

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**

26 May 2015

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

HELD ON TUESDAY, 26 MAY 2015 AT 5:00 PM

1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 5.02pm.

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

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

GALLERY

Stuart Lester	Ratepayer
Susan Lester	Ratepayer
Simone Rushby	Ratepayer
Mark Northover	Ratepayer
Alma Petherick	Ratepayer
Rhonda Guerinoni	Ratepayers
Lisa Spackman	SWEK RPA
Chris McLachlan	Resident
Mark Davey	
Peter Kerp	Shire Staff
Roy Adam	Shire Staff

APOLOGIES

Nil

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

3. DECLARATION OF INTEREST

- Financial Interest

Cr D Spackman declares a financial interest in item 13.4.1 Home Occupation at Lot 107 (14) Nutwood Crescent, Kununurra for having interest in a retail outlet.

- Impartiality Interest

Nil

- Proximity Interest

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mark Northover, 23 April 2015 Special Council Meeting

Question 1

Why as Councillors are you dipping into the ratepayers funds for the cost of grading the Mitchell Plateau, knowing that there are no ratepayers out there, and that the same officer your DOI prevaricated with arguments for station road closures, in his past Shire, with the purpose of embarrassing the Councillors (as evident on the internet)?

As part of the Shire's commitment to enhancing tourism and attracting visitors to the East Kimberley, the Shire provides a modest maintenance amount to maintain the Port Warrender Road as a 4WD access road to provide tourism access to the iconic Mitchell Falls, Surveyors Pool, Walsh Point, Port Warrender and the Timor Sea. Many local residents take fishing and camping trips to the area and would no doubt be disappointed if one of the very few points of access to the Timor Sea was closed to them.

I am not aware of the concerns you have highlighted in relation to the Director Infrastructure's previous employment or the relevance to the matter raised.

Question 2

Does Council not see there to be a conflict of interest in the proposed awarding of T09/2015, given that the DOI and Officer Kerp have a common habit of staying and enjoying the facilities of the home site of Sunlight Holdings, that thanks to the advice of former Supervisor Edmeades we know that the hourly rate charged by Sunlight is well in excess of all other operators, that aspersions have been previously cast over the level of quality, that the operator regularly "camps rough" and never bothers with traffic control or management? Can the Council confirm that an "unconflicted" Shire representative will be visiting the site to ensure quality works, proper camp facilities, traffic management and that the contract payment will cease when in excess of "2 days" work?

Where any potential conflict of interest occurs at any time with any of its staff, those conflicts are identified and managed appropriately ensuring fair and equitable administration of all of the Shire's business. The decision, by Council, to award the T09 14-15 tender was in the best interests of the Shire and the tender is being managed appropriately, in accordance with the contract documents for and on behalf of the Shire and the ratepayers of the Shire of Wyndham East Kimberley.

All payments under this contract will be made in accordance with the contract documentation and the Shire's normal procedures.

Question 3

Why is Council tonight adopting an open ended lump sum hire tender, without any risk analysis presented as the grader operator, who is also the supervisor, and the sole operator of a compulsory automated defibrillator, and can you please explain how, if in the middle of an acute heart attack, the operator will operate this machine on himself?

In the matter of item 11.1.1 T09 14 /15, Kalumburu Road and Port Warrender Road Opening Grade, Council accepted the officer's recommendation to award the grading contract to Sunlight Holdings Pty Ltd. The tender is a schedule of rates contract, not a lump sum contract, as this is considered the appropriate contract format for the proposed work.

With respect to the use of a defibrillator, a sole operator is not expected to be able to operate a defibrillator on him or herself.

Simone Rushby, 23 April 2015 Special Council Meeting

Question 1

How can the ACEO make claim to an "Official Tender Opening" process, when the process is completed at the front counter of reception, with telephone calls interrupting the process, officers leaving and returning, no senior director in attendance, no councillor in attendance and the "Official tender printer" being out the back where security of documents is neither monitored or safeguarded?

Opening of Tenders is undertaken in accordance with Section 8 of Council's Purchasing Policy Number: CP/FIN – 3204 as outlined below:-

"8. Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline. Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council officer. The details of all tenders received and opened shall be recorded in the Tenders Register. Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Shire. Members of the public are entitled to be present. The Tenderer's offer form, price schedule and other appropriate pages from each tender

shall be date stamped and initialled by at least two (2) Shire officers present at the opening of tenders.”

