISTING BUILDING PERMIT (Form BA04) ISSUED AS THE CERTIFIER FOR THE PERMIT ISSUING AUTHORITY –  
01 to 31 October 2013**

DOC NO	DATE ISSUED	ASSESS NO.	BUILDING PERMIT	AMEND NO	OWNER	BUILDER	BRB / OB NO	LOCATION	DESCRIPTION	AMENDMENT DETAILS
BA5826	28/10/2013	A2054P	109/2013	1	Kimberleyway Pty Ltd	Suregold Pty Ltd	Owner/ Builder (Lessee) - Rural outbuilding Building Services exemption	Lot 11 Weaber Plain Road Kununurra	Class 10A Non- habitable Rural Machinery Shed	Amended footing details

**CERTIFICATE OF DESIGN COMPLIANCE (Form BA03) ISSUED AS THE CERTIFIER FOR THE PERMIT ISSUING AUTHORITY –  
01 to 31 October 2013**

APPLIC NO	DATE APPLIC RECD	DATE ISSUED	ASSESS NO.	CERT No	LOCATION	DESCRIPTION
101166	25/09/2013	2/10/2013	A468P	BA5739	Lot 910 (13) Koolinda Street Wyndham	Class 1A Caretakers Cottage with attached Class 10A verandah (existing ablution attached to class 6)
101198	22/09/2013	2/10/2013	A2861P	BA5744	Lot 1 (8) (Part Lot 2339 No 2) COCUS WAY KUNUNURRA	Class 10B Retaining Walls, Drainage, Concrete Block Drain
101191	20/09/2013	4/10/2013	A7688P	BA5749	Lot 572 (5) Coolibah Drive Kununurra	Class 10A Shade Sail & concrete pad
101205	8/10/2013	16/10/2013	A1656P	BA5772	Lot 2 (Former Lot 939) (2) Konkerberry Drive Kununurra	Class 1A - Caretakers Dwelling Extension kitchen, ensuite - & Class 10A Outdoor living,
101215	14/10/2013	17/10/2013	A1595P	BA5776	Lot 2205 (7) Wilga Place Kununurra	Class 10B Above Ground Pool & fencing

101197	16/10/2013	17/10/2013	A2054P	BA5778	Lot 11 Weaber Plain Road Kununurra	Class 10A Non-habitable Rural Machinery Shed
73242	24/09/2013	21/10/2013	A1091P	BA5786	Kimberleyland Caravan Park – Site 93 “Brolga Avenue” Lot 1519 Victoria Highway Kununurra	Class 10A Shade Cover
101213	17/10/2013	21/10/2013	A7319P	BA5794	Lot 206 Chamberlain Drive Kununurra	Class 10B Pool & Shade Sail
73241	19/09/2013	22/10/2013	A7736P	BA5797	Lot 291 (40) Zamia Link, Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living
73247	16/10/2013	22/10/2013	A7492P	BA5801	LOT 31 (6) Collina Way Kununurra	Class 1A residential dwelling with attached Class 10A carport & outdoor living
73248	23/10/2013	24/10/2013	A5082P	BA5813	Lot 107 Kestrel Place Kununurra	Class 10A attached Non-habitable Shed & Carport Extension to existing dwelling - without ablution or internal partitioning
63151	21/08/2008	31/10/2013	A7287P	BA5850	Lot 30 (102) Egret Close Kununurra	Class 1A Single dwelling with free standing Class 10A garage & ancillary accommodation

**BUILDING PERMITS (Form BA04) ISSUED AS THE PERMIT ISSUING AUTHORITY – 01 to 31 October 2013**

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
101/2013	25/09/2013	2/10/2013	Kitmyth Pty Ltd	Patrick Walton	Lot 910 (13) Koolinda Street Wyndham	Class 1A Caretakers Cottage with attached Class 10A verandah (existing ablution attached to class 6)	New	\$ 20,000.00	19 days Pending planning +3/25 assess days

102/ 2013	22/09/2013	3/10/2013	Sealink Transport Pty Ltd	Sealink Transport Pty Ltd	Lot 1 (8) (Part Lot 2339 No 2) COCUS WAY KUNUNURRA	Class 10B Retaining Walls, Drainage, Concrete Block Drain	New	\$ 55,000.00	7/25 assess days
103/ 2013	2/10/2013	4/10/2013	Department of Finance WA State Government	Franmor Constructions	Lot 2438 (39) Konkerberry Drive Kununurra WA	Class 10A External Mechanical Plant Compound	Add	\$ 70,000.00	1/10 assess days
104/ 2013	20/09/2013	4/10/2013	Minister for Health Kununurra District Hospital	Minister for Health Kununurra District Hospital	Lot 572 (5) Coolibah Drive Kununurra	Class 10A Shade Sail & concrete pad	New	\$ 10,000.00	8/25 assess days
105/ 2013	8/10/2013	16/10/2013	Jim & Leonie Bailey	Darren Fulcher	Lot 2 (Former Lot 939) (2) Konkerberry Drive Kununurra	Class 1A - Caretakers Dwelling Extension kitchen, ensuite - & Class 10A Outdoor living,	Add	\$ 200,000.00	5/25 assess days
106/ 2013	16/10/2013	17/10/2013	Shire of Wyndham - East Kimberley	CKC Nominees Pty Ltd	Wyndham Landfill site Lot 1263 Wedge Drive Wyndham	Class 5 office, lunchroom & ablution	New	\$ 77,660.00	1/10 assess days
107/ 2013	16/10/2013	17/10/2013	Shire of Wyndham - East Kimberley	CKC Nominees Pty Ltd	Kununurra Landfill site Lot 969 Victoria Highway Kununurra	Class 5 office, lunchroom & ablution	New	\$ 70,867.00	1/10 assess days
108/ 2013	14/10/2013	17/10/2013	Argyle Diamond Mines Pty Ltd	Matheus Mal	Lot 2205 (7) Wilga Place Kununurra	Class 10B Above Ground Pool & fencing	New	\$ 1,200.00	2/25 assess days
109/ 2013	16/10/2013	17/10/2013	Kimberleyway Pty Ltd	Suregold Pty Ltd	Lot 11 Weaber Plain Road Kununurra	Class 10A Non- habitable Rural Machinery Shed	New	\$ 280,000.00	1/25 assess days

