

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

Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES
ORDINARY COUNCIL
MEETING**

27 January 2015

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

HELD ON TUESDAY, 27 JANUARY 2015 AT 5:00 PM

1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 5.01pm.

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

ATTENDANCE

Cr J Moulden	Shire President
Cr R Dessert	Deputy Shire President
Cr D Learbuch	Councillor
Cr K Wright	Councillor
Cr B Robinson	Councillor
Cr D Spackman	Councillor
Cr G King	Councillor
K Hannagan	Acting Chief Executive Officer
N Octoman	Director Corporate Services
D Klye	Director Infrastructure
L Gee	Director Community Development
M. Tonkin	Executive Assistant (Minute Taker)

GALLERY

J Ninyette	Shire of Wyndham East Kimberley
Laine Ellis	Guerinoni & Son
Phil McLean	Ord Machining
Amanda McLean	Ord Machining
Rhonda Guerinoni	SWEK Rate Payers Association
Lisa Spackman	SWEK Rate Payers Association
Geoff Warnock	Rate Payer / Folle Investments
Rob Storey	Rate Payer
Vicky Biorac	Rate Payer
Jenny Spragg	Rate Payer

APOLOGIES

Cr K Wright notes that under the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and the Land Administration Act 1997 section 3(1) it was not permissible for Cr S Cooke to attend the meeting via tele/video conference as she is not in a 'townsite' as defined by legislation. The Shire President initially refused to adjourn the meeting to allow for clarification of the legitimacy of the process.

The Shire President adjourns the meeting at 5.04pm to clarify that what Cr K Wright had noted was correct.

The meeting resumes at 5.16pm.

Provisional apology from Cr S Cooke.
Cr S Cooke did commence the meeting via Teleconference / Video Link.

Cr S Cooke leaves the meeting at 5.18pm

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr G Taylor

3. DECLARATION OF INTEREST

- Financial Interest

Nil

- Impartiality Interest

Nil

- Proximity Interest

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Questions from Jenny Spragg, Kununurra

Question 1 – What was the cost of fighting Rob and Vicki Storey’s application for 3 cabins on Riverfarm Road? Why did Council insist on proceeding against legal advice that the case would be lost.

Council takes the question on notice.

As per the Shire of Wyndham East Kimberley Standing Orders Local Law 2003, 2.3(3) a response will be given to the member of the public in writing by the CEO, and a summary of the question raised and the response given are to be included in the agenda and minutes of the next meeting of the Council.

Question 2 – Why is it that some community members business applications are denied or fought but when it comes to a certain councillor, she is allowed to carry on outside the rules and then the rules are changed to suit.

Council takes the question on notice.

As per the Shire of Wyndham East Kimberley Standing Orders Local Law 2003, 2.3(3) a response will be given to the member of the public in writing by the CEO, and a summary of the question raised and the response given are to be included in the agenda and minutes of the next meeting of the Council.

Question 3 – What is the date of the letter (Item 13.2.5, Attachment 2), it says the 28 January 2015?

Cr J Moulden, Shire President provides the following response:

The letter is a draft attached to the Officers report and it cannot be signed or sent until a resolution is made by Council. The earliest this could be is tomorrow (28 January 2015).

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr K Wright applies for a leave of absence for the February 2015 Ordinary Council Meeting

Cr R Dessert applies for a leave of absence for the February 2015 Ordinary Council Meeting

COUNCIL DECISION

Minute No. 10758

Moved: Cr B Robinson

Seconded: Cr D Spackman

That Council grants the following leave of absences:

Cr K Wright, February 2015 Ordinary Council Meeting

Cr R Dessert February 2015 Ordinary Council Meeting

Carried Unanimously 7/0

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 16/12/0014

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on December 16, 2014 with amendments to item 13.2.8 Kununurra CBD Parking Review. Minute No. 10716 is to be amended to Carried 5/3 (not Carried 6/2) as Cr G King was against the motion.

COUNCIL DECISION

Minute No. 10759

Moved: Cr G King

Seconded: Cr K Wright

That Council confirms the Minutes of the Ordinary Council Meeting held on December 16, 2014 with amendments to item 13.2.8 Kununurra CBD Parking Review. Minute No. 10716 is to be amended to Carried 5/3 (not Carried 6/2) as Cr G King was against the motion.

Carried Unanimously 7/0

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

Nil

13. REPORTS

13.1 CORPORATE SERVICES

13.1.1 List of Accounts Paid from Municipal Fund and Trust Fund

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Victoria Nakamya, Creditors Officer Felicity Heading, Coordinator Financial Operations
REPORTING OFFICER:	Natalie Octoman, Director Corporate Services
FILE NO:	FM.09.5
DECLARATION OF FINANCIAL INTERESTS:	Nil

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

In accordance with the Delegations Register 2014/15 adopted by the Council on the 26th of August 2014, the Council has delegated to the CEO the exercise of its power under regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996* to make payments from Municipal Fund and Trust Fund.

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 the Council with sufficient information to monitor and review payments made.

STRATEGIC IMPLICATIONS

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 1.4: Business innovation, efficiency and improved service

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 the 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 the listing of accounts paid from the Municipal and Trust funds, being:

Municipal EFT 122548 – 122775 (03 December – 24 December 14)	\$ 2,718,105.78
Municipal cheques 50356 - 50450 (04 December – 24 December 14)	\$ 154,286.14
Trust cheques 713 – 716 (18 December – 23 December 14)	\$ 2,072.00
Trust EFT 500845 – 500860 (1 December – 23 December 14)	\$ 10,810.10
Payroll (05 December – 24 December 14)	\$ 431,602.23
Direct bank debits (1 December – 31 December 14)	\$ 23,848.78
TOTAL	\$ 3,340,725.03

COUNCIL DECISION

Minute No. 10760

Moved: Cr K Wright

Seconded: Cr D Learbuch

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

Municipal EFT 122548 – 122775 (03 December – 24 December 14)	\$ 2,718,105.78
Municipal cheques 50356 - 50450 (04 December – 24 December 14)	\$ 154,286.14
Trust cheques 713 – 716 (18 December – 23 December 14)	\$ 2,072.00
Trust EFT 500845 – 500860 (1 December – 23 December 14)	\$ 10,810.10
Payroll (05 December – 24 December 14)	\$ 431,602.23
Direct bank debits (1 December – 31 December 14)	\$ 23,848.78
TOTAL	\$ 3,340,725.03

Carried Unanimously 7/0

ATTACHMENT 1**LIST OF ACCOUNTS SUBMITTED TO COUNCIL 27 JANUARY 2014**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT122548	03/12/2014	WESTERN AUST.TREASURY CORP	LOAN REPAYMENT LOAN NUMBER 123 - BUILDING 20 COOLIBAH DV KNX	1,525,200.00
EFT122549	-122585	CANCELLED	CANCELLED	
EFT122586	04/12/2014	KUNUNURRA HISTORICAL SOCIETY	PROVISION OF A SCREEN & SLIDE SHOW FOR SENIOR'S MORNING TEA	300.00
EFT122587	04/12/2014	LIQUID CONTAINMENT	MANUFACTURE LINERS, TRAVEL COSTS TO INSTALL - KNX LANDFILL	5,338.43
EFT122588	04/12/2014	ALLGEAR MOTORCYCLES AND SMALL ENG	REPAIRS AND PARTS FOR CHAINSAWS - KUNUNURRA DEPOT	261.65
EFT122589	04/12/2014	BLACKWOODS ATKINS PTY LTD	LINE MARKING PAINT - KNX AIRPORT	136.57
EFT122590	04/12/2014	CABCHARGE	SERVICE FEE - OCT 14	6.09
EFT122591	04/12/2014	CENTURION TRANSPORT	FREIGHT- CLEANING SUPPLIES-KNX ADMIN	142.10
EFT122592	04/12/2014	COUNCIL OF THE AGEING (WA)	REFUND OF UNUSED GRANT FUNDING FOR 2014 SENIORS WEEK	192.00
EFT122593	04/12/2014	COCA-COLA AMATIL	PURCHASE OF CONSUMABLES FOR RESALE	601.77
EFT122594	04/12/2014	COMMUNICATE NT	PREPARE MEDIA RELEASES-SWIM BEACH DOG AREA & BIO SECURITY SIGNS	726.00
EFT122595	04/12/2014	CORE BUSINESS AUSTRALIA PTY LTD	AGRN 606 -WANDRRA PLACEMENT - CLAIM 11 , &12KS- 16 JAN & 6 FEB 2014	68,739.91
EFT122596	04/12/2014	DOWNER EDI WORKS PTY LTD	WYN RUNWAY MAINT, EKRA TAXIWAY & CAR PARKING BAY MAINTENANCE	8,272.00
EFT122597	04/12/2014	DEPARTMENT OF TRANSPORT	COMMUNITY JETTY RENEWAL FEE - BUTTONS CROSSING	37.20
EFT122598	04/12/2014	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS -EAST KIMBERLEY TOURISM HOUSE	53.60
EFT122599	04/12/2014	GUERINONI & SONS	CLAIM1 RFQ 14A-14 SUPPLY CULVERTS, FREIGHT-CARLTON HILL&TIPPER HIRE	37,791.05
EFT122600	04/12/2014	HAYS RECRUITING EXPERTS WORLDWIDE	PROFESSIONAL RECRUITMENT SERVICES	4,386.36
EFT122601	04/12/2014	IBAC PLUMBING PTY LTD	PLUMBING WORKS - INSTALL NEW PUMP IN PLANT ROOM- KLC	1,161.31
EFT122602	04/12/2014	KIMBERLEY COMMUNICATIONS	INSTALL RADIO - P122	200.00
EFT122603	04/12/2014	KUNUNURRA MOBILE WELDING SERVICE	REPAIRS TO PLANT TRAILER - P320	550.00
EFT122604	04/12/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	1,161.04
EFT122605	04/12/2014	MOTOR WORKZ	REPAIRS - P331 & P354	2,375.39
EFT122606	04/12/2014	OFFICE NATIONAL KUNUNURRA	GUILLOTINE -KUNUNURRA LEISURE CENTRE	98.75
EFT122607	04/12/2014	OLLIE'S IRRIGATION & PLUMB. SUPPLIES	RETICULATION SPRINKLERS AND FITTINGS VARIOUS LOCATIONS - KNX	1,544.07
EFT122608	04/12/2014	ORD FUEL SUPPLIES	GREASE - KNX LANDFILL PLANT	206.64
EFT122609	04/12/2014	ORD RIVER CONTRACTING	RFQ 16-14 HIRE OF GRADER, CLOSING GRADE GIBB RIVER RD-PT WARRENDER	43,290.00
EFT122610	04/12/2014	TOLL EXPRESS	FREIGHT - TELFORD -WYN POOL	998.11
EFT122611	04/12/2014	THE DUKE OF EDINBURGH'S AWARD	KIDSPORT X6 CHILDREN BRONZE AWARD BOOK	630.00
EFT122612	04/12/2014	THINK WATER KUNUNURRA	RETICULATION SPRINKLERS AND FITTINGS VARIOUS LOCATIONS - KNX	1,269.88
EFT122613	04/12/2014	TOP END MOTORS	CARRY OUT LICENCE INSPECTION - P472	101.45
EFT122614	04/12/2014	TOX FREE AUSTRALIA PTY LTD	REFUSE COLLECTION, WYN & KNX, LITTER COLLECTION KNX - OCT 14	50,179.80

EFT122615	04/12/2014	TROPICAL PEST CONTROL	TREATMENT OF SINGAPORE ANTS AT KNX LEISURE CENTRE	380.00
EFT122616	04/12/2014	TYREPLUS KUNUNURRA	BATTERY - P477	540.00
EFT122617	04/12/2014	VANDERFIELD NORTHWEST PTY LTD	SERVICE & REPAIRS P128, P475. INSURANCE EXCESS P384	2,473.58
EFT122618	04/12/2014	VORGEE PTY LTD	SWIMMING SUPPLIES FOR RESALE - NAPPIES , EAR BAND , SWIM CAPS - KLC	1,317.77
EFT122619	04/12/2014	WA LOCAL GOVERNMENT ASSOCIATION	MARKET FORCE ADVERTISING - OCT 14	2,091.09
EFT122620	04/12/2014	WESFARMERS KLEENHEAT GAS PTY LTD	YEARLY GAS CYLINDER RENTAL - STAFF HOUSING - KUNUNURRA & WYNDHAM	693.00
EFT122621	04/12/2014	WYNDHAM EXCAVATIONS	DEMOLITION OF DEPOT SHED & DISPOSAL OF BURNT VEHICLES - WYN DEPOT	31,600.00
EFT122622	04/12/2014	WALER AUSTRALIA P/L	PHOTOMETER TABLETS - KLC	87.62
EFT122623	11/12/2014	FYSH GRADER HIRE	RFQ17-2014 MAINT. GRADE - MT. ELIZABETH, ELLENBRAE ACCESS RDS	6,424.00
EFT122624	11/12/2014	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	110.00
EFT122625	11/12/2014	AMP SUPERANNUATION SAVINGS ACCT	SUPERANNUATION CONTRIBUTIONS	255.79
EFT122626	11/12/2014	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,819.28
EFT122627	11/12/2014	ALLGEAR MOTORCYCLES AND SMALL ENG.	PARTS FOR WHIPPER SNIPPER - P356	334.85
EFT122628	11/12/2014	ARGYLE ELECTRICAL SERVICES PTY LTD	REPLACE FLOOR BUFFERS, SOCKET OUTLET & REPAIRS TO HOCKEY TABLE-KLC	242.00
EFT122629	11/12/2014	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	175.70
EFT122630	11/12/2014	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	73,608.00
EFT122631	11/12/2014	BOAB REFRIGERATION AND AIRCON	SERVICE AIRCONDITIONERS - KUNUNURRA DEPOT	704.00
EFT122632	11/12/2014	BEING THERE SOLUTIONS PTY LTD	SUBSCRIPTION - BEINGTHERE VIDEO CONFERENCING - NOV 14	715.00
EFT122633	11/12/2014	BEST KIMBERLEY COMPUTING	PRINTING COSTS - KUNUNURRA AND WYNDHAM ADMIN NOV 14	2,084.37
EFT122634	11/12/2014	BLACKWOODS ATKINS PTY LTD	SAFETY SUPPLIES - 12 PAIRS GLOVES - WYNDHAM DEPOT	94.91
EFT122635	11/12/2014	CHILDREN'S BOOK COUNCIL OF AUST.	MEMBERSHIP SUBSCRIPTION 2015 - KNX LIBRARY	60.00
EFT122636	11/12/2014	COCA-COLA AMATIL	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	478.73
EFT122637	11/12/2014	DELRON CLEANING PTY LTD	CLEANING - KNX ADMIN, KYC, KLC, OVAL CHANGE RMS, TOILETS KNX	16,118.70
EFT122638	11/12/2014	DRYSDALE RIVER STATION	DIESEL FUEL - P388	150.82
EFT122639	11/12/2014	E K ENGINEERING	FABRICATE MOWER ROOFS - P491 , P135 , P138	1,092.30
EFT122640	11/12/2014	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KNX & WYN DEPOTS , LANDFILL	459.30
EFT122641	11/12/2014	EAST KIMBERLEY PLUMBING	CLEAR BLOCKED AIRCON. DRAINAGE PIPES - OLD KNX ADMIN BUILDING	841.50
EFT122642	11/12/2014	ENIGMA BUSINESS PRODUCTS	HP HEAVY COATED PAPER 130 GSM - KNX ADMIN	220.00
EFT122643	11/12/2014	EXPRESS VIRTUAL MEETINGS	TELECONFERENCE CHARGES - NOV 14	67.79
EFT122644	11/12/2014	FARMERS FRUIT AND VEG MART	CATERING FOR 2014 SENIOR'S WEEK & WIP MEETING 27/11/2014	210.00
EFT122645	11/12/2014	GHD PTY LTD	HYDROGEOLOGICAL ASSESSMENT FOR 3 LANDFILL SITES & RUNWAY WRKS	15,963.75
EFT122646	11/12/2014	GUERINONI & SONS	RFQ 04-2014 - VARIATION 15 - RECONSTRUCTION ERYTHRINA STREET	4,400.00
EFT122647	11/12/2014	HOT CHILLI SOURCE PTY LTD	STEEL WORK BOOTS X 9 - KNX AIRPORT	1,386.55
EFT122648	11/12/2014	HARBOUR SOFTWARE PTY LTD	DOC ASSEMBLER LICENSE FEE, INSTALLATION & TRAINING - KNX ADMIN	17,985.00

EFT122649	11/12/2014	HAYS RECRUITING EXPERTS WORLDWIDE	PROFESSIONAL RECRUITMENT SERVICES	4,386.36
EFT122650	11/12/2014	HOTEL KUNUNURRA	CATERING - COUNCIL BRIEFING SESSION - 2/12/14	510.00
EFT122651	11/12/2014	ICE AGE REFRIGERATION & AIRCOND.	SERVICE AIRCONDITIONERS - KUNUNURRA LEISURE CENTRE	819.50
EFT122652	11/12/2014	KIMBERLEY MECHANICAL & TILT TRAY	SERVICE - P122	715.51
EFT122653	11/12/2014	KIMBERLEY FIRST NATIONAL REAL ESTATE	WATER USE - STAFF HOUSING - 15/09/14 -18/11/14	188.11
EFT122654	11/12/2014	KIMBERLEY KOOL REFRIGERATION	SERVICE AIRCONDITIONERS - KUNUNURRA YOUTH CENTRE	792.00
EFT122655	11/12/2014	KIMBERLEY TREE SERVICES PTY LTD	TREE LOPPING & REMOVAL OF TREES - COOLIBAH DRIVE OPPOSITE CRT HSE	1,100.00
EFT122656	11/12/2014	KUNUNURRA DISTRICT HIGH SCHOOL	SWEK CONTRIBUTION TO LIBRARY ELECTRICITY CHARGES JULY - OCT 14	19,360.23
EFT122657	11/12/2014	KUNUNURRA HOME & GARDEN	GAS BOTTLES X 2 - KNX DEPOT	72.00
EFT122658	11/12/2014	KUNUNURRA RURAL TRADERS	LEVEL 2 SERVICE PRESSURE TEST, FIRE EXTINGUISHERS - KNX DEPOT	709.00
EFT122659	11/12/2014	KUNUNURRA SECURITY SERVICE	SECURITY PATROL & MONITORING - VAR INCL. KLC & KNX ADMIN - NOV 14	3,248.00
EFT122660	11/12/2014	LAWRENCE & HANSON GROUP	DOWNLIGHT ADAPTER PLATE - STAFF HOUSING	236.94
EFT122661	11/12/2014	MCINTOSH & SON	PARTS - P354	1,328.50
EFT122662	11/12/2014	MAXXIA	PAYROLL DEDUCTIONS	4,531.92
EFT122663	11/12/2014	MICHELS WARREN MUNDAY	WRITING AND CORPORATE COMMUNICATIONS	484.00
EFT122664	11/12/2014	MOTOR WORKZ	REPAIRS - P491	808.50
EFT122665	11/12/2014	ORDCO	PEST CONTROL CHEMICALS - KNX ADMIN	60.50
EFT122666	11/12/2014	ORICA AUSTRALIA PTY LTD	STORAGE & HANDLING OF CHLORINE GAS CYLINDERS - WYNDHAM POOL	2,444.74
EFT122667	11/12/2014	OFFICE NATIONAL KUNUNURRA	CELCO KEY TAGS - WYNDHAM ADMIN	43.02
EFT122668	11/12/2014	OLLIE'S IRRIGATION & PLUMB. SUPPLIES	RETICULATION SPRINKLERS AND FITTINGS VARIOUS LOCATIONS - KNX	1,177.88
EFT122669	11/12/2014	ORD FUEL SUPPLIES	FUEL COSTS - NOV 14	11,277.48
EFT122670	11/12/2014	ORD MACHINING	PARTS -P309	14.30
EFT122671	11/12/2014	OUT OF REACH TREE SERVICES PTY LTD	TREE LOPPING & REMOVAL OF TREES - PETER REID MEMORIAL HALL WYN.	3,850.00
EFT122672	11/12/2014	PIVOTEL	SATELITE PHONE COSTS - NOV 14	73.71
EFT122673	11/12/2014	QUICK CORPORATE AUSTRALIA	STATIONERY - NOV 14 KUNUNURRA ADMINISTRATION	1,460.93
EFT122674	11/12/2014	ROCKWELL OLIVIER	PROFESSIONAL ADVICE - DEVELOPMENT APPLIC. LOT 530 RIVER FARM RD	1,609.20
EFT122675	11/12/2014	SOCOM PTY LTD	DRAFTING COMPLIMENTS & COMPLAINTS - VARIOUS ANNOUNCEMENTS	1,606.00
EFT122676	11/12/2014	ST JOHN AMBULANCE	FIRST AID TRAINING - STAFF	747.00
EFT122677	11/12/2014	SUNNY SIGN COMPANY PTY LTD	SIGNAGE - CYRIL KLEINIG KNX , COOLIBAH DRIVE	104.50
EFT122678	11/12/2014	SURVEY NORTH (MNG)	DRAFT DP FOR CROWN SUBDIVISION OF LOT 557 ON DP69425	4,263.60
EFT122679	11/12/2014	TOLL EXPRESS	FREIGHT - SUNNY SIGN - KNX DEPOT	128.93
EFT122680	11/12/2014	THINK WATER KUNUNURRA	RETICULATION SPRINKLERS AND FITTINGS - LIVISTONA STREET KUNUNURRA	127.31
EFT122681	11/12/2014	TYREPLUS KUNUNURRA	REPLACEMENT TYRE - P211	190.00
EFT122682	11/12/2014	WA LOCAL GOVT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	22,339.27

EFT122683	11/12/2014	WESTRAC EQUIPMENT PTY LTD	500 HOUR SERVICE - P488	2,452.13
EFT122684	18/12/2014	AMPAC DEBT RECOVERY (WA) PTY LTD	COMMISSIONS AND COSTS - OCT & NOV 14	1,359.42
EFT122685	18/12/2014	AIRSERVICES AUSTRALIA	ERSA SPIRAL BOUND -12 MONTH AMENDMENT SERVICE RENEWAL	122.00
EFT122686	18/12/2014	BOAB REFRIGERATION AND AIRCON	REPAIRS & MAINTENANCE OF AIRCONDITIONERS - KNX AIRPORT	7,034.13
EFT122687	18/12/2014	CENTURION TRANSPORT	FREIGHT - SUNNY SIGNS - KNX DEPOT	25.99
EFT122688	18/12/2014	CORE BUSINESS AUSTRALIA PTY LTD	WANDRRA PROJECT MANAGEMENT & SUPERVISION - CLAIM 13	31,005.08
EFT122689	18/12/2014	EAST KIMBERLEY HARDWARE	5KG NAILS - KNX DEPOT	42.60
EFT122690	18/12/2014	EAST KIMBERLEY PLUMBING	REMOVE 3 BILLI UNITS & CAP WATER SUPPLY & SINK HOLES - KNX AIRPORT	248.68
EFT122691	18/12/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	282.17
EFT122692	18/12/2014	HAYS RECRUITING EXPERTS WORLDWIDE	PROFESSIONAL RECRUITMENT SERVICES	4,386.36
EFT122693	18/12/2014	INSTITUTE OF PUBLIC WKS ENGINEERING	MEMBERSHIP SUBSCRIPTION - 01/01/14 -31/12/14	990.00
EFT122694	18/12/2014	J & C ATKINS CONTRACTING PTY LTD	REPAIRS TO FENCE AT TED BIRCH YTH CENTRE & PULLEY WYN POOL	6,897.00
EFT122695	18/12/2014	JR & A HERSEY PTY LTD	POOL EQUIPMENT - RESPIRATOR - WYNDHAM POOL	89.29
EFT122696	18/12/2014	JAB INDUSTRIES	T02 14/15-FLOOD RECOVERY WKS LAKE ARGYLE RD, REPAIR CULVERTS	429,285.72
EFT122697	18/12/2014	JORRITSMA H & CO	RETICULATION FITTINGS - KUNUNURRA AIRPORT	46.50
EFT122698	18/12/2014	KUNUNURRA MEDICAL	EMPLOYEE MEDICAL & IMMUNISATION AS PER EMPLOYMENT CONTRACT	176.00
EFT122699	18/12/2014	KUNUNURRA DISTRICT HIGH SCHOOL	PHOTOCOPIER CHARGES - KNX ADMIN - NOV 14 & ADJUSTMENT JUL-SEP 14	113.11
EFT122700	18/12/2014	KUNUNURRA LOCK & KEY	KEY CUTTING - KUNUNURRA LANDFILL P356	66.00
EFT122701	18/12/2014	KUNUNURRA SECURITY SERVICE	SECURITY CALL OUTS - ADMIN BUILDING, OLD ADMIN BUILDING KNX NOV 14	160.00
EFT122702	18/12/2014	MOTOR WORKZ	RECOVERY OF ABANDONED VEHICLE – FLAMETREE ST TO KNX LANDFILL	121.00
EFT122703	18/12/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	131.68
EFT122704	18/12/2014	ORBIT HEALTH & FITNESS SOLUTIONS	GYM EQUIPMENT CABLE - KUNUNURRA LEISURE CENTRE	65.00
EFT122705	18/12/2014	ORD FUEL SUPPLIES	FUEL COSTS - NOV 14	1,768.44
EFT122706	18/12/2014	QUBE LOGISTICS (AUST) PTY LTD	STORAGE & HANDLING OF CHLORINE GAS CYLINDERS - WYN POOL NOV 14	946.50
EFT122707	18/12/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	1,730.39
EFT122708	18/12/2014	SHELF SUPPLY	1X ROLL OF TIRE WIRE - KNX AIRPORT	58.00
EFT122709	18/12/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	241.87
EFT122710	18/12/2014	ST JOHN AMBULANCE	FIRST AID TRAINING - STAFF MEMBERS, FIRST AID SUPPLIES - KNX LEISURE CTR	623.41
EFT122711	18/12/2014	STITCHED UP EMBROIDERY SERVICES	EMBROIDERY OF STAFF UNIFORMS - KUNUNURRA AIRPORT	360.00
EFT122712	18/12/2014	TNT AUSTRALIA PTY LIMITED	FREIGHT- HEALTH SAMPLES. FREIGHT - DEPOT, KNX ADMIN, KLC SUPPLIES	1,968.06
EFT122713	18/12/2014	UHY HAINES NORTON (WA) PTY LTD	REVIEW OF RISK M'MENT, INTERNAL CONTROLS & COMPLIANCE	21,255.30
EFT122714	18/12/2014	VISION IDZ	SUPPLY OF PVC CARDS FOR MEMBERSHIPS - KUNUNURRA LEISURE CENTRE	445.50
EFT122715	18/12/2014	WA LOCAL GOVERNMENT ASSOCIATION	MARKET FORCE ADVERTISING - TENDER ADS FOR FLOOD RECOVERY WORKS	387.53
EFT122716	24/12/2014	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	110.00

EFT122717	24/12/2014	AMP SUPERANNUATION SAVINGS ACCT	SUPERANNUATION CONTRIBUTIONS	248.77
EFT122718	24/12/2014	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,819.28
EFT122719	24/12/2014	ALLGEAR MOTORCYCLES AND SMALL ENG.	REPAIRS TO HONDA LINE TIMER AND PARTS FOR WHIPPER SNIPPER - P356	251.65
EFT122720	24/12/2014	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	175.70
EFT122721	24/12/2014	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	68,592.00
EFT122722	24/12/2014	BOAB REFRIGERATION AND AIRCON	REPAIRS TO AIRCONDITIONER - KNX AIRPORT	220.00
EFT122723	24/12/2014	BLACKWOODS ATKINS PTY LTD	SAFETY SUPPLIES INCL. WELDING SPECS - KNX DEPOT	229.02
EFT122724	24/12/2014	CENTURION TRANSPORT	FREIGHT - SUNNY SIGNS - KNX DEPOT	18.80
EFT122725	24/12/2014	COATES HIRE OPERATIONS PTY LTD	ROLLER HIRE - MULLIGANS LAGOON ROAD MAINTENANCE	1,113.75
EFT122726	24/12/2014	CONSOLIDATED PASTORAL CO PTY LTD	REFUND - OVERPAYMENT FOR CATTLE GRID - VALENTINES FALLS RD	691.67
EFT122727	24/12/2014	DAVEY TYRE & BATTERY SERVICE	PUNCTURE REPAIRS - P130	30.00
EFT122728	24/12/2014	DEPT OF FIRE & EMERGENCY SERVICE	REFUND - OVERPAYMENT OF ESL GRANT EXPENDITURE	4,244.05
EFT122729	24/12/2014	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KNX DEPOT - NOV 14	541.00
EFT122730	24/12/2014	IT VISION AUSTRALIA PTY LTD	AMENDING DEBTOR REPORT TO FACILITATE NEW CREDIT ARRANGEMENTS	457.60
EFT122731	24/12/2014	JORRITSMA H & CO	FITTINGS - P356	168.00
EFT122732	24/12/2014	KUNUNURRA MEDICAL	PRE EMPLOYMENT MEDICAL AS PER EMPLOYMENT CONTRACT	110.00
EFT122733	24/12/2014	KIMBERLEY CAFE	CATERING FOR THE 2014 THANK A VOLUNTEER DAY	399.00
EFT122734	24/12/2014	KIMBERLEY COMMUNICATIONS	BATTERY AND FREIGHT - VHF RADIO - WYNDHAM AIRPORT	263.00
EFT122735	24/12/2014	KIMBERLEY MOTORS	FUEL COSTS - OCT 14	4,122.31
EFT122736	24/12/2014	KIMBERLEY TREE SERVICES PTY LTD	GRIND STUMPS & RE-LEVEL TO GRADE WITH LOAM - CELEBRITY TREE PARK	275.00
EFT122737	24/12/2014	KUNUNURRA COURIERS	WATER SUPPLIES - KNX DEPOT	140.00
EFT122738	24/12/2014	KYLIE HARDTVILLE	REFUND - OVERPAYMENT OF CHILDCARE FEES WEEK ENDING 24/11/2013	147.00
EFT122739	24/12/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	89.71
EFT122740	24/12/2014	MAXXIA	PAYROLL DEDUCTIONS	4,531.92
EFT122741	24/12/2014	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	13.00
EFT122742	24/12/2014	NYTROWORX	REMOVAL OF TREES & POISON OF STUMPS - STAFF HOUSING	1,700.00
EFT122743	24/12/2014	ORDCO	SUPPLIES - WEED CONTROL- KUNUNURRA AIRPORT	896.50
EFT122744	24/12/2014	OFFICE NATIONAL KUNUNURRA	SUPPLIES - ARTLINE JUMBO BLACK X10 FOR BIO SIGNS - KNX ADMIN	101.50
EFT122745	24/12/2014	SGS ENVIRONMENTAL SERVICES	TESTING OF SAMPLES FROM KUNUNURRA LANDFILL SITE BORES	708.40
EFT122746	24/12/2014	SHELF SUPPLY	11,000 LT POLY WATER TANK , DOG FOOD & SAFETY BOOTS - KNX DEPOT	2,448.00
EFT122747	24/12/2014	ST JOHN AMBULANCE	INSTANT ICE PACKS FOR WYNDHAM RECREATION CENTRE	25.62
EFT122748	24/12/2014	SUNNY SIGN COMPANY PTY LTD	SIGNAGE VARIOUS INCL. 4X GRADER AHEAD, ROAD WORK AHEAD	849.20
EFT122749	24/12/2014	TELFORD INDUSTRIES	ECO-CHLORINE 40KG X 2 - KUNUNURRA LEISURE CENTRE	2,217.60
EFT122750	24/12/2014	TNT AUSTRALIA PTY LIMITED	FREIGHT - PATHWEST - HEALTH SAMPLES	398.05

EFT122751	24/12/2014	TYREPLUS KUNUNURRA	PUNCTURE REPAIRS- P356	35.00
EFT122752	24/12/2014	WA LOCAL GOVT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	23,620.71
EFT122753	24/12/2014	WALER AUSTRALIA P/L	REPAIRS TO AUTOMATIC POOL CLEANER - KUNUNURRA SWIMMING POOL	2,937.05
EFT122754	24/12/2014	WESTERN AUST. TREASURY CORPORATION	LOAN REPAYMENT	41,949.19
EFT122755	24/12/2014	HAYS RECRUITING EXPERTS WORLDWIDE	PROFESSIONAL RECRUITMENT SERVICES	4,386.36
TOTAL MUNICIPAL EFT PAYMENTS				2,718,105.78

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
50356	04/12/2014	HORIZON POWER	ELEC- INCL. CELEBRITY TREE PK, MESSMATE PUMP, KNX DEPOT 21/8-21/10/14	12,050.71
50357	04/12/2014	JODIE BYRNE	REFUND FOR CANCELLED ZUMBA LESSONS	160.00
50358	04/12/2014	WATER CORPORATION	WATER USE & SERVICE CHARGES KUNUNURRA DEPOT 10/9/14 - 10/11/14	726.47
50359-50387		CANCELLED CHEQUE	CANCELLED CHEQUE	
50388	11/12/2014	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	642.35
50389	11/12/2014	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	3,564.54
50390	11/12/2014	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	249.47
50391	11/12/2014	BOMELOH PTY LTD	RATES REFUND ASSESSMENT A1186	830.33
50392	11/12/2014	CBUS	SUPERANNUATION CONTRIBUTIONS	394.70
50393	11/12/2014	COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	354.61
50394	11/12/2014	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	447.41
50395	11/12/2014	DEPT OF TRANSPORT PAYMENT CENTRE	REGISTRATION - P483	24.95
50396	11/12/2014	GRASS ROOTS MAGAZINE	TWO YEAR SUBSCRIPTION GRASS ROOTS MAGAZINE- KUNUNURRA LIBRARY	86.00
50397	11/12/2014	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
50398	11/12/2014	HOLLY ELLISON	RATES REFUND ASSESSMENT A1515	744.72
50399	11/12/2014	HORIZON POWER	ELEC-VAR. INCL.KNX ADMIN OFFICE, KNX YOUTH CENTRE 12/9/14-18/11/14	16,568.78
50400	11/12/2014	HOST PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	434.88
50401	11/12/2014	INTRUST SUPER	SUPERANNUATION CONTRIBUTIONS	312.02
50402	11/12/2014	KNX WARINGARRI ABORIGINAL CORP.	RATES REFUND ASSESSMENT A1128	984.00
50403	11/12/2014	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	1,243.16
50404	11/12/2014	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	244.92
50405	11/12/2014	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	277.37
50406	11/12/2014	REI SUPER	SUPERANNUATION CONTRIBUTIONS	425.79
50407	11/12/2014	REST SUPER	SUPERANNUATION CONTRIBUTIONS	711.01
50408	11/12/2014	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	992.51
50409	11/12/2014	SUPERANNUATION SAVINGS COMM BANK	PAYROLL DEDUCTIONS	19.18