Following the investigation of this question it has been established that there were three (3) staff members present for the opening, with two (2) of these staff members present at all times for the tender opening process. There is no requirement under Council Policy: CP/FIN – 3204 for a Shire Director or Councillor to be present at a Tender opening. The two (2) staff members responsible for the tender opening process were required to leave the front counter to print copies of the Tenders received electronically.

Mark Northover, 28 April 2015 Ordinary Council Meeting

Question 1

Can you tell us how many outstanding complaints and concerns and how many have been resolved?

L Gee, Acting CEO provides the following response:

Can you give me more detail? Do you want the number of complaints under the Code of Conduct, business complaints or complaints to the DLGC? Can you be more specific as to which type?

M Northover confirms that Code of Conduct complaints would be good to start with.

M Northover confirms that he would like to know the complete range of complaints including complaints to the DLGC, Code of Conduct complaints and complaints against the administration and the councillors.

The Shire is currently processing 14 Code of Conduct complaints. Code of Conduct complaints can be against Shire staff and/or Elected Members. These current complaints are being addressed as per the draft Complaints Management Policy and the Council endorsed Code of Conduct Complaints Handling Procedure.

I am also currently aware of three (3) Minor Breach complaints that are being addressed by the Department of Local Government and Communities (DLGC). The Shire is unaware of any Serious Breaches that are currently being investigated by the DLGC as we are only advised of the outcome of such investigations. Minor and Serious Breaches are only for Elected Members not staff.

Julie Fysh, Fysh Grader Hire, 28 April 2015 Ordinary Council Meeting

Question 1

Fysh Grader Hire won the Mt Elizabeth - Ellenbrae Road contract end of last year. We had the residents of Ellenbrae ask us to not grade their road due to the wet season was upon us. Can we do this in 2015? Is Fysh Grader Hire able to complete this task? I would like to let my employees know as soon as I can. We are due to head back into town in the next week or so.

Procurement of services for the Shire where total expenditure with a supplier is expected, or may, be in excess of \$100,000 is required to be undertaken through a tender process or through a WALGA panel process. It is expected that quotes through the WALGA State wide panel for this work will be sourced at the same time as the road formation and re-sheeting works on Kalumburu Road. Quotes are expected to be sought within the next two weeks.

To answer your question in blunt terms it is not appropriate under the Shire's current Purchasing Policy to appoint Fysh Grader Hire to undertake the works.

5. PUBLIC QUESTION TIME

Public Question Time commences at 5.04pm.

Cr K Wright leaves the Chambers at 5.04pm.

Questions from Mark Davey, Kununurra

Question 1 – Why, when in April 2012 given that the then CEO stated that the water levels on Ivanhoe Crossing were too high, and that the gates would be reopened when the water levels drop, has the gates on Ivanhoe Crossing not been reopened?

D Klye, Director Infrastructure provides the following response:

I have had that project in front of me since I started working for the Shire in October last year. The works are being planned at the moment. On advice from the Department of Water we are expecting some low water at some stage in September this year. This is what the Department has told us and this is when we plan to complete the works.

Question 2 – Will the gates be opened in the near future or at any planned point in time?

Shire President, Cr J Moulden advises that this answer was provided in the response to question 1.

Cr K Wright enters the Chambers at 5.06pm.

Questions from Simone Rushby, Kununurra

Question 1 - Why was fogging commenced for the Kimberley Moon event, without the rigmarole that was afforded to the Wyndham residents?

L Gee, Director Community Development provides the following response:

The Shire did not undertake any fogging for the Kimberley Moon event. My understanding is that Mellen Events appointed a private contractor to undertake fogging at Celebrity Tree Park and the Kununurra Golf Course.

Question 2 - Were all the regulatory requirements met that have been requested by Wyndham?

L Gee, Director Community Development provides the following response:

Mellen Events contracted a registered and licenced pest control operator to undertake that fogging.

Questions from Mark Northover, Kununurra

Question 1 - Why has the long standing Councillors forgotten and allowed the departing Senior Management to ignore tabled partitions on the safety and emergency concerns of residents, engineers and ratepayers on Mulligans Lagoon Road surface which failed back in 2010 and noting the Council Decision Minute No. 9463?

D Klye, Director Infrastructure provides the following response:

The question is directed to Councillors and I cannot speak on behalf of them, however I will take the technical side of 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 - If stage one of Mulligans lagoon road was started in the budget in 2011/2012, why has councils safety and risk management priorities not recognised this in 2012/2013 and again in 2013/2014 knowing that budgeted projections \$1.906,594,000 over 5 years was to be programmed for implantation?

Shire President, Cr J Moulden and D Klye, Director Infrastructure take 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.