110/ 2013	24/09/2013	21/10/2013	Kimberleyland Holiday Park	Malcolm & Barbara Smith	Kimberleyland Caravan Park – Site 93 “Brolga Avenue” Lot 1519 Victoria Highway Kununurra	Class 10A Shade Cover	New	\$4,000.00	6/25 assess days + 10/21 pending + 1/25 assess days
111/ 2013	17/10/2013	21/10/2013	Beau & Natalie Robinson	Kununurra Pools & Spas	Lot 206 Chamberlain Drive Kununurra	Class 10B Pool & Shade Sail	New	\$ 30,000.00	1/25 assess days
112/ 2013	19/09/2013	22/10/2013	Kristen Dodd	Ben Marr	Lot 291 (40) Zamia Link, Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living	New	\$ 313,000.00	21/25 assess days
113/ 2013	16/10/2013	22/10/2013	Susan Marr	Ben Marr	LOT 31 (6) Collina Way Kununurra	Class 1A residential dwelling with attached Class 10A carport & outdoor living	New	\$ 313,161.00	2/25 assess days + 2/21 pending + 0/25 assess days
114/ 2013	10/10/2013	23/10/2013	Bothkamp Australia Pty Ltd atf Bothkamp Superfund	Isis Group Australia Pty Ltd	Lot 101 (16) Riverfig Avenue Kununurra	Class 5 Office fitout - Units 1 & 2	Add	\$ 200,000.00	8/10 assess days
115/ 2013	23/10/2013	24/10/2013	John & Natalie Gregory	Mick Richo Building Services	Lot 107 Kestrel Place Kununurra	Class 10A attached Non-habitable Shed & Carport Extension to existing dwelling - without ablution or internal partitioning	Add	\$ 19,800.00	1/25 assess days

116/ 2013	21/08/2008	31/10/2013	Alan Wilson	Alan Wilson	Lot 30 (102) Egret Close Kununurra	Class 1A Single dwelling with free standing Class 10A garage & ancillary accommodation	New	\$ 220,000.00	+++
								\$ 1,884,688.00	

**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 31 October 2013**

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
B2013-0476	8/10/2013	Housing Authority (DoH)	A1507P	Lot 2229 Crown Reserve 31221 (Nulleywah) Community Lots 18, 19, 20, 21 & 22 Speargrass Drive Kununurra	5 x Class 1A single dwellings	1A	Kimberley Green Constructions	John Massey Group Pty Ltd	\$ 2,031,712.00
B2013-0439	5/09/2013	Housing Authority (DoH)	A1507P	Lot 2229 Crown Reserve 31221 (Mirrima) Community Lots 2, 17, 18, 19, 20 & 21 Speargrass Drive Kununurra	6 x Class 1A single dwellings	1A	Ricon Contractors	Nick Schofield	\$ 2,940,235.00
D2013-0027	17/09/2013	Housing Authority (DoH)	A1507P	Lot 2229 Crown Reserve 31221 (Nulleywah) Community Lots 18, 19, 20, 21 & 22 Speargrass Drive Kununurra	Demolition of 5 Class 1A dwellings		Wyndham Excavations		

**DEMOLITION PERMITS (Form BA06) ISSUED AS THE PERMIT ISSUING AUTHORITY – 01 to 31 October 2013**

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
DP022/ 2013	26/09/2013	1/10/2013	A510P	BA5736	Department of Finance (Building Management & Works)	Jasper Ord	WARA	WAD 275 & WARA 232	Jungdranung School (Glen Hill Community) LOC 701 Glen Hill Road - Via Kunuurra	Full Demolition of Class1A Dwelling
DP023/2013	8/10/2013	8/10/2013	A2205P	BA5759	Jean MOBIL OIL AUST LTD - AVIATION & Shire of Wyndham East Kimberley	Enviropacific Services	WARA	WAD 282	Lot 312 Laine Jones Drive, Kununurra	Full Demolition, Decommissioning & demolition of Exxonmobil Former Aviation facility
DP024/2013	29/10/2013	30/10/2013	A16P	BA5841	Bernice Spackman	Mathinna Pty Ltd t/as P&C Welding & Constructions	Class 1	WAD 219	Lot 912 (5) Koolinda Street Wyndham	Full demolition

**OCCUPANCY PERMITS (Form BA10) ISSUED – 01 to 31 October 2013**

OCCUP PERMIT NO	DATE	BUILDING PERMIT / LICENCE NO	ASSESS NO.	Receipt No	Building Class	OWNER	BUILDER	BRB / OB NO	LOCATION	DESCRIPTION
BA5848	31/10/2013	BP 067/2013	A7570P	\$130.50 TO BE PAID	7B	Water Corporation	East Kimberley Constructions Pty Ltd	WA 14128	Lot 51 (12) Carpentaria Street Kununurra	Class 7B Commercial Storage shed with ablution facility (non air conditioned)

**THERE WAS NO REPORTABLE ACTIVITY FOR THE PERIOD – 01 to 31 October 2013 for the following:**

- **OCCUPANCY PERMITS (Form BA10) ISSUED BY EXTERNAL PERMIT ISSUING AUTHORITIES UNDER BUILDING ACT 2011 S.7(02) RELATING TO PROPERTIES WITHIN THE SHIRE OF WYNDHAM EAST KIMBERLEY**
- **OCCUPANCY PERMITS – STRATA (BA12)**
- **BUILDING APPROVAL CERTIFICATES (Form BA14)**
- **BUILDING APPROVAL CERTIFICATES – STRATA (Form BA16)**
- **CERTIFICATES OF CONSTRUCTION COMPLIANCE (Form BA17)**
- **CERTIFICATES OF BUILDING COMPLIANCE (Form BA18)**
- **EXTENSIONS OF TIME GRANTED TO EXISTING BUILDING PERMITS (BA04)**
- **SIGN LICENCES**
- **FORMAL NOTICE / BUILDING ORDER – pursuant to Building Act 2011**

### 13.5.3 Airport Quarterly Report

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	East Kimberley Regional Airport and Wyndham Airport
<b>AUTHOR:</b>	Peter Friel, Manager East Kimberley Regional Airport
<b>REPORTING OFFICER:</b>	Gary Gaffney, Chief Executive Officer
<b>FILE NO:</b>	N/a
<b>ASSESSMENT NO:</b>	N/a

#### **PURPOSE**

This report is to update Council on activities at the East Kimberley Regional Airport.