50410	11/12/2014	TASPLAN	SUPERANNUATION CONTRIBUTIONS	219.26
50411	11/12/2014	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	565.24
50412	11/12/2014	UNISUPER	SUPERANNUATION CONTRIBUTIONS	180.47
50413	11/12/2014	VIC SUPER	SUPERANNUATION CONTRIBUTIONS	300.66
50414	11/12/2014	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,376.62
50415	11/12/2014	WATER CORPORATION	WATER-VAR. INCL. WYN OFFICE, REC CENTRE, STAFF HSING 23/9-26/11/14	10,231.45
50416	11/12/2014	WATER CORP. SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	212.39
50417	18/12/2014	CASH - PETTY CASH KNX AIRPORT	PETTY CASH REIMBURSEMENT - KUNUNURRA AIRPORT	92.70
50418	18/12/2014	DEPT OF TRANSPORT PAYMENT CENTRE	TEMPORARY PERMIT 7/11-9/11/14 - P472 YOUTH SERVICES VEHICLE WYN	22.80
50419	18/12/2014	HORIZON POWER	ELEC-INCL.STREET LIGHTING NOV 14, KLC, EKRA - 13/11/14-8/12/14	56,986.28
50420	18/12/2014	JOANNE RICHARDSON	REFUND FOR SWIM SCHOOL STUDENT TERM 4 SWIM LESSONS	95.00
50421	18/12/2014	SUE DAVIS	REFUND KLC FITNESS PASS	95.00
50422	18/12/2014	TELSTRA	LANDLINE & MOBILE PHONE COSTS - NOV 2014	10,617.68
50423	18/12/2014	WATER CORPORATION	ORD IRRIGATION BY LAW CHARGES, REPAIRS TO SERVICE - COOLIBAH DVE	5,116.47
50424	22/12/2014	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	642.35
50425	22/12/2014	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	3,486.26
50426	22/12/2014	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	249.47
50427	22/12/2014	CBUS	SUPERANNUATION CONTRIBUTIONS	395.11
50428	22/12/2014	CATHOLIC SUPER	SUPERANNUATION CONTRIBUTIONS	112.49
50429	22/12/2014	COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	314.08
50430	22/12/2014	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	459.55
50431	22/12/2014	DEPARTMENT OF HOUSING - SECURITIES	REFUND OF RATES EAS PAID IN ERROR	468.00
50432	22/12/2014	GLENN GRIFFIN VENN MONEY	RATES REFUND FOR ASSESSMENT A7709 - NON CURRENT MINING TENEMENT	376.12
50433	22/12/2014	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
50434	22/12/2014	HORIZON POWER	ELEC-VAR. INCL. WYN POOL, WYNDHAM REC CENTRE 26/09/14-27/11/14	7,570.36
50435	22/12/2014	HOST PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	591.71
50436	22/12/2014	INTRUST SUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50437	22/12/2014	KRISTY BELLAMY	REFUND FOR SWIM SCHOOL STUDENT- 5 SWIM LESSONS	50.00
50438	22/12/2014	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	1,243.16
50439	22/12/2014	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	244.21
50440	22/12/2014	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	265.68
50441	22/12/2014	REI SUPER	SUPERANNUATION CONTRIBUTIONS	425.79
50442	22/12/2014	REST SUPER	SUPERANNUATION CONTRIBUTIONS	709.02
50443	22/12/2014	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	1,003.36

50444	22/12/2014	TASPLAN	SUPERANNUATION CONTRIBUTIONS	142.29
50445	22/12/2014	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	583.29
50446	22/12/2014	UNISUPER	SUPERANNUATION CONTRIBUTIONS	194.73
50447	22/12/2014	VICSUPER	SUPERANNUATION CONTRIBUTIONS	310.21
50448	22/12/2014	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,376.62
50449	22/12/2014	WATER CORP SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	212.39
50450	24/12/2014	HORIZON POWER	ELEC. - STAFF HOUSING WYNDHAM & KUNUNURRA 04/10/2014 - 02/12/2014	1,923.02
TOTAL MUNICIPAL CHEQUE PAYMENTS				154,286.14

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
713	18/12/2014	AMANDA DOYLE	BOND REFUND - LEISURE CENTRE HALL & STAGE HIRE	500.00
714	18/12/2014	BEN MARR	KERB BOND REFUND BP133/2013	520.00
715	23/12/2014	DEPARTMENT FOR CHILD PROTECTION	BOND REFUND - EXCLUSIVE POOL HIRE	500.00
716	23/12/2014	RYAN CHINNERY	KERB BOND REFUND BP116/2014	552.00
TOTAL TRUST CHEQUE PAYMENTS				2,072.00

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
500845	01/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 01/12/14	642.20
500846	02/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 02/12/14	857.85
500847	03/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 03/12/14	326.05
500848	04/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 04/12/14	942.20
500849	05/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 05/12/14	3,459.95
500850	08/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 08.12.14	137.60
500851	09/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 09/12/14	154.80
500852	10/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 10/12/14	1,423.00
500853	11/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 11/12/14	122.10
500854	12/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 12/12/14	326.70
500855	15/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 15/12/14	265.80
500856	16/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 16/12/14	1,100.05
500857	17/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 17/12/14	366.65
500858	19/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 19/12/14	106.35
500859	22/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 22/12/14	335.80
500860	23/12/2014	TRUST DPI CLEARING	TRANSPORT CLEARING 23/12/14	243.00
TOTAL TRANSPORT EFT PAYMENTS				10,810.10

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	5/12/2014	PAYROLL	PAYROLL	4,213.10
	5/12/2014	PAYROLL	PAYROLL	2,099.59
	5/12/2014	PAYROLL	PAYROLL	5,247.00
	10/12/2014	PAYROLL	PAYROLL	206,156.28
	12/12/2014	PAYROLL	PAYROLL	1,124.31
	22/12/2014	PAYROLL	PAYROLL	208,003.74
	23/12/2014	PAYROLL	PAYROLL	4,459.38
	24/12/2014	PAYROLL	PAYROLL	298.83
TOTAL PAYROLL PAYMENTS				431,602.23

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	1/12/2014	DIRECT DEBIT	BANK FEES	1,332.21
	1/12/2014	DIRECT DEBIT	BPAY FEES	174.55
	1/12/2014	DIRECT DEBIT	LEASE COSTS - 11 KWINANA STREET WYNDHAM	1,520.00
	9/12/2014	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	1,380.50
	9/12/2014	DIRECT DEBIT	PERIODIC PAYMENT FEE	4.80
	10/12/2014	DIRECT DEBIT	LEASE COSTS - 38 GARDENIA DRIVE KUNUNURRA	3,606.55
	10/12/2014	DIRECT DEBIT	PERIODIC PAYMENT FEE	4.80
	12/12/2014	DIRECT DEBIT	BANK FEES	34.80
	18/12/2014	DIRECT DEBIT	MASTERCARD PAYMENT (SEE TRANSACTION LISTING BELOW)*	5,959.67
	23/12/2014	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	1,380.50
	23/12/2014	DIRECT DEBIT	PERIODIC PAYMENT FEE	4.80
	31/12/2014	DIRECT DEBIT	LINE OF CREDIT FEE - CHARGED IN ERROR - TO BE REVERSED IN JANUARY	7,500.00
	31/12/2014	DIRECT DEBIT	BANK FEES	945.60
TOTAL DIRECT DEBIT PAYMENTS				23,848.78

***DETAILS OF MASTERCARD TRANSACTIONS INCLUDED IN DIRECT DEBIT 18/12/14**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	03/11/2014	EAST KIMBERLEY HARDWARE	PROTECTIVE BRIEFCASES FOR OFF SITE BACKUP TAPES	285.60
	03/11/2014	DOUBLETREE DARWIN	ACCOM DARWIN 1/11-3/11/14- STAFF MEMBER AS PER EMPLOY. CONTRACT	945.00
	04/11/2014	KUNUNURRA BETTA ELECTRICAL	HDMI CABLE FOR ICT DEPT USE	34.95
	04/11/2014	JIANG FOOD INDUSTRY	CATERING FOR NOVEMBER BRIEFING MEETING	280.00

04/11/2014	DEPARTMENT OF TRANSPORT	TRAFFIC INFRINGEMENT - FAILURE TO RETURN NUMBER PLATES - P472	100.00
04/11/2014	DEPARTMENT OF TRANSPORT	TEMPORARY MOVEMENT PERMIT - WY13459 - P472	22.80
04/11/2014	ROYAL LIFE SAVING SOCIETY AUSTRALIA	SUBSCRIPTION TO ROYAL LIFE SAVING SOCIETY AUSTRALIA GUIDELINES	155.00
06/11/2014	VANDERFIELD NORTHWEST	REPLACEMENT BATTERY FOR FOB CAR KEY - P115	10.90
06/11/2014	DEPARTMENT OF MINES & PETROLEUM	ANNUAL DANGEROUS GOODS SITE LICENCE - KUNUNURRA LEISURE CENTRE	192.00
07/11/2014	TARGET COUNTRY	ANDROID TABLET FOR ICT TRAINING PURPOSES	103.00
11/11/2014	SUBWAY KUNUNURRA	CATERING FOR TOWN PLANNING MEETING	72.50
12/11/2014	ASIC	COMPANY INFORMATION REQUIRED FOR FOI APPLICATION PROCESS	18.00
12/11/2014	DEPT OF TRANSPORT PAYMENT CENTRE	REGISTRATION AND INSURANCE - P472	801.95
13/11/2014	INK DEPOT	INK FOR PRINTERS - KNX LEISURE CENTRE, WYN POOL, WYN REC. CENTRE	1,492.17
19/11/2014	HALLMARK EDITIONS PTY	SUBSCRIPTION - CIVIL ROAD MAGAZINE	70.00
19/11/2014	JST POOLS AND SPAS PL	12 X CALCIUM STAIN ERASER VACUUM'S - KUNUNURRA LEISURE CENTRE	265.10
24/11/2014	THE RUSTY SHED CAFÉ	CATERING FOR NOVEMBER COUNCIL MEETING - WYNDHAM	125.00
25/11/2014	VIRGIN AIRLINES	FLIGHTS KNX-PER-KNX - 2/12/14,5/12/14 - STAFF MEMBER - CONFERENCE	985.70
		TOTAL CREDIT CARD PAYMENTS	5,959.67

13.1.2 Monthly Financial Report as at 30 November 2014

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Natalie Octoman, Director Corporate Services
REPORTING OFFICER:	Natalie Octoman, Director Corporate Services
FILE NO:	FM.09.5
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to receive the monthly financial report for November 2014.

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 the Council with the ability to oversee the Shire's financial performance against budgeted target.

STRATEGIC IMPLICATIONS

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 1.4: Business innovation, efficiency and improved service

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.

COMMENT

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

ATTACHMENTS

Attachment 1 - Monthly Management Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Interim Monthly Financial Report for the month of November 2014.

COUNCIL DECISION

Minute No. 10761

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council receives the Interim Monthly Financial Report for the month of November 2014.

Carried Unanimously 7/0



Shire of Wyndham East Kimberley

Interim Monthly Financial Report 2014/2015

As at 30 November 2014

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 November 2014

	YTD Actual 2014/15 \$	YTD Budget 2014/15 \$	YTD Variance 2014/15	
			\$	%
Revenue				
General Purpose Funding	2,386,888	2,324,377	62,511	3% ▲
Governance	1,043,476	1,026,146	17,330	2% ▲
Law, Order, Public Safety	21,841	21,893	(52)	0% ▼
Health	53,753	43,708	10,045	23% ▲
Education and Welfare	75,893	69,567	6,326	9% ▲
Housing	85,622	100,368	(14,746)	-15% ▼
Community Amenities	1,860,738	1,737,219	123,519	7% ▲
Recreation and Culture	403,423	371,390	32,033	9% ▲
Transport	4,006,432	3,323,989	682,443	21% ▲
Economic Services	37,913	45,785	(7,872)	-17% ▼
Other Property and Services	106,691	81,000	25,691	32% ▲
	<u>10,082,671</u>	<u>9,145,442</u>	<u>937,229</u>	<u>10% ▲</u>
Expenses				
General Purpose Funding	(142,671)	(185,885)	43,214	-23% ▼
Governance	(147,800)	(191,221)	43,421	-23% ▼
Law, Order, Public Safety	(254,257)	(293,954)	39,697	-14% ▼
Health	(138,745)	(138,670)	(75)	0% ▲
Education and Welfare	(182,813)	(175,659)	(7,154)	4% ▲
Housing	(315,015)	(352,545)	37,530	-11% ▼
Community Amenities	(1,834,769)	(2,063,200)	228,431	-11% ▼
Recreation & Culture	(2,648,262)	(2,927,790)	279,528	-10% ▼
Transport	(5,686,027)	(4,379,390)	(1,306,637)	30% ▲
Economic Services	(272,640)	(273,359)	719	0% ▼
Other Property and Services	(1,218,234)	(612,381)	(605,853)	99% ▲
	<u>(12,841,232)</u>	<u>(11,594,054)</u>	<u>(1,247,179)</u>	<u>11% ▲</u>
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	324,302	0	324,302	0% ▲
Movement in Accruals and Provisions	(126,505)	5,000	(131,505)	-2630% ▼
Depreciation on Assets	2,419,518	2,515,355	(95,837)	-4% ▼
Capital Expenditure and Revenue				
Purchase Land Held for Resale	0	0	0	0% ▲
Purchase Land and Buildings	(272,952)	(374,789)	101,837	-27% ▼
Purchase Infrastructure Assets - Roads	(998,841)	(1,042,079)	43,238	-4% ▼
Purchase Infrastructure Assets - Footpaths	0	0	0	0% ▲
Purchase Infrastructure Assets - Drainage	(11,624)	(21,420)	9,796	-46% ▼
Purchase Infrastructure Assets - Other	(547,880)	(500,225)	(47,655)	10% ▲
Purchase Plant and Equipment	(7,030)	(10,000)	2,970	-30% ▼
Purchase Furniture and Equipment	(14,842)	(34,176)	19,334	-57% ▼
Grants / Contributions for Development of Assets	4,065,357	4,584,351	(518,994)	-11% ▼
Proceeds from Disposal of Assets	5,031	0	5,031	0% ▲
Proceeds from Sale of Land Held for Resale	0	0	0	0% ▼
Repayment of Debentures	(236,567)	(236,566)	(1)	0% ▲
Proceeds from New Debentures	0	0	0	0% ▼
Transfers to Reserves (Restricted Assets)	(2,876,821)	(2,876,821)	(0)	0% ▲
Transfers from Reserves (Restricted Assets)	0	0	0	0% ▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,397,052)	(1,397,052)	0	0% ▲
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	6,743,026	7,296,656	(553,630)	-8% ▲
Minutes Ordinary Council Meeting 27 January 2015	9,177,493	9,133,689	43,804	0% ▲
Amount Required to be Raised from Rates				

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity

Net Current Assets

as at 30 November 2014

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

	YTD Actual 2014/15	Brought Forward 1 July 2014
CURRENT ASSETS		
Cash - Unrestricted	3,096,454	652,355
Cash - Restricted	8,361,430	8,263,354
Cash - Restricted Unspent Grants	2,852,018	0
Receivables	3,650,983	1,727,680
Inventories	6,411	17,037
	<u>17,967,297</u>	<u>10,660,427</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	24,578	(3,794,123)
Less: Cash - Restricted	(8,361,430)	(8,263,354)
Less: Cash - Restricted Unspent Grants	(2,852,018)	0
NET CURRENT ASSET POSITION	<u>6,778,426</u>	<u>(1,397,051)</u>

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity For the Period Ended 30 November 2014

Explanation of Material Variances

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

Variances +/- \$20,000 and 10% at Account Level

Operating

Recurrent Income - Excluding Rates		▲	
Rates			
Rates Revenue - Interim Rates	\$ 29,200	▲	Interim rates collected to November. Interim rates were purposely not incorporated into the 2014/15 budget, therefore this will be a windfall and captured in the Mid Year Budget Review.
General Purpose Funding		▲	
Emergency Services Levy - Rates	\$ 23,700	▲	Increase in levies raised. Funds collected on behalf of DFES, and are offset against expenditure.
Governance		▲	
No material variances to report			
Law, Order and Public Safety		▼	
No material variances to report			
Health		▲	
No material variances to report			
Education and Welfare		▲	
No material variances to report			
Housing		▼	
No material variances to report			
Community Amenities		▲	
Additional Waste Management Receptacle Charge	\$ 125,000	▲	The number of additional waste receptacles higher than anticipated.
Recreation and Culture		▲	
Grant Income - Club Development	-\$ 25,000	▼	Grant no longer anticipated to be received. Will be removed as part of the Mid Year Budget Review process.
Grant Income - KidSport	\$ 25,000	▲	Grant was not incorporated into the budget as it wasn't endorsed prior to the date of budget adoption. This has now been received. Expenditure will be included to offset this additional revenue.
Transport		▲	
WANDRRA Funding - Monsoonal Trough and Associated Flooding (10 March 2011)	\$ 694,100	▲	The flood event has resulted in additional expenditure which will be offset through the recoupment of funds and adjusted in the Mid Year Budget Review.
Leases - East Kimberley Regional Airport Terminal	-\$ 52,700	▼	Partially offset with additional income for Other leases. Requires a budget amendment which will be made in the Mid Year Budget Review.
Leases - East Kimberley Regional Airport Other	\$ 49,200	▲	Partially offset with a reduction in income for Airport Terminal leases. Requires a budget amendment which will be made in the Mid Year Budget Review.
Economic Services		▲	
No material variances to report			
Other Property and Services		▲	
No material variances to report			
Recurrent Expenditure		▲	
General Purpose Funding		▼	
No material variances to report			
Governance		▼	
No material variances to report			
Law, Order and Public Safety		▼	
Direct Salaries - Ranger Services	\$ 24,200	▼	Reduced expenditure associated with overtime and allowances. Will review as part of the Mid Year Budget Review to determine overall savings in salaries for the Shire.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 November 2014

(continued)

Recurrent Expenditure (Continued)

Health		▲	
No material variances to report			
Education and Welfare		▲	
No material variances to report			
Housing		▼	
No material variances to report			
Community Amenities		▼	
Administration Salary and Wages Allocated - Sanitation - Household Refuse	\$	44,300	▼ Less allocation due to lower actual expenditure in the sub program and overall admin overhead less than anticipated as at reporting date. Non cash item. Timing.
Admin Overheads Allocated - Sanitation - Household Refuse	\$	48,200	▼ Less allocation due to lower actual expenditure in the sub program and overall admin overhead less than anticipated as at reporting date. Non cash item. Timing.
Street Tree Planting - Protection of Environment	\$	40,200	▼ Project not yet commenced.
Legal Expenses - Town Planning and Regional Development	-\$	62,400	▲ Additional legal costs incurred for the SAT Hearing to date. Additional funds will be sourced from other savings as part of the Mid Year Budget Review process.
Consultants - Local Planning Strategy MUN	\$	32,000	▼ Project expected to be commenced in March 2015. Timing Variance.
Recreation and Culture		▼	
Depreciation - Other Community Amenities	\$	58,300	▼ Lower depreciation charges due to change in categories, set off against higher depreciation in other areas. Non cash item.
Depreciation - Public Halls	-\$	56,300	▲ Higher depreciation charges due to change in categories, set off against lower depreciation in other areas. Non cash item.
Pool Operating - Kununurra Swimming Complex	\$	22,400	▼ Underspend is partially offset with the higher costs represented by salaries at the Leisure Centre. Actuals will require adjusting between these two accounts.
Direct Salaries - Kununurra Swimming Complex	\$	70,200	▼ Underspend is partially offset with the higher costs represented by salaries at the Leisure Centre. Actuals will require adjusting between these two accounts.
Admin Overheads Allocated - Kununurra Swimming Complex MUN	\$	20,800	▼ Underspend is partially offset with the lower costs represented by salaries at the Swimming Complex. Actuals will require adjusting between these two accounts.
Direct Salaries - Kununurra Leisure Centre	-\$	88,000	▲ Overspend is partially offset with the lower costs represented by salaries at the Swimming Complex. Actuals will require adjusting between these two accounts.
Parks and Gardens Maintenance - Kununurra	\$	100,100	▼ Underspend in salaries to date. This will start to pick up over the wet season with the additional hours required. Timing variation.
Administration Salary and Wages Allocated - Kununurra Parks and Gardens	\$	34,900	▼ Underspend in salaries to date therefore less administration allocation. This will start to pick up over the wet season with the additional hours required. Timing variation.
Admin Overheads Allocated - Kununurra Parks and Gardens	\$	37,300	▼ Underspend in salaries to date therefore less overhead allocation also. This will start to pick up over the wet season with the additional hours required. Timing variation.
Parks and Gardens Maintenance - Wyndham	-\$	30,300	▲ Slight overspend to date although comes back on track approaching December. Timing variation.
Joint Use Contribution - Libraries	-\$	32,600	▲ Overspend recognised to date. Changes in electricity tariffs for the school has increased the Shire's contribution. This will be amended as part of the Mid Year Budget Review.
Wyndham Community Resource Centre (CRC) - RIPIA Expenses	-\$	22,500	▲ Funds that were collected in the prior year that were not carried forward. Will be amended as part of the Mid Year Budget Review process.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 November 2014

(continued)

Recurrent Expenditure (Continued)

Transport		▲	
Administration Salary and Wages Allocated - Streets, Roads & Bridges - Non Capital	\$	218,600	▲ The allocation is higher than originally budgetted given the additional expenditure on WANDRRA that will be recouped. The admin costs will be redistributed as part of the Mid Year Budget Review but is non-cash and non-impacting.
Rural Road Maintenance	-\$	148,500	▼ Underspend recognised to date. Timing variation.
Urban Road Maintenance - Kununurra	-\$	31,100	▼ Underspend recognised to date. Timing variation.
Monsoonal Trough Flood Event, 6-9 Feb 2014	\$	1,555,200	▲ Higher flood recovery cost than anticipated. Higher expenses to be claimed from WANDRRA fund.
Depreciation - Streets, Roads & Bridges - Maintenance	\$	22,300	▲ Completed infrastructure is now depreciating. Non cash item. Budget will be amended during the Mid Year Budget Review.
Airport Terminal Building Maintenance - East Kimberley Regional Airport	-\$	28,600	▼ No major air conditioning issues occurred during November, although strategies are being prepared given the high costs associated with maintenance over the last 12 months.
Airside Operations - East Kimberley Regional Airport	-\$	22,400	▼ Reallocation of salaries required. Offset with higher salaries in Direct Salaries - EKRA account.
Passenger Screening Expenses - East Kimberley Regional Airport	-\$	21,700	▼ Savings to be returned to the Reserve as part of the Mid Year Budget Review process as there is no longer a requirement for a new explosive trace detection (ETD) machine.
Direct Salaries - East Kimberley Regional Airport	\$	21,800	▲ Reallocation of salaries required. Offset with lower salaries in Airside Operations - EKRA account.
Administration Salary and Wages Allocated - East Kimberley Regional Airport	\$	69,200	▼ Less allocation due to lower actual expenditure in the sub program and overall admin overhead less than anticipated as at reporting date. Non cash item. Timing.
Admin Overheads Allocated - East Kimberley Regional Airport	\$	84,900	▼ Less allocation due to lower actual expenditure in the sub program and overall admin overhead less than anticipated as at reporting date. Non cash item. Timing.
Depreciation - East Kimberley Regional Airport	\$	40,800	▼ Less depreciation due uncompleted capital projects as at date. Timing.
Economic Services		▼	
No material variances to report			
Other Property and Services		▲	
Private Works - Expenses	\$	29,600	▲ Works have been more defined since the adoption of the budget. There will be a corresponding increase in revenue also once all the invoices have been raised for on-charging.
Vehicle Expenses - Public Works	\$	22,600	▲ Higher costs will need to be investigated due to allocation calculations.
Admin Overheads Allocated - Public Works Overheads	-\$	30,500	▼ Less allocation due to overall admin cost less than anticipated as at reporting date. Non cash item. Timing.
Administration Salary and Wages Allocated - General Administration Overheads	\$	49,100	▼ Lower reallocation due to overall overhead costs lower than anticipated as at reporting date. Non cash item. Timing.
ABC Allocations	\$	432,100	▼ Lower reallocation due to overall admin cost lower than anticipated as at reporting date. Non cash item. Timing.
Software Licencing - Information Services	-\$	22,700	▼ Underspend recognised to date. Timing variation.
Integrated Planning Framework (IPF) - Asset Management	-\$	25,000	▼ Underspend recognised to date. Timing variation.
Plant Operating Cost Allocated	-\$	55,700	▼ Lower allocation in October prior to the wet season. Timing.
Loss on Sale of Assets - Unclassified	\$	324,300	▲ Asset impact of the depot fire. Insurance claims made. Non Cash Item.
Insurance - Unclassified	-\$	41,400	▲ Insurance claim received for vehicles impacted by the depot fire to be allocated.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 November 2014

(continued)

Non Cash Expenditure and Revenue

Adjustments and Accruals

Loss on Sale of Assets - Unclassified	-\$ 324,300	▲ Asset impact of the depot fire. Insurance claims made. Non Cash Item.
Depreciation - Other Community Amenities	\$ 58,300	▼ Reversal is lower given the lower depreciation charges due to change in categories, set off against higher depreciation in other areas. Non cash item.
Depreciation - Public Halls	-\$ 56,300	▲ Reversal is higher due to higher depreciation charges due to change in categories, set off against lower depreciation in other areas. Non cash item.
Depreciation - Streets, Roads & Bridges - Maintenance	-\$ 22,300	▲ Completed infrastructure is now depreciating. Non cash Item. Budget will be amended during the Mid Year Budget Review.
Depreciation - East Kimberley Regional Airport	\$ 40,800	▼ Reversal is lower due to less depreciation costs due uncompleted capital projects as at date. Timing and non cash item.

Capital

Purchase Land Held for Resale	▲	
No material variances to report		
Purchase Land and Buildings	▼	
Land Subdivision Costs SES Shed Land	-\$ 63,700	▼ Slight delays in project. Timing.
Wyndham Pound	-\$ 24,100	▼ This relates to the work being undertaken on the Kununurra Pound, not the Wyndham Pound as the GL account suggests. Work is still underway. Timing variation.
Wyn depot fire damage reinstatement - Buildings	\$ 30,500	▲ Costs relate to the Wyndham Depot fire damage. These are offset against insurance settlements.
Purchase Infrastructure Assets - Roads	▼	
Asphalt resurfacing program (R2R) - Kununurra town site MUN	\$ 32,200	▲ Timing variation only. Relates to Roads to Recovery funded works.
Asphalt resurfacing program (RRG) - Coolibah Drive	-\$ 28,400	▼ Work is ongoing and expected to be completed by January 2015. Timing variation only.
Purchase Infrastructure Assets - Footpaths	▲	
No material variances to report		
Purchase Infrastructure Assets - Drainage		
No material variances to report		
Purchase Infrastructure Assets - Other	▲	
Reseal Apron - East Kimberley Regional Airport	-\$ 24,800	▼ Potential savings as project completed with the savings to possibly be utilised for the asphalt overlay towards the end of the financial year.
Upgrade Maintenance Area - East Kimberley Regional Airport MUN	\$ 86,500	▲ Originally budgeted in 13/14, carried forward to 14/15. Purchase order raised at the end of the year omitted from carried forward budget. Project funded by Airport Reserve and will be adjusted in the Mid Year Budget Review.
Purchase Plant and Equipment	▼	
No material variances to report		
Purchase Furniture and Equipment	▲	
No material variances to report		
Grants / Contributions for Development of Assets	▼	
Road to Recovery Grants	\$ 500,000	▼ Income based on progress claim for projects yet to be made. Timing variance.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 November 2014

(continued)

Capital (continued)

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

Statement of Financial Activity Budget Remaining to Collect/Spend as at 30 November 2014

	YTD Actual 2014/15 \$	Annual Budget 2014/15	Budget Remaining 2014/15 \$	%	
Revenue					
General Purpose Funding	2,386,888	4,413,934	2,027,046	46%	▼
Governance	1,043,476	1,086,042	42,566	4%	▼
Law, Order, Public Safety	21,841	59,350	37,509	63%	▼
Health	53,753	80,500	26,747	33%	▼
Education and Welfare	75,893	77,000	1,107	1%	▼
Housing	85,622	430,453	344,831	80%	▼
Community Amenities	1,860,738	2,483,863	623,125	25%	▼
Recreation and Culture	403,423	724,402	320,979	44%	▼
Transport	4,006,432	5,750,793	1,744,361	30%	▼
Economic Services	37,913	97,923	60,010	61%	▼
Other Property and Services	106,691	103,266	(3,425)	-3%	▲
	<u>10,082,671</u>	<u>15,307,526</u>	<u>5,224,855</u>	<u>34%</u>	<u>▼</u>
Expenses					
General Purpose Funding	(142,671)	(559,166)	(416,494)	74%	▼
Governance	(147,800)	(1,440,658)	(1,292,858)	90%	▼
Law, Order, Public Safety	(254,257)	(700,194)	(445,938)	64%	▼
Health	(138,745)	(324,635)	(185,890)	57%	▼
Education and Welfare	(182,813)	(290,794)	(107,981)	37%	▼
Housing	(315,015)	(768,906)	(453,891)	59%	▼
Community Amenities	(1,834,769)	(5,286,793)	(3,452,024)	65%	▼
Recreation & Culture	(2,648,262)	(6,818,047)	(4,169,785)	61%	▼
Transport	(5,686,027)	(9,579,827)	(3,893,800)	41%	▼
Economic Services	(272,640)	(517,691)	(245,051)	47%	▼
Other Property and Services	(1,218,234)	(936,967)	281,267	-30%	▲
	<u>(12,841,232)</u>	<u>(27,223,677)</u>	<u>(14,382,445)</u>	<u>53%</u>	<u>▼</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	324,302	(210,891)	(535,193)	254%	▼
Movement in Accruals and Provisions	(126,505)	5,000	131,505	2630%	▼
Depreciation on Assets	2,419,518	6,036,820	3,617,302	60%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▼
Purchase Land and Buildings	(272,952)	(638,000)	(365,048)	57%	▼
Purchase Infrastructure Assets - Roads	(998,841)	(2,393,929)	(1,395,088)	58%	▼
Purchase Infrastructure Assets - Footpaths	0	(31,000)	(31,000)	100%	▼
Purchase Infrastructure Assets - Drainage	(11,624)	(358,358)	(346,734)	97%	▼
Purchase Infrastructure Assets - Other	(547,880)	(1,901,535)	(1,353,655)	71%	▼
Purchase Plant and Equipment	(7,030)	(124,962)	(117,932)	94%	▼
Purchase Furniture and Equipment	(14,842)	(116,500)	(101,658)	87%	▼
Grants / Contributions for Development of Assets	4,065,357	6,491,991	2,426,634	37%	▼
Proceeds from Disposal of Assets	5,031	394,000	388,969	99%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(236,567)	(2,406,937)	(2,170,370)	90%	▼
Proceeds from New Debentures	0	1,803,218	1,803,218	100%	▼
Transfers to Reserves (Restricted Assets)	(2,876,821)	(4,000,605)	(1,123,784)	28%	▼
Transfers from Reserves (Restricted Assets)	0	1,253,687	1,253,687	100%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,397,052)	(1,397,052)	0	0%	▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	6,743,026	(330,591)	(7,073,617)	2140%	▲
Minutes Ordinary Council Meeting 27 January 2015	9,177,493	9,180,615	3,122	32 of 188	▼
Amount Required to be Raised from Rates				0%	

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

INVESTMENT POLICY - CP FIN - 3203

"Overall Portfolio Limits"

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

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

"Counterparty Credit Framework"

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

"Term to Maturity Framework"

Overall Portfolio Term to Maturity Limits	Individual Investment Maturity Limits
Portfolio % < 1 year	100% max 40% min
Portfolio % > 1 year	60%
Portfolio % > 3 year	35%
Authorised Deposit Institution	12 Months
State/Commonwealth Government Bonds	3 years

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

RESULTS AS AT 30 November 2014

Overall Portfolio

A-1+
100%



Counterparty Credit



Term to Maturity

< 1 YEAR
100%



13.1.3 Monthly Financial Report as at 31 December 2014

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Natalie Octoman, Director Corporate Services
REPORTING OFFICER:	Natalie Octoman, Director Corporate Services
FILE NO:	FM.09.5
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to receive the monthly financial report for December 2014.

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 the Council with the ability to oversee the Shire's financial performance against budgeted target.

STRATEGIC IMPLICATIONS

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 1.4: Business innovation, efficiency and improved service

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.

COMMENT

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

ATTACHMENTS

Attachment 1 - Monthly Management Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Interim Monthly Financial Report for the month of December 2014.

COUNCIL DECISION

Minute No. 10762

Moved: Cr B Robinson

Seconded: Cr D Learbuch

That Council receives the Interim Monthly Financial Report for the month of December 2014.