Further Questions from Simone Rushby, Kununurra

Question 3 - Why has council actively advised the medical facilities within Kununurra and Wyndham to counsel patients within the Shire against being tested for Ross River virus?

L Gee, Director Community Development provides the following response:

The Shire has not done this. I am not aware of Council ever providing such advice, it would not be the role of the Shire to do this.

Question 4 - Can council please advise the number of residents that have been diagnosed with Ross River virus in the last 2 years, given that I know personally of in excess of one dozen – all diagnosed locally?

L Gee, Director Community Development provides the following response:

I will take the question on notice. We do receive notification of diagnoses where the virus was contracted within the Shire through the Department of Health. Once notification is received our Environmental Health Officer's will do further investigation.

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.

Further Questions from Mark Northover, Kununurra

Question 3 - Is council aware that the SWEK procurement policy in the current form (section 3.4) means that SWEK can and is easily able to limit the number of local contractors and suppliers for a period up to 5 years, especially noting the lack of not one of many capable contractors being actively invited from Wyndham to the WALGA posit?

N Octoman, Director Corporate Services asks if Mr Northover is referring to the revised procurement policy or the current policy.

Mr Northover confirms that he is referring to the revised policy.

N Octoman, Director Corporate Services provides the following response:

The intention is to not limit suppliers. The policy indicates that if the decision is made to invite tenders it can do so but it still needs to follow the same rules, it does not imply that local contractors are not encouraged to apply.

Question 4 - As significant funds have been spent on the following roads – Carlton Hill road, Mulligans Lagoon road, Egret close, Weero road, Research Station road and the Mitchell Plateau road. Given that appropriate modelling can only be achieved with traffic counts and data. Can I have the results of the formal traffic count and data used for the above mentioned roads?

D Klye, Director Infrastructure provides the following response:

I am happy to provide that information.

Question 5 - Why are councillors that have limited financial management skills, are not on the audit committees, moving and seconding motions (quoted as urgent and rushed to council for acceptance) of tenders over \$4 million dollars?

Shire President, Cr J Moulden provides the following response:

Membership of the Audit Committee is by a vote by fellow Councillors. Councillors who are on the Audit Committee have been voted into those positions.

Question 6 - Is council endorsing the past senior officers tender management deficiencies?

Shire President, Cr J Moulden states that there are no proven tender management deficiencies and does not allow the remainder of the question.

Public Question Time concludes at 5.15pm.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 28/04/2015

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 28/04/2015.

COUNCIL DECISION

Minute No. 10935

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council confirms the Minutes of the Ordinary Council Meeting held on 28/04/2015.

Carried Unanimously 9/0

8.2 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 01/05/2015

RECOMMENDATION

That Council confirms the Minutes of the Special Council Meeting held on 1/05/2015.

COUNCIL DECISION

Minute No. 10936

Moved: Cr B Robinson

Seconded: Cr D Learbuch

That Council confirms the Minutes of the Special Council Meeting held on 01/05/2015.

Carried Unanimously 9/0

8.3 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 12/05/2015

RECOMMENDATION

That Council confirms the Minutes of the Special Council Meeting held on 12/05/2015

COUNCIL DECISION

Minute No. 10937

Moved: Cr K Wright

Seconded: Cr D Learbuch

That Council confirms the Minutes of the Special Council Meeting held on 12/05/2015.

Carried Unanimously 9/0

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

12.1 MINUTES OF THE AUDIT (FINANCE & RISK) COMMITTEE MEETING OF 12/05/2015

RECOMMENDATION

That Council receives the Minutes of the Audit (Finance & Risk) Committee Meeting held on 12/05/2015

COUNCIL DECISION

Minute No. 10938

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council receives the Minutes of the Audit (Finance & Risk) Committee Meeting held on 12/05/2015.

Carried Unanimously 9/0

13. REPORTS

13.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

13.1.1 Consideration of Recommendations Contained Within the Minutes of the Audit (Finance and Risk) Committee Meeting of 12 May 2015

DATE:	26/05/2015
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:	GN.05.4
DECLARATION OF INTERESTS:	Nil

PURPOSE

The Audit (Finance and Risk) Committee at its meeting of 12 May 2015 made the following recommendations to the Council for its consideration. The background and details supporting the recommendations are detailed in the Committee minutes.

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 1

That the Audit (Finance and Risk) Committee reports to the Council that:-

1. The actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate;
2. Notes that the Council's CP/FIN-3214 Sundry Debt Collection Policy is currently under review.