#### **BACKGROUND**

The report provides an update of activities undertaken at the East Kimberley Regional Airport and Wyndham Airports over the past 6 months, as well as providing advice on new grant funding, regulatory compliance activities and upcoming significant projects to be undertaken.

#### **STATUTORY IMPLICATIONS**

Civil Aviation Safety regulations (CASR)  
CASR Manual of Standards part 139  
ICAO articles

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

Injection of \$1,600,000, provided by the WA Department of Transport, RADS grant scheme. Funding will be available for release after 1 July 2014.  
Matching SWEK contribution expected to be \$1.5 million funded from Airport Reserve fund.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications

#### **COMMUNITY CONSULTATION**

Community consultation is not required in relation to this item.

#### **COMMENT**

##### **Passengers:**

Passenger numbers are trending on the same level as 2012 with the peak months being May to August. It is expected that approximately 92 000 passengers will pass through the terminal a slight decrease on the 2012 passenger movements. The decrease in passenger numbers is attributed to the completion of the Ord stage 2 FIFO contractors.

See attachment 1: Passenger Movements at East Kimberley Regional Airport

Aircraft movement:

There has been a decrease in general aviation usage in the tourism sector and this is reflected in the reduction of landings statistics.

See attachment 2: Aircraft Landings at East Kimberley Regional Airport

See attachment 3: Aircraft Landings at Wyndham Airport

Staffing:

Appointments:

Peter Friel – Manager East Kimberley Regional Airport

Todd McKenna – Airport Operations Officer

A new position “Airport Services Support Officer” has been created to lessen the administrative burden on the airport operations manager and allow him to undertake operational and compliance roles as per his position description. The position is cost neutral as it is a result of a re-assignment of an existing vacant Airport Services officer position. The position has been advertised and it is hoped that an appointment will be made in November.

Airport Services:

The Airport Service's personnel are responsible for the passenger screening services of the EKRA as well as the cleaning of the terminal. Currently there are 5 fulltime staff whom are complemented by a further 5 casual staff. All staff are required under the aviation transport security regulations to possess a Certificate II in Security operations to undertake passenger and checked baggage screening operations.

In the past 3 months 2 fulltime staff as well as 3 casual staff have resigned from their positions due to personal reasons and job reallocation. As of this stage the casual positions have been filled but the 2 fulltime positions will remain vacant due to reduced seasonal demand.

Ongoing training of new staff to obtain their Certificate II in Security Operations continues. Due to the fluid nature of the East Kimberley workforce this will be a continuing cost to maintain required staff and gender levels.

As mentioned earlier, one of the fulltime positions has been reallocated to a newly created Airport Services Support Officer position which will be a hybrid position involving Administrative functions for the EKRA as well as security screening. The creation of this position will free up operations staff to undertake operational and compliance activities as opposed to the excessive administration tasks now being experienced.

The position will also reduce payroll costs for using casual staff to undertake Security screening tasks. This position is expected to be filled by the end of November 2013.

## Master Plan

In early 2013, Rehbein Consulting delivered the 25 year master plan for the EKRA, which was adopted by council. The plan provides a strategic framework for the development of the EKRA, and was constructed in relation to input from a large section of both Aviation and Community stakeholders. The plan looks at both Aeronautical and non-aeronautical requirements of the EKRA over the forward 25 year period.

## Compliances and Process Improvement Achieved

- Aerodrome Management Services - Aerodrome Safety Inspection Wyndham and Kununurra Airport Aerodrome Technical Inspection, April 2013
- Department of Infrastructure and Transport – Multiple System Tests
- Annual Lighting Inspection September 2013
- CASA – Response to 2012 Annual Airport Audit
- Revision and implementation of new version of the EKRA transport security program. TSP endorsed and accepted by the Office of Transport security
- Bird and Animal hazard management document completed.
- Implementation of Quality assurance and Event schedule
- Implementation of Airport Serviceability Inspection database including Bird count module
- Safety management system and associated risk assessment is being undertaken and will be ready for review by the Aerodrome Safety management committee in December 2013

## RADS funding

In early November 2013, advice was received, that the Shire had been successful in obtaining \$1,617,759 in grant funding for the runway reseal project, due to commence in 3<sup>rd</sup> quarter 2014. This funding was provided by the WA department of transport through the Regional Airport Development Scheme (RADS). The injection of these funds will be matched by the EKRA Reserve fund, with an anticipated total build cost of \$2.85 million. A Specification document is currently being developed, that will be provided to appropriate Pavement engineering companies to undertake the investigation and design requirements for the construction phase.

The investigation and design phase of the project will commence in early 2014.

## Airport Emergency exercise

On the 2<sup>nd</sup> November 2013, the East Kimberley Regional Airport conducted an emergency exercise that tested the current Aerodrome Emergency plan.

It is a CASA requirement that all certified Aerodromes, must undertake an Emergency exercise at least once every two years to meet the regulatory requirements stipulated under the Civil Aviation Safety regulations and ICAO requirements.

The exercise involved local Emergency services personnel, Airport staff, Welfare agencies, Volunteer role players and Airlines, with an overall attendance of 70 plus people.