Carried Unanimously 7/0



Shire of Wyndham East Kimberley

Interim Monthly Financial Report 2014/2015

As at 31 December 2014

Contents:

- Statement of Financial Activity
- Note to Statement of Financial Activity (Net Current Asset Position)
- Note to Statement of Financial Activity (Explanation of Material Variances)
- Note to Statement of Financial Activity (Budget Remaining to Collect/Spend)
- Monthly Report on Investment Portfolio (Cash)

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

Shire of Wyndham East Kimberley

Statement of Financial Activity Year to Date Actual v Year to Date Budget as at 31 December 2014

	YTD Actual 2014/15 \$	YTD Budget 2014/15 \$	YTD Variance 2014/15 \$	%	
Revenue					
General Purpose Funding	2,407,420	2,369,467	37,953	2%	▲
Governance	1,044,920	1,048,062	(3,142)	0%	▼
Law, Order, Public Safety	24,587	41,573	(16,986)	-41%	▼
Health	53,432	53,208	224	0%	▲
Education and Welfare	100,143	75,630	24,513	32%	▲
Housing	97,250	120,515	(23,265)	-19%	▼
Community Amenities	1,917,658	1,821,488	96,170	5%	▲
Recreation and Culture	433,980	401,435	32,545	8%	▲
Transport	4,199,327	3,614,871	584,456	16%	▲
Economic Services	43,863	53,153	(9,290)	-17%	▼
Other Property and Services	116,499	81,000	35,499	44%	▲
	<u>10,439,080</u>	<u>9,680,402</u>	<u>758,678</u>	<u>8%</u>	<u>▲</u>
Expenses					
General Purpose Funding	(159,085)	(202,677)	43,592	-22%	▼
Governance	(208,702)	(253,472)	44,770	-18%	▼
Law, Order, Public Safety	(290,157)	(344,824)	54,667	-16%	▼
Health	(158,114)	(162,710)	4,596	-3%	▼
Education and Welfare	(218,130)	(204,148)	(13,982)	7%	▲
Housing	(364,483)	(428,401)	63,918	-15%	▼
Community Amenities	(2,040,664)	(2,424,356)	383,692	-16%	▼
Recreation & Culture	(3,115,283)	(3,487,577)	372,294	-11%	▼
Transport	(6,958,372)	(5,065,489)	(1,892,883)	37%	▲
Economic Services	(299,024)	(301,215)	2,191	-1%	▼
Other Property and Services	(1,321,591)	(715,383)	(606,208)	85%	▲
	<u>(15,133,605)</u>	<u>(13,590,252)</u>	<u>(1,543,353)</u>	<u>11%</u>	<u>▲</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	324,302	0	324,302	0%	▲
Movement in Accruals and Provisions	(123,052)	5,000	(128,052)	-2561%	▼
Depreciation on Assets	2,908,562	3,018,426	(109,864)	-4%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▲
Purchase Land and Buildings	(363,861)	(474,789)	110,928	-23%	▼
Purchase Infrastructure Assets - Roads	(1,229,773)	(1,435,954)	206,181	-14%	▼
Purchase Infrastructure Assets - Footpaths	0	0	0	0%	▲
Purchase Infrastructure Assets - Drainage	(11,624)	(21,420)	9,796	-46%	▼
Purchase Infrastructure Assets - Other	(580,895)	(529,875)	(51,020)	10%	▲
Purchase Plant and Equipment	(7,030)	(10,000)	2,970	-30%	▼
Purchase Furniture and Equipment	(14,935)	(36,593)	21,658	-59%	▼
Grants / Contributions for Development of Assets	4,198,485	4,634,351	(435,866)	-9%	▼
Proceeds from Disposal of Assets	5,031	0	5,031	0%	▲
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(1,876,300)	(1,876,298)	(2)	0%	▲
Proceeds from New Debentures	0	1,500,000	(1,500,000)	-100%	▼
Transfers to Reserves (Restricted Assets)	(2,876,821)	(2,876,821)	(0)	0%	▲
Transfers from Reserves (Restricted Assets)	0	0	0	0%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,397,052)	(1,397,052)	0	0%	▲
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	3,438,004	5,730,635	(2,292,631)	-40%	▲
Minutes Ordinary Council Meeting 27 January 2015	9,177,493	9,141,510	35,983	0%	▲
Amount Required to be Raised from Rates	<u>9,177,493</u>	<u>9,141,510</u>	<u>35,983</u>	<u>0%</u>	<u>▲</u>

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity

Net Current Assets

as at 31 December 2014

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

	YTD Actual 2014/15	Brought Forward 1 July 2014
CURRENT ASSETS		
Cash - Unrestricted	1,256,798	652,155
Cash - Restricted	8,370,753	8,263,354
Cash - Restricted Unspent Grants	2,857,259	0
Receivables	2,752,293	1,435,444
Inventories	2,826	17,037
	<u>15,239,928</u>	<u>10,367,991</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	(543,386)	(3,500,473)
Less: Cash - Restricted	(8,370,753)	(8,263,354)
Less: Cash - Restricted Unspent Grants	(2,857,259)	0
NET CURRENT ASSET POSITION	<u>3,468,531</u>	<u>(1,395,837)</u>

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity For the Period Ended 31 December 2014

Explanation of Material Variances

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

Variances +/- \$20,000 and 10% at Account Level

Operating

Recurrent Income - Excluding Rates ▲

Rates

Rates Revenue - Interim Rates	\$	23,300	▲	Interim rates collected to December. Interim rates were purposely not incorporated into the 2014/15 budget, therefore this will be a windfall and captured in the Mid Year Budget Review.
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General Purpose Funding ▲

Emergency Services Levy - Rates	\$	23,700	▲	Increase in levies raised. Funds collected on behalf of DFES, and are offset against expenditure.
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Governance ▼

No material variances to report

Law, Order and Public Safety ▼

No material variances to report

Health ▲

No material variances to report

Education and Welfare ▲

No material variances to report

Housing ▼

No material variances to report

Community Amenities ▲

Additional Waste Management Receptacle Charge	\$	125,000	▲	The number of additional waste receptacles higher than anticipated.
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Recreation and Culture ▲

Grant Income - Club Development	-\$	25,000	▼	Grant no longer anticipated to be received. Will be removed as part of the Mid Year Budget Review process.
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Grant Income - KidSport	\$	25,000	▲	Grant was not incorporated into the budget as it wasn't endorsed prior to the date of budget adoption. This has now been received. Expenditure will be included to offset this additional revenue.
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Transport ▲

WANDRRA Funding - Monsoonal Trough and Associated Flooding (10 March 2011)	\$	694,100	▲	The flood event has resulted in additional expenditure which will be offset through the recoupment of funds.
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Aircraft Landing Fees - East Kimberley Regional Airport	\$	31,400	▲	Higher income during December 2014, although this reduces into January 2015 therefore it reflects a timing variation at this stage.
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Passenger Head Tax - East Kimberley Regional Airport	-\$	82,200	▼	Timing variance due to delay in invoicing process given the Christmas period. Will catch up in January.
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Passenger Screening Fees - East Kimberley Regional Airport	-\$	53,500	▼	Timing variance due to delay in invoicing process given the Christmas period. Will catch up in January.
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Leases - East Kimberley Regional Airport Terminal	-\$	53,100	▼	Partially offset with additional income for Other leases. Requires a budget amendment which will be made in the Mid Year Budget Review.
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Leases - East Kimberley Regional Airport Other	\$	49,200	▲	Partially offset with a reduction in income for Airport Terminal leases. Requires a budget amendment which will be made in the Mid Year Budget Review.
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Economic Services ▲

No material variances to report

Other Property and Services ▲

Private Works Income	\$	29,100	▲	Higher income due to new private works associated with Lakeside Stage 7A. Offsets higher expenditure for private works.
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Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 December 2014

(continued)

Recurrent Expenditure		▲	
General Purpose Funding		▼	
Administration Salary and Wages Allocated - Rates	\$ 21,700	▼	Lower allocation based on lower admin costs to date. This is a proportionate re-allocation of costs across the organisation and will not impact on the bottom line for rates. Non-cash item.
Governance		▼	
No material variances to report			
Law, Order and Public Safety		▼	
Direct Salaries - Ranger Services	\$ 30,600	▼	Reduced expenditure associated with overtime and allowances. Will review as part of the Mid Year Budget Review to determine overall savings in salaries for the Shire.
Health		▼	
No material variances to report			
Education and Welfare		▲	
Direct Salaries - Wyndham Childcare Centre	-\$ 21,100	▲	Additional hours worked that were not incorporated into the initial budget calculations. This will be identified and amended as part of the Mid Year Budget Review process.
Housing		▼	
No material variances to report			
Community Amenities		▼	
Tip Maintenance	\$ 58,100	▼	Reduced costs for December given business closures around Kununurra. Anticipate this to pick up in late January, early February 2015. Also requires a transfer of plant operating cost allocations from the Direct Salaries - Kununurra Landfill account.
Refuse Collection	\$ 45,500	▼	Pending invoices for payment. Timing variation.
Administration Salary and Wages Allocated - Sanitation - Household Refuse	\$ 50,400	▼	Less allocation due to lower actual expenditure in the sub program and overall admin overheads are less than anticipated as at reporting date. Non cash item. Timing.
Admin Overheads Allocated - Sanitation - Household Refuse	\$ 55,100	▼	Less allocation due to lower actual expenditure in the sub program and overall admin overheads less than anticipated as at reporting date. Non cash item. Timing.
Depreciation - Sanitation - Household Refuse	\$ 23,800	▼	Less depreciation due to uncompleted capital projects. Non cash item. Will be amended as part of the Mid Year Budget Review process.
Direct Salaries - Kununurra Landfill MUN	-\$ 26,900	▲	Amendment required to the plant operating cost allocations which will need to be adjusted against tip maintenance.
Litter Control	\$ 21,900	▼	Lower operational activities in Kununurra and Wyndham to date.
Street Tree Planting - Protection of Environment	\$ 40,200	▼	Project not yet commenced. The timing will be amended as part of the Mid Year Budget Review Process.
Legal Expenses - Town Planning and Regional Development	-\$ 63,900	▲	Additional legal costs incurred for the SAT Hearing to date. Additional funds will be sourced from other savings as part of the Mid Year Budget Review process.
Consultants - Local Planning Strategy MUN	\$ 32,000	▼	Project expected to commence by March 2015. Timing variance.
Depreciation - Other Community Amenities	\$ 70,000	▼	Lower depreciation charges due to change in categories, set off against higher depreciation in other areas. Non cash item.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 December 2014

(continued)

Recurrent Expenditure (Continued)

Recreation and Culture ▼

Depreciation - Public Halls	-\$	67,900	▲ Higher depreciation charges due to change in categories, set off against lower depreciation in other areas. Non cash item.
Direct Salaries - Kununurra Swimming Complex	-\$	32,700	▲ Higher staffing costs as a result of operational times during the dry season. The wet season will see the salaries normalise. Timing variation.
Salary Overheads - Kununurra Swimming Complex	-\$	25,700	▲ Higher staffing costs as a result of operational times during the dry season. The wet season will see the salaries normalise. Timing variation.
Admin Overheads Allocated - Kununurra Swimming Complex MUN	\$	23,400	▼ Underspend in admin overheads has resulted in part for the reduced allocation to other areas of the organisation. Non-cash item.
Kununurra Business & Structure Planning	\$	30,000	▼ Pending invoices for payment. Timing variation.
Depreciation - Kununurra Leisure Centre	\$	21,800	▼ Lower Depreciation charges due to change in categories. Budget Estimates will require review. No cash Item.
Hardcourts Maintenance - Kununurra Grounds	\$	27,000	▼ Project in progress. Timing variance.
Parks and Gardens Maintenance - Kununurra	\$	145,400	▼ Underspend in salaries to date. This will start to pick up over the wet season with the additional hours required. Timing variation.
Administration Salary and Wages Allocated - Kununurra Parks and Gardens	\$	40,400	▼ Underspend in salaries to date therefore less administration allocation. This will start to pick up over the wet season with the additional hours required. Timing variation.
Admin Overheads Allocated - Kununurra Parks and Gardens	\$	42,900	▼ Underspend in salaries to date therefore less administration allocation. Also underspend in admin overheads. This will start to pick up over the wet season with the additional hours required. Timing variation.
Parks and Gardens Maintenance - Wyndham	-\$	48,800	▲ Will be reviewed as part of the Mid Year Budget Review given water costs and salaries exceed the initial budget estimate.
Joint Use Contribution - Libraries	-\$	32,600	▲ Overspend recognised to date. Changes in electricity tariffs for the school has increased the Shire's contribution. This will be amended as part of the Mid Year Budget Review.
Wyndham Community Resource Centre (CRC) - RIPIA Expenses	-\$	22,500	▲ Funds that were collected in the prior year that were not carried forward. Will be amended as part of the Mid Year Budget Review process.

Transport ▲

Administration Salary and Wages Allocated - Streets, Roads & Bridges - Non Capital	\$	248,900	▲ Non cash item. Timing variations.
Admin Overheads Allocated - Streets, Roads & Bridges - Non Capital	-\$	20,400	▼ Non cash item. Timing variations.
Rural Road Maintenance	-\$	149,200	▼ Underspend recognised to date. Timing variation. Will be reviewed as part of the Mid Year Budget Review Process.
Urban Road Maintenance - Kununurra	-\$	55,200	▼ Underspend recognised to date. Timing variation. Will be reviewed as part of the Mid Year Budget Review Process.
Monsoonal Trough Flood Event, 6-9 Feb 2014	\$	2,242,800	▲ Higher flood recovery cost than anticipated. Higher expenses to be claimed from WANDRRA fund.
Depreciation - Streets, Roads & Bridges - Maintenance	\$	28,800	▲ Budget estimates will require review due to completed Infrastructure now depreciating. Non cash Item.
Airport Terminal Building Maintenance - East Kimberley Regional Airport	-\$	34,600	▼ No major air conditioning issues occurred, although strategies are being prepared given the high costs associated with maintenance over the last 12 months.
Airside Operations - East Kimberley Regional Airport	-\$	41,200	▼ Savings made in salaries based on lower overtime hours than anticipated.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 December 2014

(continued)

Recurrent Expenditure (Continued)

Transport (continued)

Passenger Screening Expenses - East Kimberley Regional Airport	-\$ 40,800	▼ Savings to be returned to the Reserve as part of the Mid Year Budget Review process as there is no longer a requirement for a new explosive trace detection (ETD) machine.
Administration Salary and Wages Allocated - East Kimberley Regional Airport	\$ 78,900	▼ Less allocation due to lower actual expenditure in the sub program and overall admin overhead less than anticipated as at reporting date. Non cash item. Timing.
Admin Overheads Allocated - East Kimberley Regional Airport	\$ 96,900	▼ Less allocation due to lower actual expenditure in the sub program and overall admin overhead less than anticipated as at reporting date. Non cash item. Timing.
Depreciation - East Kimberley Regional Airport	\$ 48,400	▼ Less depreciation due to uncompleted capital projects as at date. Timing.

Economic Services

No material variances to report

Other Property and Services

Private Works - Expenses	\$ 29,600	▲ Higher expenditure due to new private works associated with Lakeside Stage 7A. Offsets higher income for private works.
Admin Overheads Allocated - Public Works Overheads	-\$ 34,600	▼ Less allocation due to overall admin costs less than anticipated as at reporting date. Non cash item. Timing.
Public Works Overheads Allocated - Contracts	-\$ 22,200	▲ Non cash item. Timing.
Engineering Consultancy, Legals, Design etc	-\$ 22,700	▼ Pending invoices for payment. Timing variation.
Administration Salary and Wages Allocated - General Administration Overheads	\$ 52,500	▼ Reduced allocation due to overall admin costs lower than anticipated as at reporting date. Non cash item. Timing.
Direct Salaries - Executive	\$ 42,700	▲ Partly associated with payments for termination that were unbudgetted, along with higher costs for recruitment company. Will be identified and incorporated as part of the Mid Year Budget Review.
ABC Allocations	\$ 489,600	▼ Lower allocation due to overall admin cost lower than anticipated as at reporting date. Non cash item. Timing.
Software Licencing - Information Services	-\$ 24,000	▼ Underspend recognised to date. Timing variation as software licences become due.
Depreciation - Information Services	-\$ 23,600	▼ Lower depreciation charges due to discontinued capital projects from 13/14. Budget estimates will require review. Non cash item.
Integrated Planning Framework (IPF) - Asset Management	-\$ 25,000	▼ Underspend recognised to date. Timing variation.
POC Internal Repair wages	-\$ 25,300	▼ Reduced costs to date. Will be monitored and reviewed in the coming months.
POC Parts and Repairs	-\$ 26,700	▼ Reduced costs to date. Will be monitored and reviewed in the coming months.
Depreciation - Plant Operation	-\$ 20,900	▼ Reduced costs to date. Will be monitored and reviewed in the coming months.
Landcorp /SWEK Deed Agreement - Expenses	-\$ 25,000	▼ Timing variation.
Loss on Sale of Assets - Unclassified	\$ 324,300	▲ Asset impact of the depot fire. Insurance claims made. Non Cash Item.
Insurance - Unclassified	-\$ 41,400	▲ Insurance claim received for vehicles impacted by the depot fire to be allocated.

Non Cash Expenditure and Revenue

Adjustments and Accruals

Loss on Sale of Assets - Unclassified	-\$ 324,300	▲ Asset impact of the depot fire. Insurance claims made. Non Cash Item.
Movement in Accruals and Provisions	\$ 128,100	▼ Adjustments have been made to the provisions given that long service leave and other leave types are provided for, which have now been paid out.
Depreciation - Sanitation - Household Refuse	\$ 23,800	▼ Reversal is lower given the lower depreciation charges due to change in categories, set off against higher depreciation in other areas. Non cash item.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 December 2014

(continued)

Adjustments and Accruals (continued)

Depreciation - Other Community Amenities	\$	70,000	▼	Reversal is lower given the lower depreciation charges due to change in categories, set off against higher depreciation in other areas. Non cash item.
Depreciation - Public Halls	-\$	67,900	▲	Reversal is higher due to higher depreciation charges due to change in categories, set off against lower depreciation in other areas. Non cash item.
Depreciation - Kununurra Leisure Centre	\$	21,800	▼	Reversal is lower due to lower depreciation charges due to change in categories, set off against higher depreciation in other areas. Non cash item.
Depreciation - Streets, Roads & Bridges - Maintenance	-\$	28,800	▲	Budget Estimates will require review due to completed Infrastructure now depreciating. Non cash Item. Budget will be amended at during the Mid Year Budget Review.
Depreciation - East Kimberley Regional Airport	\$	48,400	▼	Reversal is lower due to less depreciation costs as a result of uncompleted capital projects as at the reporting date. Timing and non cash item.
Depreciation - Information Services	\$	23,600	▼	Reversal is lower due to less depreciation costs as a result of uncompleted capital projects as at the reporting date. Timing and non cash item.
Depreciation - Plant Operation	\$	20,900	▼	Reversal is lower due to less depreciation costs as a result of uncompleted capital projects as at the reporting date. Timing and non cash item.

Capital

Purchase Land Held for Resale			▲	
No material variances to report				
Purchase Land and Buildings			▼	
Land Subdivision Costs SES Shed Land	-\$	72,800	▼	Slight delays in project. Timing.
Wyndham Pound	-\$	24,100	▼	This relates to work being undertaken on the Kununurra Pound, not the Wyndham Pound. Work is still underway. Timing variation.
Wyn depot fire damage reinstatement - Buildings	\$	30,500	▲	Costs related to the Wyndham Depot fire damage. These are offset against insurance settlements.
Purchase Infrastructure Assets - Roads			▼	
Kalumburu Road - Re-sheet	\$	23,500	▼	Project work progressing. Timing variance.
Road Upgrade Carlton Hill Road	-\$	162,000	▼	Project work progressing. Timing variance.
Asphalt resurfacing program (R2R) - Kununurra town site MUN	\$	32,200	▲	Timing variation only. Relates to Roads to Recovery funded works.
Asphalt resurfacing program (RRG) - Coolibah Drive	-\$	28,400	▼	Work is ongoing and expected to be completed by January 2015. Timing variation only.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 31 December 2014

(continued)

Capital (continued)

Purchase Infrastructure Assets - Footpaths		▲	
No material variances to report			
Purchase Infrastructure Assets - Drainage		▼	
No material variances to report			
Purchase Infrastructure Assets - Other		▲	
Reseal Apron - East Kimberley Regional Airport	-\$ 24,800	▼	Potential savings as project completed to possibly be utilised for the asphalt overlay towards the end of the financial year.
Upgrade Maintenance Area - East Kimberley Regional Airport MUN	\$ 86,500	▲	Originally budgeted in 13/14, carried forward to 14/15. Purchase order raised at the end of the year omitted from carried forward budget. Project funded by Airport Reserve and will be adjusted in the Mid Year Budget Review.
Purchase Plant and Equipment		▼	
No material variances to report			
Purchase Furniture and Equipment		▲	
No material variances to report			
Grants / Contributions for Development of Assets		▼	
Regional Road Group Grants	-\$ 56,700	▲	Income based on progress claim for projects. Timing variance.
Road to Recovery Grants	\$ 500,000	▼	Income based on progress claim for projects. Timing variance.
Proceeds from Disposal of Assets		▲	
No material variances to report			
Debentures		▲	
Proposed New Loan - Administration Building MUN	\$ 1,500,000	▼	Loan considered by the Board just prior to Christmas. Was not approved until January. Timing variation only.
Reserves		▲	
No material variances to report			

Shire of Wyndham East Kimberley

Statement of Financial Activity Budget Remaining to Collect/Spend as at 31 December 2014

	YTD Actual 2014/15 \$	Annual Budget 2014/15	Budget Remaining 2014/15 \$	%	
Revenue					
General Purpose Funding	2,407,420	4,413,934	2,006,514	45%	▼
Governance	1,044,920	1,086,042	41,122	4%	▼
Law, Order, Public Safety	24,587	59,350	34,763	59%	▼
Health	53,432	80,500	27,068	34%	▼
Education and Welfare	100,143	77,000	(23,143)	-30%	▲
Housing	97,250	430,453	333,203	77%	▼
Community Amenities	1,917,658	2,483,863	566,205	23%	▼
Recreation and Culture	433,980	724,402	290,422	40%	▼
Transport	4,199,327	5,750,793	1,551,466	27%	▼
Economic Services	43,863	97,923	54,060	55%	▼
Other Property and Services	116,499	103,266	(13,233)	-13%	▲
	<u>10,439,080</u>	<u>15,307,526</u>	<u>4,868,446</u>	<u>32%</u>	<u>▼</u>
Expenses					
General Purpose Funding	(159,085)	(559,166)	(400,081)	72%	▼
Governance	(208,702)	(1,440,658)	(1,231,956)	86%	▼
Law, Order, Public Safety	(290,157)	(700,194)	(410,037)	59%	▼
Health	(158,114)	(324,635)	(166,521)	51%	▼
Education and Welfare	(218,130)	(290,794)	(72,663)	25%	▼
Housing	(364,483)	(768,906)	(404,423)	53%	▼
Community Amenities	(2,040,664)	(5,286,793)	(3,246,129)	61%	▼
Recreation & Culture	(3,115,283)	(6,818,047)	(3,702,764)	54%	▼
Transport	(6,958,372)	(9,579,827)	(2,621,454)	27%	▼
Economic Services	(299,024)	(517,691)	(218,667)	42%	▼
Other Property and Services	(1,321,591)	(936,967)	384,625	-41%	▲
	<u>(15,133,605)</u>	<u>(27,223,677)</u>	<u>(12,090,072)</u>	<u>44%</u>	<u>▼</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	324,302	(210,891)	(535,193)	254%	▼
Movement in Accruals and Provisions	(123,052)	5,000	128,052	2561%	▼
Depreciation on Assets	2,908,562	6,036,820	3,128,257	52%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▼
Purchase Land and Buildings	(363,861)	(638,000)	(274,139)	43%	▼
Purchase Infrastructure Assets - Roads	(1,229,773)	(2,393,929)	(1,164,157)	49%	▼
Purchase Infrastructure Assets - Footpaths	0	(31,000)	(31,000)	100%	▼
Purchase Infrastructure Assets - Drainage	(11,624)	(358,358)	(346,734)	97%	▼
Purchase Infrastructure Assets - Other	(580,895)	(1,901,535)	(1,320,640)	69%	▼
Purchase Plant and Equipment	(7,030)	(124,962)	(117,932)	94%	▼
Purchase Furniture and Equipment	(14,935)	(116,500)	(101,565)	87%	▼
Grants / Contributions for Development of Assets	4,198,485	6,491,991	2,293,506	35%	▼
Proceeds from Disposal of Assets	5,031	394,000	388,969	99%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(1,876,300)	(2,406,937)	(530,637)	22%	▼
Proceeds from New Debentures	0	1,803,218	1,803,218	100%	▼
Transfers to Reserves (Restricted Assets)	(2,876,821)	(4,000,605)	(1,123,784)	28%	▼
Transfers from Reserves (Restricted Assets)	0	1,253,687	1,253,687	100%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,397,052)	(1,397,052)	0	0%	▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	3,438,004	(330,591)	(3,768,595)	1140%	▲
Minutes Ordinary Council Meeting 27 January 2015	9,177,493	9,180,615	3,122	45 of 188	0% ▼
Amount Required to be Raised from Rates					

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

INVESTMENT POLICY - CP FIN - 3203

RESULTS AS AT 31 December 2014

Overall Portfolio



Counterparty Credit



Term to Maturity



"Overall Portfolio Limits"

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

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

"Counterparty Credit Framework"

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

"Term to Maturity Framework"

Overall Portfolio Term to Maturity Limits	Individual Investment Maturity Limits
Portfolio % < 1 year	100% max 40% min
Portfolio % > 1 year	80%
Portfolio % > 3 year	35%
Authorised Deposit Institution	12 Months
State/Commonwealth Government Bonds	3 years

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

13.2 COMMUNITY DEVELOPMENT

13.2.1 Caravan Parks and Camping Ground Licence Renewals

DATE:	27/01/2015
PROPONENT:	Town Caravan Park; Ellenbrae Station; Kimberley Wilderness Adventures; Drysdale River Station; Bush Track Safaris; El Questro Emma Gorge Resort; El Questro Township; Kimberleyland Holiday Park; Ivanhoe Village Caravan Resort
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Ebony Daniell, Environmental Health Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	PH.12.5
DECLARATION OF INTERESTS:	N/A

PURPOSE

To renew licences issued under the Caravan Parks and Camping Grounds Act 1995 for 2015 for the following parks:

- Town Caravan Park
- Ellenbrae Station
- Kimberley Wilderness Adventures
- Drysdale River Station
- Bush Track Safaris
- El Questro Emma Gorge Resort
- El Questro Township
- Kimberleyland Holiday Park
- Ivanhoe Village Caravan Resort

BACKGROUND

Caravan parks and camping grounds must be licenced under the Caravan Parks and Camping Grounds Act 1995. Licences remain in force for one year at which time an Application for Grant or Renewal of Licence must be submitted to the Local Government.

Letters were sent to all licensed caravan parks in November 2014 requesting applications for licence renewals be submitted and enclosing invoices for 2015 licencing fees.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995

6. Caravan park or camping ground not to be operated without a licence
 - (1) On and after the appointed day a person must not operate a facility, or a facility of a prescribed type, unless the person holds the appropriate licence under this Act in relation to that facility.
Penalty: \$5 000.
 - (2) In subsection (1) —
appointed day means such day as is fixed by the Minister by notice published in the *Government Gazette* to be the appointed day for the purpose of that subsection ².

7. Application for the grant or renewal of a licence
- (1) An application for the grant or renewal of a licence for a facility is to be —
 - (a) made to the local government in the appropriate prescribed form;
 - (b) accompanied by the appropriate fee prescribed; and
 - (c) accompanied by any information that the local government reasonably requires for a proper consideration of the application.
 - (2) An applicant is to provide the local government with any further information that the local government by notice in writing requires the applicant to provide in respect of an application.
 - (3) An applicant must, if required to do so by the local government, verify by statutory declaration any information contained in, or given in connection with, an application.
 - (4) Subject to this section, a local government may grant or renew a licence and at any time may impose conditions on that licence.
 - (5) Before granting a licence a local government must ensure that —
 - (a) the applicant has complied with the requirements of this Act;
 - (b) the applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.
 - (6) A local government may refuse to renew a licence if —
 - (a) the licence holder has been convicted of an offence against this Act or any other written law relating to caravanning or camping which, in the opinion of the local government, renders the licence holder an unsuitable person to hold a licence;
 - (b) a condition imposed on the licence has been contravened; or
 - (c) the licence was obtained by fraud or misrepresentation.
 - (7) Where a local government refuses to grant or renew a licence it must give notice in writing of that decision to the applicant.
 - (8) Notice of a decision under this section is to state that the applicant or licence holder is entitled to apply to the State Administrative Tribunal for a review of the decision.
8. Duration of licence
- A licence remains in force for the prescribed period unless —
- (a) it is provided otherwise in the licence; or
 - (b) it is cancelled.

Caravan Parks and Camping Grounds Regulations 1997

52. Duration of licence

The prescribed period for the purposes of section 8 of the Act is one year from the day on which the licence was granted or renewed.

a) Schedule 3 — Fees

<p>1) 1. Application for grant or renewal of licence — reg. 45</p> <p>3) The fee for an application for the grant or renewal of a licence is —</p> <p>5) (a) \$200; or</p> <p>7) (b) the amount calculated by multiplying the relevant amount set out in column 2 by the maximum number of sites (including any sites that may be used in an overflow area) of the particular type specified in the application,</p> <p>8) whichever is the greater amount.</p> <p style="text-align: center;">10) Column 1</p> <p>12) Long stay sites</p> <p>14) Short stay sites and sites in transit parks</p> <p>16) Camp site</p> <p>18) Overflow site</p> <p>20) 2. Additional fee for renewal after expiry — reg. 53</p> <p>22) Additional fee by way of penalty for renewal after expiry</p> <p>24) 3. Temporary licence — reg. 54</p> <p>26) Temporary licence</p> <p>28) 4. Transfer of licence — reg. 55</p> <p>30) Transfer of licence</p>	<p>2)</p> <p>4)</p> <p>6)</p> <p>9)</p> <p>11) Column 2</p> <p>13) \$6 per site</p> <p>15) \$6 per site</p> <p>17) \$3 per site</p> <p>19) \$1.50 per site</p> <p>21)</p> <p>23) \$20</p> <p>25)</p> <p>27) <i>pro rata</i> amount of the fee payable under item 1 for the period of time for which the licence is to be in force with a minimum of \$100</p> <p>29)</p> <p>31) \$100</p>
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POLICY IMPLICATIONS

Overflow sites within caravan parks and camping grounds are licenced in accordance with Council Policy Number: CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds

FINANCIAL IMPLICATIONS

Applicants have paid the following renewal fees:

Town Caravan Park	\$255
Ellenbrae Station	\$200
Kimberley Wilderness Adventures	\$200
Drysdale River Station	\$300
Bush Track Safaris	\$200
El Questro Emma Gorge Resort	\$200
El Questro Township	\$600
Kimberleyland Holiday Park	\$1260
Ivanhoe Village Caravan Resort	\$1005

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

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

Objective 2.4: High standard of health and community facilities and services available to all residents

Strategy 2.4.2: Ensure community compliance with Environmental Health regulations

COMMUNITY CONSULTATION

Community consultation is not required for this item

COMMENT

Applications for grant or renewal of caravan park licences are dealt with under the Caravan Parks and Camping Grounds Act 1995. Previously licence renewals have been approved by Shire staff. However, it has come to the Shire's attention that there are no provisions for delegated authority under the Act and applications must be approved by Council.

The licence applications for Bush Track Safaris, Kimberley Wilderness Adventures, Town Caravan Park, Ellenbrae Station, and Drysdale River Station had been assessed and approved prior to this issue coming to the Shire's attention. Therefore, they are now being presented to Council for approval. Please refer to Attachment 1 for copies of licences which have already been approved.

Licence applications for El Questro Emma Gorge Resort, El Questro Township, Kimberleyland Holiday Park, and Ivanhoe Village Caravan Resort have been assessed and will be issued once Council approval has been received. Refer Attachment 2.

There are a number of renewal applications pending assessment which will be presented to Council prior to licences being issued. These applications have not been received or are subject to requests for further information and will be presented before Council for approval.

ATTACHMENTS

Attachment 1 - Caravan Park Licences 2015 Issued

Attachment 2 - Caravan Park Licences 2015 Pending Council Approval

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council approve the renewal of Caravan Parks and Camping Grounds licences for Town Caravan Park; Ellenbrae Station; Kimberley Wilderness Adventures; Drysdale River Station; Bush Track Safaris; El Questro Emma Gorge Resort; El Questro Township; Kimberleyland Holiday Park; Ivanhoe Village Caravan Resort as detailed in Attachment 1.

COUNCIL DECISION

Minute No. 10763

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

That Council approve the renewal of Caravan Parks and Camping Grounds licences for Town Caravan Park; Ellenbrae Station; Kimberley Wilderness Adventures; Drysdale River Station; Bush Track Safaris; El Questro Emma Gorge Resort; El Questro Township; Kimberleyland Holiday Park; Ivanhoe Village Caravan Resort as detailed in Attachment 1.

Carried Unanimously 7/0



This is to certify that Ellenbrae Station holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

ELLENBRAE STATION

at UNIT 3 LOT LOC 7 GIBB RIVER ROAD KUNUNURRA 6743
 from 01 January 2015 until 31 December 2015

ELLENBRAE STATION is licensed to operate the following sites in accordance with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	0
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	0
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	16
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	0

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



This is to certify that Richard Alan Jane holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

BUSH TRACK SAFARIS

at LOT LOC 6 EASTON LOCATION EDGE OF GARDENER PLATEAU 9999
 from 01 January 2015 until 31 December 2015

BUSH TRACK SAFARIS is licensed to operate the following sites in accordance with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	0
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	5
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	5
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	0

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



This is to certify that Peter Morrison holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

TOWN CARAVAN PARK

at 40 BLOODWOOD DRIVE KUNUNURRA WA 6743
 from 01 January 2015 until 31 December 2015

TOWN CARAVAN PARK is licensed to operate the following sites in accordance with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	8
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	32
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	2
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	10

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



This is to certify that APT Kimberley Wilderness Adventures Pty Ltd holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

KIMBERLEY WILDERNESS ADVENTURES (UNGOLAN CAMP)

at LOT LOC 25 DOONGAN LOCATION 6740
 from 01 January 2015 until 31 December 2015

APT Kimberley Wilderness Adventures Pty Ltd is licensed to operate the following sites in
 accordance with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	0
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	0
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	25
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	0

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



This is to certify that Anne Marie Koeyers holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

DRYSDALE RIVER STATION

at LOT LOC 20 GIBB RIVER/KALUMBURU ROADS DRYSDALE RIVER 6740
 from 01 January 2015 until 31 December 2015.

DRYSDALE RIVER STATION is licensed to operate the following sites in accordance with the
Caravan Park and Camping Ground Regulations 1997

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	0
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	0
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	100
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	0

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



PO BOX 614 KUNUNURRA WA 6743

T | 08 9168 4100

F | 08 9168 1798

E | mail@swek.wa.gov.au

W | www.swek.wa.gov.au

ABN | 35 647 145 756

This is to certify that Delaware North El Questro Pty Ltd holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

EL QUESTRO EMMA GORGE RESORT

at Lot KING LOC 777 GIBB RIVER ROAD EL QUESTRO STATION 6740
from 01 January 2015 until 31 December 2015

EL QUESTRO EMMA GORGE RESORT is licensed to operate the following sites in accordance
with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	0
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	0
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	60
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	0

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



This is to certify that Delaware North El Questro Pty Ltd holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

EL QUESTRO WILDERNESS PARK TOWNSHIP

at LOT LOC 708 GIBB RIVER/WYNDHAM ROADS DURACK 6743
 from 01 January 2015 until 31 December 2015

EL QUESTRO WILDERNESS PARK TOWNSHIP is licensed to operate the following sites in
 accordance with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	0
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	12
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	200
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	0

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



This is to certify that Colin Fitzgerald holds a licence to operate the
CARAVAN PARK AND CAMPING GROUND known as

IVANHOE VILLAGE CARAVAN RESORT

at LOT 100 COOLIBAH DRIVE KUNUNURRA WA 6743
 from 01 January 2015 until 31 December 2015

IVANHOE VILLAGE CARAVAN RESORT is licensed to operate the following sites in accordance with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	35
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	115
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	30
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	10

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.



This is to certify that Christopher Magnay holds a licence to operate the **CARAVAN PARK AND CAMPING GROUND** known as

KIMBERLEYLAND HOLIDAY PARK

at LOT 1519 VICTORIA HIGHWAY KUNUNURRA WA 6743
 from 01 January 2015 until 31 December 2015

KIMBERLEYLAND HOLIDAY PARK is licensed to operate the following sites in accordance with the *Caravan Park and Camping Ground Regulations 1997*

Long Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time</i>	65
Short Stay Sites <i>a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months</i>	123
Camp Sites <i>includes to camp in a vehicle but not caravans</i>	33
Overflow Sites <i>may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval</i>	10

Expiry Date 31 December 2015

Environmental Health Officer

This permit is issued upon and subject to the following conditions -

- (a) the holder of a permit shall -
 - (i) display the licence in a position visible to the general public; and
 - (ii) upon the request of an Environmental Health Officer produce to him or her, the licence; and
- (b) if the holder of a permit changes his or her place of residence, he or she shall within 14 days notify the Chief Executive Officer in writing of the change, and of a new place, of residence; and
- (c) the holder of a permit shall notify the Chief Executive Officer in writing prior to the commencement of any alteration, addition or other work relating to the premises, giving details of the proposed works.

**13.2.2 Development Application, Transient Accommodation at Lot 238
Weaber Plain Road, Kununurra**

DATE:	27/01/2015
PROPONENT:	Fritz Bolten
LOCATION:	Lot 238 Weaber Plain Road, Kununurra
AUTHOR:	Jennifer Ninyette, Senior Planning Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	A57P

PURPOSE

For Council to consider a development application for Transient Accommodation at Lot 238 Weaber Plain Road, Kununurra.

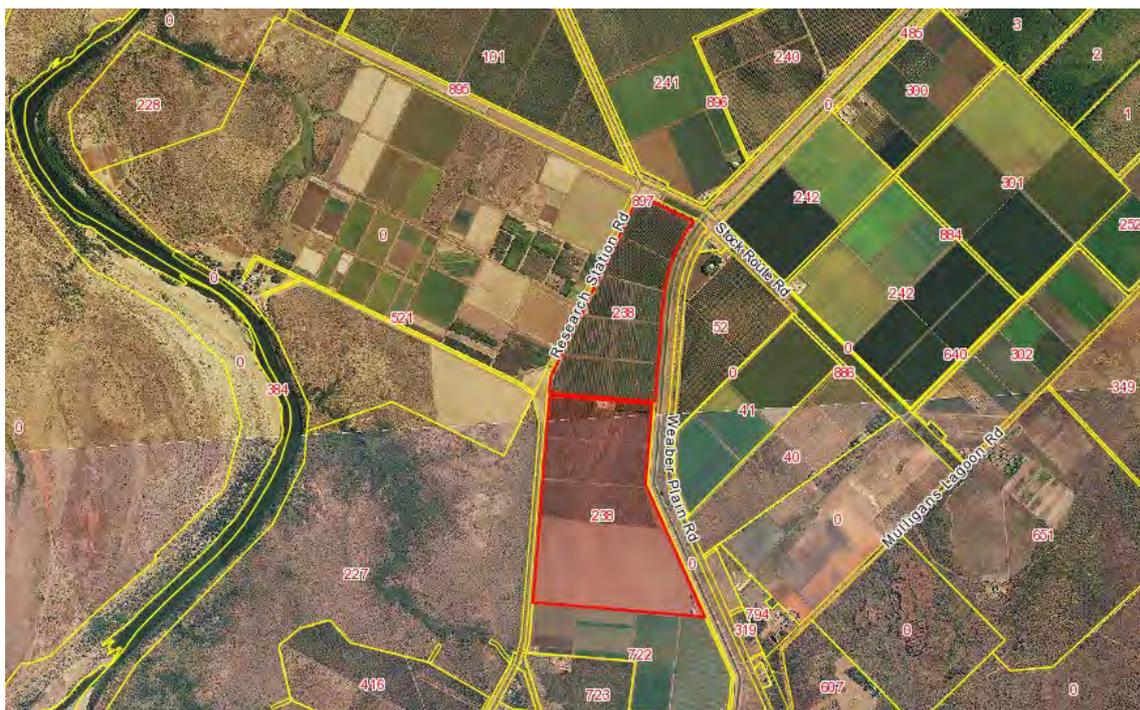
BACKGROUND

An application for planning approval was lodged on 10 October 2014 by Fritz Bolten for the approval of Transient Accommodation at Lot 238 Weaber Plain Road, Kununurra.