COUNCIL DECISION

Minute No. 10939

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

That the Audit (Finance and Risk) Committee reports to the Council that:-

- 1. The actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate;**
- 2. Notes that the Council's CP/FIN-3214 Sundry Debt Collection Policy is currently under review.**

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 2

That the Audit (Finance and Risk) Committee reports to the Council that the actions being undertaken by the administration in regard to rates debtors, including rates debts in legal process are sufficient and appropriate.

COUNCIL DECISION

Minute No. 10940

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

That the Audit (Finance and Risk) Committee reports to the Council that the actions being undertaken by the administration in regard to rates debtors, including rates debts in legal process are sufficient and appropriate.

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 3

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

- 1. The overdraft facility has not been utilised to date.**
- 2. There is no change to the previous advice that it is anticipated that the overdraft facility may be utilised towards the end of the 2014/15 financial year, given the adoption of a budget deficit for 2014/15.**

COUNCIL DECISION

Minute No. 10941

**Moved: Cr B Robinson
Seconded: Cr S Cooke**

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

- 1. The overdraft facility has not been utilised to date.**
- 2. There is no change to the previous advice that it is anticipated that the overdraft facility may be utilised towards the end of the 2014/15 financial year, given the adoption of a budget deficit for 2014/15.**

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 4

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

1. That the write off of outstanding sundry debts and penalties to the value of \$296.54 is deemed to be appropriate and is in accordance with the Local Government Act 1995 Section 6.12(1)(c) and the Council's Delegation register.

COUNCIL DECISION

Minute No. 10942

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

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

- 1. That the write off of outstanding sundry debts and penalties to the value of \$296.54 is deemed to be appropriate and is in accordance with the Local Government Act 1995 Section 6.12(1)(c) and the Council's Delegation register.**

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 5

That the Committee recommends to the Council that it notes the Claims Register attached.

COUNCIL DECISION

Minute No. 10943

Moved: Cr B Robinson

Seconded: Cr D Learbuch

That the Committee recommends to the Council that it notes the Claims Register attached.

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 6

That the Committee recommends to the Council that it notes the Confidential Lease Schedule attached.

COUNCIL DECISION

Minute No. 10944

Moved: Cr B Robinson

Seconded: Cr D Spackman

That the Committee recommends to the Council that it notes the Confidential Lease Schedule attached.

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 7

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

1. The Council grant an extension of time for the special payment arrangement plan to be negotiated and signed by the rates debtor A501 until 31 July 2015.

COUNCIL DECISION

Minute No. 10945

Moved: Cr B Robinson

Seconded: Cr G King

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

- 1. The Council grant an extension of time for the special payment arrangement plan to be negotiated and signed by the rates debtor A501 until 31 July 2015.**

Carried Unanimously 9/0

VOTING REQUIREMENT

Absolute Majority

COMMITTEE'S RECOMMENDATION 8

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

1. Directs the CEO to write to the Kimberley Zone of WALGA and Regional Collaborative Group indicating that the Shire of Wyndham East Kimberley will not be participating in the joint request for tender process for the provision of Audit Services and apologising for supporting the motion at the Zone meeting. On the basis that the Shire has already undertaken a process to ensure appointment occurs prior to 1 July 2015.
2. Engages UHY Haines Norton to undertake the Audit Services for a five year period for the financial years commencing 1 July 2015 through to 30 June 2020.
3. Engages UHY Haines Norton to undertake the Regulation 5(2)(c) Review for the financial year ending 30 June 2018.
4. Engages UHY Haines Norton to undertake the Regulation 17 Review for the calendar year ending 31 December 2016.
5. Appoints Mr David Tomasi, Mr Greg Godwin and Mr Wen-Shien Chai of UHY Haines Norton as Auditors for a five year period for the financial years commencing 1 July 2015 through to 30 June 2020.
6. Notes that UHY Haines Norton (Perth) will be changing its name to Moore Stephens effective from 1 July 2015 as a result of a merger with accounting firm Moore Stephens.