The exercise was facilitated by Mr Brett Karran from Narrakem Emergency management solutions, and its aim was to test the operational readiness of Emergency personnel to deal with an Aircraft crash at the Airport.

The event was the largest emergency exercise conducted by the Airport and was well received by all participants, with overwhelming positive feedback received from participating organisations.

A report on the findings will be delivered shortly, with an assessment to be conducted by the Airport Emergency committee in late November.

This assessment will be used to improve the Emergency plan and reflect the findings discovered during the Exercise.

### General Operations Events

September 2013 – Linemarking of Runway markings and General Aviation parking areas completed

Ongoing – Repairs to runway strip caused by soil depressions.

Installation of security fencing at Eastern General Aviation area.

Installation of passenger access gate adjacent to SlingAir hangar.

Runway sweeping and maintenance

Installation of passenger trolley return bays is currently being implemented. Required materials to allow final installation of trolley bays within the Airport arrivals area is expected by mid-November with trolleys available for use by the end of November 2013.

CASA Annual audit of the Airport safety, Document control and adherence to regulatory requirements is scheduled for late November 2013.

### Training

Recent training:

Kristal O'Brien obtained her Certificate II in security Operations

Warren Lane completed his Aerodrome Safety and Reporting officer certification

Peter Friel completed his Diploma in Airport Operations

Upcoming training:

In early December 2013, a further 2 new staff members will undertake their Certificate II in Security Operations.

In early 2014, Airport Management and Operations staff will undertake the Aviation Safety and lead auditors course.

### Significant Plant Purchases/Upgrades

- John Deer Tractor
- Line marking machine
- Runway Sweeper
- Crack sealing machine (delivery by Feb 2014)

### Airline Operations

- Aircraft landings remain constant for the year to date, with only a slight decrease of 1% overall landings at the same time last year.
- The Airnorth weekday service to Argyle mine has ceased due to austerity measures throughout Rio Tinto. The service now operates only 2 days a week and this will result in a decrease of approximately \$100,000 per annum in landing fees for the EKRA.
- Of the 7 ex Alligator Airways aircraft 6 have been removed from the Kununurra Aerodrome. The remaining 1 has been sold by the liquidator but is awaiting a safety

engineering certificate to be issued, so that it may be flown to the new owner's resident Aerodrome. The owner is currently being billed monthly parking fees.

#### Airport Leases

- Civil Aviation Safety Authority relocated to the new EKRA ground level office.
- A single Car Hire booth and Kiosk remain unleased and vacant in the terminal.

#### ATTACHMENTS

Attachment 1: Passenger Movements at East Kimberley Regional Airport

Attachment 2: Aircraft Landings at East Kimberley Regional Airport

Attachment 3: Aircraft Landings at Wyndham Airport

Attachment 4: EKRA Organisational Chart

#### VOTING REQUIREMENT

Simple Majority

#### OFFICER'S RECOMMENDATION

That Council notes the November 2013 Operational Report for the East Kimberley Regional Airport and Wyndham Airport.