Council considered this application at the Ordinary Council Meeting of 16 December 2014, however Council resolved to defer the item until the required management plan is submitted to the planning officer for Council consideration (Minute 10729).

The applicant has now submitted the management plan to the Shire, to be considered in relation and conjunction with the application.

The property is located in the ORIA and located between Weaber Plain and Research Station Road, and south of Stock Route Road. The land is zoned Rural Agriculture 1 under Town Planning Scheme No. 7 – Kununurra and Environs (TPS 7), has an area of 269.8ha which is predominantly sandalwood plantation and contains a hangar, storage shed and airstrip located in the south east corner of the property, a manager's residence and single bed caretaker's quarters located in the north east corner of the property and a storage shed in the middle of the property.



Location of Subject Site

Proposal

The applicant seeks to place an approximately 48m² (14.4m x 3.3m) transportable building on the site to accommodate seasonal/transient workers adjacent to the existing caretaker's quarters and in proximity to the manager's residence in the north east corner of the property.

The transportable building will consist of 4 rooms each with an ensuite, and it is intended that the existing caretaker's quarters will be converted to provide shared kitchen, lounge and laundry facilities for the workers occupying these rooms.

The applicant has stated that the accommodation will only be used to house additional seasonal staff for night shift and peak work periods, which is required to be located centrally to the farm operations to improve the productivity and safety of their business.

The applicant's submission and plans are provided at Attachment 1.
The management plan submitted is provided at Attachment 2.

Access is via the north east corner of the property, for which original approval was granted by the Water Corporation in 2009 at the time of approving the Manager's Residence. However, legal access to the two land parcels that form Lot 238 are provided by easements from Research Station Road, as the whole property is bordered and essentially 'landlocked' by irrigation channel lots, including the M1 Channel reserve.

In 2011, the Water Corporation also granted approval for a reduced setback for the existing caretaker's quarters to the M1 Channel boundary.

A building permit application and septic application are also required.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra Townsite and Environs

The land at Lot 238 Weaber Plain Road is zoned Rural Agriculture 1 under TPS7. The objective of this zone is ‘that the land be retained for extensive agriculture and/or horticulture’ and that the ‘land shall be retained in viable farm sized lots to prevent subdivision and subsequent loss of this limited resource’.

Transient Accommodation is defined as:

Means any habitable building permanently affixed to the ground by footings as required by Council and includes any caravan, transportable dwelling or any structure used for habitation for the purposes of accommodation and not occupied by the same tenant for a continuous period for more than 6 months in any 12 month period.

Transient Accommodation is classified as an AA use in the Rural Agriculture 1 Zone and therefore Council discretion is required for this use.

Clause 5.22.3 of TPS 7 outlines that Council may permit the construction and occupation of transient accommodation in the Rural Agriculture 1 and 2 zones and General Rural Zone providing:

- (a) That any occupant is directly employed in the agricultural sector;*
- (b) That such occupation is of a seasonal nature only relative to the agricultural use of the land and shall not be used for either permanent or short stay residential use.*
- (c) That such accommodation does not consist of caravans, mobile homes, or transportable buildings unless such transportable buildings are permanently affixed to the site by footings as required by Council.*
- (d) Such accommodation consists of principally bedrooms and communal ablutions and activity areas.*
- (e) The applicant submit a management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed as per the requirements of SPP2.5, and including but not limited to the following:*
 - (i) Prior to construction of any units the applicant shall submit a management plan developed in consultation with the Department of Agriculture and Food WA and other relevant agencies or stakeholders, detailing measures to manage the following impacts:
 - a. Dust and noise;*
 - b. Visual amenity; and*
 - c. Bio-security**
 - (ii) Prior to construction, all promotional information intended to be displayed shall be submitted to Council for approval;*
 - (iii) Prior to occupation, relevant officers shall inspect procedures to ensure that all workers are made aware of the biosecurity issues and preventative measures prior to taking up residence with the accommodation.*

POLICY IMPLICATIONS

Local Planning Policy 11 – Transient Accommodation (LPP11)

LPP 11 outlines the development of Transient Accommodation is not supported in circumstances where permanent accommodation arrangements are readily and practically available within existing townsites and in reasonable proximity to the workplace.

However, it acknowledges that Transient Accommodation may be required in certain circumstances due to:

- The remoteness of a workplace from existing townsites;
- The limited seasonal or temporary nature of the employment generating activity; and
- A severe shortage of land and housing supply.

The policy considers Transient Accommodation as a 'semi-permanent' facility for seasonal or part time workers as opposed to providing permanent accommodation for full-time employees or other persons, which therefore should not be construed as a permanent long-term solution for transient workers or as a permanent housing alternative.

LPP11 states that applications for Transient Accommodation are to be considered by Council on individual merit, having regard to the Shire Town Planning Scheme, this Policy, other relevant Policies and any other relevant requirements.

The policy also acknowledges the general nature of changing circumstances, in terms of employment sectors generating a need for transient workforces and the resultant type, scale and locations of accommodation sought, and therefore may apply discretion and flexibility in allowing this form of development.

The objectives of the Policy are to:

- Uphold the general policy position of Council;
- Facilitate Transient Accommodation developments in appropriate locations;
- Minimise land-use conflict;
- Provide a reasonable level of amenity, and ensure the health and safety of transient workers residing within Transient Accommodation;
- Provide a functional living environment for transient workers residing within Transient Accommodation;
- Ensure the amenity and desired character of the site and surrounding area is maintained and protected;
- Provide guidance on the use of Transient Accommodation as seasonal temporary short-term accommodation for transient workers;
- Recognise that Transient Accommodation proposals will take varying forms depending upon site specific and case-by-case circumstances;
- Ensure compatibility with the predominant land use;
- Apply reasonable and relevant policy provisions to maintain a standard for Transient Accommodation; and
- Provide a level of clarity, guidance, certainty and consistency to applicants, the Shire and the community.

The policy outlines that in the case of rural transient accommodation all building should be clustered in close proximity to existing residential dwellings and/or other buildings, not be sited on existing productive rural land and must be appropriately set back from existing productive rural land to avoid land use conflicts such as spray drift, dust, odour and noise.

A copy of LPP 11 is provided as Attachment 2.

FINANCIAL IMPLICATIONS

The applicant has paid the planning application fee of \$147.00

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

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

Objective 2.2: Maintenance of economic diversity and greater community returns from investment in the region

Strategy 2.2.2: Support agricultural opportunities

COMMUNITY CONSULTATION

There is no community consultation required in relation to this item.

COMMENT

The application seeks to place a transportable building on the property to accommodate 4 additional workers to be employed during peak periods or to undertake limited stints of night shift, and be located in close proximity to farming operations.

The existing caretaker's quarters has been used to house seasonal workers in the past (either an individual or couple), and will be converted to provide communal activity areas and essential facilities as outlined under LPP11, including laundry facilities, cooking facilities, eating area, and a covered outdoor activity area with landscaped surrounds.

The site is accessed via Stock Route Road and is located in close proximity to the existing residential building on the property, with access via the channel road and is separated from the nearest farms (to the north and east) by channel infrastructure and road reserves.

The application generally complies with the objectives of Local Planning Policy 11 and clause 5.22.3 of TPS 7, and the applicant has now submitted a management plan in accordance with 5.22.3 (e).

The management plan is considered to be satisfactory in outlining measures to manage dust and noise, visual amenity and biosecurity. The management plan outlines the information provided to workers during the induction process, which includes Oasis Farms' biosecurity processes and policy, details of signage and information available and displayed, and the agreement required to be signed prior to occupying the accommodation.

It is acknowledged that due to the location of the proposed development, there is no land use conflict with agricultural activity on surrounding properties, and only onsite concerns are required to be addressed.

ATTACHMENTS

Attachment 1 - Submission and Plans

Attachment 2 – Local Planning Policy 11 - Transient Accommodation

Attachment 3 – Management Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning approval for Transient Accommodation at Lot 238 Weaber Plain Road, Kununurra, subject to the following conditions:

1. Use and development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.
2. The proposed transient accommodation must only be used to accommodate seasonal workers directly employed in the agricultural sector, where occupation by any person is limited to a maximum of six (6) months in any twelve (12) month period. Any change of use will require consent from Council.
3. Occupation of the accommodation is of a seasonal nature only relative to the agricultural use of the land and shall not be used for either permanent or short stay residential use.
4. The approved management plan must be implemented in accordance with the processes set out, and information specified, in the approved management plan.
5. Prior to construction, all biosecurity procedures and information intended to be displayed and provided shall be submitted to the local government for approval.
6. Prior to the use commencing (by way of initial occupation by any workers) relevant officers shall inspect procedures to ensure that all workers are made aware of the biosecurity issues and preventative measures.
7. The accommodation unit must not house more than 4 people at any one time.
8. A minimum of 2 car parking bays shall be provided for the development.
9. Adequate lighting must be provided to allow for pedestrian and vehicular safety and security throughout the development.
10. Entries to the accommodation unit are to be covered.
11. Existing landscaping is to be maintained to adequately screen the shared outdoor activity area from Weaber Plain Road.

COUNCIL DECISION

Minute No. 10764

Moved: Cr B Robinson

Seconded: Cr D Learbuch

That Council grants planning approval for Transient Accommodation at Lot 238 Weaber Plain Road, Kununurra, subject to the following conditions:

- 1. Use and development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.**
- 2. The proposed transient accommodation must only be used to accommodate seasonal workers directly employed in the agricultural sector, where occupation by any person is limited to a maximum of six (6) months in any twelve (12) month period. Any change of use will require consent from Council.**
- 3. Occupation of the accommodation is of a seasonal nature only relative to the agricultural use of the land and shall not be used for either permanent or short stay residential use.**
- 4. The approved management plan must be implemented in accordance with the processes set out, and information specified, in the approved management plan.**
- 5. Prior to construction, all biosecurity procedures and information intended to be displayed and provided shall be submitted to the local government for approval.**
- 6. Prior to the use commencing (by way of initial occupation by any workers) relevant officers shall inspect procedures to ensure that all workers are made aware of the biosecurity issues and preventative measures.**
- 7. The accommodation unit must not house more than 4 people at any one time.**
- 8. A minimum of 2 car parking bays shall be provided for the development.**
- 9. Adequate lighting must be provided to allow for pedestrian and vehicular safety and security throughout the development.**
- 10. Entries to the accommodation unit are to be covered.**
- 11. Existing landscaping is to be maintained to adequately screen the shared outdoor activity area from Weaber Plain Road.**

Carried Unanimously 7/0

11 November 2014



Jennifer
SWEK
PO Box 614
KUNUNURRA WA 6743

Dear Jennifer

RE: Lot 238 Research Station Road – Proposed Use of Building

We are a primary production business in the ORIA mainly growing annual grain crops. We have a need to accommodate seasonal staff.

One of the few things we understand about farming in Kununurra is that timeliness of key operations is of utmost importance. For us to execute these key tasks we require additional seasonal staff to support our full time team at Oasis Farms. To get the work done in a timely manner, we run machinery around the clock, nonstop. We do not want our full time team members to work night shift as we feel it is detrimental for family life. So we have opted to engage seasonal staff to join our team for night shift work and peak work load periods. Having high quality, private and quiet accommodation for these seasonal team members is very important for their wellbeing and productivity. It is also much easier for everyone to have accommodation close to our main work area and not in town, as that adds extra travel time to an already busy day. Being central to the farm operations adds to the productivity and safety of our business.

We have been using the current site for seasonal team members for a number of years, and feel it's now time for upgrades. We plan to change the current accommodation use to common room,

common cooking and laundry area. We have acquired a transportable building which we plan to fix to substantial permanent footing. This will give us greater flexibility in hiring seasonal staff. It will give the seasonal staff more privacy and comforts. This will increase productivity and safety on the farm. We have seasonal staff work with us from mid-April to the November each year.

This site has been used for permanent and temporary staff accommodation since 2010. Dust and noise are managed well. The site has nice landscaping around it. Bio security issues risks on the site are very low. We have well on farm hygiene practice. Bio security is of utmost importance to Oasis Farms as it is a major part of how we market the product we grow. All staff are made aware of issues in relation to Bio security. We are always informed well by relevant government departments in relation to bio security issues.

We hope the above has explained the need for our business to accommodate seasonal team members.

With thanks

A handwritten signature in black ink, appearing to read 'F. Bolten' with a period at the end. The signature is written in a cursive, slightly slanted style.

Fritz Bolten

PO Box 352
Kununurra WA 6743
oasisfarms@activ8.net.au
Phone: [08] 9169 1282
Fax: [08] 9169 1283



7 October 2014

Sharon McLachlan
Senior Building Surveyor
SWEK
PO Box 614
KUNUNURRA WA 6743

Dear Sharon

Lot 238 Research Station Road – Proposed Use of Building

Please find enclosed an Application for Planning Approval in relation to Lot 238 Research Station Rd. The purpose of the proposed building is to provide accommodation for seasonal/transient workers. This has become an increasing need as our farm has grown.

There is one converted container comprising four dongas with individual ensuites. The communal kitchen, living and lounge facilities will be provided from the existing shed and container living quarters as per building permit 037/2014.

Enclosed are the following:

- Site Plan
- Floor Plans
- Elevations

If you wish to discuss the attached application further please do not hesitate to contact me on 0418 911 030.

Yours sincerely,

A handwritten signature in black ink, appearing to read "F. Bolton", is written over a light blue circular stamp.

Fritz Bolton
Oasis Farms



WEAVER PLAINS RD

TO KUNUNURRA

NR2 CHANNEL

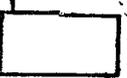
20m from boundary

EXISTING DRIVE

EXISTING DRIVE

EXISTING SEPTIC TANK WILL BE USED

EXISTING SITE



EXISTING DWELLING



32m from boundary

PROPOSED WORKER'S QUARTERS

STOCK ROUTE RD

LOT 238

SITE PLAN FOR PROPOSED WORKER'S QUARTERS

MR FRITZ BULTON



GASS FIELDS

SIMMONS FACTORY

Weeber Plain Rd

Research Station Rd

EXISTING HOUSE

26 m FROM BOUNDARY

PROPOSED WORKERS' QUARTERS

32m FROM BOUNDARY

EXISTING SHELDED + LIVING QUARTERS

Research Station Rd

Research Station Rd

Research Station Rd



BUILDING DESIGN CRITERIA
 Wind Load - In Accordance with AS.1170.2:2002
REGION D, TERRAIN CATEGORY 2
 Annual Probability of Exceedance 1:500
 REGIONAL WIND SPEED - V500 = 88 m/s
Built To: BUILDING CLASS 1B
CLIMATE ZONES 1, 3, 4, 5 & 6

EXTERNAL DIMENSIONS - 14.4m x 3.3m
 INTERNAL DIMENSIONS - 14.20m x 3.10m = 44.02m²

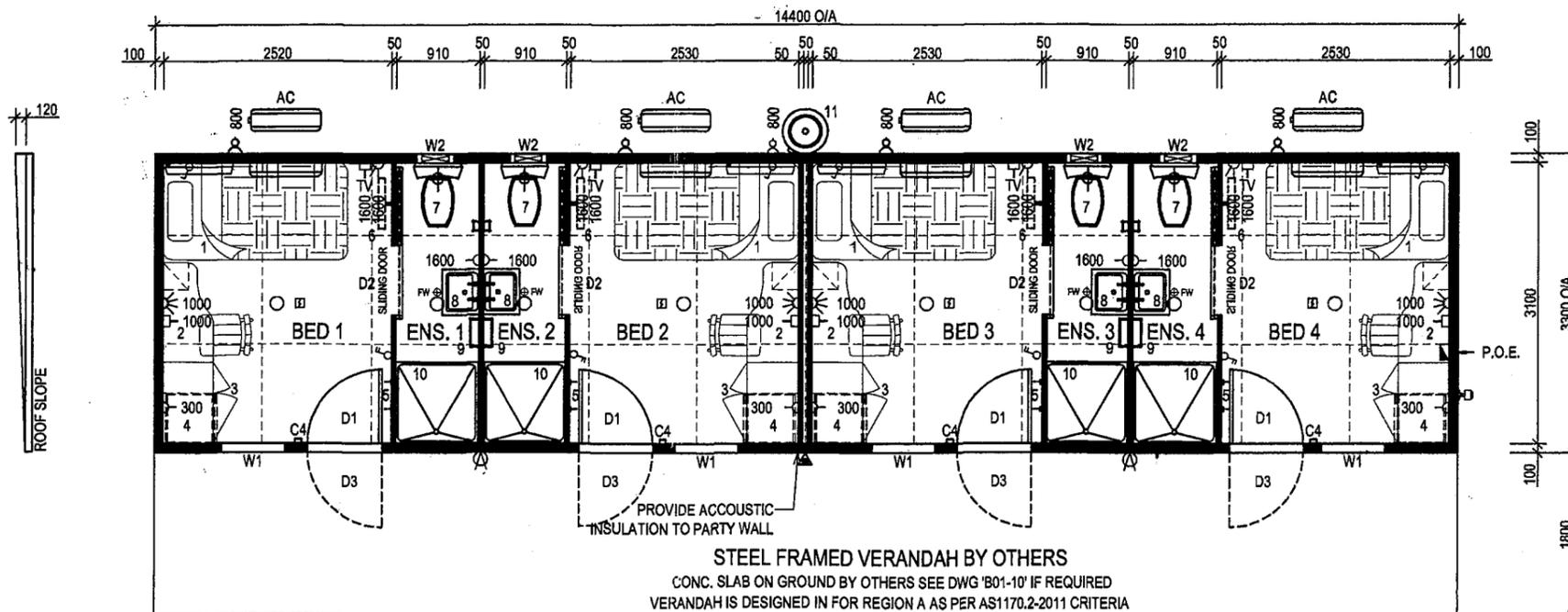
BEDROOM - 2.53m x 3.10m = 7.84m²
 ENSUITE - 0.91m x 3.10m = 2.82m²

CEILING HEIGHT
 2400

FIRE LEGEND			ELECTRICAL LEGEND		
DESCRIPTION	QTY		DESCRIPTION	QTY	
SMOKE DETECTOR : HARD WIRED -w BATT B/UP	4	☐	CIRCUIT BREAKER BOARD : (POINT of ENTRY)	1	☐
ABE TYPE FIRE EXTINGUISHER 4.5Kg & SIGNAGE	1	▲	SWITCH : LIGHT : SINGLE	4	⊗
			SWITCH : LIGHT : DOUBLE	4	⊗
			SWITCH : PHOTO-ELECTRIC : (PE CELL)	1	⊗
			LIGHT : OYSTER FITTING	8	⊗
			BUNK LIGHT : 18W FLUORESCENT : WALL MOUNTED	4	⊗
			LIGHT : EXTERNAL BULKHEAD : W/PROOF	2	⊗
			GPO : 10 AMP SINGLE : HEIGHT SHOWN	8	⊗
			GPO : 10 AMP DOUBLE : HEIGHT SHOWN	4	⊗
			GPO : 10 AMP 4 GANG : HEIGHT SHOWN	4	⊗
			ISOLATOR : W/PROOF : HEIGHT SHOWN	5	⊗
			TELEVISION POINT	4	⊗
			DATA / COMMS POINT	4	⊗
			FAN : EXHAUST : WALL MOUNTED c/w SELF CLOSING LOUVRES	4	⊗

COLOUR SCHEDULE

ROOF DECKING	- ZINCALUME
ROOF FLASHING	- DEEP OCEAN
EXTERNAL WALLS	- PAPER BARK
INTERNAL DOORS	- SURFMIST
CEILING	- MIRAGE PEARL
WINDOWS	- DEEP OCEAN
EXTERNAL DOOR FRAME	- DEEP OCEAN
VINYL TO BEDROOMS	- SLATE GREY
VINYL TO ENSUITE	- WOODLAND GREY
LOGOS	- YES
CUPBOARD DOOR & SIDE	- SOFT LEMON
CUPBOARD TOP & SHELVES	- WHITE
DESK TOP	- SOFT LEMON
DESK DRAWERS	- IRON STONE
CURTAINS	- BLUE/GREY
SKIRTING	- GREY
PERIMETER / BASE CHANNEL	- BLACK



PANEL WALL BUILDING SHORT SPECIFICATION - REGION D - 2011 NCC

- CHASSIS - STEEL BEAMS c/w GALV. JOISTS 75 x 40 CEE SECTIONS @ MAX 400 CTRS
- CHASSIS PAINT SPEC. - 425 ZINC PHOSPHATE PRIMER, 2 COATS ALKYD PRIMER WET ON WET - BLACK - FOR CORROSION INHIBITION
- FLOORING - 22mm T&G AQUATITE TERMITES TREATED PARTICLE BOARD
- FLOOR COVERING - 1.5mm VINYL FLOOR FINISH TO BEDROOMS - refer colour schedule
- 2.0mm SLIP RESISTANT VINYL FLOOR FINISH TO ENSUITES c/w 100mm HIGH COVING BEHIND DOOR, (PVC SKIRTING TO ALL OTHER WALLS) - refer colour schedule
- EXTERNAL WALLS - 100mm EPS CORE PANEL, R2.8 RATING c/w 0.6mm COLORBOND facings - refer colour schedule
- INTERNAL WALLS - 50mm PANEL c/w 0.4mm COLORBOND facings - refer colour schedule
- FLOOR INSULATION - R2.0 IST80 INSULATION WITH BUILDERS MESH UNDER FOR SUPPORT
- PARTY WALL INSULATION - ACOUSTIC INSULATION with cavity wall
- ROOF INSULATION - R2.5 POLYESTER INSULATION between ceiling joists with IST60 ANTI-CONDENSATION BLANKET under roof sheets
- ROOF & CEILING FRAME - GALV. STEEL FRAMEWORK
- ROOF CLADDING - SMARTSPAN or EQUIVALENT SHEETING - refer colour schedule
- CEILING - PRE-FINISHED PLYWOOD c/w ALUMINIUM CORNICE - refer colour schedule
- ROOF FLASHINGS & CORNER TRIMS - COLORBOND - refer colour schedule
- DOOR FRAMES - METAL POWDERCOATED FINISH - refer colour schedule
- INTERNAL DOOR FRAMES - ALUMINIUM POWDERCOATED FINISH - refer colour schedule



PLAN VIEW
 SCALE 1:50

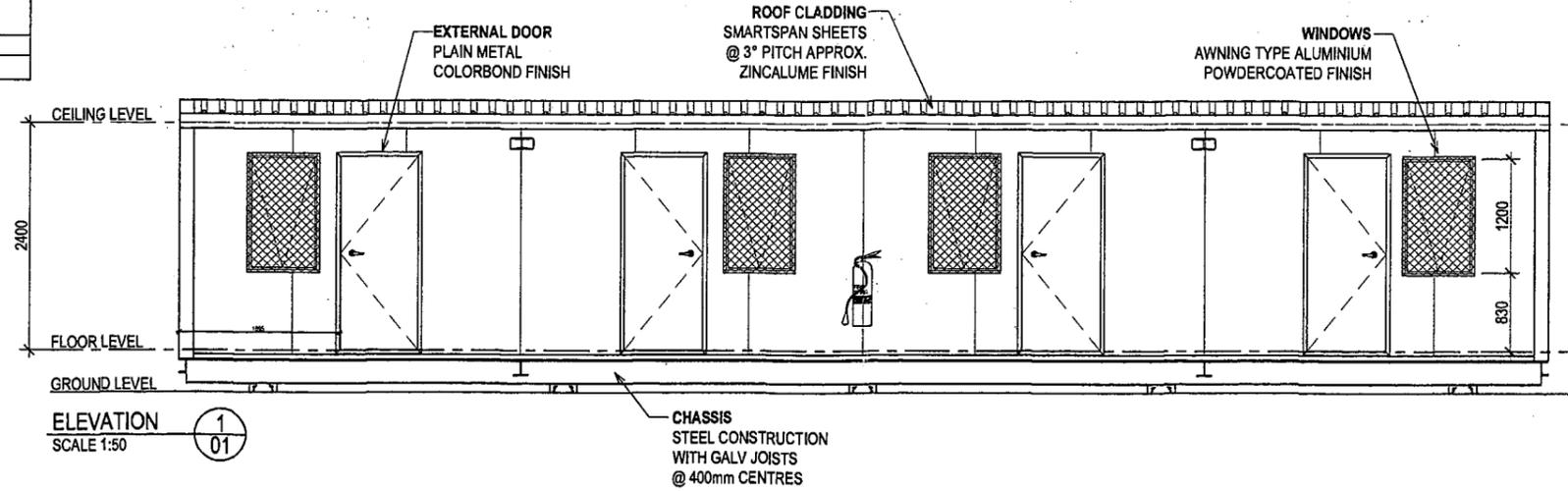
EQUIPMENT LIST

No.	DESCRIPTION	QTY
D1	2040h x 820w METAL PANEL EXTERNAL DOOR c/w KEYLOCK SET	4
D2	2040h x 820w HOLLOW CORE TIMBER INTERNAL SLIDING DOOR (2000h x 770w OPENING)	4
D3	2040h x 820w BARRIER DOOR c/w HANDLE/NO LOCK & DOOR CLOSER	4
W1	1200h x 700w AWNING WINDOW c/w FLYSCREEN, BLOCKOUT CURTAINS & CYCLONE SCREEN	4
W2	400h x 400w FIXED WINDOW c/w CYCLONE SCREENS	4
C4	75 x 50 x 2.0mm RHS INTERNAL COLUMN c/w BRACKET FIXING	4
AC	INVERTER SPLIT SYSTEM REVERSE CYCLE AIR CONDITIONER - 2.8kW	4
1	KING SIZE SINGLE ENSEMBLE BED	4
2	1100 LONG WRITING DESK c/w STEEL PADDED CHAIR & BEDSIDE DRAWERS	4
3	900w x 560d x 1800h HIGH MELAM. WARDROBE c/w 1 HALF SHELVES, 1 FULL WIDTH SHELF & HANGING SPACE	4
4	115L BAR FRIDGE	4
5	COAT HOOK	6
6	WALL MOUNTED TV BRACKET @ 1650 A.F.L. - CMW420	4
7	TOILET PAN c/w DUAL FLUSH CISTERN & PAPER HOLDER	4
8	S.S. HAND BASIN c/w MIRROR & SHELF OVER	4
9	300 LONG TOWEL RAIL	4
10	900 x 900 FIBREGLASS SHOWER UNIT c/w CURTAIN & RAIL	4
11	270 LITRE HEAT PUMP	1

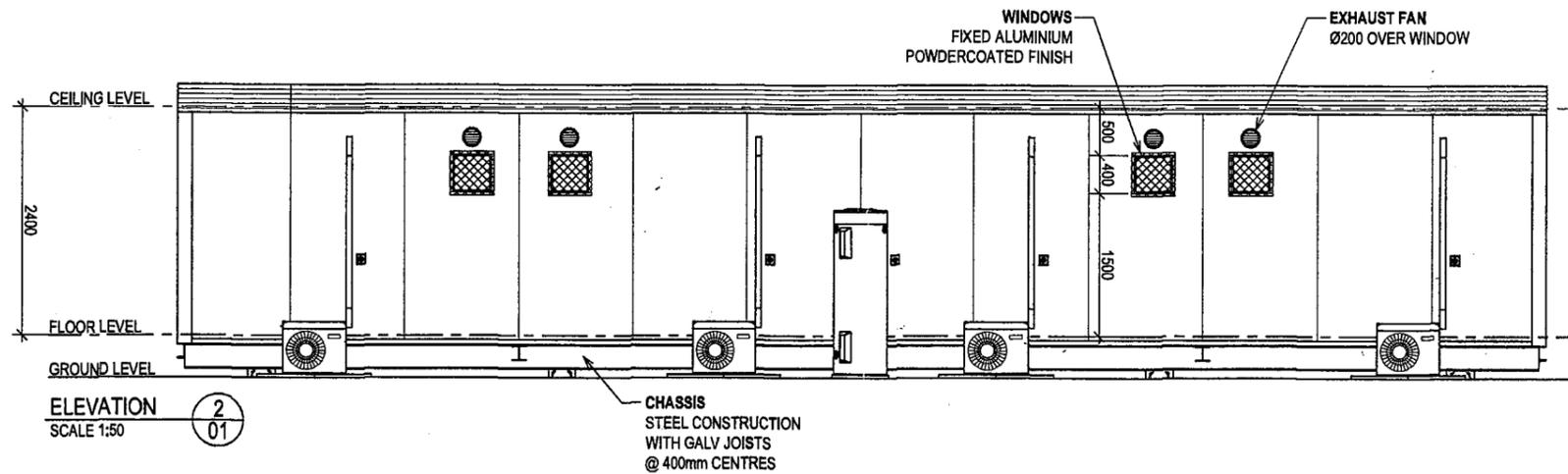
Fleetwood Portables
ISSUED TO PRODUCTION
 Signature: B.F. 01.02.12

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NOTE: These drawings have been approved for manufacturing. Should any changes be made after the approved date, the Contract will need to be reviewed.		27 January 2015		THIS DRAWING IS PROTECTED BY COPYRIGHT LAWS © 2011		DO NOT SCALE. REFER TO DIMENSIONS ONLY		FLEETWOOD INTERSTATE BRANCHES: 555 WATERLOO CNFR RD, BURTON S.A. 5170 PH: 8280 5500 FAX: 8280 5511		TITLE: 4P STAFF QTRS /ENS 14.4m x 3.3m - PLAN VIEW	
BUILDERS SIGNATURE	DATE	REV 0	DESCRIPTION: ISSUED FOR PRODUCTION	INIT: JAG	DATE: 01.02.12	DALGETY RD ALICE SPRINGS N.T. 0870 PH: 8932 1699 FAX: 8932 1177		58 MCKINNON RD, BERRIMAH, DARWIN N.T. 0820 PH: 8932 4800 FAX: 8932 4888		FLEETWOOD DWG No: SQ08366-B01-01	REVISION: S9203 0

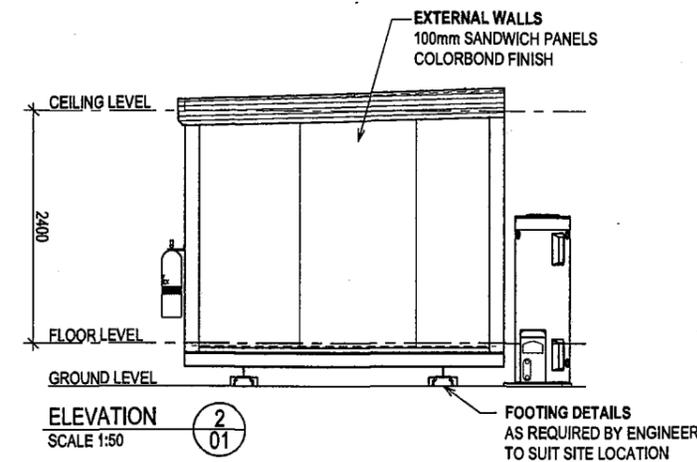
BUILDING DESIGN CRITERIA
 Wind Load - In Accordance with AS.1170.2:2002
REGION D, TERRAIN CATEGORY 2
 Annual Probability of Exceedance 1:500
 REGIONAL WIND SPEED - V500 = 88 m/s
Built To: BUILDING CLASS 1b
 CLIMATE ZONES 1



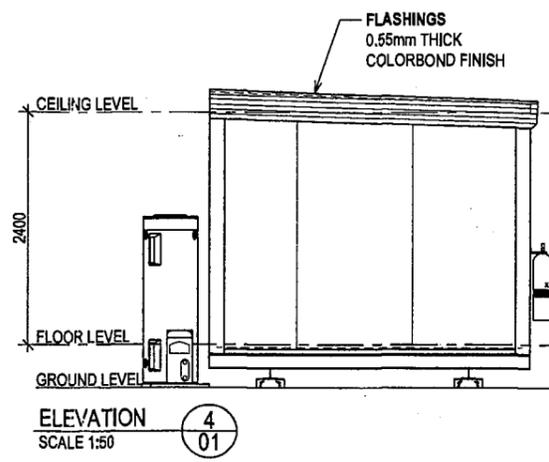
ELEVATION 1
SCALE 1:50



ELEVATION 2
SCALE 1:50



ELEVATION 2
SCALE 1:50



ELEVATION 4
SCALE 1:50

NOT FOR CONSTRUCTION

PRELIMINARY PLAN
SUBJECT TO FINAL ENGINEERING
AND ENERGY EFFICIENCY
CONSULTANTS REPORT

CLIENT APPROVAL		PAGE SIZE		PAGE		SCALE		Fleetwood		CLIENT: FLEETWOOD PTY LTD	
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NOTE: These drawings have been approved for manufacturing. Should any changes be made after the approved date, the Contract will need to be reviewed.		DRAWN BY	DATE	CHECKED BY	DATE	FLEETWOOD INTERSTATE BRANCHES		555 WATERLOO CIR RD, BURTON SA. 5110		TITLE: 4P STAFF QTRS 14.4m x 3.3m - ELEVATIONS	
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		REV	DESCRIPTION	INIT	DATE	THIS DRAWING IS PROTECTED BY COPYRIGHT LAWS © 2011		DO NOT SCALE. REFER TO DIMENSIONS ONLY		FLEETWOOD JOB No. -	
		A	ISSUED FOR APPROVAL	AP	29.01.13					REVISION A	



Shire of Wyndham East Kimberley Council Policy Manual

POLICY NO:	LPP 11
DIVISION:	Development Services
SUBJECT:	Transient Accommodation
REPORTING OFFICER:	Executive Manager Development Services
ENABLING LEGISLATION:	Town Planning Scheme No 7 – Kununurra & Environs Interim Development Order No.10

POLICY:

1.0 CONTEXT

Transient Accommodation is common within the Shire of Wyndham East Kimberley (SWEK) due to the seasonal and part time nature of employment associated with the agricultural sector and at a lesser scale, industrial, tourism and commercial enterprises.

There are various types of transient workforces including operational/seasonal and semi-permanent that can demand different forms, scales and locations for Transient Accommodation to serve the needs of individual employers.

This Policy attempts to provide additional clarity around the nature of Transient Accommodation and its permissibility and application within the SWEK district.

Further, it must be noted that Transient Accommodation does not generally apply to the mining and construction sectors where temporary accommodation camps are required for a fixed period applicable to a defined term of a project or activity. – refer to the Shire Local Planning Policy (LPP) 12 – Temporary Workers Accommodation.