#### COUNCIL DECISION

**Minute No. 10256**

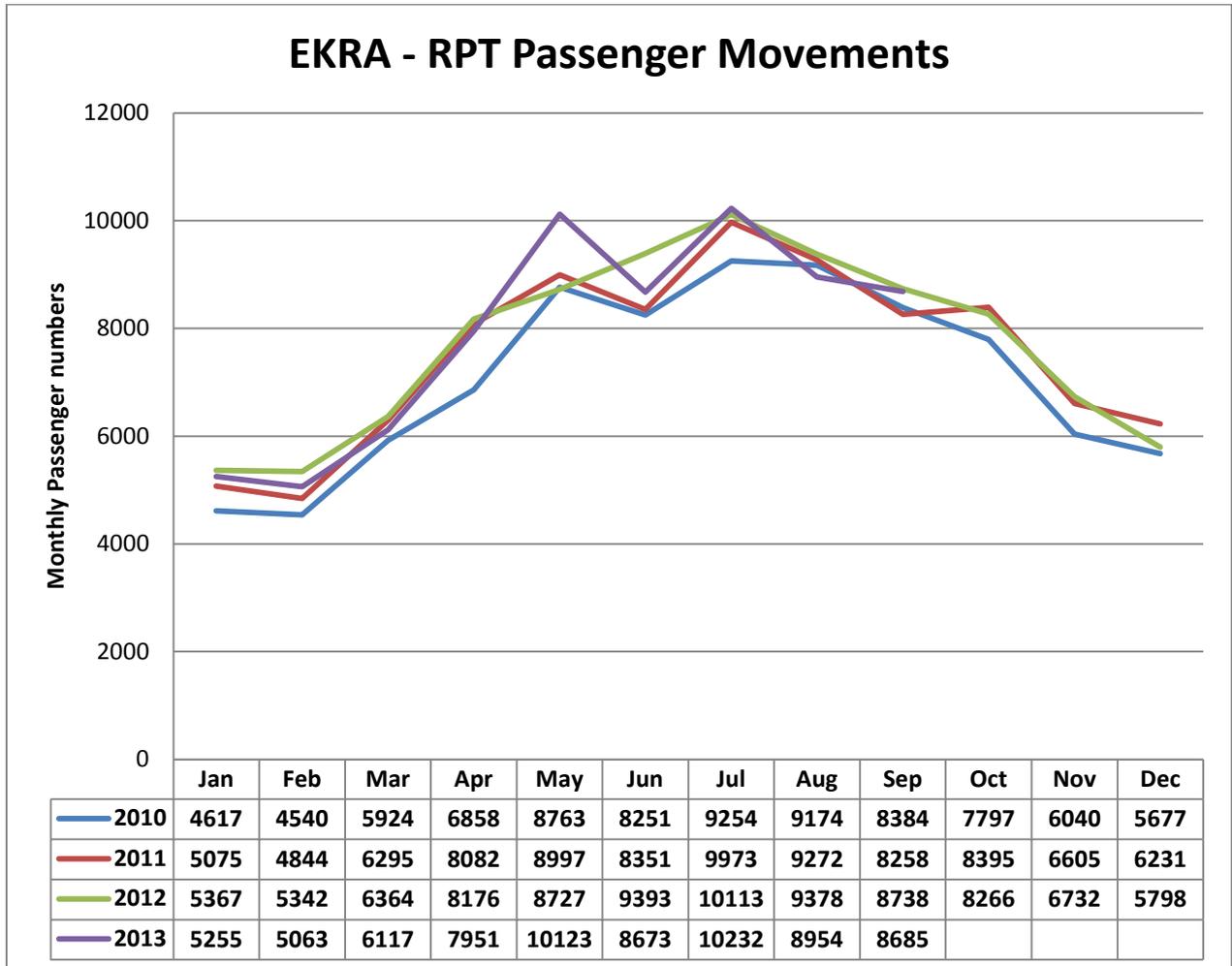
**Moved: Cr K Wright**

**Seconded: Cr B Robinson**

**That Council notes the November 2013 Operational Report for the East Kimberley Regional Airport and Wyndham Airport.**

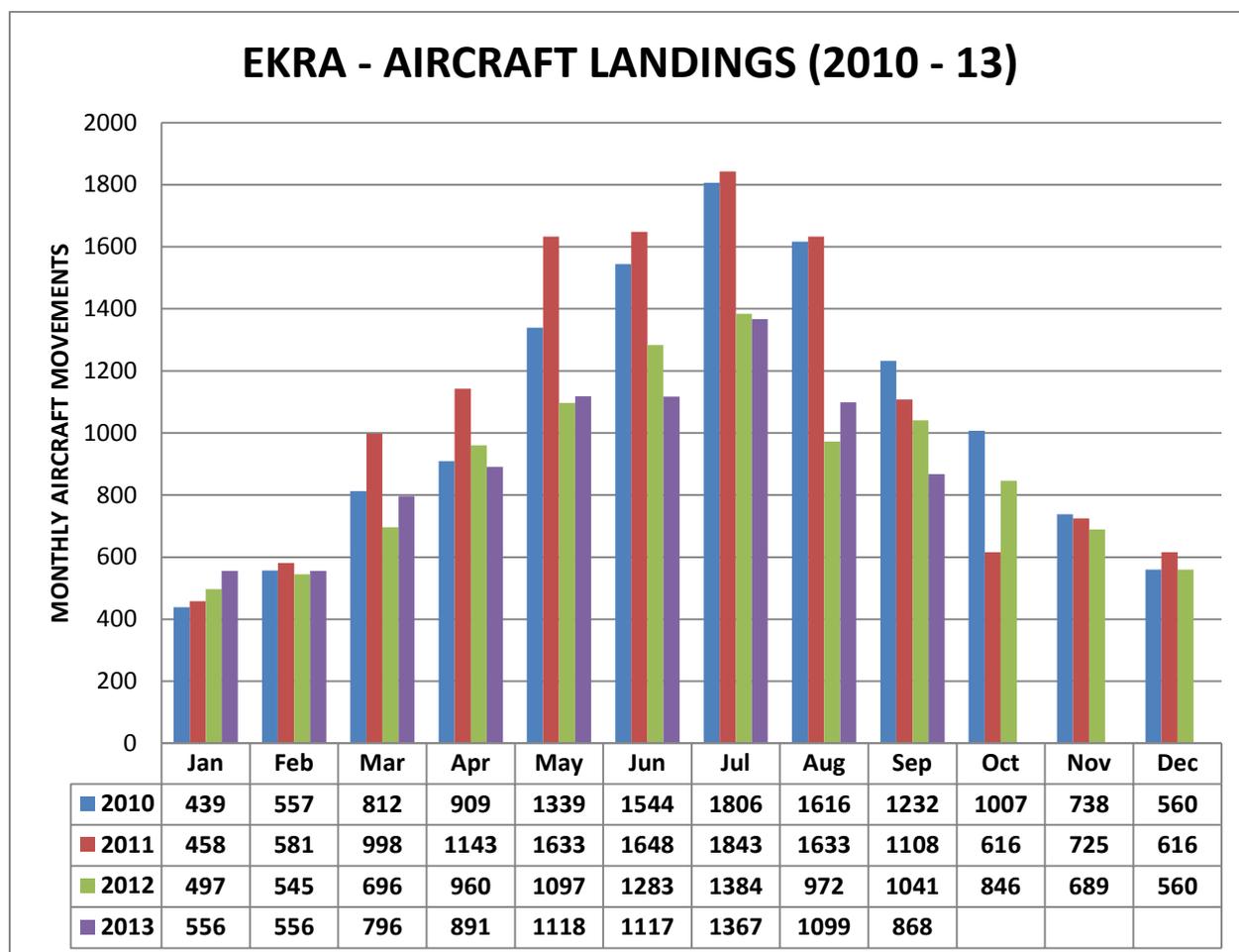
**Carried Unanimously 7/0**

**Attachment 1: Passenger Movements at East Kimberley Regional Airport**



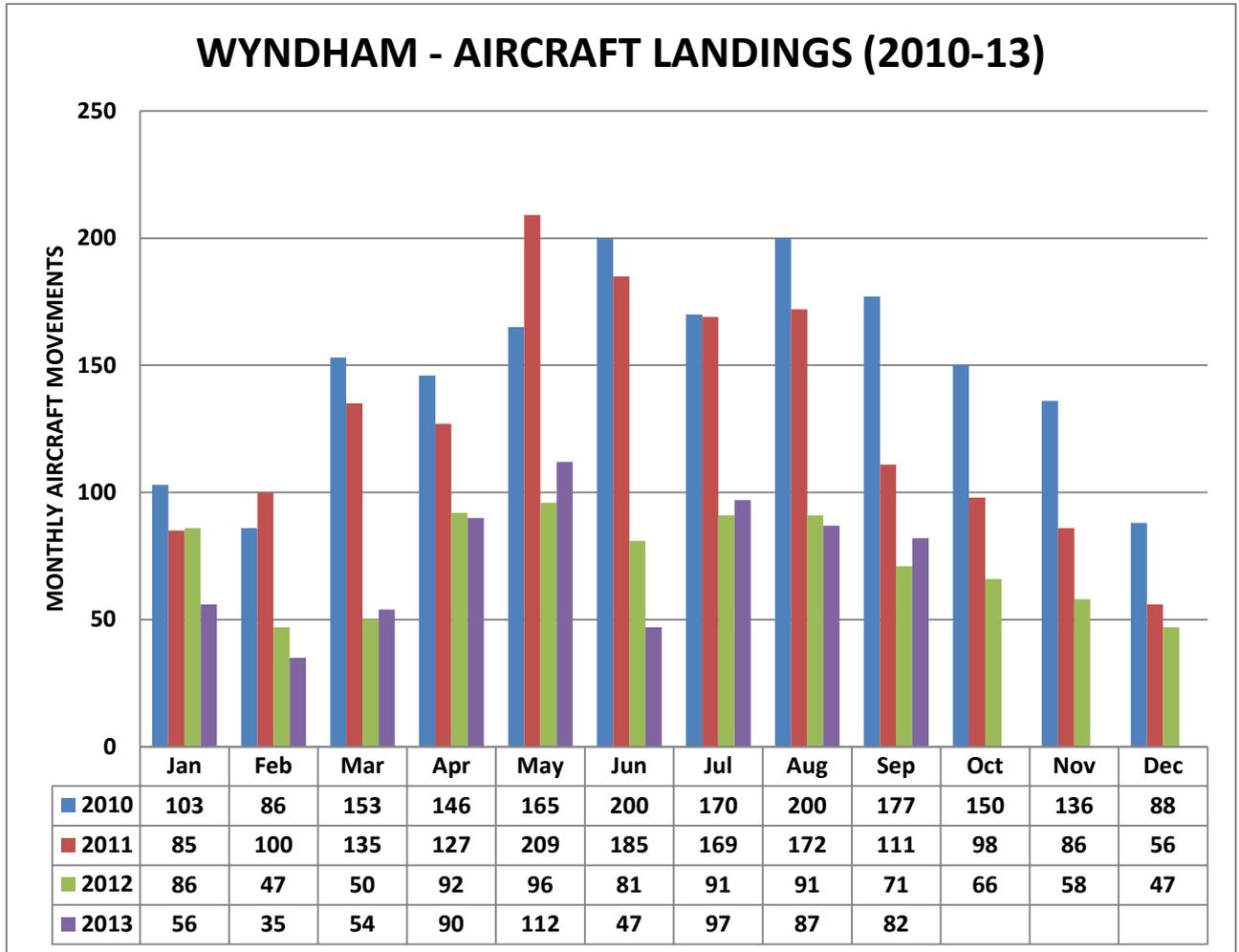
<b>2010 Calender Year Total:</b>	85,279
<b>2011 Calender Year Total:</b>	90,378
<b>2012 Calender Year Total:</b>	92,394
<b>2013 Calender Year Total:</b>	71,053 (as of September 30 <sup>th</sup> 2013)

**Attachment 2: Aircraft Landings at East Kimberley Regional Airport  
Regular Passenger Transport and General Aviation**



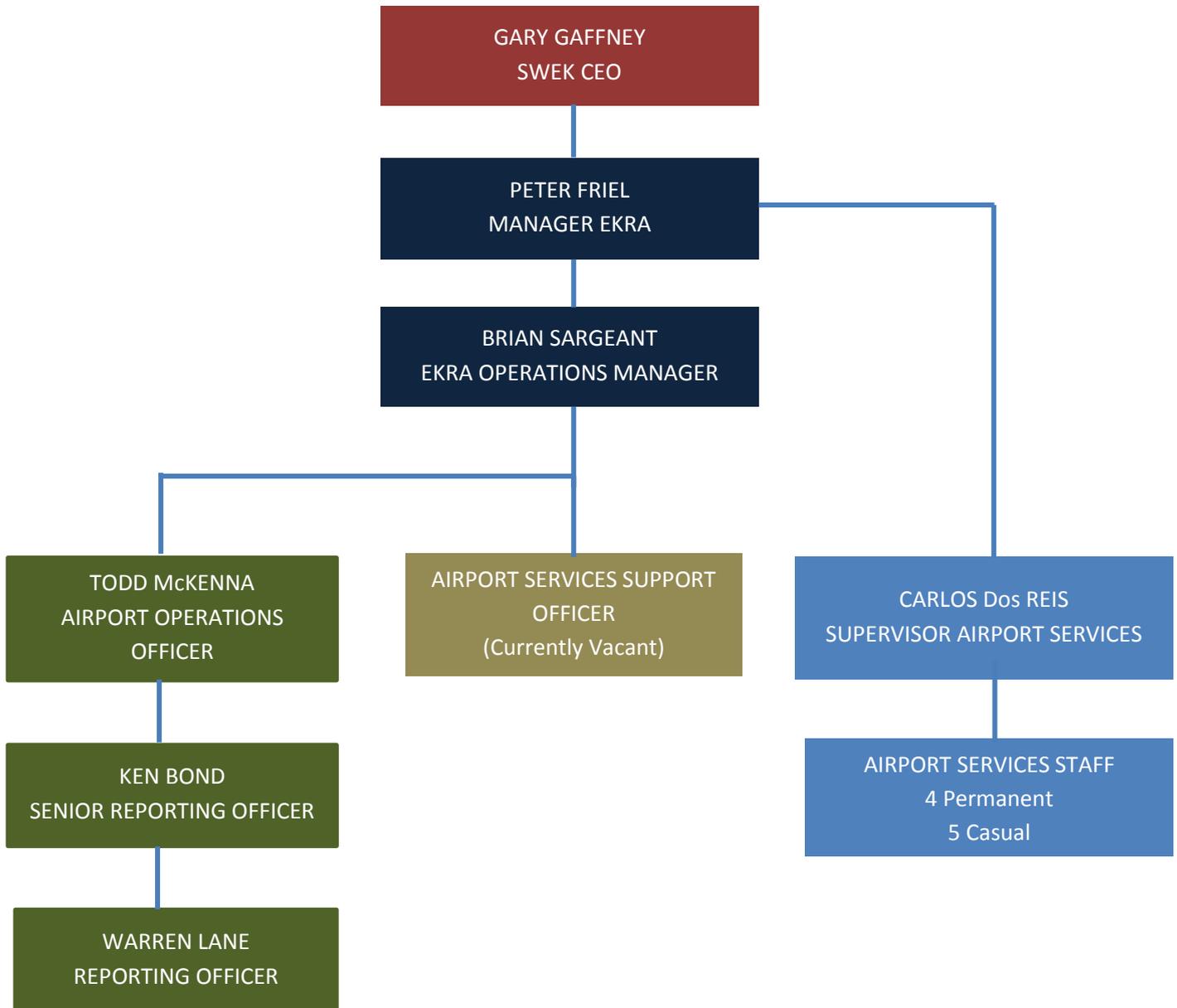
<b>2010 Calender Year Total:</b>	12,559
<b>2011 Calender Year Total:</b>	13,002
<b>2012 Calender Year Total:</b>	10,570
<b>2013 Calender Year Total:</b>	8,368 (as of September 30 <sup>th</sup> 2013)