2.0 INTERPRETATION AND PERMISSIBILITY

2.1 Definitions

Transient Accommodation is presently defined within the Shire Town Planning Scheme No.7 as:

Transient Accommodation - means any habitable building permanently affixed to the ground by footings as required by Council and includes any caravan, transportable dwelling or any structure used for habitation for the purposes of accommodation for a period not exceeding 6 months

For the purpose of this policy Transient Accommodation is further interpreted in three definitions as follows:

Rural Transient Accommodation 1 – applies to respective rural zones covered by Town Planning Scheme No.7 where the land parcel is equal to or less than 12 hectares in area and the total number persons to be housed in the accommodation does not exceed seven (7) persons directly employed in a related rural use on the subject property.

Rural Transient Accommodation 2 - applies to respective rural zones covered by Town Planning Scheme No.7 where the land parcel is greater than 12 hectares in area and the total number persons to be housed in the



Shire of Wyndham East Kimberley Council Policy Manual

accommodation does not exceed thirty (30) persons directly employed in a related rural use on the subject property.

Townsite Transient Accommodation – applies to the Kununurra townsite only where Transient Accommodation development is permissible under Town Planning Scheme No.7 and the total number of persons allowed to be housed in the accommodation does not exceed seven (7) persons on a lot containing another land use, of which the Transient Accommodation may or may not be ancillary too.

Notwithstanding the above definitions that are considered acceptable in terms of scale and density of development, the Council may consider applications which fall just outside of these interpretations with reference to the general intent and objectives of this Policy.

2.2 Scope

For the purposes of this Policy Transient Accommodation incorporates all buildings and structures, facilities and infrastructure/utilities required to accommodate a transient workforce.

2.3 Approval Requirements

The need for approval of Transient Accommodation is detailed within the Shire Planning Scheme or other statutory requirement, such as an Interim Development Order (IDO).

Where the proposed Transient Accommodation is not located within the Shire Planning Scheme area, and an application for planning approval is required through another statutory requirement, the Shire will assess the application pursuant to this Policy, the requirements of the Shire Planning Scheme relevant to the application for Transient Accommodation, and any other relevant requirements.

2.4 Permissibility

The land use permissibility of Transient Accommodation is detailed within the Shires Town Planning Schemes. Permissibility must be referenced through the Town Planning Scheme documents in the first instance.

3.0 GENERAL POLICY POSITION OF COUNCIL

3.1 Purpose

The Council of the Shire of Wyndham East Kimberley does not support the development of Transient Accommodation in circumstances where permanent accommodation arrangements are readily and practically available within existing townsites and in reasonable proximity to the workplace.

The Council does, however, acknowledge that Transient Accommodation may be required in certain circumstances due to:

- The remoteness of a workplace from existing townsites;
- The limited seasonal or temporary nature of the employment generating activity;
- and



Shire of Wyndham East Kimberley Council Policy Manual

- A severe shortage of land and housing supply.

The Council considers Transient Accommodation as a 'semi-permanent' facility for seasonal or part time workers as opposed to providing permanent accommodation for full-time employees or other persons, and therefore should not be construed as a permanent long-term solution for transient workers or as a permanent housing alternative. In this context, the Council will consider applications for Transient Accommodation on individual merit, having regard to the Shire Town Planning Scheme, this Policy, other relevant Policies and any other relevant requirements.

The Council also acknowledges the general nature of changing circumstances, in terms of employment sectors generating a need for transient workforces and the resultant type, scale and locations of accommodation sought, and therefore may apply discretion and flexibility in allowing this form of development.

3.2 Amenity

The Shire accepts that lower levels of amenity than those which could be typically expected within permanent accommodation. However, all applications should as a minimum accord with the standards as prescribed in this Policy, Environmental and Health legislation and the Building Code of Australia.

3.3 Industrial Areas

The Council does not support the unrestrained proliferation of Transient Accommodation within townsites, especially within areas when industrial land uses are permitted, due to the potential for land use conflict and amenity concerns. Industries can generate a range of emissions and pollutants including noise, dust, vibration, gas, odour fumes and light spill, which may not be compatible with Transient Accommodation. The Council will therefore give due regard to the type and scale of surrounding industrial use and associated impacts before determining a development application.

Furthermore, the location of sensitive land uses, such as Transient Accommodation in proximity to industrial uses may compromise the ability of the industry and the broader industrial area to operate effectively, and may prevent certain industrial uses from developing or expanding. This will also be taken into consideration when determining an application for Transient Accommodation in a general or light industrial area.

3.5 Rezoning

The Council supports the establishment of small-scale townsite Transient Accommodation development in accordance with the Town Planning Scheme permissibility and provisions where acceptable levels of on-site amenity are proposed, and the amenity of the surrounding area is not compromised.

For medium-scale townsite Transient Accommodation the Council may require the land to be rezoned, subject to the applicant providing the necessary information and addressing the following aspects, at a minimum, to justify the proposal:

- Proximity to established townsite services, facilities and infrastructure, current and future/proposed surrounding zonings, reservations and land uses, lot sizes and proportions, amenity for transient workers and the surrounding areas;



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- A development concept plan for the entire site, addressing the requirements of this Policy, the Shire Planning Scheme and any other relevant requirements.

4.0 OBJECTIVES

The objectives of the Policy are to:

- Uphold the general policy position of Council, as set out above;
- Facilitate Transient Accommodation developments in appropriate locations;
- Minimise land-use conflict;
- Provide a reasonable level of amenity, and ensure the health and safety of transient workers residing with Transient Accommodation;
- Provide a functional living environment for transient workers residing within Transient Accommodation;
- Ensure the amenity and desired character of the site and surrounding area is maintained and protected;
- Provide guidance on the use of Transient Accommodation as seasonal temporary short-term accommodation for transient workers;
- Recognise that Transient Accommodation proposals will take varying forms depending upon site specific and case-by-case circumstances;
- Ensure compatibility with the predominant land use;
- Apply reasonable and relevant policy provisions to maintain a standard for Transient Accommodation; and
- Provide a level of clarity, guidance, certainty and consistency to applicants, the Shire and the community.

These objectives will be given due regard in the assessment of all applications for Transient Accommodation.

5.0 SPECIFIC POLICY PROVISIONS

The following specific policy provisions will be applied in the assessment of applications for Transient Accommodation dealt with by this Policy in addition to the Shire Town Planning Scheme/s and other requirements.

5.1 Location

5.1.1 In the case of Rural Transient Accommodation all buildings must:

- be setback from front, side and rear boundaries in accordance with the requirements for each zone in the Shire Town Planning Scheme, and where possible should be clustered in close proximity to existing residential dwellings and/or other buildings;
- not be sited on existing productive rural land. The Shire may refer an application to the Department of Agriculture and Food and other relevant agencies for comment prior to making a determination, where there are concerns regarding the impact of the proposed development on the use of land for agriculture; and
- must be appropriately set back from existing productive rural land to avoid land use conflicts such as spray drift, dust, odour and noise.

5.1.2 In the case of Townsite Transient Accommodation:



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- The Transient Accommodation must be located to the rear of the lot behind primary land use to allow for appropriate screening from view from public places. In addition, or alternatively, the Shire may consider the provision of appropriate screening, through vegetation or other means, where the Transient Accommodation is visible from the street;
- Buildings for Transient Accommodation must be setback from front, side and rear boundaries in accordance with the requirements of each zone in the Shire Town Planning Scheme;
- Where the Shire considers that there may be a significant land use conflict between the Transient Accommodation and any existing use on the site or adjoining and nearby sites planning consent will not be granted.

5.1.3 Adequate separation must be provided between Transient Workforce Accommodation buildings to ensure privacy and amenity to occupants and to satisfy any relevant Building Code of Australia or Health Regulation requirements.

5.1.4 In accordance with State Planning Policy, Transient Accommodation:

- Must not be sited in a mining buffer area; and
- Will generally not be approved on land zoned for general industrial development, on lots containing, or with the potential to contain, general industrial uses and/or in close proximity to general industrial uses, unless there are extraordinary circumstances which can be provided and agreed to by the Shire as to why the Transient Accommodation is required.

5.1.5 Transient Accommodation must not be located in proximity to land containing, or with the potential to contain, agriculture, industry, mining and other land uses to the extent that:

- These land uses may adversely affect the amenity, health and safety of the transient workers; and
- The accommodation may adversely, detrimentally or prejudicially affect the use, or the continued use, of the land for its productive agriculture, industry, mining or other purpose.

5.1.6 In determining the compliance of an application with provisions 5.1.4 and 5.1.5 above, the Shire may refer the application to the Department of Health, Department of Environment and Conservation and Department of Industry and Resources, or their equivalent, for comment and recommendations.

5.2 Need

The applicant shall detail the need for the Transient Accommodation including an explanation as to why the transient workers cannot be accommodated through alternative arrangements within townsites.

5.3 Environment

The design and location of Transient Accommodation must not have an adverse impact on environmentally sensitive areas. Where there are concerns regarding the impact of a proposal on an environmentally sensitive area/s, the Shire may seek comment from the Department of Environment and Conservation and/or Environmental Protection Authority, or equivalent, prior to determining the application.



5.4 Amenity

In determining an application for Transient Accommodation, the Council will:

- 5.4.1 Take into consideration the level of amenity for the transient workers and may apply any condition of approval which has the effect of increasing the level of amenity proposed or ensuring that a reasonable level of amenity is maintained.
- 5.4.2 Have regard to current and proposed surrounding land zonings, reservations and land uses and the likely affect of the proposal on the level of amenity and desired character of these surrounding areas. The Council may impose any condition of approval which has the effect of maintaining the level of amenity or preserving the desired character of surrounding areas.

5.5 Fencing and Screening

- 5.5.1 Townsite Transient Accommodation sites shall have solid fencing on the side and rear boundaries and permeable fencing to the front boundary of the lot.
- 5.5.2 Transient Accommodation must be appropriately screened by vegetation or other means, to the satisfaction of the Council, from:
 - Public roads frequented by tourists;
 - Adjoining lots zoned for purposes other than rural, including rural-residential land or its equivalent;
 - Particular tourist, scenic, visual, natural or other attractions; and
 - In the case of rural accommodation, adjoining lots zoned for purposes other than rural, including rural-residential land or its equivalent.

5.6 Landscaping

- 5.6.1 The Council may require a landscaping plan for the development site detailing hard and vegetated landscaping should the Transient Accommodation be highly visible from a major road or have adverse effect on a neighbouring residence.
- 5.6.2 Natural vegetation should be retained in any development scenario wherever possible.

5.7 Open Space

- 5.7.1 At least 50% of the site for Transient Accommodation should be retained as open space. For the purposes of this Policy provision, open space will be calculated as per the definition contained within the Residential Design Codes of Western Australia.

5.8 Buildings

- 5.8.1 Transportable buildings for Transient Accommodation must be permanently affixed to the site by footings.



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- 5.8.2 All buildings and structures are to have a form and appearance, including materials and colours, which do not detract from the amenity and desired character of the area.

5.9 Essential Facilities

- 5.9.1 Transient Accommodation developments should be provided with the following essential facilities as a minimum:

- Ablution facilities including showers, toilets, laundry and associated facilities;
- A covered and/or sheltered entry area and desirably an outdoor activity area;
- An uncovered outdoor activity area, of which part may be shaded; and
- Kitchen/cooking facilities or a commercial kitchen and eating areas.

These facilities may be provided conjoining sleeping areas, provided they are for the exclusive use of those residents. These facilities may alternatively be provided within close proximity to sleeping areas and must be readily accessible by foot.

5.10 Storage

- 5.10.1 Adequate and secure storage space must be provided for the belongings of transient workers.

- 5.10.2 Adequate space must be provided for the storage of equipment and other materials required for the management, maintenance and upkeep of the Transient Accommodation development.

5.11 Lighting

- 5.11.1 Adequate lighting must be provided to allow for pedestrian and vehicular safety and security throughout the development. For Townsite Transient Workforce Accommodation, lighting shall be designed so as not to adversely impact neighbours.

5.12 Access and Transport

- 5.12.1 Internal pedestrian access is to be provided to and between all transient accommodation buildings and facilities by way of adequately paved pathways to the satisfaction of the Council;

- 5.12.2 One car parking space shall be provided for every two (2) transient workers (or part thereof) which can be accommodated within the development, where the transient workers have or are provided with access to private vehicles. The car parking spaces must be for the exclusive use of transient workers;

- 5.12.3 An application for Transient Accommodation shall detail;

- Any car parking arrangements for transient workers;
- Means of transport provided for transient workers to access employment;
- The ability for larger vehicles to access and leave the site in forward gear.



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5.12.4 Internal roads and access ways must be designed and constructed to the satisfaction of the Council.

5.13 Occupants

5.13.1 Occupants of the Transient Accommodation must be employed in the employment generating project associated with the Transient Accommodation.

5.14 Statutory Declarations

5.14.1 To ensure compliance with the Shire Planning Scheme and this Policy, the Shire may, as a condition of planning approval, require a statutory declaration from the applicant acknowledging that the Transient Accommodation will only be occupied in accordance with the stated definitions in this Policy.

5.16 Subdivision

5.16.1 The approval of Transient Accommodation by the Shire should not be construed to indicate support from the Shire for an application for subdivision of the land upon which the approval has been granted.

6.0 APPROVALS AND CONDITIONS

Notwithstanding any of the above policy provisions, the Shire may impose any condition of approval as it deems necessary to ensure compliance with the objectives of this policy, compliance with the Shire Planning Scheme, and compliance with any other relevant requirement.

ADOPTED:
REVIEWED:
AMENDED:

MANAGEMENT PLAN

CONTENTS

1. Details & Responsible Person/People
2. Water supply, sewage & waste
3. Amenities
4. Registration Process
5. Visual Amenity
6. Dust & Noise
7. Biosecurity
8. Housekeeping & Grounds Keeping

1. Details & person responsible

Facilities	Transient Accommodation units consisting of one unit with 4 single bedrooms, each with ensuite, and an one existing unit to provide communal kitchen, laundry, lounge and outdoor living area. Units are transportable in style however will be permanently affixed in accordance with building requirements.
Location	Lot 238 Weaber Plain Road, Kununurra
Responsible Person	Fritz Bolten PO Box 352 Kununurra WA 6743
Contact Details	Phone: 08 91691282 Mobile : 0418 911 030 Email : oasisfarms@activ8.net.au

2. Water supply, sewage & waste

Water Supply	Water is supplied from our bore at Oasis farms shed. Testing for quality is done annually through a water testing run at the Ord River District Co-op.
Sewage	The new unit will have its own septic tank and leach drain.
Waste Disposal	Two steel lidded waste bins are provided. Bin are emptied into the Oasis Farms waste bin. Bins are to be put in the back of a work ute and transported to the shed when full. Fritz Bolten will nominate a responsible occupant/employee living there to be responsible for that job.

3. Amenities

Showers & Toilets	Each room has its own shower and toilet
Laundry	Laundry facilities are provided in the laundry/kitchen unit next to the living rooms.
Kitchen Facilities	Existing kitchen has sink, storage, fridge, freezer, microwave, hotplates, cutlery and crockery provided.
Common Room	The kitchen room will double as an indoor common room.
Outdoor facilities	There is a covered and concreted outdoor area. Some chairs and a table provided.

4. Registration Process

Moving in	<p>Only employees of Oasis Farms will occupying the rooms.</p> <p>This accommodation is only designated for temporary seasonal staff.</p> <p>All new staff will be inducted at the Oasis Farms shed, at 241 Stock Route. At the end of the induction they will be shown to the accommodation.</p> <p>Staff will be shown the biosecurity policy. And good farm hygienic practices as part of the induction.</p> <p>Please see Biosecurity Policy and Occupancy Agreement attached as Appendix 1 and 2.</p>
Length of Stay	<p>Rooms will be occupied from late March to December. Depending on the seasonal weather conditions. No residents are permitted to stay longer than 6 months in any twelve month period.</p> <p>The rooms will not be used as permanent accommodation.</p>

5. Dust & Noise

Dust	<p>Roads are gravelled and sign posted for speed restrictions. A 20 km/hr speed limit is in place on this Oasis Farms access road. OIC maintains the access road along the M1 channel.</p> <p>Noise and dust pollution and minimisation will be discussed during the induction and is covered within the vehicle policy.</p>
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Noise	Noise from traffic on Weaber Plains Road is minimal as it is buffered from the vegetation area between the road and the M1 channel. All employees are made aware of noise relating to Agricultural activity on the site.
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6. Visual Amenity

Visual Impact	The proposed accommodation is surrounded by a Sandalwood plantation, a farm house with landscaped gardens and the laundry/kitchen unit. It is barely visible from the road or the farm house.
Vegetation/Screening	There is a basic garden around the existing laundry/kitchen unit and an established garden around the existing farm house. The manager resident in the farm house is responsible for controlling the weeds and maintaining the gardens.

7. Biosecurity

All Employees	On commencing employment all employees are required to sign our biosecurity policy and the occupancy agreement. Interstate and International employees will also have been subjected to quarantine protocols when entering the region.
Information Displayed	Information regarding weeds, plant diseases and biosecurity matters will be displayed in the common area. Signage leading to the accommodation will make occupants aware of Biosecurity. Please refer to Appendix 3. An information pack containing information about weeds and pests will be in the smoko room at Oasis Farms. Bio security breaches are to be reported to Department of Agriculture and Food WA on 08 91664000. Ask for Kay Bailey.

8. Housekeeping and Grounds Keeping

During Stay	Fritz Bolten (Owner) will be inspecting the property once a month. This is to check, as per occupancy agreement, that the premise is clean and well maintained.
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Moving Out	Before moving out the employee will inspect their accommodation with Fritz Bolten and together the Occupancy agreement will be signed off.
Grounds	The Farm Operations Manager will be maintaining the grounds. He is briefed on bio security and is qualified to monitor for any bio security incursions.

Oasis Farms Biosecurity Policy

Farm Biosecurity is a set of measures designed to protect our property and region, from the entry and spread of pests and diseases.

Biosecurity is very important to us because it helps prevent new weeds, disease and pests reducing or destroying our crops. There are a number of things you must do and report to minimise the risk of introducing new pests and diseases.

- If you have come from overseas or inter state you are not allowed to bring with you and fruit, seed or honey.
- Only come onto the farm with clean shoes. Remove any weed seeds from socks or clothing before you come onto our farm.
- If you are driving onto our property in your vehicle, make sure it has been cleaned of soil and weed seeds (in the radiator mainly) before you arrive.
- If you are operating machinery, and are moving from one field to another clean the machine of weeds or soil that could be on that machine.
- If you see anything that looks like a plant disease, invasive weeds or the like report it to Fritz immediately.

By example, we allow a bi annual inspection of our property by the department of food and agriculture who look for new pests and disease.

It should also be noted that bio security is very efficient at Oasis Farms. We were the first in Australia to identify and report sugarcane smut and rice blast. This does not mean we have a diseased farm. It means we were alert and diligent in looking out for the health of our farm and the crops we grow.

During the growing season we undertake scheduled crop inspection, during which we check for insect and weed populations. We also check for plant diseases. We are always monitoring our farm.

Oasis Farms Occupancy agreement

We are proud to be able to supply you high quality accommodation while working with us. This accommodation get supplied to you as part of your wages. We expect you to respect and look after the accommodation.

- Clean the kitchen after you used it.
- Do the dishes.
- Keep the floors swept and mop once a week.
- Wash your sheets regularly.
- Put rubbish in the bin. Make sure the lid is securely closed on the bin at all time, and take to the Oasis shed for disposal.
- Air-conditioning is very expensive to run. Do not run it with open doors or windows and don't set the A/C temp at less than 25 Degrees. A/C is only to be used while you are in the room.
- Biosecurity is an important issue for us. You are not allowed to take honey, fruit and vegetables, plants or seeds into Western Australia.
- No pets allowed
- Report any weeds or other biosecurity threats.

We will do an inspection of the accommodation at the beginning of every month.

Your rooms where clean when you moved in. We expect the same in return. If they are not left in a satisfactory condition after the last inspection we will ask you to clean it to the same standard as you found it. Or, upon agreement with Fritz,you will pay for the cleaning of your unit.

We have read and understood the above Occupancy agreement.

Fritz Bolten _____ Date _____

Employee name _____ Signature _____ Date _____

Last inspection

We agree that the unit is vacated in a clean state.

We agree that the unit requires \$ _____ to clean, which the employee will pay.

Fritz Bolten _____ Date _____

Employee name _____ Signature _____ Date _____

VISITORS

PLEASE RESPECT

FARM BIOSECURITY

Please contact the manager before entering.



**Do not enter property without prior approval.
Keep to roadways and laneways.**



13.2.3 Management of Reserve 38477 – Marglu Village, Lot 1735 Coverley Street, Wyndham

DATE:	27/01/2015
PROPONENT:	Department of Lands
LOCATION:	Lot 1735 Coverley Street, Wyndham
AUTHOR:	Jennifer Ninnette, Senior Planning Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	A1950P

PURPOSE

For Council to consider potential management of Reserve 38477.

BACKGROUND

The Department of Lands (DoL) have recently written to the Shire regarding the management of Reserve 38477, for the purpose of 'Aged Persons Homes' for which the current management order is held by the Wyndham Aged & Disabled Services Inc. (WADS), an association which appears to have not been active for around 20 years.

The reserve has been developed as an aged care facility known as Marglu Village, currently operated by Uniting Church Homes trading as Juniper, and the DoL are seeking information from the Shire regarding any development applications made or approvals issued for the site.



Location Plan

The DoL have also raised the possibility of the Shire of Wyndham East Kimberley taking over management of this Reserve, with the power to lease, on an "as-is" basis, in order to facilitate appropriate land tenure for the current operator.

A copy of this correspondence is provided at Attachment 1.

STATUTORY IMPLICATIONS

Land Administration Act 1997

Under Section 46 of the Land Administration Act 1997 the Minister for Land may by order place the care, control and management of a reserve to a management body, for the purpose of which it is reserved and purposes ancillary and beneficial to that purpose, subject to such conditions as the Minister specifies.

Town Planning Scheme

The subject land is zoned Residential R15/30 under the Shire of Wyndham East Kimberley - Town Planning Scheme No. 6 – Wyndham Townsite.

The objectives for the Residential zone are to:

- 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 sites;
- Promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas.

POLICY IMPLICATIONS

There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item, unless the Council should decide to take on management of the reserve.

STRATEGIC IMPLICATIONS

There are no Strategic Implications in relation to this report.

COMMUNITY CONSULTATION

No community consultation is required in relation to this item.

COMMENT

It is noted that the Shire does not manage any other reserve land for the purpose of aged care or aged person homes. However, the Shire does manage reserves for the purposes of child care in Kununurra (Ewin Centre) and Wyndham, although does not have the capacity to provide or operate such services itself.

Juniper's home care facility in Kununurra is located on land managed by the Department of Health and the other aged care housing is located within the hospital grounds itself, which is also reserve land managed by the Department of Health. It is considered that the Department of Health may be best placed to accept management of the Marglu Village reserve.

It is recommended that Council resolve to advise the Department of Lands in writing that the Shire of Wyndham East Kimberley has no interest in management of Reserve 38477.

ATTACHMENTS

Attachment 1 - Correspondence from Department of Lands

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council instructs the Acting Chief Executive Officer to:

1. advise the Department of Lands that the Shire of Wyndham East Kimberley has no interest in the management of Reserve 38477, and
2. suggest that the Department of Lands consider approaching the Department of Health as a potential agency to manage Reserve 38477.

COUNCIL DECISION

Minute No. 10765

Moved: Cr G King

Seconded: Cr D Learbuch

That Council instructs the Acting Chief Executive Officer to:

1. **advise the Department of Lands that the Shire of Wyndham East Kimberley has no interest in the management of Reserve 38477, and**
2. **suggest that the Department of Lands consider approaching the Department of Health as a potential agency to manage Reserve 38477.**

Carried Unanimously 7/0



18 DEC 2014
A1950 P
I-26279

Your ref:
Our ref: 02831-1982/2, Prompt # 143346
Enquiries: Carolyn Gasmier
Ph: 9166 7824 Fax: 9168 0600
carolyn.gasmier@lands.wa.gov.au

Chief Executive Officer
Shire of Wyndham-East Kimberley
PO Box 614
Kununurra WA 6743

Dear Kevin,

INVESTIGATION INTO RESERVE 38477, LOT 1735 ON DEPOSITED PLAN 185823, MARGLU VILLAGE, COVERLEY STREET WYNDHAM – SHIRE OF WYNDHAM-EAST KIMBERLEY

The Department of Lands (Lands) has been contacted by Uniting Church Homes, trading as 'Juniper – A Uniting Church Community' (Juniper) regarding the tenure and management of Reserve 38477. A Smartplan and aerial are attached for your reference.

A title search has indicated that the current management order is to "Wyndham Aged & Disabled Services Inc." (WADS) and whilst investigations are ongoing, it appears that WADS have not been active since the mid 1990's. The facility has been managed by Frontier Services Home and Community Care (HACC) since 1991 and transferred the aged care service to Juniper in July 2014.

Lands' is seeking any and all information regarding any building approvals or applications for the site, and who the applicant may have been. Any information the Shire of Wyndham-East Kimberley (SWEK) is able to provide will be gratefully appreciated.

Lands' would also like to make initial enquiries regarding the possibility of SWEK taking over management of this Reserve, with power to lease, on an "as-is" basis, in order to facilitate an appropriate land tenure for Juniper. Lands will be seeking valuation for the site in due course.

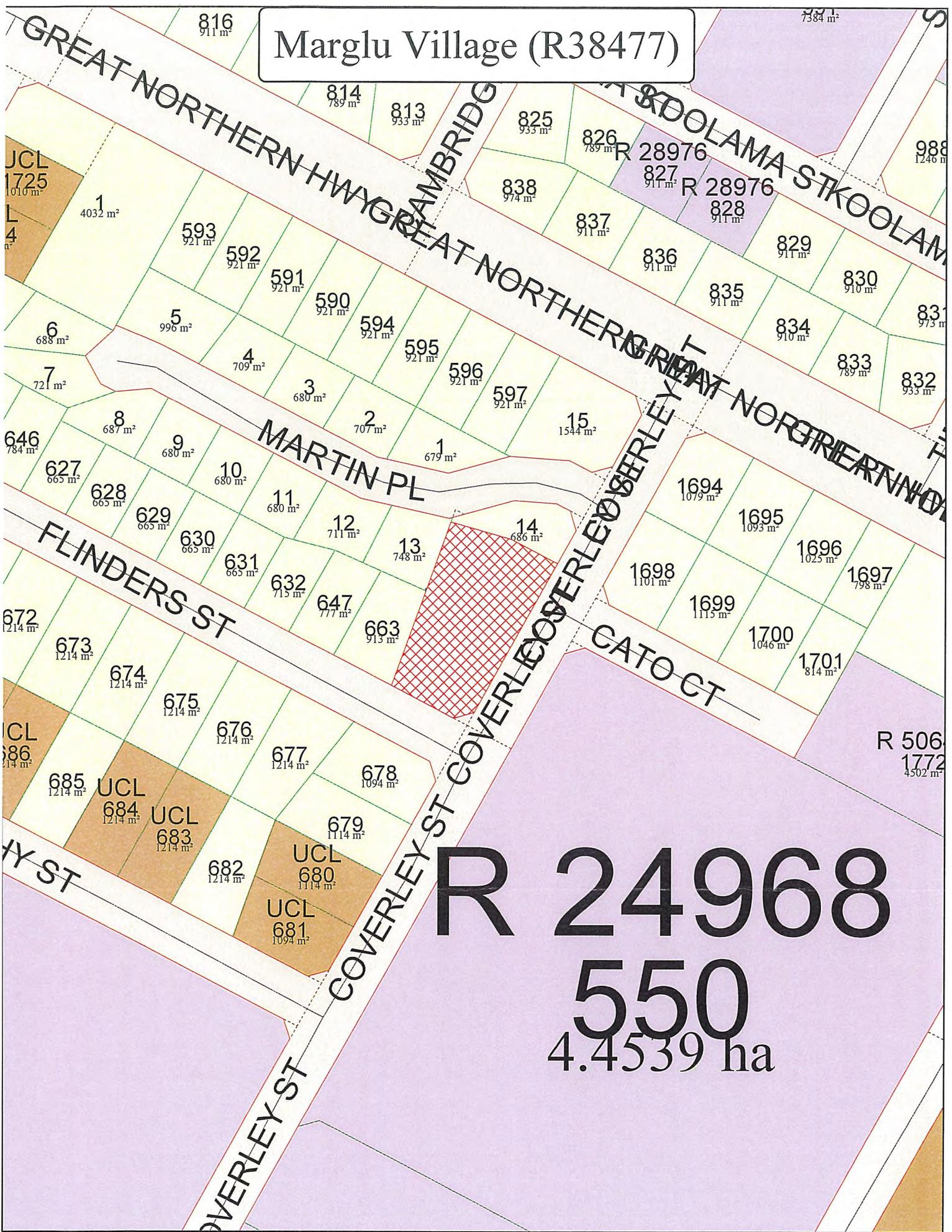
For further inquiries please contact Carolyn Gasmier on any of the details above.

Yours sincerely

Carolyn Gasmier
STATE LANDS OFFICER
Kimberley – Kununurra

17 December 2014

Marglu Village (R38477)



R 24968
550
 4.4539 ha

Scale : 1:1858 (Geographical)
 MGA : SW=405478.3E,8287318.6N Zone 52 / NE=405850.6E,8287823.7N Zone 52
 Lat/Long : 128°07'07.614", -15°29'22.825" / 128°07'20.178", -15°29'06.439" H 263mm by W 202mm

Printed : 15:54 Tue 16/Dec/2014
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Reserve 38477, Lot 1735 on Deposited Plan 185823, "Aged Persons Home".

13.2.4 Management of Proposed Reserve – Packsaddle Creek

DATE:	27/01/2015
PROPONENT:	Department of Lands
LOCATION:	Portion of Reserve 35289 – Packsaddle Road, Kununurra
AUTHOR:	Jennifer Ninyette, Senior Planning Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	A6856P

PURPOSE

For Council to consider management of a proposed reserve over Packsaddle Creek.

BACKGROUND

The Department of Lands (DoL) has written to the Shire to seek Council's potential agreement for the management of a proposed reserve over a portion of the Packsaddle Creek near the Jimbilum, Yirralallem 1 and Yirralallem 2 communities.

There is a commitment in the Ord Final Agreement (OFA) to create a reserve over the area identified as 'Packsaddle Creek Reserve Area' for the purpose of recreation and watercourse protection, and if the Shire of Wyndham East Kimberley consents, to place the care control and management of the reserve with the Shire.

A copy of the correspondence from DoL is provided at Attachment 1, which includes an extract of the relevant section of the OFA.

The proposed reserve land is currently portion of unmanaged Reserve 35289 for the purpose of 'natural regeneration'. The proposed reserve land will extend along the section of Packsaddle Creek immediately adjoining the three adjoining communities, as shown highlighted white on the location plan at Attachment 2.

STATUTORY IMPLICATIONS

Land Administration Act 1997

Under Section 46 of the Land Administration Act 1997 the Minister for Land may by order place the care, control and management of a reserve to a management body, for the purpose of which it is reserved and purposes ancillary and beneficial to that purpose, subject to such conditions as the Minister specifies.

Under Section 46 of the Land Administration Act 1997 the Minister for Land may by order cancel, change the purpose of or amend the boundaries of, or the locations or lots comprising, a reserve.

Town Planning Scheme

The majority of the subject land is zoned Rural Agriculture 1 under the Shire of Wyndham East Kimberley - Town Planning Scheme No. 7 – Kununurra and Environs, with the southern section being Scheme Reserve for the purpose of Conservation/Environmental Protection.

The objective for the Conservation/Environmental Protection Reserve is to identify and protect those areas of conservation significance particularly within existing National Parks and other conservation reserves.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item, unless the Council should decide to take on management of the reserve.

STRATEGIC IMPLICATIONS

There are no Strategic Implications in relation to this report.

COMMUNITY CONSULTATION

No community consultation is required in relation to this item.

COMMENT

There is a commitment under the OFA for the State to create the proposed reserve, and the intention to place the care, control and management of the reserve with the Shire, subject to the consent of the Shire.

If the Shire does consent to be the management body for the proposed reserve, the OFA also outlines that a condition will be placed on the management order to provide for management to be transferred in the future to the Department of Parks and Wildlife (DPaW, formerly CALM) or the Conservation Commission Western Australia (CCWA), in conjunction with a potential national park or conservation park to be created over the adjacent Carr Boyd Ranges.

In their correspondence the Department of Lands have indicated that it is likely that DPaW will pursue the creation of a Conservation Park Reserve over the land immediately to the south of the proposed reserve, and have suggested that an alternative is for the management order to be issued to DPaW or CCWA.

Officers support the reservation of the land for the purpose of 'recreation and watercourse protection' in accordance with the OFA however recommends that, as per the alternative recommendation, a Management Order for the proposed reserve should be issued to either the DPaW or CCWA given the likelihood that a Conservation Park reserve will be pursued over the adjacent land to the south and therefore will be a logical extension of management by either entity.

It is recommended that Council resolve to advise the Department of Lands in writing that the Shire of Wyndham East Kimberley has no interest in management of the proposed reserve.

It is also recommended that once the reserve has been surveyed the land should be rezoned for conservation purposes as part of the Shire's Local Planning Scheme review.

ATTACHMENTS

Attachment 1 - Correspondence from Department of Lands
Attachment 2 - Location Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council instructs the Acting Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley does not consent to the management of the proposed Packsaddle Creek Reserve Area, and supports the Management Order for the proposed reserve be issued to either DPaW or CCWA.

FORESHADOWED MOTION

Cr D Spackman foreshadows a motion that item 13.2.4 Management of Proposed Reserve – Packsaddle Creek be deferred to a briefing session and that we request that officers determine the location of the fence and how community and residents access the site.

COUNCIL DECISION

Minute No. 10766

Moved: Cr G King

Seconded: Cr D Learbuch

That Council instructs the Acting Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley does not consent to the management of the proposed Packsaddle Creek Reserve Area, and supports the Management Order for the proposed reserve be issued to either DPaW or CCWA.

Lost 3/4

For: Cr D Learbuch, Cr J Moulden, Cr R Dessert

Against: Cr K Wright, Cr B Robinson, Cr D Spackman, Cr G King

COUNCIL DECISION

Minute No. 10767

Moved: Cr D Spackman

Seconded: Cr G King

That item 13.2.4 Management of Proposed Reserve – Packsaddle Creek be deferred to a briefing session and that we request that officers determine the location of the fence and how community and residents access the site.

Carried 6/1

**For: Cr J Moulden, Cr R Dessert, Cr K Wright, Cr B Robinson, Cr D Spackman,
Cr G King**

Against: Cr D Learbuch



Government of **Western Australia**
Department of **Lands**

22 JUL 2014
CP.02.52
I-24178

Our ref: 50675-2007/3, 141353
Enquiries: Cody Rampant, ph 9168 0601

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

Dear Sir/Madam

CREATION OF PACKSADDLE CREEK RESERVE AND GRANT OF MANAGEMENT ORDER – ORD FINAL AGREEMENT

The Department of Lands (DoL) is progressing actions to finalise a land management commitment outlined in the Ord Final Agreement Indigenous Land Use Agreement (OFA) to create a Reserve over portion of the Packsaddle Creek near the Jimbilum, Yirralallem 1 and Yirralallem 2 Aboriginal Communities. Refer Attachment 1.

The commitment is to create a reserve over the area identified as “Packsaddle Creek Reserve Area” in the OFA for the purpose of “Recreation and Watercourse Protection”. Refer Attachment 2 for OFA map. The intention is then to place care, control and management with the Shire of Wyndham-East Kimberley, if it so consents, subject to a condition that provides for future management by Department of Parks and Wildlife (DPaW) or Conservation Commission Western Australia (CCWA). A Smartplan showing the subject land hatched red is at Attachment 3.

The alternative is that a Management Order is issued to DPaW or CCWA, noting the likelihood that a Conservation Park Reserve will be pursued by DPaW over the adjacent Crown land immediately to the south and the logical extension of management by that party.

To assist DoL in finalising its obligation to create the reserve and grant management, it would be appreciated if your agency could please provide any comments as to its preference to accept Management of the proposed reserve or recommendation for DoL to pursue Management of the reserve with DPaW or CCWA.

For further inquiries please contact Mr Cody Rampant, A/Team Leader, Kimberley - RMS, Department of Lands on telephone 08 9168 0601.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cody Rampant', written in a cursive style.

Cody Rampant
A/Team Leader

21 July 2014

39. PACKSADDLE FREEHOLD AREA*Note*

- (1) *The areas referred to in this clause are depicted on Map 10 in Schedule 2.*
- (2) *The Packsaddle Freehold Area is over unallocated Crown Land and Reserve 35289*
- (3) *The Packsaddle Freehold Area is within the MG#1 Determination area and is an area where native title exists.*
- (4) *The Packsaddle Freehold Area is the southern of the two Packsaddle Acquisition Areas which were the subject of a section 29 notice shown on Map 1 (not including the Packsaddle Creek Reserve Area nor Packsaddle CLAs being Jimbilum, Yirrallelem 1 and Yirrallelem 2 CLAs), reserve 35289, and some additional land on the south east corner.*
- (5) *The Packsaddle Freehold Area will be transferred to the MG Corporation after Registration*
- (6) *If Registration does not occur within 2 years of Execution, the lesser area which does not include the additional land on the south east corner will be transferred to the MG Corporation*

39.1 Freehold title over Packsaddle Freehold Area

- (1) As soon as practicable after the Execution Date, the State must:
 - (a) undertake the preparation of suitable deposited plans (and surveys if required) of the boundaries of the Packsaddle Freehold Area;
 - (b) ensure that reserve 35289, insofar as it covers the same land and waters as the Packsaddle Freehold Area, is cancelled; and
 - (c) determine a corridor up to 40 metres wide within the Packsaddle Road Area for the construction of the road and crossings referred to in clauses 39.4(1)(c) and 39.4(1)(d).
- (2) Subject to clauses 39.1(3) and 39.2, as soon as practicable after the later of:
 - (a) the completion of the things referred to in clause 39.1(1); and
 - (b) the Registration Date,
 the State must transfer freehold title pursuant to section 74 of the LAA over the Packsaddle Freehold Area (but not including the corridor determined in accordance with clause 39.1(1)(c)) to the MG Corporation.
- (3) The MG Corporation must pay all stamp duty and Transfer Costs in respect of the transfer of freehold title to the Packsaddle Freehold Area.

39.2 Failure to register as an ILUA

- (1) If the Registration Date has not occurred within 2 years of the Execution Date, then clause 39.1 shall apply as if:
 - (a) a reference in clause 39.1 to the Execution Date is a reference to the date 2 years after the Execution Date; and

- (b) a reference in clause 39.1 to the Packsaddle Freehold Area is a reference to that part of the Packsaddle Freehold Area which does not include the Packsaddle Freehold ILUA Area.
- (2) If:
- (a) the Registration Date occurs at any time later than 2 years after the Execution Date; and
 - (b) the State has granted freehold title over that part of the Packsaddle Freehold Area which is within the Packsaddle Acquisition Area, in accordance with clause 39.1 and this clause 39.2,

then clause 39.1 shall again apply as if a reference to the Packsaddle Freehold Area is a reference to the Packsaddle Freehold ILUA Area

39.3 Packsaddle freehold funding

Prior to the transfer of freehold title in accordance with clause 39.1(2), the State must pay to the MG Corporation \$60,000 less the costs of undertaking the preparation of suitable deposited plans (and surveys if required) of the boundaries of the Packsaddle Freehold Area.

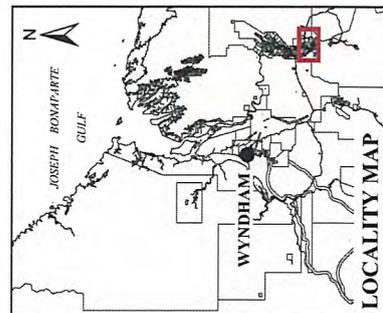
39.4 Packsaddle road

- (1) As soon as practicable after the Registration Date, the State must enter into an agreement with:
- (a) the Shire of Wyndham/East Kimberley; or
 - (b) if agreement cannot be reached with the Shire - a contractor nominated by the MG Corporation and approved by the State,
- to construct the following:
- (c) crossings over Packsaddle Creek and drain DP1 within the Packsaddle Road Area;
 - (d) a road within the Packsaddle Road Area from the existing Packsaddle Road to Packsaddle Creek;
 - (e) fencing and a gate on the boundary of the Packsaddle Freehold Area to control access to Barbeque Hill, and fencing and a gate on the boundary of the Packsaddle Freehold Area on the western side of the Packsaddle Creek crossing to control access to the Community Living Areas within the Packsaddle Freehold Area; and
 - (f) upgrading of existing gravel access tracks to Jimbilum, Yirrallelem 1 and Yirrallelem 2 CLAs within the Packsaddle Freehold Area, on the western side of Packsaddle Creek.
- (2) The State will pay up to \$700,000 to the person referred to in clause 39.4(1) to undertake the work in accordance with the agreement referred to in clause 39.4(1).
- (3) The agreement referred to in clause 39.4(1) must provide that, if the funding under clause 39.4(2) is insufficient for all of the works referred to in that clause, then the works are to be undertaken in the order of priority referred to in that clause (that is, clause 39.4(1)(c) is the highest priority and clause 39.4(1)(f) is the lowest priority).

- (4) The balance of the funds (if any) not paid in accordance with clause 39.4(2) must be paid to the MG Corporation.
- (5) The State must consult with the MG Corporation about the performance of the works in accordance with the agreement referred to in clause 39.4(1).

39.5 Packsaddle Creek reserve

- (1) As soon as practicable after the transfer of freehold title over the Packsaddle Freehold Area to the MG Corporation, the State must:
 - (a) create a reserve over the Packsaddle Creek Reserve Area under section 46 of the LAA for the purposes of recreation and watercourse protection;
 - (b) if the Shire of Wyndham/East Kimberley consents - place the care, control and management of the reserve with the Shire; and
 - (c) otherwise, manage the reserve.
- (2) If the care control and management of the reserve over the Packsaddle Creek Reserve Area is placed with the Shire of Wyndham/East Kimberley then the State will place a condition on the management order that, if the Carr Boyd Ranges adjacent to the Packsaddle Freehold Area are in the future made the subject of a national park or conservation park then the Shire must consult with CALM to determine whether the Executive Director or the Conservation Commission or some other body should become the management body for the reserve over the Packsaddle Creek Reserve Area.



LEGEND

- Packsaddle Creek Reserve Area
- Packsaddle Freehold Area
- Packsaddle Freehold ILUA Area
- Packsaddle Road Area
- East Kununurra Additional Area
- East Kununurra Area

**ORD FINAL AGREEMENT
SCHEDULE 2
MAP 10**

	COMPLETED	DATE
	CARTOGRAPHIC CHECK	DATE
	PROJECT MANAGER	DATE

SCALE 1:50,000

0 0.5 1 1.5 2
Kilometres

HORIZONTAL DATUM: MAP GRID OF AUSTRALIA, Zone 52 (WGS 84 GDM84)



NOTES
ALL AREAS ARE SUBJECT TO SURVEY

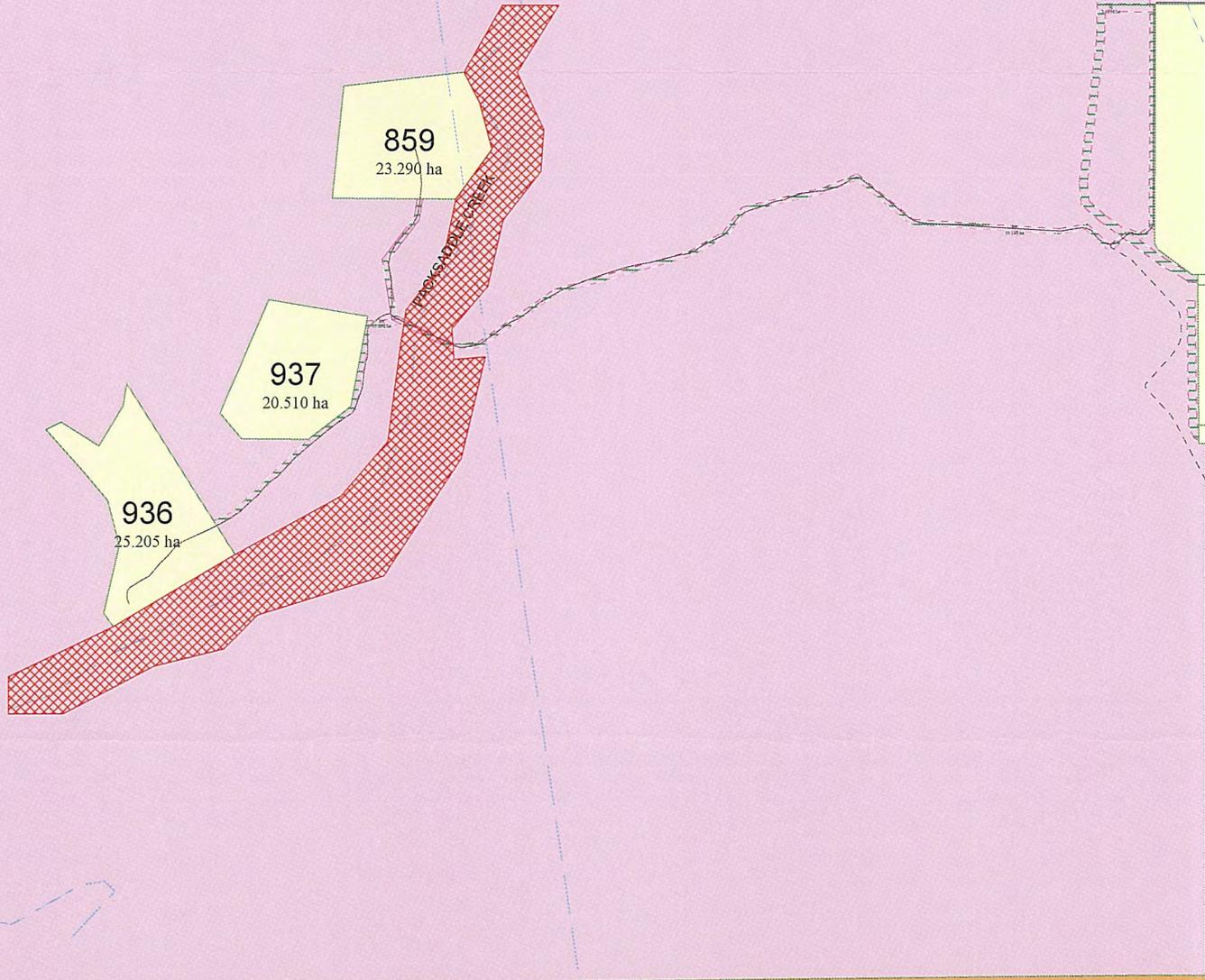
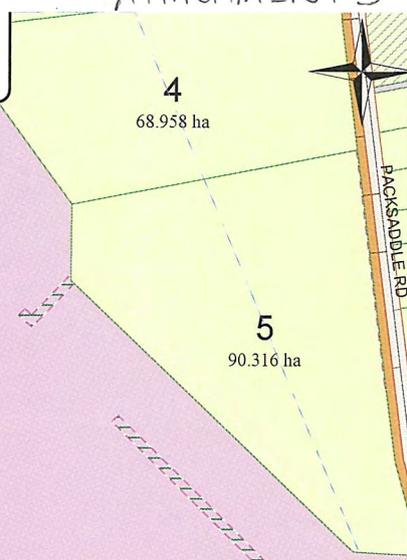
RECORDS ARCHIVE SOURCES	ORIG. SIZE A3
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Packsaddle Creek Reserve

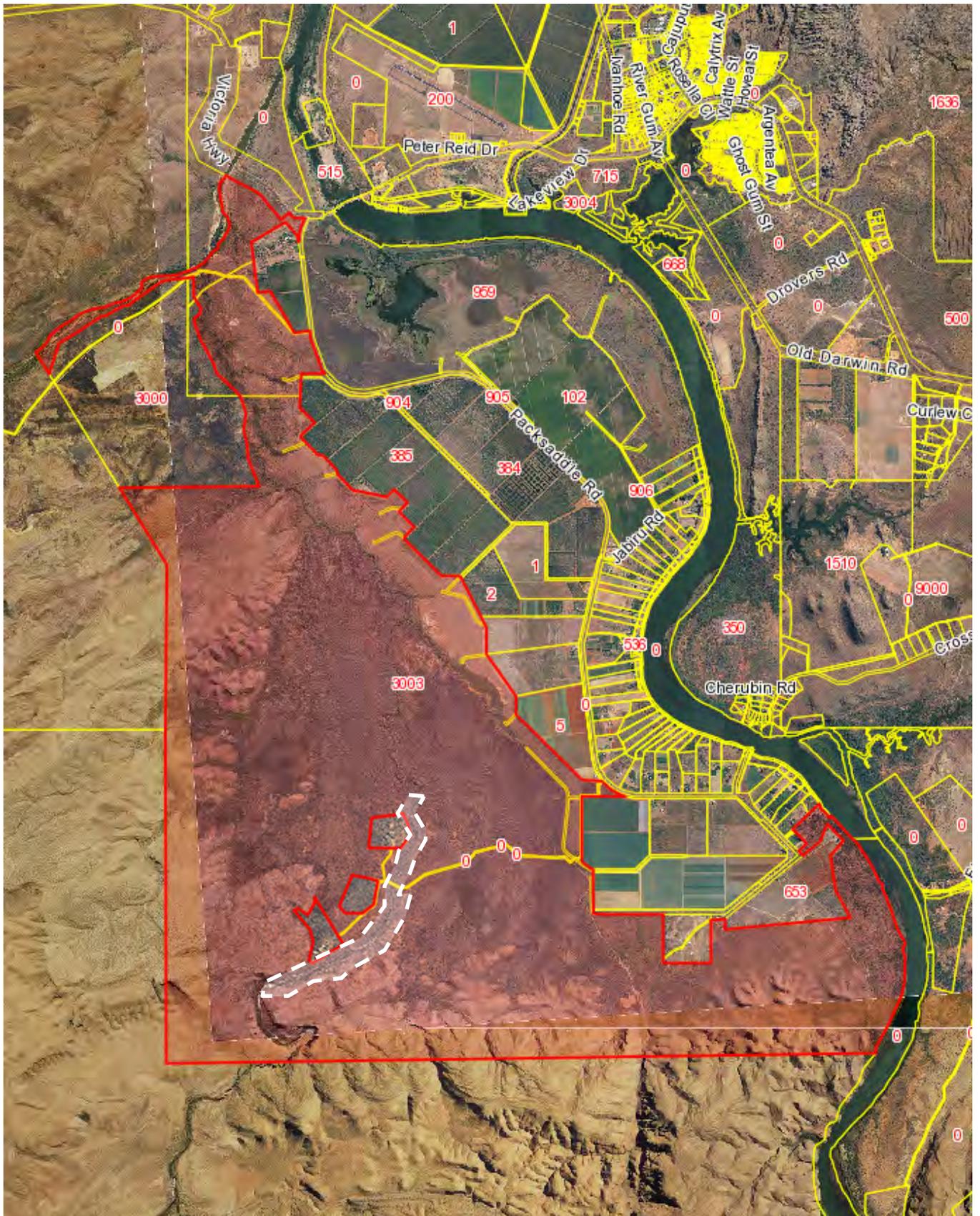
R 35289

3003

5610.0 ha



Attachment 2 – Location Plan



13.2.5 Planning and Development (Local Planning Schemes) Regulations 2014

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	N/A
AUTHOR:	Jennifer Ninyette, Senior Planning Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	LP.01.5

PURPOSE

For Council to consider a submission on the draft Planning and Development (Local Planning Scheme) Regulations 2014.

BACKGROUND

The Minister for Planning is seeking public comment on the proposed draft Planning and Development (Local Planning Schemes) Regulations 2014.

The Planning and Development (Local Planning Schemes) Regulations 2014 will replace the existing *Town Planning Regulations 1967* and associated Model Scheme Text, and will introduce:

- a new overall format, consisting of regulations for the preparation of new, amended and consolidated schemes (equivalent to the current Town Planning Regulations 1967);
- model provisions that provide a template for when a local government next updates its scheme but allows for local variation (equivalent to the current Model Scheme Text); and
- new deemed provisions, which introduce a range of standardised processes that will apply automatically across all local government areas on gazettal of the regulations.

The Town Planning Regulations have been in operation for more than 40 years, and although they have been amended on a number of occasions, require updating to address a number of deficiencies which include the ambiguity of a number of provisions, cumbersome amendment and consolidation processes, inefficient duplicated processes and procedures, and an outdated Model Scheme Text which has resulted in an inconsistent approach across different local governments.

A Discussion Paper has been prepared to accompany the proposed regulations and to summarise their content, and is provided as Attachment 1.

STATUTORY IMPLICATIONS

The *Planning and Development (Local Planning Schemes) Regulations 2014* will replace the existing *Town Planning Regulations 1967*, and once gazetted will provide the requirements in relation to the preparation of new, amended and consolidated schemes and introduce a range of standardised processes.

It is noted that the proposed new regulations will not prevent local governments from making variations, exclusions or additions to their schemes. Section 257A(3) of the Planning Act empowers the Minister to approve any exclusions or variations to the model provisions (but

not deemed provisions); and Section 73(2A) of the Planning Act allows a local planning scheme to include supplemental provisions (including to both model and deemed provisions), provided those supplemental provisions are consistent with or not already covered by the Local Planning Schemes Regulations.

While the draft regulations are still subject to change as a result of public consultation, the WAPC has also recommended that any local authority currently preparing a new scheme, or an amendment to an existing scheme, should consider the new draft regulations to be a guide to the preferred content of those new schemes or amendments.

This is on the basis that the draft regulations represent more closely the intended procedural and substantive content of local schemes than do the existing regulations, and should therefore replace those documents as providing a guide for new schemes or amendments. The new deemed provisions, which introduce a range of standardised processes will also apply automatically across all local government areas on gazettal of the regulations.

POLICY IMPLICATIONS

There are no policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

STRATEGIC IMPLICATIONS

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

Strategy 1.3.1: Actively provide input to decision making at the Regional, State and Federal levels on behalf of the community

COMMUNITY CONSULTATION

No community consultation is required to be undertaken by the Shire as the draft regulations are currently advertised for public and stakeholder comment, which closes on Friday 30 January 2015.

COMMENT

The proposed new Local Planning Schemes regulations are considered to improve and streamline the processes and procedures in relation to the preparation, amendment and consolidation of Local Planning Schemes, and enhance the format of the model scheme text.

It is acknowledged that the model provisions will apply when a local government next updates and amends its scheme, and that there is scope for a local government to vary from the template provisions where such a variation can be justified. It is also acknowledged that the deemed provision of the model scheme text will come into force when the regulations are gazetted, and will override clauses in existing equivalent scheme provisions as of that date.

The Shire is in the process of making amendments to draft Local Planning Scheme No. 9 (LPS No.9) to accord with the new model scheme format prior to adoption by Council as recommended by the Department of Planning.

In considering this process the following matters have been raised by staff:

Standardised zone classifications in model scheme

The new standardised zone classifications in the model provisions do not adequately cater for regional or rural local governments, particularly to allow for a variation of zones to protect certain agricultural land uses or to cater for associated rural industries.

There is currently only one 'Rural' zone to cater for agricultural land use, and there are a number of existing zones within draft LPS No. 9, such as Composite Industry or Rural Industry, that are not adequately catered for by the proposed standardised zones.

It is likely that there will be other regional or rural local governments that require more than one rural zone to cater for levels of agricultural use, and may require zones similar to Composite Industry or Rural Industry, therefore it is considered appropriate for additional standardised zones to be considered.

Incidental Uses

In relation to the reintroduction of "I" Incidental uses in the zoning table the Shire considers that the definition of an incidental use is arbitrary in nature and difficult to quantify. Subsequently, there is the potential to impede the discretion of a local government to refuse applications in instances where it's difficult to demonstrate that an incidental use is, will be, or will remain ancillary or subordinate to a predominant use.

Home Based Business and BCA requirements

The Building Code of Australia (BCA) specifies that if more than 10% or more of the dwelling is being used for a different purpose it should have a multiple classification, which is likely to require alterations to the building i.e. fire separation, accessibility requirements, additional toilets etc.

However, the model provisions allow a Home Occupation to occupy a maximum area of up to 20m², a Home Business or Cottage Industry to occupy a maximum area of up to 50m² with no consideration to the requirements of the BCA mentioned in any capacity.

With the size of houses generally getting smaller it is likely that although a Home Occupation, Home Business or Cottage Industry may be within the maximum floor area permitted under Scheme provisions, there is a potential that it will be more than 10% of the total floor area and therefore subject to additional prerequisites under the BCA if applied.

The intent of a home based business is that it can be carried out within a dwelling with no or minimal alterations to the external appearance and without adversely affecting the amenity of the neighbourhood, particularly in a residential area, therefore any requirement to make alterations to the building is likely to detract from this intent.

The Shire considers that, particularly in residential zones and in circumstances where only the occupier(s) of the dwelling are carrying out the occupation, the model scheme provisions should provide for an exemption from BCA requirements.

Alternatively, the model provisions should adequately considered BCA requirements in relation to the definitions or requirements for home based businesses.

The draft submission for Council's consideration is outlined in Attachment 2.

ATTACHMENTS

Attachment 1 - Discussion Paper, Planning and Development (Local Planning Schemes) Regulations 2014

Attachment 2 - Draft Shire of Wyndham East Kimberley submission

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorse the attached submission on the Draft Planning and Development (Local Planning Schemes) Regulations 2014 for forwarding to the Minister for Planning.

AMENDMENT

Cr D Spackman moves the Officers Recommendation with the removal of the first five paragraphs of text in Attachment 2 – Draft Shire of Wyndham East Kimberley submission, under the section, Home Based Business and BCA requirements.

COUNCIL DECISION

Minute No. 10768

Moved: Cr D Spackman

Seconded: Cr K Wright

That Council endorse the attached submission on the Draft Planning and Development (Local Planning Schemes) Regulations 2014 for forwarding to the Minister for Planning, with the removal of the first five paragraphs of text in Attachment 2 – Draft Shire of Wyndham East Kimberley submission, under the section, Home Based Business and BCA requirements.

Carried 4/3

For: Cr D Spackman, Cr K Wright, Cr B Robinson, Cr G King

Against: Cr J Moulden, Cr R Dessert, Cr D Learbuch



Department of
Planning

Planning makes it happen:
phase two

DISCUSSION PAPER

Planning and Development (Local Planning Schemes) Regulations 2014

amending
Town Planning Regulations 1967
and associated Model Scheme Text

November 2014



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This document is available in alternative formats
on application to Communication Services.

1 Introduction

Draft new proposed regulations entitled Planning and Development (Local Planning Schemes) Regulations 2014 (Local Planning Schemes Regulations) have been prepared by the Parliamentary Counsel's Office. These draft regulations propose to amend and replace the *Town Planning Regulations 1967* and associated Model Scheme Text.

These provisions will have a significant impact on how local planning schemes are prepared and amended.

The draft Local Planning Schemes Regulations have been prepared at the instruction of the Minister for Planning, assisted by the Western Australian Planning Commission (WAPC) and Department of Planning. The provisions were drafted in consultation with the Model Scheme Text Stakeholder Committee, the Regulatory Gatekeeping Unit of the Department of Finance, and other external and internal stakeholders.

The purpose of this discussion paper is to outline the background and context of the draft Local Planning Schemes Regulations, which are being released for consultation prior to finalisation. All submissions received during consultation will be assessed and considered, and the draft regulations revised as appropriate before being finalised for gazettal.

2 Background

2.1 Current framework of *Town Planning Regulations 1967* and Model Scheme Text

The *Town Planning Regulations 1967*, made under the *Planning and Development Act 2005* (Planning Act), govern the way in which local planning schemes are prepared, consolidated and amended. The regulations contain:

- Procedures for use by local governments in preparing, consolidating or amending a scheme, supplementing Part 5 of the Planning Act (principal regulations of the *Town Planning Regulations 1967*);
- Standard forms used when a scheme is prepared or amended (Appendix A);
- A template of model scheme provisions, being the Model Scheme Text (Appendix B);
- A common set of definitions, including general definitions and land use definitions (Schedule 1);
- Standard forms relating to uses (Schedules 2-5); and
- Standard forms relating to development approval (Schedule 6-10).

2.2 Need for change

The *Town Planning Regulations 1967* have been in operation for more than 40 years. They have been amended a number of times, most significantly as a result of amendments to the *Environmental Protection Act 1986*, which required the environmental assessment of schemes and amendments to schemes. The result is a document that needs updating and improvement, with a number of deficiencies needing to be addressed, including but not limited to the following:

- The *Town Planning Regulations 1967* contain a number of provisions that are extremely difficult to understand, by experts and lay readers alike, for example those guiding the amendment of a scheme under regulations 25 and 25AA.
- Many of the amendment and consolidation provisions are too cumbersome. For this reason, coupled with the significant costs imposed on local governments, many schemes have not been reviewed and updated as often as intended under the Planning Act.
- The Model Scheme Text currently promotes inefficient duplicate processes and procedures. In many circumstances, there would be benefits in achieving greater flexibility, such as multiple amendment streams and the introduction of single decision-makers.
- The Model Scheme Text no longer provides a sufficient template for many local governments in preparing or amending their schemes. As a result, there is now a wide variety of different approaches across different local governments.
- The Model Scheme Text has not kept pace with evolutions in the planning system. For example, there are no standardised provisions governing structure plans, even though they are now a significant and accepted component of the overall planning framework,

as found in many existing schemes. It is important that the State Government, with the assistance of the WAPC, promotes a more consistent approach across local governments in Western Australia.

The State Government recognises that an improved system will benefit stakeholders, local governments and members of the public more generally.

2.3 2010 Amendments to the *Planning and Development Act 2005*

In 2010, the *Planning and Development Act 2005* (Planning Act) was amended to facilitate further amendments to the *Town Planning Regulations 1967*. Critical legislative changes included the introduction of a head of power for model provisions and deemed provisions, which the Minister may prepare through regulations.

These changes involved amendments to sections 68(2), 69(3), 73(2A) and 256, together with the introduction of sections 257A and 257B. The Minister may prescribe model and deemed provisions to carry out any of the general objects of a scheme, or any of the matters set out in Schedule 7 of the Planning Act.

Model provisions operate so that when a local government prepares or adopts a scheme, any model provision prescribed in the regulations must also be included in the scheme. However, when approving a new or amended scheme, the Minister will retain discretion to exclude or vary a model provision.

Deemed provisions operate more directly, so that once prescribed in regulations, they have automatic effect and may be enforced as part of each scheme to which they apply. Significantly, and as a departure from previous processes, deemed provisions take effect immediately upon commencement in regulations, not merely when a local government next updates its scheme. If there is any inconsistency between a deemed provision and a scheme, the deemed provision prevails.

In most respects, model provisions will continue to operate in much the same way as the current Model Scheme Text provisions. Deemed provisions are primarily aimed at introducing uniform processes and procedures, such as standard forms and application processes.

2.4 Local Planning Schemes Regulations as part of planning reform

These draft Local Planning Schemes Regulations, as part of the Model Scheme Text and Regulations review, remain a project of significance to be completed as part of the State Government's Phase One planning reform initiatives.

In addition, elements of the recently announced Phase Two Reform Blueprint have now been incorporated into the Model Scheme Text and *Town Planning Regulations 1967* review, meaning that key aspects of four of the agreed reform initiatives will be implemented as soon as the new regulations come into effect, including:

- **Improve local planning scheme review process –**
 - Introduce deemed provisions to the Model Scheme Text for automatic inclusion in local planning schemes.
 - Review model provisions in the Model Scheme Text and the approval process for varying model provisions.
 - Review legislation to change scheme review requirements to five year audit and ten year major review.
- **Improve local planning scheme amendment process –**
 - Review legislation to introduce two tracks of local scheme amendment process – standard and complex, including definitions, advertising timeframes, and approval processes.
 - Investigate potential for local scheme minor modifications, such as changes to administrative text or cadastral mapping, to be approved by the WAPC.
- **Streamline structure plan process –**
 - Review Model Scheme Text to provide consistent structure plan preparation and approval process.
 - Review Model Scheme Text so that the WAPC is the default single decision-making authority for structure plans.
- **Planning approval exemptions –**
 - Include deemed provisions in the Model Scheme Text to exempt compliant single houses from requiring planning approval.
 - Include deemed provisions in the Model Scheme Text to exempt certain other classes of development from requiring planning approval.

2.5 Consultation to date

Reflecting the significance of the review project and the role of the Model Scheme Text and *Town Planning Regulations 1967* in Western Australia's planning framework, extensive consultation has been undertaken as the project has progressed, including but not limited to the following:

- Several discussion papers have been released, including: *'Building a Better Planning System: Consultation Paper'*, *'Discussion Paper: Review of the Town Planning Regulations 1967 and the Model Scheme Text'* and *'Review of the Town Planning Regulations 1967 and the Model Scheme Text: Report on Submissions'*.
- Several professional external consultants were engaged, with expertise in both planning and planning-law background and experience.
- A Stakeholder Committee was established, which includes representatives from both local government and industry.
- Consultation has occurred with a number of other State Government agencies including the Regulatory Gatekeeping Unit at the Department of Finance.



- The WAPC, as the State's premier planning body, has been consulted and continues to provide advice in accordance with its prescribed statutory functions.

Finally, all stakeholder comments and submissions received during the course of the project have been considered and have resulted in further updates and amendments to the draft Local Planning Schemes Regulations as appropriate.



3 Proposed Local Planning Schemes Regulations

3.1 Key themes of proposed procedural regulations

Risk-based tracking

A key objective of Phase Two Reform is the reformulation of the planning process to reflect a risk-based tracking approach to decision-making, and this approach can be applied to the local scheme amendment process.

Currently there is only one process option for all types of local scheme amendments, which fails to reflect the different levels of risk associated with complex and less complex local scheme amendments (such as the simple correction of a cadastral boundary over a single lot, compared with a major amendment of strategic importance affecting an entire district area).

To implement a risk-based tracking approach to local scheme amendments, it is proposed that the current single amendment process be replaced by three different amendment processes, or tracks:

- **The 'complex' amendment process:** This is equivalent to the current process, and will be used for significant or complex amendments.
- **The 'standard' amendment process:** This will be a new process to address scheme amendments of less strategic significance or complexity than those falling within the complex stream, and will involve fewer procedural steps than the current amendment process.
- **The 'basic' amendment process:** This will also be a new process, to expedite as quickly and inexpensively as possible the most basic and mainly administrative amendments.

The detail on these processes and the way they will be applied is contained in the draft Local Planning Schemes Regulations.

The changes will bring the local scheme amendment process more into line with the region scheme process, where two tracks currently exist – described as a 'major' and a 'minor' amendment process. As part of the Phase Two Reform process, the region scheme amendment process will also be modified to include the three tracks described above (complex, standard and basic), replacing the existing major and minor processes.

Procedural clarity and efficiency

Another statutory mechanism for streamlining current processes is to consolidate, where possible, dual approvals into one decision-maker. One of the agreed Phase Two Reform actions is that the WAPC will become the single formal decision-maker for structure plan applications.

Local governments will remain heavily involved in the process, being the point of initial contact and lodgement for applications; undertaking their own assessment of the application and receiving a fee for such assessment; and providing a recommendation to the WAPC on the merits of the application.

In addition, it is anticipated that the WAPC may delegate some of the decision-making responsibility back to local governments, in the same way it does for some development applications.

3.2 Framework of Local Planning Schemes Regulations

The Local Planning Schemes Regulations are set out in the following basic framework (with reference to the current comparable *Town Planning Regulations 1967* where relevant):

- **LPS Regulations**, which will continue to set out how schemes are prepared and amended. These provisions are broadly divided into the following parts:
 - **Part 1: Preliminary** (currently r.3, r.3A, r.6 and r.7);
 - **Part 2: Requirements for local planning scheme** (currently r.8, r.10 and r.11);
 - **Part 3: Local planning strategies** (r.12A, r.12B and r.12C);
 - **Part 4: Preparation or adoption of local planning scheme** (currently r.4, r.5, r.13 and r.15-r.24);
 - **Part 5: Amending local planning scheme** (currently r.25A);
 - **Part 6: Review and consolidation of local planning schemes** (new);
 - **Part 7: Development contribution plans** (new); and
 - **Part 8: Miscellaneous** (r.25AB, r.25B and r.26).
- **Schedule 1: Model provisions for local planning schemes**, which will broadly operate in the same way as the current Model Scheme Text. The model provisions will only apply when a local government next updates and amends its scheme, and there is scope for a local government to vary from the template provisions where such a variation can be justified. The proposed model provisions broadly include:
 - **Part 1: Preliminary** (currently Model Scheme Text 1);
 - **Part 2: Reserves** (currently Model Scheme Text 3);
 - **Part 3: Zones and the use of land** (currently Model Scheme Text 4);
 - **Part 4: General development requirements** (currently Model Scheme Text 5);
 - **Part 5: Special control areas** (currently Model Scheme Text 6);
 - **Part 6: Terms referred to in Scheme** (currently r.3 and Model Scheme Text 1); and
 - **Part 7: Legends used in Scheme** (new).
- **Schedule 2: Deemed provisions**, which will automatically apply on gazettal of the Local Planning Scheme Regulations, without a need to wait until local governments update their existing schemes. The proposed deemed provisions broadly include:
 - **Part 1: Preliminary** (currently r.3 and Model Scheme Text 1);
 - **Part 2: Local planning framework** (currently Model Scheme Text 2);
 - **Part 3: Heritage protection** (currently Model Scheme Text 7);
 - **Part 4: Structure plans** (new);
 - **Part 5: Local development plans** (new);
 - **Part 6: Requirement for development approval** (currently Model Scheme Text 3 and 8);
 - **Part 7: Applications for development approval** (currently Model Scheme Text 9);

- **Part 8: Procedure for dealing with development applications** (currently Model Scheme Text 10);
- **Part 9: Bush fire risk management** (new);
- **Part 10: Implementation of development control plans** (new);
- **Part 11: Enforcement and administration** (currently Model Scheme Text 11); and
- **Part 12: Forms referred to in this Schedule** (currently Schedules 6-10).

3.3 Proposed changes to *Town Planning Regulations 1967*

Some of the key changes to the current *Town Planning Regulations 1967* and Model Scheme Text, to be implemented through these proposed draft Local Planning Schemes Regulations include, but are not limited to, the following:

- ***New format and deemed provisions*** – introducing a new overall format, consisting of regulations for the preparation of new, amended and consolidated schemes (equivalent to the current *Town Planning Regulations 1967*); model provisions that provide a template for when a local government next updates its scheme but allows for local variation (equivalent to the current Model Scheme Text); and new deemed provisions, which introduce a range of standardised processes that apply automatically across all local government areas.
- ***Overall review and rewriting of existing provisions*** – incorporating an overall professional review and rewrite of existing provisions by Parliamentary Counsel.
- ***Streamlined processes for the preparation of a scheme*** – streamlining processes for the preparation of new schemes with the aim of removing some of the existing regulatory burden, including removing the requirement for a local government to inform the WAPC when it first resolves to prepare a new scheme; and simplifying the advertising and consultation requirements.
- ***Simplified amendment processes*** – simplifying current scheme amendment processes, including seeking to have the scheme amendment process set out in full, simplifying confusing wording; and simplifying the advertising and consultation requirements.
- ***New risk-based amendment tracks*** – allowing a more nuanced risk-based approach to scheme amendments, distinguishing ‘complex’, ‘standard’ and ‘basic’ procedural requirements.
- ***Single decision-maker*** – reducing the existing procedural and regulatory burden, by reducing the number of planning decision-makers where possible down to a single decision-maker (either the WAPC or the local government as delegate).
- ***New five year interim review of schemes*** – introducing a five year interim review of all schemes, in conjunction with forecasted changes to the consolidation procedures under the Planning Act, so as to promote improved reporting and strategic planning by local governments.
- ***New provisions concerning development contribution plans*** – standardising processes and implementation provisions concerning development contribution plans, giving legal effect to *State Planning Policy 3.6* (SPP 3.6) and associated model provisions (note that a review of SPP 3.6 is being undertaken by the Department of Planning concurrently with preparation of the Local Planning Schemes Regulations. Outcomes of the review will be incorporated in the final version of the regulations).