**Attachment 3: Aircraft Landings at Wyndham Airport**



<b>2010 Calender Year Total:</b>	1,774
<b>2011 Calender Year Total:</b>	1,533
<b>2012 Calender Year Total:</b>	876
<b>2013 Calender Year Total:</b>	660 (as of September 30 <sup>th</sup> 2013)

Attachment 4: EKRA Organisational Chart – October 2013



### 13.5.4 2014 Kimberley Zone Meetings

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Gary Gaffney, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Gary Gaffney, Chief Executive Officer
<b>FILE NO:</b>	N/a
<b>ASSESSMENT NO:</b>	N/a

#### **PURPOSE**

This report presents the 2014 Schedule of Meetings for the Kimberley Zone of WALGA & RCG.

#### **BACKGROUND**

The Kimberley Zone and RCG meet on a regular basis throughout the year and have a joint forum with the Pilbara zone annually. The Zone and RCG have reinstated bi annual meetings in the Northern Territory. The schedule is designed to meet in every municipality and in Perth for Local Government Week. The Pilbara/Kimberley joint forum is generally held in Perth.

The meeting schedule for 2014 is as follows:

MAR 14-17 FRI-MON	Pilbara/Kimberley Joint Annual Forum and Kimberley Zone/RCG Meeting	Jakarta
APR 28-29 MON-TUE	Zone & RCG Meeting	Kununurra
JUN 23-24 MON-TUE	Zone & RCG Meeting	Broome
AUG 4-5 MON-TUE	Zone & RCG Meeting	Perth
OCT 6-7 MON-TUE	Zone & RCG Meeting	Derby
DEC 4-5 WED-THUR	Zone & RCG Meeting	Halls Creek

#### **STATUTORY IMPLICATIONS**

There are no statutory implications associated with this report.

#### **POLICY IMPLICATIONS**

No policy implications apply in the preparation of this report.

#### **FINANCIAL IMPLICATIONS**

The budget for attending forums is in the annual budget and in the 2013/14 budget is \$20 000

#### **STRATEGIC IMPLICATIONS**

The Councils Strategic Community Plan 2012 – 2022 Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability. Objective 1.3 Advocacy of East Kimberley issues and opportunities at regional, state and national levels.

## **COMMUNITY CONSULTATION**

Community consultation for this item was sought through the Community plan consultation and Objective 1.3 covers this item.

## **COMMENT**

It is important that Councillors note the location of the proposed Pilbara/Kimberley Joint Annual Forum and Kimberley Zone/RCG Meeting

In 2014 it is the Pilbara's turn to host the forum, and the Pilbara Regional Council (PRC) has endorsed a resolution to invest both time and budget to ensure that the 2014 event achieves a high profile.

The PRC had previously proposed to hold the event in Bali, Indonesia. Since this time, they have consulted broadly with the Australia Indonesia Business Council, Pilbara Development Commission, Department of State Development, and with various other parties. As a result of these discussions, they believe that the forum would be better held in Jakarta in May 2014. The PRC proposes to arrange and facilitate a number of trade delegations from the various chambers of commerce and industry across the region in conjunction with the forum if this is desired.

The PRC have indicated that the ticket prices for the forum will be the same as last year, but will be inclusive of the international airfare and accommodation component for this year's event. This is partly attributable to a subsidy by the PRC, and partly due to the reduced cost of hosting the event in Jakarta as opposed to Perth.

## **ATTACHMENTS**

There are no attachments associated with this report.

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council notes the dates of the Kimberley Zone and RCG meeting and the date and location of the Pilbara/Kimberley Joint Forum.

## **COUNCIL DECISION**

**Minute No. 10257**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council notes the dates of the Kimberley Zone and RCG meeting and the date and location of the Pilbara/Kimberley Joint Forum.**

**Carried Unanimously 7/0**

### 13.5.5 2014 Ordinary Council Meeting Dates

<b>DATE:</b>	19 November 2013
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	N/a
<b>AUTHOR:</b>	Megan Callus, Executive Assistant
<b>REPORTING OFFICER:</b>	Gary Gaffney, Chief Executive Officer
<b>FILE NO:</b>	N/a

#### **PURPOSE**

For Council to accept draft Ordinary Council Meeting dates for 2014.