- **Additional uses for local reserves** – introducing the ability to include additional uses for local reserves, similar to the way additional uses have long been used in relation to land zoned under a scheme.
- **Reintroduction of “I” incidental uses** – reintroducing “I” incidental uses in zoning tables.
- **New optional local government register of non-conforming uses** – introducing new optional provisions that allow a local government to prepare a register of non-conforming uses, to help monitor and enforce the discontinuance of non-conforming uses.
- **Expanding local government powers regarding restrictive covenants** – changing existing provisions concerning restrictive covenants, including expanding the circumstances whereby a local government can, with the approval of the WAPC, discharge or modify a restrictive covenant, beyond one relating just to density; and clarifying that notwithstanding the local government’s discharge or modification, the landowner must still formally apply to Landgate under the *Transfer of Lands Act* to give legal effect to such a decision.
- **Clarification regarding development as works and use** – clarifying the definition of development, currently set out in an ambiguous manner by the Planning Act, to better illustrate the two sub-components of works (physical development) and use.
- **Clarification regarding variations to development requirements** – clarifying and expanding local governments ability to consider applications that vary development requirements; and clarifying the process to be followed when applying such discretion.
- **Clarification regarding Special Control Areas** – clarifying the operation of Special Control Areas, especially the concept that the provisions of Special Control Areas are in addition to the provisions that apply to any underlying zone or reserve.
- **New standardised provisions concerning structure plans** – introducing new standardised deemed provisions concerning the application, procedure and legal effect of structure plans, including triggers for when a structure plan may be prepared; who can prepare a structure plan; how a structure plan is prepared; the local government’s ability to reject a structure plan at the outset as an incomplete application (as opposed to a later refusal on the merits); advertising of a structure plan; a local government’s role in preparing a report for the WAPC on the proposed structure plan; the role of the WAPC (or local government as delegate) in determining the application; rights of review; and provisions governing the duration of an approved structure plan (a default period of ten years, which can be renewed or varied).
- **New standardised provisions concerning local development plans** – introducing new standardised deemed provisions concerning the application, procedure, content and effect of local development plans; and providing an exemption from future development approval where a local development plan has been approved.
- **New and amended land use and planning definitions** – introducing a range of new and amended land use and planning definitions.
- **New standardised legend** – introducing new standardised reserve and zoned classifications, prepared in consultation with the Department of Planning’s GeoSpatial Planning Support team.

- **Clarifications regarding local planning policies** – clarifying what legal effect and weight local planning policies have, the procedure for making them, and the ability to revoke such a policy.
- **Clarification regarding local heritage and municipal inventories** – clarifying the operation of local heritage, including clarification that municipal inventories are deemed to be local heritage lists.
- **Heritage conservation notices** – introducing ‘best practice’ provisions concerning heritage already found in some local planning schemes.
- **Expansion of circumstances where development does not require approval** – expanding and clarifying the circumstances where development does not require approval, including but not limited to where development is in accordance with a local development plan; developments involving a single dwelling that meet the deemed to comply provisions of the R-Codes; temporary works or uses less than 48 hours; temporary advertisements relating to elections; certain other advertisements; and as required or not required pursuant to new bushfire regulations.
- **Expansion of local government powers to amend or revoke development approval** – expanding certain local government powers, including expanding the circumstances where a local government can amend or revoke development approval, to bring scheme provisions into line with what is found under regulation 17 of the Development Assessment Panel Regulations; and the ability of a local government to waive or vary requirements concerning minor amendments to existing development approval.
- **Clarification regarding who is an ‘owner’ for signing a development application** – clarifying who is an ‘owner’ for the purposes of signing a development application form, to bring scheme provisions into line with similar provisions found within the building permit framework.
- **Expansion of local government powers and discretion concerning advertising** – expanding when and how local governments require advertising for a development application, including expanding a local government’s discretion when advertising requirements are required or may otherwise be waived or varied; and introduction of multiple alternative methods of advertising.
- **Clarification regarding applications under local schemes deemed to be decisions approved under a region scheme in some circumstances** – clarifying a current ‘legal fiction’ whereby local governments make development decisions under a local scheme without acknowledgment that such decisions are also a concurrent but distinct application under the relevant region scheme, where local governments act as delegates of the WAPC.
- **Clarification regarding the circumstances when approval may be subject to later details** – clarifying, given planning principles require a decision to be final and certain, that a local government can only impose a condition subject to later details being agreed, in circumstances where these details would not substantially change the development approved.
- **Removal of duplicate provisions concerning injurious affection** – deleting most provisions concerning injurious affection, in light of detailed provisions now being enshrined in Part 11 of the Planning Act itself, together with clarification of local government powers when dealing with such land.

- **Clarification regarding repair orders for signs** – clarifying that an order to repair a sign should be made to the owner and not the advertiser.
- **New standardised development application forms** – introducing new standardised forms, with clarifications distinguishing owners from applicants; and development for works from development for use, or development for both works and use.

3.4 Ability of local governments to vary, exclude or add provisions to their schemes

It is important to highlight that the proposed Local Planning Schemes Regulations will not prevent local governments from making further variations, exclusions or additions to their schemes. In particular:

- **Section 257A(3)** of the Planning Act empowers the Minister to approve any exclusions or variations to the model provisions (but not deemed provisions); and
- **Section 73(2A)** of the Planning Act allows a local planning scheme to include supplemental provisions (including to both model and deemed provisions), provided those supplemental provisions are consistent with or not already covered by these Local Planning Schemes Regulations.

4 Submissions and next steps

The Minister, on the advice of the WAPC and as assisted by the Department of Planning, now authorises the release of these draft Local Planning Schemes Regulations for public consultation.

Stakeholder and public comment can be:

emailed to lbsregulations@planning.wa.gov.au

by **30 January 2015**.

Pursuant to section 256(2) of the Planning Act, all submissions received will be considered and given due regard by the Minister before finalising the regulations for gazettal.

Given the importance of the new Local Planning Schemes Regulations, and the fact that the new provisions will impact the day-to-day operation of all local governments, the State Government recognises the importance of providing significant notice before the finalised regulations take legal effect.

The publication of these proposed regulations in a draft but otherwise completed format helps provide that notice. Formal gazettal is forecast for around **1 July 2015**, and it is anticipated that the regulations will be finalised and circulated to all key stakeholders before that date, along with supporting communication and training material.

In addition, the WAPC recommends that any local authority currently preparing a new scheme, or an amendment to an existing scheme, should use the draft Local Planning Schemes Regulations as a guide to the preferred content of those new schemes or amendments.

While the draft regulations are still subject to change as a result of public consultation, they represent more closely the intended procedural and substantive content of local schemes than do the existing *Town Planning Regulations 1967*, and should therefore replace the *Town Planning Regulations 1967* as a guiding document for new schemes or amendments.

This will help ensure consistency and clarity of State Government expectations for the content of new and amended schemes before actual gazettal of the new regulations, and will help avoid significant changes to newly prepared schemes being required at the point of final ministerial decision.

The Minister for Planning, on the advice of the WAPC, will have due regard to all submissions received when determining the form and content of the final version of the Local Planning Schemes Regulations.

Our Ref: LP.01.5

Enquiries: Jennifer Ninnette

28 January 2015

Department of Planning
140 William Street
PERTH WA 6000

Via email: psregulations@planning.wa.gov.au

Dear Sir,

Planning and Development (Local Planning Schemes) Regulations 2014

Thank you for the opportunity to provide comment on the draft Planning and Development (Local Planning Schemes) Regulations 2014.

The Shire of Wyndham East Kimberley is supportive of the proposed new regulations to replace the outdated *Town Planning Regulations 1967* and also implement a number of agreed initiatives of the State Governments' planning reform action, however does have some comments principally in relation to the model provisions for local planning schemes.

Standardised Legends used in Scheme

The Shire supports the inclusion of the proposed Reserve and Zone legends used in the model scheme text, however considers that the new standardised zone classifications do not adequately cater for regional or rural local governments, particularly to allow for a variation of zones to protect certain agricultural land uses or to cater for associated rural industries.

It is acknowledged that the model provisions will apply when a local government next updates and amends its scheme, and that there is scope for a local government to vary from the template provisions where such a variation can be justified.

However, it is considered that there will be a large number of regional or rural local governments that will require more than one zone to cater for agricultural use, or wish to retain existing zones such as Composite Industry or Rural Industry in order to cater for affordability, lifestyle demands or local industries. In such instances, in order to maintain consistency across local governments, it would be pertinent to consider additional standardised zones.

Incidental Uses

In relation to the reintroduction of "I" Incidental uses in the zoning table the Shire considers that the definition of an incidental use is arbitrary in nature and difficult to quantify. Subsequently, there is the potential to impede the discretion of a local government to refuse applications in instances where it is difficult to demonstrate that an incidental use is, will be, or will remain ancillary or subordinate to a predominant use.

Home Based Business and BCA requirements

The Building Code of Australia (BCA) specifies that if more than 10% or more of the dwelling is being used for a different purpose it should have a multiple classification, which is likely to require alterations to the building i.e. fire separation, accessibility requirements, additional toilets etc.

However, the model provisions allow a Home Occupation to occupy a maximum area of up to 20m², a Home Business or Cottage Industry to occupy a maximum area of up to 50m² with no consideration to the requirements of the BCA mentioned in any capacity.

With the size of houses generally getting smaller it is likely that although a Home Occupation, Home Business or Cottage Industry may be within the maximum floor area permitted under Scheme provisions, there is a potential that it will be more than 10% of the total floor area and therefore subject to additional prerequisites under the BCA if applied.

The intent of a home based business is that it can be carried out within a dwelling with no or minimal alterations to the external appearance and without adversely affecting the amenity of the neighbourhood, particularly in a residential area, therefore any requirement to make alterations to the building is likely to detract from this intent.

The Shire considers that, particularly in residential zones and in circumstances where only the occupier(s) of the dwelling are carrying out the occupation, the model scheme provisions should provide for an exemption from BCA requirements.

In relation to the new Rural Home Business definition, the Shire supports the implementation of such a use in rural zones, and in light of the above would expect that a Rural Home Business would ordinarily be carried out in an outbuilding and would therefore be subject to BCA compliance.

It is hoped that the above comments assist with the review and finalisation of the Local Planning Schemes regulations.

If you require any further information please feel free to contact the Shire's Director Community Development and Senior Planning Officer, on 9168 4100.

Yours sincerely,

Kevin Hannagan
A/Chief Executive Officer

13.2.6 T(DP) 02 14/15 Purchase and Removal of a Transportable Building at 115 Coolibah Drive, Kununurra

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Louise Gee, Director Community Development
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	CM.16.92
DECLARATION OF INTERESTS:	N/A

PURPOSE

To provide Council with details of the Tender received for T (DP) 02 14/15 Purchase and Removal of a Transportable Building at 115 Coolibah Drive, Kununurra, to document the results of the Tender assessment and make recommendations regarding the Tender.

BACKGROUND

The Shire of Wyndham East Kimberley (SWEK) called Tenders on 22 November 2014 for the purchase and removal of the transportable building at 115 Coolibah Drive, Kununurra. The transportable building adjoins the old SWEK Administration Centre via a breezeway. The Tender required the prospective purchaser to:

- Remove the building within the agreed timeframe unless otherwise agreed
- Obtain relevant demolition/building permit approvals; and traffic management approvals
- Realign, and if required install complimentary Australian Standard approved pool fencing, ensuring the adjoining Recreation and Leisure Centre public area is safe and secure
- Dismantle and remove transportable building (excluding breezeway)
- Make safe and secure the external void in breezeway
- Remove footings and concrete pads
- Decommission services within the transportable building
- Re-establish the site, bring back to original condition.

STATUTORY IMPLICATIONS

The process was undertaken in accordance with the *Local Government Act 1995 Section 3.58 (2) (b) Disposing of Property and the Local Government (Functions and General) Regulations 1996, Part 4, Division 2.*

POLICY IMPLICATIONS

The process was undertaken in accordance with the Council Purchasing Policy CP-FIN 3204.

FINANCIAL IMPLICATIONS

An amount of \$11,500 has been included in the 2014/15 Budget for the remediation of the site following the removal of the transportable building. There is no capital income included in the 2014/15 Budget for the sale of the transportable building.

STRATEGIC IMPLICATIONS

There are no Strategic Implications in relation to this report.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

Tenders for the purchase and removal of the transportable building at 115 Coolibah Drive, Kununurra were advertised in the West Australian on Saturday 22 November 2014 and also the Kimberley Echo on Thursday 27 November 2014. Tenders closed at 3.00pm, Friday 12 December 2014.

A non-mandatory site inspection was held on Monday 1 December 2014 at 8.00am, to provide Tenderers with an opportunity to clarify any uncertainties prior to the Tender closing.

One (1) submission was received prior to Tenders closing 3.00pm Friday 12 December 2014.

- Pab Mac Pty Ltd aft PT & AJ McLean Family Trust t/a Ord Machining

Full details of the assessment report covering Qualitative Criteria and Pricing Considerations are contained in the confidential attachment (refer Attachment 1).

ATTACHMENTS

Attachment 1 - CONFIDENTIAL – Recommendation Report T (DP) 02 14/15 Purchase and Removal of a Transportable Building at 115 Coolibah Drive Kununurra.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council decline the Tender – T(DP) 02 14/15 from Pab Mac Pty Ltd atf PT & AJ McLean Family Trust T/A Ord Machining for the Purchase and Removal of Transportable Building at 115 Coolibah Drive, Kununurra.

COUNCIL DECISION

Minute No: 10769

**Moved: Cr B Robinson
Seconded: G King**

**That Council moves behind closed doors to consider item 13.2.6 T(DP) 02 14/15
Purchase and Removal of a Transportable Building at 115 Coolibah Drive, Kununurra.**

Carried Unanimously 7/0

Council moves behind closed doors at 5.51pm.

COUNCIL DECISION

Minute No: 10770

Moved: Cr K Wright

Seconded: Cr B Robinson

That item 13.2.6 T(DP) 02 14/15 Purchase and Removal of a Transportable Building at 115 Coolibah Drive, Kununurra is deferred to the end of the meeting.

Carried Unanimously 7/0

COUNCIL DECISION

Minute No: 10771

Moved: Cr B Robinson

Seconded: Cr K Wright

That Council move out from behind closed doors.

Carried Unanimously 7/0

Council moves out from behind closed doors at 5.52pm.

13.3 CHIEF EXECUTIVE OFFICER

13.3.1 Use of Common Seal

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Kevin Hannagan, Acting Chief Executive Officer
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to receive this report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 12 December 2014 to 21 January 2015.

STATUTORY IMPLICATIONS

Shire of Wyndham East Kimberley, Standing Orders Local Law 2003

16. PART 16 – COMMON SEAL

16.1 The Council's Common Seal

- (1) The CEO is to have charge of the common seal of the Local Government, and is responsible for the safe custody and proper use of it.
- (2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or a senior employee authorised by him or her.
- (3) The common seal of the local government is to be affixed to any local law which is made by the local government.
- (4) Any person who uses the common seal of the Local Government or a replica thereof without authority commits an offence.
Penalty \$1,000

POLICY IMPLICATIONS

Delegations Register 2014/15, delegation number 4 – Authority to Affix the Shire's Common Seal.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

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 1.4: Business innovation, efficiency and improved service

Strategy 1.4.1: Ensure legislative compliance and follow best principles in planning and service delivery.

COMMENT

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

Date of Use	Document
16/12/2014	Deed of Termination by Consent Indigenous Justice Programme Funding Agreement Notification under section 70A Lot 15 and 16 on Deposited Plan 402393 Registered to MG Developments Pty Ltd
05/01/2015	Notification under section 70A Lot 15 and 16 on Deposited Plan 402393 Registered to MG Developments Pty Ltd
12/01/2015	Recreational Boating Facilities Scheme Funding Agreement for Works Project between The Minister for Transport and SWEK for Lily Creek Lagoon Ramp, Jetty and Lighting

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 12 December 2014 – 21 January 2015.

COUNCIL DECISION

Minute No. 10772

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

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 12 December 2014 – 21 January 2015.

Carried Unanimously 7/0

13.3.2 Delegated Authority Report (Building and Planning)

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jill Magee, Community Development Support Officer
REPORTING OFFICER:	Kevin Hannagan, Acting Chief Executive Officer
FILE NO:	N/A
DECLARATION OF INTERESTS:	Nil

PURPOSE

To report to the Council on the use of Delegated Authority (Building and Planning) by Officers for the period 1 December to 31 December 2014.

BACKGROUND

The use of Council approved Delegated Authority by Officers is reported to the 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.

The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

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

Strategic Community Plan 2012-2022

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

Objective 3.3: Towns are safe and inviting for locals and tourists

Strategy Ensure quality, consistent and responsive development and building assessment approval processes and enforcement

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item

COMMENT

The attached reports outline the use of Delegated Authority by relevant Council Officers for endorsement by Council

ATTACHMENTS

Attachment 1 – Delegated Authority Report (Building) December 2014

Attachment 2 – Delegated Authority Report (Planning) December 2014

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Delegated Authority Reports (Building and Planning) for the period 1 December to 31 December 2014.

COUNCIL DECISION

Minute No. 10773

Moved: Cr B Robinson

Seconded: Cr D Learbuch

That Council receives the Delegated Authority Reports (Building and Planning) for the period 1 December to 31 December 2014.

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 December 2014**

DOC NO	DATE ISSUED	ASSESS NO.	BUILDING PERMIT	AMEND NO	OWNER	BUILDER	BRB / OB NO	LOCATION	DESCRIPTION	AMENDMENT DETAILS
BA7307	18/12/2014	A1982P	104/2014	1	Lars Moir	Lars Moir	Owner Builder OB/0510/14	Lot 5 Weaber Plain Road Kununurra	Class 1A additional accommodation extension to existing dwelling, Class 10A decking & Class 10B Swimming pool, shade sail & isolation fencing.	Amended structural drawing - Studio Square footings to Pile footings

CERTIFICATE OF DESIGN COMPLIANCE (Form BA03) ISSUED AS THE CERTIFIER FOR THE PERMIT ISSUING AUTHORITY – 01 to 31 December 2014

APPLIC NO	DATE APPLIC RECVD	DATE ISSUED	ASSESS NO.	CERT No	LOCATION	DESCRIPTION
101558	27/11/2014	3/12/2014	A2240P	BA7266	Lot 148 (4) Derrinding Way Kununurra	Class 10B Above Ground Pool, Fence
101554	18/11/2014	3/12/2014	A7612P	BA7271	Lot 101 Packsaddle Road Kununurra	Class 10A shed with mezzanine storage loft & Class 10A stables
101532	28/10/2014	5/12/2014	A7106P	BA7282	Lot 110 (14) Salacca Loop, Kununurra	2 X Class 10A Free Standing Carports
101559	27/11/2014	11/12/2014	A7347P	BA7293	Lot 114 Berkeley Crescent, Kununurra	Class 10A Lean to Patio to an Existing Shed
101560	Not issued yet due to land tenure			BA7302	Portion Lot 1344 Crown Res 33684 (36) Guda Guda Road	Class 10B Communication Tower & infrastructure

101571	2/12/2014	22/12/2014	A233P	BA7327	Lot 1293 Great Northern Highway Wyndham	Class 10A Patio / Bali Hut, 4 Poles and Cabled Roof Only - Timber and Grass Thatching
101570	19/12/2014	23/12/2014	A1091P	BA7332	Lot 1519 Victoria Highway Kununurra	Class 10A Camp Kitchen
101568	11/12/2014	24/12/2014	A1950P	BA7339	Lot 1735 (27) Coverly Street Wyndham	Class 10B Sea Container for Storage

BUILDING PERMITS (Form BA04) ISSUED AS THE PERMIT ISSUING AUTHORITY – 01 to 31 December 2014

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	EST. VALUE	COMMENT / PROCESSING TIME - WORKING DAYS
119/2014	24/11/2014	3/12/2014	Bothkamp Investment Pty Ltd	Colin Wilkinson Developments Pty Ltd	Lot 731 (9) Barringtonia Avenue Kununurra	Group Dwelling 3 x Class 1A Residential Units	New	\$ 1,145,986.00	6/10 assess days
120/2014	27/11/2014	3/12/2014	Fineyear Pty Ltd	Naomi Lewis	Lot 148 (4) Derrinding Way Kununurra	Class 10B Above Ground Pool, Fence	New	\$ 2,000.00	3/25 assess days
121/2014	17/11/2014	3/12/2014	Tre-Vag Pty Ltd ATF The Tre-Vag Unit Trust	Colin Wilkinson Developments Pty Ltd	Lot 185 (9) Corkwood Court, Kununurra	Group Dwelling 4 x Class 1A Residential Units with attached Class 10A carports & outdoor living	New	\$ 1,300,000.00	11/10 assess days
122/2014	18/11/2014	3/12/2014	Katrina McConachy	Top End Building Company	Lot 101 Packsaddle Road Kununurra	Class 10A shed with mezzanine storage loft & Class 10A stables	New	\$ 80,000.00	10/25 assess days

123/ 2014	28/10/2014	5/12/2014	Simon Roxburgh	Simon Roxburgh	Lot 110 (14) Salacca Loop, Kununurra	2 X Class 10A Free Standing Carports	New	\$ 18,000.00	1 + 8/25 assess days + 20/21 pending
124/ 2014	27/11/2014	11/12/2014	Thomas Kahl	Franmor Constructions	Lot 114 Berkeley Crescent, Kununurra	Class 10A Lean to Patio to an Existing Shed	Add	\$ 34,000.00	9/25 assess days
125/ 2014	Not issued yet								
126/ 2014	2/12/2014	22/12/2014	David & Patricia Muirson	Muirson	Lot 1293 Great Northern Highway Wyndham	Class 10A Patio / Bali Hut, 4 Poles and Cabled Roof Only - Timber and Grass Thatching	New	\$ 3,500.00	13/25 assess days
127/ 2014	19/12/2014	23/12/2014	Kimberleyland Holiday Park (Robert Boshammer, Maria Bolten- Magnay & Christopher Magnay)	Christopher Magnay / Kimberleyland Holiday Park	Lot 1519 Victoria Highway Kununurra	Class 10A Camp Kitchen	New	\$ 140,000.00	1/25 assess days
128/ 2014	23/10/2014	24/12/2014	Aviair	K.G.C. Enterprises Pty Ltd	Lot 319 Laine Jones Drive Kununurra	Class 5 Construction of offices and storeroom inside existing structure	Add	\$ 172,785.00	8 + 2/10 assess days + 31/21 pending days
129/ 2014	11/12/2014	24/12/2014	Uniting Church Homes t/as Juniper	K.G.C. Enterprises Pty Ltd	Lot 1735 (27) Coverly Street Wyndham	Class 10B Sea Container for Storage	New	\$ 10,900.00	8/25 assess days

DEMOLITION PERMITS (Form BA06) ISSUED AS THE PERMIT ISSUING AUTHORITY – 01 to 31 December 2014

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
DP011/ 2014	3/12/2014	5/12/2014	A288P	BA7274	Broadcast Australia Pty Ltd	Franmor Construction	WR	WR 456	Lot 1234 (Site 6093) Great Northern Highway Wyndham	Partial Demolition - removal of asbestos panel from meter board
DP012/ 2014	11/12/2014	12/12/2014	A765P	BA7304	Department of Education	Franmor Construction	WR	WR 456	Lot 633 (18) Coverley Street Wyndham	Partial Demolition - removal of asbestos panel from meter board

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.- 01 to 31 December 2014

PERMIT NO	DATE OF ISSUE	PERMIT ISSUING AUTHORITY	PROPERTY ASSESS NO.	PROPERTY ADDRESS	DESCRIPTION	BUILDING CLASS	BUILDING PERMIT No	BUILDER	CERTIFICATE OF CONSTRUCTION COMPLIANCE ISSUED BY:	CONSTRUCTION VALUE
OP2014-2612-0177	10/12/2014	Department of Finance	A510P	Loc 701 "Mandangala Aboriginal Corporation" (Glen Hill) (Jungdranung Remote Community School)	Class 9B transportable library	9B	B2014-2612-0046 (BA04)	Woodland Contractors Pty Ltd	Melanie Cruickshank	\$ 200,952.00

THERE WAS NO REPORTABLE ACTIVITY FOR THE PERIOD – 01 to 31 December 2014 for the following:

- OCCUPANCY PERMITS (Form BA10)
- 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 TO BA4 OR BA6
- FORMAL NOTICE / BUILDING ORDER – pursuant to Building Act 2011
- SIGN LICENCES

No activity reported by External Permit Issuing Authorities under Building Act 2011 relating to properties within the Shire of Wyndham – East Kimberley

- BUILDING PERMITS (BA04)
- DEMOLITION PERMITS (BA06)
- OCCUPANCY PERMITS – STRATA (BA12)
- BUILDING APPROVAL CERTIFICATES (BA14)
- BUILDING APPROVAL CERTIFICATES – STRATA (Form BA16)

PLANNING DELEGATED AUTHORITY APPROVALS - 1 – 31 DECEMBER 2014

Application / Delegation Number	Approval Type	Date Received	Owner	Address	Proposed Development	Assess't Number	Approval Date	Approved By
DA108/14	CoU	28/11/2014	Guerinoni Super Pty Ltd	Lot 1493 10A Konkerberry Drive Kununurra	Change of Use - Window Tinting and Fit Windscreens	1009	12/12/2014	Approved by Roy Adams
DA109/14	P	3/12/2014	Rexdale Investments Pty Ltd	5/20 Messmate Way Kununurra	Proposed Signage/Advertising	1145	15/12/2014	Approved by Roy Adams
DA111/14	HOCC	17/12/2014	Matthew Cross	Lot 1709 Coleus Close Kununurra	HOCC Cheese and Whispers	2147	23/12/2014	Approved by Roy Adams

13.3.3 Outstanding Actions from Council Resolutions

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Kevin Hannagan, Acting Chief Executive Officer
FILE NO:	N/A
DECLARATION OF INTERESTS:	Nil

PURPOSE

To report to Council on progress of implementing Council resolutions and provide comment on outstanding actions from Council resolutions.

BACKGROUND

At each meeting of Council, resolutions are made which require actions to be taken by Officers to implement those resolutions. It is now proposed that the Chief Executive Officer report to Council on progression on implementing those resolutions.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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 1.4: Business innovation, efficiency and improved service

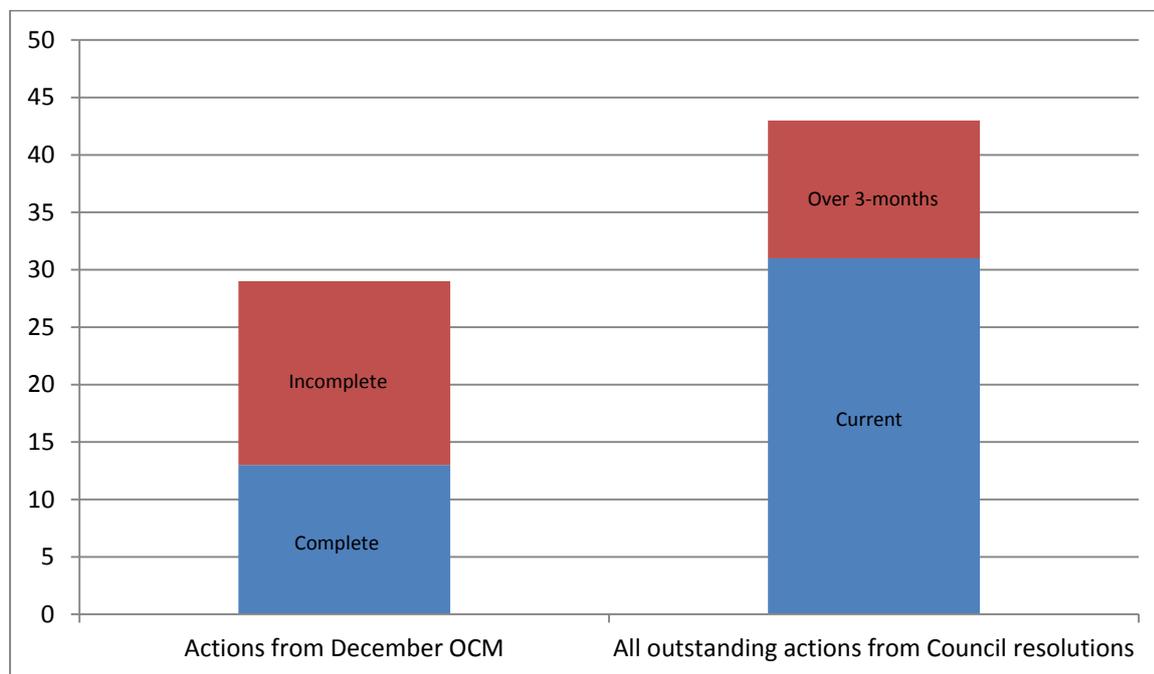
Strategy 1.4.2: Improve the efficiency and productivity of Shire services

COMMUNITY CONSULTATION

None required.

COMMENT

The following chart identifies the number of complete and incomplete actions from December OCM resolutions. It also identifies 'to date' the total number of Council resolutions that have not been completed.



Council resolutions that have not been completed and are over 3 months:

Meeting	Item	Progress Comment
Aug-12	Matters arising from committees of council – requirements of the Wyndham Community Club	Agenda item to be submitted to the February 2015 Audit Finance & Risk Committee outlining options for consideration.
May-13	Lease of portion of Reserve 41812 – Ingle Pty Ltd (Lakeside Resort)	Deposited plan has been approved and Certificate of Land Record (titles) issued. Lease has been forwarded to Department of Lands for final review prior to execution.
Aug-13	Road Closure, Long Michael Plain Road	Now with RDL for closure. RDL undertaking survey for closure. Now awaiting RDL to complete.
Jun-14	Ord East Kimberley Expansion Project - Dedication of Public Roads	August Council Briefing Session decided to list as Cabinet Agenda item when they visit in October. Meeting with Minister for LG undertaken, no real outcome. Council to consider Rating Strategy response as part of 2015/16 budget process.
Jun-14	Development Application for Change of Use - Shop at Lot 11, Pruinosa Street, Kununurra	Approval letter sent 27 June 2014. Ongoing discussions with applicant regarding the outstanding disabled parking bay.

Jun-14	Lot 509 on Deposited Plan 66529, Portion of Reserve 50467, Kununurra – Expressions of Interest Received	Planning Approval granted at 16 December Ordinary Council Meeting, currently public notice being advertised for the disposal of public property.
Jul-14	Speed Limit Review - Lake Argyle Road	Main Roads WA have recommended to the minister that the speed limit be changed to 90 kmh from SLK 0.00 to 22.85 and 80 kmh from SLK 22.85 to 33.63 and to 60 KMH from 33.63 to 34.67. the 80 kmh section is from Spillway Creek almost to Lake Argyle Resort. Awaiting approval from the minister then MRWA can erect the signs.
Aug-14	Motion from Cr Glenn Taylor	Next step is to obtain written confirmation from Australia Broadcast regarding proposed new location of their gate; undertake risk assessment of trail; apply for grant funding - Lotterywest for the completion of any works for the upgrade of trail and signage.
Sep-14	T01 14/15 Flood Recovery Works - Drainage Channel Works	Works completed. Acquittal paperwork being completed.
Sep-14	T01 14/15 Flood Recovery Works - Lake Argyle Road, Design and Construct Drainage Culvert Repairs	Works completed. Final completion date (off maintenance) 17th December 2015. Acquittal paperwork being completed.
Sep-14	Development Application for Educational Establishment at Lot 359 Argentea Avenue, Kununurra	To be presented to Council when written confirmation is received from Planning WA and Building Commission re: classification of buildings.
Sep-14	Public Art Project	LandCorp to present to February 2015 Briefing Session.

ATTACHMENTS

There are no attachments associated with the report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the report - Outstanding actions from Council resolutions.

COUNCIL DECISION

Minute No. 10774

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

That Council notes the report - Outstanding actions from Council resolutions.

Carried Unanimously 7/0

13.3.4 2015 Kimberley Zone / RCG Meeting Schedule

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Various
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Kevin Hannagan, Acting Chief Executive Officer
FILE NO:	N/A
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to endorse the 2015 Kimberley Zone / RCG Meeting Schedule.

BACKGROUND

The Kimberley Zone and RCG meet on a regular basis throughout the year and have a joint forum with the Pilbara Zone annually. In 2014 bi annual forums were introduced in the Northern Territory.

The schedule for 2015 has been significantly reduced from 2014 to four (4) face to face meetings. The four (4) face to face meetings also incorporate one (1) Northern Territory forum which has merged with the Pilbara Zone annual forum.

The reduction in face to face meetings is due to the ability for all Kimberley Shires to now meet via video conference as required.

The meeting schedule for 2015 is as follows:

Friday 27 February	Zone & RCG Meeting	Derby
Saturday 2 May to Tuesday 5 May	Kimberley/Pilbara/NT Joint Annual Forum	Darwin
Monday 3 August to Tuesday 4 August	Zone & RCG Meeting	Perth (aligned with Local Government Week in Perth)
Thursday 3 December to Saturday 5 December	Zone & RCG Meeting	Christmas Island (subject to member Council approval)

None of the above meeting dates clash with SWEK scheduled Council Briefings or Ordinary Council Meetings.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The 2014/15 budget allocates \$20,000 for SWEK travel to Kimberley Zone meetings.

On most occasions three (3) people attend each meeting. This includes the Chief Executive Officer and the two Councillor (2) representatives on the Kimberley Zone / RCG committee.

The budget allows for travel costs which are airfares, accommodation, additional transport and some meals (most dinners are supplied by the Kimberley Zone).

Travel costs to Christmas Island are approx. \$1000 return ex Perth.

STRATEGIC IMPLICATIONS

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

Strategy 1.3.1: Actively provide input to decision making at the Regional, State and Federal levels on behalf of the community

COMMUNITY CONSULTATION

Consultation has occurred between the four individual Kimberley Shire Councils, the Pilbara Regional Council, WALGA, KDC and ALGA.

COMMENT

It is important that Councillors note the location of the December meeting (Christmas Island) as this meeting location is subject to Council approval.

ATTACHMENTS

There are no attachments associated with the report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorses the 2015 Kimberley Zone / RCG Meeting Schedule and notes that the December 2015 meeting will be held at Christmas Island.

AMENDMENT

Cr K Wright moves that Council endorses the 2015 Kimberley Zone / RCG Meeting Schedule and notes that the December 2015 meeting will be held at Christmas Island and that the Shire of Wyndham East Kimberley will not participate in the Christmas Island meeting.

COUNCIL DECISION

Minute No. 10775

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council endorses the 2015 Kimberley Zone / RCG Meeting Schedule and notes that the December 2015 meeting will be held at Christmas Island and that the Shire of Wyndham East Kimberley will not participate in the Christmas Island meeting.

Carried Unanimously 7/0

13.3.5 Code of Conduct

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Kevin Hannagan, Acting Chief Executive Officer
FILE NO:	N/A
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to adopt a revised Code of Conduct to provide guidance to Council Members, Committee Members and Employees on acceptable standards of professional conduct.

BACKGROUND

The existing Code of Conduct for Councillors and Staff is Council Policy CPMC01 (Attachment 2). This Policy has not been reviewed since 20 January 2009 and did not cover Employees.