#### **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**

There are no strategic implications associated with this report.

## **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.

Considering that all nine Councillors reside in Kununurra it is proposed that all Council briefing sessions will all occur in Kununurra and that Council continue to operate with Ordinary Council Meetings being held in Kununurra on eight occasions and Wyndham on 4 occasions.

The proposed schedule has taken into consideration events Easter (18-21 April), Ord Valley Muster (16-25 May) and Local Government Week (4-8 August 2014).

Further to this, the proposed schedule has allowed reasonable time (at least two weeks) between meetings to provide Officers the opportunity to prepare Council reports

Council Meeting dates and Briefing Sessions are proposed as follows:

## **ATTACHMENTS**

Attachment 1 – 2014 Ordinary Council Meeting Schedule

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council confirms the following dates and locations of Ordinary Council Meetings in 2014:

28 January	Kununurra
25 February	Wyndham
25 March	Kununurra
29 April	Kununurra
27 May	Wyndham
24 June	Kununurra
29 July	Kununurra
26 August	Wyndham
23 September	Kununurra
21 October	Kununurra
18 November	Wyndham
16 December	Kununurra

Motion  
Cr D Spackman

That Council suspend standing orders 7.5 Limitations on Number of Speeches to discuss item 13.5.5 – 2014 Ordinary Council Meetings.

## **COUNCIL DECISION**

**Minute No. 10258**

**Moved: Cr K Wright  
Seconded: Cr D Spackman**

**That Council suspend standing orders 7.5 Limitations on Number of Speeches to discuss item 13.5.5 – 2014 Ordinary Council Meetings.**

**Carried Unanimously 7/0**

6:43pm Council suspends standing orders

Motion  
Cr G Taylor

That Council resumes standing orders.

**COUNCIL DECISION**

**Minute No. 10259**

**Moved: Cr G Taylor  
Seconded: Cr D Spackman**

**That Council resumes standing orders.**

**Carried Unanimously 7/0**

6.44pm Council resumes standing orders

Motion  
Cr K Wright

That Council confirms the following dates and locations of Ordinary Council Meetings in 2013/14:

10 December 2013	Kununurra
28 January	Kununurra
25 February	Wyndham
25 March	Kununurra
29 April	Kununurra
27 May	Wyndham
24 June	Kununurra
29 July	Kununurra
26 August	Wyndham
23 September	Kununurra
21 October	Kununurra
18 November	Wyndham
16 December	Kununurra

**COUNCIL DECISION**

**Minute No. 10260**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council confirms the following dates and locations of Ordinary Council Meetings in 2013/14:**

<b>10 December 2013</b>	<b>Kununurra</b>
<b>28 January</b>	<b>Kununurra</b>
<b>25 February</b>	<b>Wyndham</b>
<b>25 March</b>	<b>Kununurra</b>
<b>29 April</b>	<b>Kununurra</b>
<b>27 May</b>	<b>Wyndham</b>
<b>24 June</b>	<b>Kununurra</b>
<b>29 July</b>	<b>Kununurra</b>
<b>26 August</b>	<b>Wyndham</b>
<b>23 September</b>	<b>Kununurra</b>
<b>21 October</b>	<b>Kununurra</b>
<b>18 November</b>	<b>Wyndham</b>
<b>16 December</b>	<b>Kununurra</b>

**4/2**

**For: Cr K Wright, Cr S Cooke, Cr G King, Cr D Spackman, Cr B Robinson**

**Against: Cr J Moulden, Cr G Taylor**



## 2014 COUNCIL MEETING DATES

Month	Briefing Sessions Tuesday 5:00pm	Ordinary Council Meetings Tuesday 5:00pm	Location of OCM
January	14 January (Optional)	28 January	Kununurra
February	11 February	25 February	Wyndham
March	11 March	25 March	Kununurra
April	8 April	29 April	Kununurra
May	13 May	27 May	Wyndham
June	10 June	24 June	Kununurra
July	15 July	29 July	Kununurra
August	12 August	26 August	Wyndham
September	9 September	23 September	Kununurra
October	7 October	21 October	Kununurra
November	4 November	18 November	Wyndham
December	2 December	16 December	Kununurra

### **13.6 ELECTED MEMBER REPORTS**

#### **Cr J Moulden**

5 November	Audit (Risk and Finance) Committee
6 November	Tourism WA forum
7 November	Police and Citizens Youth Club briefing
11 November	Remembrance Day
12 November	Meeting with Kununurra Police

#### **Cr G King**

2 November	Emergency exercise East Kimberley Regional Airport
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#### **Cr S Cooke**

7 November	Police and Citizens Youth Club briefing
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#### **COUNCIL DECISION**

**Minute No. 10261**

**Moved: Cr G Taylor**

**Seconded: Cr B Robinson**

**That Council accepts the elected member reports for the period 24 October 2013 to 14 November 2013.**

**Carried unanimously 7/0**

### **13.7 CHIEF EXECUTIVE OFFICER REPORTS**

The Chief Executive Officer attended the following meetings on behalf of Council:

28 October	Brian Wilkinson, Accountable Government
30 October	Local Emergency Management Committee Ord land and Water AGM
31 October	LGMA State conference teleconference
4 November	Kimberley Development Commission Ord Valley Events Board Meeting
5 November	Tourism House Audit (Risk and Finance) Committee
6 November	Ombudsman WA
8 November	Returned services league
12 November	WAPOL
14 November	Mick Sutherland, Frank Aldous, Mary Anthony, WAPOL

#### **COUNCIL DECISION**

**Minute No. 10262**

**Moved: Cr G Taylor**

**Seconded: Cr B Robinson**

**That Council accepts the Chief Executive Officer reports for the period 24 October 2013 to 14 November 2013.**

**Carried unanimously 7/0**

**14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**15. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**16. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

Nil

**17. MATTERS BEHIND CLOSED DOORS**

Nil

**18. CLOSURE**

The Shire President declares the meeting closed at 7pm.