The Code of Conduct should not be a policy as it is a requirement set by the Local Government Act 1995, S 5.103 (see Statutory Implications, below).

STATUTORY IMPLICATIONS

Local Government Act 1995

5.103. Codes of conduct

- (1) Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.

[(2) *deleted*]

- (3) Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.

[Section 5.103 amended by No. 49 of 2004 s. 55; No. 1 of 2007 s. 10.]

5.104. Other regulations about conduct of council members

- (1) Regulations may prescribe rules, to be known as the rules of conduct for council members, that council members are required to observe.
- (2) The rules of conduct for council members apply, to the extent stated in the regulations, to a council member when acting as a committee member.
- (3) The rules of conduct may contain provisions dealing with any aspect of the conduct of council members whether or not it is otherwise dealt with in this Act.

- (4) Regulations cannot prescribe a rule of conduct if contravention of the rule would, in addition to being a minor breach under section 5.105(1)(a), also be a serious breach under section 5.105(3).
- (5) Regulations cannot specify that contravention of a local law under this Act is a minor breach if contravention of the local law would, in addition to being a minor breach under section 5.105(1)(b), also be a serious breach under section 5.105(3).
- (6) The rules of conduct do not limit what a code of conduct under section 5.103 may contain.
- (7) The regulations may, in addition to rules of conduct, prescribe general principles to guide the behaviour of council members.

[Section 5.104 inserted by No. 1 of 2007 s. 11.]

Local Government (Administration) Regulations 1996, Part 9 - Codes of Conduct

34B. Codes of conduct about gifts, content of (Act s. 5.103(3))

- (1) In this regulation —
 - activity involving a local government discretion** means an activity —
 - (a) that cannot be undertaken without an authorisation from the local government; or
 - (b) by way of a commercial dealing with the local government;
 - gift** has the meaning given to that term in section 5.82(4) except that it does not include —
 - (a) a gift from a relative as defined in section 5.74(1); or
 - (b) a gift that must be disclosed under regulation 30B of the *Local Government (Elections) Regulations 1997*; or
 - (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;
 - notifiable gift**, in relation to a person who is an employee, means —
 - (a) a gift worth between \$50 and \$300; or
 - (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;
 - prohibited gift**, in relation to a person who is an employee, means —
 - (a) a gift worth \$300 or more; or
 - (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.
- (2) A code of conduct is to contain a requirement that a person who is an employee refrain from accepting a prohibited gift from a person who —
 - (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (b) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- (3) A code of conduct is to contain a requirement that a person who is an employee and who accepts a notifiable gift from a person who —

- (a) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (b) it is reasonable to believe is intending to undertake an activity involving a local government discretion,

notify the CEO, in accordance with subregulation (4) and within 10 days of accepting the gift, of the acceptance.

- (4) A code of conduct is to require that the notification of the acceptance of a notifiable gift be in writing and include —
 - (a) the name of the person who gave the gift; and
 - (b) the date on which the gift was accepted; and
 - (c) a description, and the estimated value, of the gift; and
 - (d) the nature of the relationship between the person who is an employee and the person who gave the gift; and
 - (e) if the gift is a notifiable gift under paragraph (b) of the definition of **notifiable gift** in subregulation (1) (whether or not it is also a notifiable gift under paragraph (a) of that definition) —
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance,
 of each other gift accepted within the 6 month period.
- (5) A code of conduct is to require that the CEO maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under subregulation (3).

[Regulation 34B inserted in Gazette 21 Aug 2007 p. 4190-1.]

34C. Codes of conduct about disclosing interests affecting impartiality, content of (Act s. 5.103(3))

- (1) In this regulation —

interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.
- (2) A code of conduct is to contain a requirement that a person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) A code of conduct is to contain a requirement that a person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person disclose the nature of any interest the person has in the matter —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the time the advice is given.

- (4) A code of conduct is to exclude from a requirement made under subregulation (2) or (3) an interest referred to in section 5.60.
- (5) A code of conduct is to excuse a person from a requirement made under subregulation (2) or (3) to disclose the nature of an interest if —
 - (a) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (b) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- (6) A code of conduct is to require that if, to comply with a requirement made under subregulation (2) or (3), a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting then —
 - (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (7) If —
 - (a) to comply with a requirement made under subregulation (2), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (b) a disclosure is made as described in subregulation (5)(b) at a meeting; or
 - (c) to comply with a requirement made under subregulation (6)(b), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the meeting.

[Regulation 34C inserted in Gazette 21 Aug 2007 p. 4192-3.]

Error! Use the Home tab to apply Name Of Act/Reg to the text that you want to appear here.

All Sections.

POLICY IMPLICATIONS

The existing Code of Conduct for Councillors and Staff is Council Policy CPMC01 (Attachment 2). This will need to be rescinded.

The new Code of Conduct will not be a Council Policy as it is a requirement set by the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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 1.4: Business innovation, efficiency and improved service

Strategy 1.4.1: Ensure legislative compliance and follow best practice principles in planning and service delivery

COMMUNITY CONSULTATION

None required.

COMMENT

The draft Code of Conduct for Council Members, Committee Members & Employees, is adapted from the Western Australian Local Government Association 'Model Code of Conduct, February 2013'. This model Code of Conduct complies with legislation and is considered best practice for Code of Conduct.

The existing Code of Conduct for Councillors and Staff is Council Policy CPMC01. This will need to be rescinded.

ATTACHMENTS

Attachment 1 - Code of Conduct for Council Members, Committee Members & Employees
Attachment 2 – Council Policy CPMC01

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Rescinds Council Policy, CPMC01 – Code of Conduct, and
2. Adopts the attached 'Code of Conduct for Council Members, Committee Members & Employees' to provide guidance on acceptable standards of professional conduct.

COUNCIL DECISION

Minute No. 10776

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council:

- 1. Rescinds Council Policy, CPMC01 – Code of Conduct, and**
- 2. Adopts the attached 'Code of Conduct for Council Members, Committee Members & Employees' to provide guidance on acceptable standards of professional conduct.**

Carried Unanimously 7/0



Code of Conduct for Council Members, Committee Members and Employees		
RESPONSIBLE DIRECTORATE	Governance	
COUNCIL ADOPTION	Date:	Resolution No:
REVIEWED/MODIFIED	Date:	Resolution No:
	Date:	Resolution No:
LEGISLATION	<i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i> <i>Local Government (Rules of Conduct) Regulations 2007</i>	

OBJECTIVES:

To provide guidance for Council Members, Committee Members and employees in the Shire of Wyndham East Kimberley on acceptable standards of professional conduct.

POLICY STATEMENT/S:

This Code of Conduct is adapted from the Western Australian Local Government Association 'Model Code of Conduct', February 2013.

The Code of Conduct provides Council Members, Committee Members and employees in the Shire of Wyndham East Kimberley with consistent guidelines for an acceptable standard of professional conduct.

The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in the Shire of Wyndham East Kimberley.

The Model Code is complementary to the principles adopted in the Local Government Act and regulations which incorporates four fundamental aims to result in :-

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective government.

The Code provides a guide and a basis of expectations for Council Members, Committee Members and employees. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

Of particular note for Councillors is that some parts of this Code are also Rules of Conduct, which are enforceable at law (a suspected breach of a Rule of Conduct may be subject of a complaint that will be heard and determined by a Standards Panel). For ease of identification, the Rules of Conduct throughout this Code have been denoted in this reverse font style and tagged with the notation "Rule of Conduct".

VALUES

1. Respect and support each other and each other's roles
2. Integrity and commitment to actions and teamwork
3. Uphold the integrity of Team SWEK
4. Value our human capital (value, safety, development)
5. Contribute to the wellbeing of the organisation
6. Interact and communicate with honesty and humour
7. Enhance and develop the organisational culture

STATUTORY ENVIRONMENT

The Model Code of Conduct observes statutory requirements of the Local Government Act 1995 (S 5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

RULES OF CONDUCT

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007.

1. ROLES

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Shire of Wyndham East Kimberley will be the focus of the Council Member's public life.

The Role of Council Members as set out in S 2.10 of the Local Government Act 1995 follows :

"A Councillor —

- (a) Represents the interests of electors, ratepayers and residents of the district;*
- (b) provides leadership and guidance to the community in the district;*
- (c) facilitates communication between the community and the council;*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a Councillor by this Act or any other written law."*

Councillors are the decision makers responsible for:

- The development of Council policy;
- The direction and control of the Shire;
- Making decisions on project priorities and the plans to achieve them; and
- The periodical review of the Council's programs and performance.

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;

- achieving sound financial management and accountability in relation to the Shire of Wyndham East Kimberley's finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 Role of President

In addition to performing the role of a Councillor, the Shire President

- Presides at meetings in accordance with the Act;
- Provides leadership and guidance to the community in the district;
- Carries out civic and ceremonial duties on behalf of the Shire;
- Speaks on behalf of the Shire;
- Performs such other functions as are given to the President by the Act or any other written law; and
- Liaises with the CEO on the Shire's affairs and the performance of its functions.

1.3 Role of CEO and Employees

The role of employees is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995 : -

"The CEO's functions are to —

- advise the council in relation to the functions of a local government under this Act and other written laws;*
- ensure that advice and information is available to the council so that informed decisions can be made;*
- cause council decisions to be implemented;*
- manage the day to day operations of the local government;*
- liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- speak on behalf of the local government if the mayor or president agrees;*
- be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."*

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995 –

"(1) The council —

- governs the local government's affairs; and*
 - is responsible for the performance of the local government's functions.*
- (2) Without limiting subsection (1), the council is to —*

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies."

1.4 Principles affecting the employment of employees by the Shire

The following principles, set out in section 5.40 of the Act, apply to the employment of the Shire's officers:

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity;
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage;
- (c) employees are to be treated fairly and consistently;
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and
- (e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984.

1.5 Relationships between Council Members and Employees

An effective Councillor works as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following –

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising officers in a way that casts aspersions on their professional competence and credibility

Rules of
Conduct
Reg 9, 10

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- (a) Council Members, Committee Members and employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Wyndham East Kimberley, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Council Members, Committee Members and employees will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the

Shire of Wyndham East Kimberley's area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).

- (d) Council Members, Committee Members and employees who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

2.2 Financial Interest

Council Members, Committee Members and employees will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

2.3 Disclosure of Interest - Impartiality

Definition :
In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -
"interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Rules of
Conduct
Reg. 11

(a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -

- (i) in a written notice given to the CEO before the meeting; or
- (ii) at the meeting immediately before the matter is discussed.

(b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter -

- (i) in a written notice given to the CEO before the meeting; or
- (ii) at the time the advice is given.

(c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.

(d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -

- (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
- (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

(e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then -

- (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
- (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting,
the nature of the interest is to be recorded in the minutes of the meeting.

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

Council members, committee members and employees shall not use confidential information to gain improper advantage for themselves or another person or body in ways which are inconsistent with their obligation to act impartially in the public interest; or to improperly cause harm, detriment or impairment to any person, body, or the Council.

Rules of
Conduct
Reg 6.

Due discretion shall be exercised by all those who have access to confidential or sensitive information. Every matter dealt with by, or brought before, a meeting sitting behind closed doors, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the council members and/or employees of the Shire (and in the case of employees only so far as may be necessary for the performance of their duties) prior to the discussion of the matter at a meeting of the Council held with open doors.

Nothing in this section prevents a council member or employee from disclosing confidential information:

- to a legal practitioner for the purpose of obtaining legal advice; or
- if the disclosure is permitted by law.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Shire of Wyndham East kimberley upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Council Members and employees will not take advantage of their position to improperly influence other Council Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

Rules of
Conduct
Reg. 7

Council members, committee members and employees shall not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body. Similarly, council members, committee members and employees shall not take

advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

3.4 Gifts – Councillors

1. *Definitions :*
In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -
“activity involving a local government discretion” means an activity -
(a) that cannot be undertaken without an authorisation from the local government; or
(b) by way of a commercial dealing with the local government;
“gift” has the meaning given to that term in S 5.82(4) except that it does not include -
(a) a gift from a relative as defined in S 5.74(1); or
(b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or
(c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;
“notifiable gift”, in relation to a person who is an employee, means -
(a) a gift worth between \$50 and \$300; or
(b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;
“prohibited gift”, in relation to a person who is an employee, means -
(a) a gift worth \$300 or more; or
(b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.

Rules of
Conduct
Reg. 12

- (2) A person who is a council member must not accept a prohibited gift from a person-
 - (a) who is undertaking or seeking to undertake; or
 - (b) who it is reasonable to believe is intending to undertake,an activity involving a local government discretion.
- (3) A person who is a council member and who accepts a notifiable gift from a person-
 - a) who is undertaking or seeking to undertake; or
 - (b) who it is reasonable to believe is intending to undertake,an activity involving a local government discretion, must, within 10 days of accepting a gift, notify the CEO of the acceptance in accordance with sub-regulation (4).
- (4) Notification of the acceptance of a notifiable gift is to be in writing and is to include-
 - (a) the name of the person who gave the gift; and
 - (b) the date on which the gift was accepted; and
 - (c) a description, and estimated value, of the gift; and
 - (d) the nature of the relationship between the person who is a council member and the person who gave the gift; and
 - (e) if the gift is a notifiable gift under paragraph (b) of the definition “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition –
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance,of each gift accepted within the 6 month period.
- (5) The CEO is to maintain a register of gifts in which details of notices received under sub-regulation (4) are recorded.

3.5 Gifts – Employees

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity -

- (a) that cannot be undertaken without an authorisation from the local government; or*
- (b) by way of a commercial dealing with the local government;*

“gift” has the meaning given to that term in S 5.82(4) except that it does not include -

- (a) a gift from a relative as defined in S 5.74(1); or*
- (b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or*
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;*

“notifiable gift”, in relation to a person who is an employee, means -

- (a) a gift worth between \$50 and \$300; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;*

“prohibited gift”, in relation to a person who is an employee, means -

- (a) a gift worth \$300 or more; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.*

(a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.

(b) A person who is an employee and who accepts a notifiable gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion,

notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

(c) The notification of the acceptance of a notifiable gift must be in writing and include -

- (i) the name of the person who gave the gift; and
- (ii) the date on which the gift was accepted; and
- (iii) a description, and the estimated value, of the gift; and
- (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition) –
 - (1) a description; and
 - (2) the estimated value; and
 - (3) the date of acceptance,

of each other gift accepted within the 6 month period.

(d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).

(e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

(f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

4.1 Personal Behaviour

(a) Council Members, Committee Members and employees will:

- (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- (ii) perform their duties impartially and in the best interests of the Shire of Wyndham East Kimberley uninfluenced by fear or favour;
- (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire of Wyndham East Kimberley and the community and shall be particularly mindful to avoid interference in commercial relationships between developers and objectors or between developers competing for the right to develop;
- (i) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (ii) always act in accordance with their obligation of fidelity to the Shire of Wyndham East Kimberley.

(b) Council Members will represent and promote the interests of the Shire of Wyndham East Kimberley, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Council Members, Committee Members and employees will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- (c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- (a) While on duty, employees will give their whole time and attention to the Shire of Wyndham East Kimberley's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire.
- (b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- (a) Council Members, Committee Members and employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Council Members, Committee Members and employees will give effect to the lawful policies of the Shire of Wyndham East Kimberley, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Council Members, Committee Members and employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

(a) Standard of Dress

Council Members, Committee Members and employees are expected to comply with neat and responsible dress standards at all times. Accordingly:

- (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Shire of Wyndham East Kimberley in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees.

(b) Communication and Public Relations

- (i) All aspects of communication by employees (including verbal, written or personal), involving the Shire of Wyndham East Kimberley's activities should reflect the status and objectives of the Shire. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:

- as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- information of a confidential nature ought not be communicated until it is no longer treated as confidential;
- information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
- information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

- (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Shire of Wyndham East Kimberley may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.
- (iv) Statements to the press on behalf of the Shire will only be made by the President or the CEO.

(c) *Communications with Developers and Interest Groups*

Councillors and committee members should be mindful that meetings with developers could compromise their impartiality in the decision making process and should at all times have a council officer present if such a meeting is considered necessary. To further protect councillors from any suggestion of inappropriate behaviour, especially when dealing with matters of a controversial nature, written advice on Attachment 2 should be recorded, ideally within 48 hours, with the President and CEO giving details of such meetings.

NB: *The Local Government Operational Guideline No. 12 titled 'Elected members Relationship with Developers' provides further guidance on this matter.*

(d) *Communication between Councillors and Employees*

Councillors shall ensure that no restrictions or undue influence is placed on the ability of employees to give professional advice to the Council.

At the same time, employees should recognise that Councillor's views and opinions often reflect valid community viewpoints that should be considered in conjunction with professional opinion. Employees should therefore make every effort to assist Councillors in the performance of their role, and to achieve the satisfactory resolution of issues they may raise in performing their official role.

It shall be incumbent on employees when referring a member of the community to their local Councillor over issues that the officer cannot resolve due to current Council Policy, that the employee notify the ward Councillors of the referral and any information that may assist in resolving the issue.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members :

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Council Members and employees will:

- (a) be scrupulously honest in their use of the Shire of Wyndham East Kimberley's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Shire of Wyndham East Kimberley's resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Shire of Wyndham East Kimberley's resources (including the services of Council employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

Rules of
Conduct
Reg. 8

5.2 Travelling and Sustenance Expenses

Council Members, Committee Members and employees will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Shire of Wyndham East Kimberley in accordance with Local Government policy, awards and the provisions of the Local Government Act.

5.3 Access to Information

- (a) Employees will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.

- (b) Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

Rules of
Conduct
Reg. 6

6. STATUTORY FRAMEWORK FOR DEALING WITH MISCONDUCT

Any person may make a complaint about misconduct which may reasonably be suspected of breaching these statutes. In addition, the CEO must report to the Corruption and Crime Commission on any matter which he or she reasonably suspects concerns misconduct. In addition, officers employed by the Shire, are appointed by the CEO under the provisions of the *Local Government Act 1995* and are bound by the provisions of their individual contracts of employment and any relevant law which may apply.

Complaints made under this code are to be considered confidential and must not be disclosed to others unless provided by the code itself, a written law or by a court.

7. ENFORCEMENT OF THE CODE

Any person who has reason to believe that a council member, committee member or an employee has committed a breach of the Code of Conduct may complain about the breach to the Shire's designated complaints officer as determined in accordance with the *Local Government (Rules of Conduct) Regulations 2007*.

If the designated complaints officer is the CEO, and the complaint under this code is against the CEO, the complaint is to be directed to the Deputy CEO or a senior employee. If the designated complaints officer is a senior employee other than the CEO, the complaint against the complaints officer is to be directed to the CEO.

The complaint is to be made in writing, giving details of:

- a) who is making the complaint;
- b) who is alleged to have committed the breach;
- c) the contravention that is alleged to have resulted in the breach; and
- d) any other relevant information

Within 14 days of receiving the complaint, the complaints officer must:

- a) give the person making the complaint a written acknowledgement that the complaint has been received; and
- b) give the person whom the complaint is being made a copy of the complaint.

As soon as practicable from acknowledging the complaint, the complaints officer is to carry out a thorough investigation, having regard to procedural fairness and natural justice. While undertaking the thorough investigation, the complaints officer may engage the services of appropriate persons.

At the completion of the investigation, the complaints officer shall advise the outcomes of the investigation to:

- a) CEO, if the investigating officer is not the CEO; and
- b) person subject of the complaint, and
- c) person who made the complaint.

If the complaint is about a council member, the report is to be presented to the Council.

Any actions taken as a result of a proven breach of the Code of Conduct will be made in accordance with the provisions of any applicable legislation or common law provisions that governs the operations of the Shire, its council members, committee members and its employees.

APPLICATION/S:

This policy applies to Council Members, Committee Members and Employees.



Shire of Wyndham East Kimberley
Council Policy
MC01

POLICY NO:	MC01
DIVISION:	Human Resources / Members of Council and Staff
SUBJECT:	Code of Conduct
REPORTING OFFICER:	Chief Executive Officer
ENABLING LEGISLATION:	Local Government Act 1995

OBJECTIVE:

To prescribe an approved behaviour standard and code of conduct for Councillors and staff to follow.

POLICY:

Code of Conduct for Elected Members and staff

1. Conflict and Disclosure of Interest

1.1 Conflict of Interest

- a) Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- b) Members and staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- c) Members and staff will lodge written notice with the Chief Executive officer describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- d) Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.

1.2 Pecuniary Interest

Members and staff will adopt the principles of disclosure of interest as contained within the Local Government Act.

1.3 Disclosure of Interest Affecting Impartiality

- a) Members and staff will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.
- b) Whenever disclosure is required, recommendation in this Code, or otherwise seems appropriate, it will be made promptly, fully and in writing within the register provided.

2. Personal Benefit

2.1 Use of Confidential Information

Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

2.2 Intellectual Property

The title to Intellectual Property in all duties relating to contacts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

2.3 Improper or Undue Influence

Members and staff will not take advantage of their position to improperly influence other members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

2.4 Gifts or Bribery

- a) Members and staff will not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward or benefit (other than gifts of a token kind, or moderate acts of hospitality) for themselves or for any other person or body, relating to their status with the Local Government or their performance of any duty or work which touches or concerns the Local Government.
- b) If any gift, reward or benefit is offered (other than gifts of a token kind, or moderate acts of hospitality), disclosure will be made in a prompt and full manner and in writing in the appropriate gift register.

- c) Gifts of value greater than \$300.00 cannot be accepted without the adopted permission of Council.

3. Conduct of Members and Staff

3.1 Personal Behaviour

a) Members and staff will:

- i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - iii) act in good faith (ie honestly, for the proper purpose, and without exceeding their powers) in the interest of the Local Government and the community;
 - iv) make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - v) always act in accordance with their obligation of fidelity to the Local Government.
- b) Members will represent and promote the interests of the Local Government, recognising their special duty to their own constituents.

3.2 Honesty and Integrity

Members and staff will:

- a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest and departure from these standards;
- b) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- c) be frank and honest in their official dealing with each other.

3.3 Performance of Duties

Members and staff will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as

possible about the functions of the Council, and treat all members of the community honestly and fairly.

3.4 Compliance with Lawful Orders

- a) Members will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the property of any such order being taken up with the superior of the person who gave the order and, if resolution can not be achieved, with the Chief Executive Officer.
- b) Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

3.5 Administration and management Practices

Members and staff will ensure compliance with proper and reasonable administrative practices and conduct and professional and responsible management practices.

3.6 Corporate Obligations

- a) As a representative of the Community members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Members should acknowledge that:
 - as a member of the Council there is respect for the decision making process of the Council which are based on a decision of the majority of the Council;
 - Information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

3.7 Relationships between Members and Staff

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Members and Staff have a mutual respect and co-operate with each other to achieve the Council's corporation goals and implement the Council's strategies.

To achieve that position Members need to:

- accept that their role is a leadership, not a management or administrative one,
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

To achieve that staff need to:

- Accept their role as management, and respect the lawful decisions of Council.
- Positively promote Council and its decisions.

3.8 Appointments to Committees

As part of their representative role Members and staff are often asked to represent the Council on external organisations. It is important that Members and staff:

- clearly understand the basis of their appointment and
- provide regular reports on the activities of the organisation.

4. Dealing with Council Property

4.1 Use of Local Government Resources

Members and staff will:

- i) be scrupulously honest in their use of Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- ii) use Local Government's resources entrusted to them effectively and economically in the course of their duties; and
- iii) not use Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment) unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

4.2 Travelling and Sustenance Expenses

Members and staff will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on

the services, policies or business of the Local Government in accordance with Local Government policy and the provision of the Local Government Act.

4.3 Access to Information

Members and staff will ensure that information will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

Adopted: 17 July 1997

Reviewed& Adopted: 20 May 2005

Reviewed & Adopted: 20 June 2006 (Minute 7460)

Reviewed & Adopted: 18 March 2008 (Minute 8142)

Reviewed & Adopted: 20 January 2009 (Minute 8538)

13.3.6 Development Assessment Panels, Local Government Nominations

DATE:	27/01/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Kevin Hannagan, Acting Chief Executive Officer
FILE NO:	LP.01.9
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to nominate elected members to sit on the Kimberley Development Assessment Panel.

BACKGROUND

Council is obliged to nominate members and alternative members for the Kimberley Development Assessment Panel.

The Kimberley Development Assessment Panel (DAP) was established in line with Part 11A of the *Planning and Development Act 2005*, and administered under the *Planning and Development (Development Assessment Panels) Regulations 2011*. Its principal purpose is to deal with major planning proposals - all proposals valued over \$7 million, and subject to the applicant nominating (ie a voluntary application), proposals valued over \$3 million.

The Council has previously nominated members and alternative members being:

Representative 1 John Moulden (nominated by Council on 23/05/2011)
Representative 2 Keith Wright (nominated by Council on 29/10/2013)
Proxy 1 Raymond (Spike) Dessert (nominated by Council on 11/12/2012)
Proxy 2 Glenn Taylor (nominated by Council on 29/10/2013)

STATUTORY IMPLICATIONS

Regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

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

Objective 3.3: Towns are safe and inviting for locals and tourists

Strategy Ensure quality, consistent and responsive development and building assessment approval processes and enforcement

COMMUNITY CONSULTATION

None required.

COMMENT

The current appointments to the Kimberley Development Assessment Panel expire on 26 April, 2015. Members whose term has expired are eligible for re-consideration.

Nominations need to be supplied by Friday 27 February, 2015.

The Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2017. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

Local Government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to re-nominate for the Minister's consideration of appointment.

The Council are advised to consider the above matters in selecting nominees as local DAP members.

ATTACHMENTS

Attachment 1 - Correspondence requesting nominations

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council nominate the following Councillors to sit on the Kimberley Development Assessment Panel expiring on 26 April 2017:

- Nominated Member 1:.....
- Nominated Member 2:.....
- Proxy Member 1:.....
- Proxy Member 2:.....

COUNCIL DECISION

Minute No. 10777

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

That Council nominate the following Councillors to sit on the Kimberley Development Assessment Panel expiring on 26 April 2017:

- Nominated Member 1: Cr K Wright**
- Nominated Member 2: Cr B Robinson**
- Proxy Member 1: Cr R Dessert**
- Proxy Member 2: Cr D Spackman**

Carried Unanimously 7/0

LP. 01.9.

-7 JAN 2015

I-26409



Government of Western Australia
Development Assessment Panels

Our Ref: DP/12/00609
Enquiries: DAPs secretariat
Telephone: 6551 9919

Mr Kevin Hannagan
Acting Chief Executive Officer
Shire of Wyndham-East Kimberley
PO Box 614
KUNUNURRA WA 6743

Dear Kevin

DEVELOPMENT ASSESSMENT PANELS: LOCAL GOVERNMENT NOMINATIONS

As you would be aware, fifteen Development Assessment Panels (DAP) came into operation on 1 July 2011 to determine development applications that meet a certain threshold value. Each DAP comprises five members: three specialist members, one of which is the presiding member, and two local government members.

Appointments of all local government DAP members expire on 26 April, 2015. Members whose term has expired will be eligible for re-consideration at this time.

An Expression of Interest for Development Assessment Panel specialist members was advertised in the West Australian on 6 and 10 December, 2014 and in regional newspapers in the week commencing 8 December, 2014. Nominations for specialist members will close on Friday, 23 January, 2015. You will be advised of the new specialist members once they have been appointed by the Minister.

Under regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, your local council is requested to nominate four elected members of the Council, comprising two local members and two alternate local members to sit on your local DAP as required.

Using the attached form, please provide names, address, email, mobile and land line telephone numbers, date of birth, employer(s), position(s) and include curriculum vitae details of your four local government DAP nominees.

Nominations are required to be received no later than Friday 27 February, 2015.

Following receipt of all local government nominations, the Minister for Planning will consider and appoint all nominees for up to a two-year term, expiring on 26 April 2017. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local

140 William Street, Perth, Western Australia 6000
Tel: (08) 6551 9000 Fax: (08) 6551 9001 <http://daps.planning.wa.gov.au/>
ABN 79 051 750 68

government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

Local government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to re-nominate for the Minister's consideration of appointment.

The Council should consider the above matters in selecting nominees as local DAP members.

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment.

Members who are not entitled to payment of sitting, training and State Administrative Tribunal attendance fees include Federal, State and local government employees, active or retired judicial officers and employees of public institutions. These DAP members are not entitled to be paid without the Minister's consent, and such consent can only be given with the prior approval of Cabinet. This position is in accordance with *Premier's circular – State Government Boards and Committees Circular (2010/02)*.

Further information, including DAP location maps and the Premier's Circular, is available online at <http://daps.planning.wa.gov.au>.

Local representation is vital to DAPs. If no nominations are received by Friday 13 March, 2015, or if I have not allowed the local government a longer nomination period, regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, enables me to include on the local government register a person who is an eligible voter of your local government district and who has relevant knowledge or experience that will enable that person to represent the interest of the local community of your district.

If you have any queries regarding this request for nominations, please contact the DAPs secretariat – phone 6551 9919 or email daps@planning.wa.gov.au.

Yours sincerely



Gail McGowan
Director General

18 December 2014

Best wishes to you, Elsie & team for 2015.
Hope to see you early in the New Year.
Gail

DEVELOPMENT ASSESSMENT PANEL NOMINATION FORM

Local Government:	DAP Name:
Nominated Local DAP Member 1	Nominated Alternate Local Member 1
Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):	Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):
Nominated Local DAP Member 2	Nominated Alternate Local Member 2
Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):	Name: Address: Phone: Mobile: Email: Date of Birth: Employer name(s): Position(s):

Note: Employer name and position details are required for Cabinet submission and to determine if the nominee is entitled to be paid fees in accordance with the Premiers Circular 2010/02.

Name and contact details of local government minute taker and/or DAP meeting contact (if known):

Name: _____ Phone: _____ Email: _____

DAP Secretariat Use

Date received: _____ Officer Name: _____ Date Registered: _____

13.4 ELECTED MEMBER REPORTS

Nil

13.5 ACTING CHIEF EXECUTIVE OFFICER REPORTS

The Acting Chief Executive Officer attended the following meetings on behalf of Council:

- | | |
|------------|---|
| 20 January | Zone CEO's Video Conference re Social Licence Working Group |
| 20 January | Tele Conference with Jeff Gooding, KDC re Mobile Black Spot submission for East Kimberley |
| 22 January | Meeting with Horizon Power re SWEK Tariffs |

COUNCIL DECISION

Minute No. 10778

Moved: Cr G King

Seconded: Cr B Robinson

That Council accepts the Acting Chief Executive Officer Reports.

Carried Unanimously 7/0

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.1 MOTION RECEIVED FROM CR R DESSERT

MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

January OCM 2015

Cr R Dessert

19/01/2015

That the Shire writes to The West Australian newspaper advising them:

1. Of the communities concern at no longer being able to buy a hard copy of the newspaper in Kununurra, and
2. Requests The West Australian to liaise with the Shire on alternative means of freighting newspapers to the Shire to enable the community to continue to purchase hard copies.

A handwritten signature in black ink, appearing to be 'R Dessert', written over a horizontal line.

Cr R Dessert

19 January 2015

MOTION

Cr R Dessert moves an alternate motion:

That Council instructs the Chief Executive Officer to:

1. Write to The West Australian newspaper advising them:
 - a) Of the communities concern at no longer being able to buy a hard copy of the newspaper in Kununurra and Wyndham, and
 - b) Requests The West Australian to liaise with the Shire on alternative means of freighting newspapers to the Shire to enable the community to continue to purchase hard copies.
2. Write to the Department of Local Government and Communities advising them of The West Australian newspapers position and seek advice on compliance with relevant sections of the Local Government Act requiring Local Government to give state wide public notification (e.g. tenders, job vacancies, public notices)
3. Seek support from the Kununurra Chamber of Commerce and Industry to support the Shires advocacy on behalf of the community to have The West Australian review its position.
4. Liaise with the Kimberley Zone Councils to:
 - a) develop a regional strategy to have The West Australian review its position, and
 - b) seek support from the West Australian Local Government Association.

COUNCIL DECISION

Minute No. 10779

Moved: Cr R Dessert

Seconded: Cr D Learbuch

That Council instructs the Chief Executive Officer to:

- 1. Write to The West Australian newspaper advising them:**
 - a) Of the communities concern at no longer being able to buy a hard copy of the newspaper in Kununurra and Wyndham, and**
 - b) Requests The West Australian to liaise with the Shire on alternative means of freighting newspapers to the Shire to enable the community to continue to purchase hard copies.**
- 2. Write to the Department of Local Government and Communities advising them of The West Australian newspapers position and seek advice on compliance with relevant sections of the Local Government Act requiring Local Government to give state wide public notification (e.g. tenders, job vacancies, public notices)**
- 3. Seek support from the Kununurra Chamber of Commerce and Industry to support the Shires advocacy on behalf of the community to have The West Australian review its position.**
- 4. Liaise with the Kimberley Zone Councils to:**
 - a) develop a regional strategy to have The West Australian review its position, and**
 - b) seek support from the West Australian Local Government Association.**

Carried Unanimously 7/0

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

Cr G King left the Chambers at 6.25pm.

Cr G King entered the Chambers at 6.25pm.

COUNCIL DECISION

Minute No. 10780

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council moves behind closed doors to consider item 13.2.6 T(DP) 02 14/15 Purchase and Removal of a Transportable Building at 115 Coolibah Drive, Kununurra.

Carried Unanimously 7/0

Council moves behind closed doors at 6.25pm.

COUNCIL DECISION

Minute No. 10781

Moved: Cr D Spackman

Seconded: Cr K Wright

That Council suspend Standing Orders 7.5 Limitation of Number of Speeches.

Carried Unanimously 7/0

Standing Orders 7.5 Limitation of Number of Speeches suspended at 6.26pm.

COUNCIL DECISION

Minute No. 10782

Moved: Cr D Spackman

Seconded: Cr K Wright

That Council resumes Standing Orders 7.5 Limitation of Number of Speeches.

Carried Unanimously 7/0

Standing Orders 7.5 Limitation of Number of Speeches resumes at 6.28pm.

MOTION

Cr R Dessert moves that Council accept the Tender – T(DP) 02 14/15 from Pab Mac Pty Ltd atf PT & AJ McLean Family Trust T/A Ord Machining for the Purchase and Removal of Transportable Building at 115 Coolibah Drive, Kununurra for the amount of \$10,000 + GST.

COUNCIL DECISION

Minute No. 10783

**Moved: Cr D Spackman
Seconded: Cr D Learbuch**

That Council suspends Standing Orders 7.5 Limitation of Number of Speeches.

Lost 2/5

**For: Cr D Spackman, Cr D Learbuch
Against: Cr J Moulden, Cr R Dessert, Cr K Wright, Cr B Robinson, Cr G King**

FORESHADOWED MOTION

Cr D Spackman foreshadows a motion that Council decline the Tender – T(DP) 02 14/15 from Pab Mac Pty Ltd atf PT & AJ McLean Family Trust T/A Ord Machining for the Purchase and Removal of Transportable Building at 115 Coolibah Drive, Kununurra.

COUNCIL DECISION

Minute No. 10784

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

That Council accept the Tender – T(DP) 02 14/15 from Pab Mac Pty Ltd atf PT & AJ McLean Family Trust T/A Ord Machining for the Purchase and Removal of Transportable Building at 115 Coolibah Drive, Kununurra for the amount of \$10,000 + GST.

Carried 6/1

**For: Cr D Learbuch, Cr J Moulden, Cr R Dessert, Cr K Wright, Cr B Robinson, Cr G King
Against: Cr D Spackman**

COUNCIL DECISION

Minute No. 10785

Moved: Cr B Robinson

Seconded: Cr D Spackman

That Council moves out from behind closed doors.

Carried Unanimously 7/0

Council moves out from behind closed doors at 6.40pm.

18. CLOSURE

The Shire President declares the meeting closed at 6.40pm.