COUNCIL DECISION

Minute No. 10946

Moved: Cr K Wright

Seconded: Cr B Robinson

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

- 1. Directs the CEO to write to the Kimberley Zone of WALGA and Regional Collaborative Group indicating that the Shire of Wyndham East Kimberley will not be participating in the joint request for tender process for the provision of Audit Services and apologising for supporting the motion at the Zone meeting. On the basis that the Shire has already undertaken a process to ensure appointment occurs prior to 1 July 2015.**
- 2. Engages UHY Haines Norton to undertake the Audit Services for a five year period for the financial years commencing 1 July 2015 through to 30 June 2020.**
- 3. Engages UHY Haines Norton to undertake the Regulation 5(2)(c) Review for the financial year ending 30 June 2018.**
- 4. Engages UHY Haines Norton to undertake the Regulation 17 Review for the calendar year ending 31 December 2016.**
- 5. Appoints Mr David Tomasi, Mr Greg Godwin and Mr Wen-Shien Chai of UHY Haines Norton as Auditors for a five year period for the financial years commencing 1 July 2015 through to 30 June 2020.**
- 6. Notes that UHY Haines Norton (Perth) will be changing its name to Moore Stephens effective from 1 July 2015 as a result of a merger with accounting firm Moore Stephens.**

Carried Unanimously 9/0

13.2 CORPORATE SERVICES

13.2.1 Monthly Financial Report as at 30 April 2015

DATE:	26/05/2015
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 April 2015.

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 as at 30 April 2015

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Monthly Financial Report for the month of April 2015.

COUNCIL DECISION

Minute No. 10947

Moved: Cr B Robinson

Seconded: Cr D Learbuch

That Council receives the Monthly Financial Report for the month of April 2015.

Carried Unanimously 9/0



Shire of Wyndham East Kimberley

Monthly Financial Report 2014/2015

As at 30 April 2015

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 April 2015

	YTD Actual 2014/15 \$	YTD Budget 2014/15 \$	YTD Variance 2014/15 \$	%	
Revenue					
General Purpose Funding	3,455,413	3,448,808	6,605	0%	▲
Governance	1,054,981	1,096,882	(41,901)	-4%	▼
Law, Order, Public Safety	53,308	54,346	(1,038)	-2%	▼
Health	59,282	61,542	(2,260)	-4%	▼
Education and Welfare	83,721	95,833	(12,112)	-13%	▼
Housing	140,646	167,751	(27,105)	-16%	▼
Community Amenities	2,249,580	2,265,181	(15,601)	-1%	▼
Recreation and Culture	719,806	667,773	52,033	8%	▲
Transport	6,460,854	6,882,740	(421,886)	-6%	▼
Economic Services	68,777	85,067	(16,290)	-19%	▼
Other Property and Services	154,930	164,539	(9,609)	-6%	▼
	<u>14,501,297</u>	<u>14,990,462</u>	<u>(489,165)</u>	<u>-3%</u>	<u>▼</u>
Expenses					
General Purpose Funding	(412,085)	(450,800)	38,715	-9%	▼
Governance	(1,246,581)	(1,501,282)	254,701	-17%	▼
Law, Order, Public Safety	(421,545)	(451,069)	29,524	-7%	▼
Health	(242,394)	(246,688)	4,294	-2%	▼
Education and Welfare	(284,908)	(294,986)	10,078	-3%	▼
Housing	(559,212)	(577,167)	17,955	-3%	▼
Community Amenities	(3,407,156)	(3,696,849)	289,693	-8%	▼
Recreation & Culture	(4,933,100)	(5,389,626)	456,526	-8%	▼
Transport	(9,755,700)	(10,173,259)	417,559	-4%	▼
Economic Services	(373,403)	(412,801)	39,398	-10%	▼
Other Property and Services	(1,409,048)	(1,498,002)	88,954	-6%	▼
	<u>(23,045,132)</u>	<u>(24,692,529)</u>	<u>1,647,397</u>	<u>-7%</u>	<u>▼</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	413,169	438,288	(25,119)	-6%	▼
Movement in Accruals and Provisions	(486,232)	5,000	(491,232)	-9825%	▼
Depreciation on Assets	4,797,217	4,827,263	(30,046)	-1%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▲
Purchase Land and Buildings	(529,015)	(689,132)	160,117	-23%	▼
Purchase Infrastructure Assets - Roads	(1,279,782)	(1,540,269)	260,487	-17%	▼
Purchase Infrastructure Assets - Footpaths	(5,894)	(5,900)	6	0%	▼
Purchase Infrastructure Assets - Drainage	(54,606)	(151,445)	96,839	-64%	▼
Purchase Infrastructure Assets - Other	(716,033)	(1,314,135)	598,102	-46%	▼
Purchase Plant and Equipment	(7,030)	(97,821)	90,791	-93%	▼
Purchase Furniture and Equipment	(16,847)	(70,148)	53,301	-76%	▼
Grants / Contributions for Development of Assets	5,490,870	5,401,279	89,591	2%	▲
Proceeds from Disposal of Assets	47,204	49,736	(2,532)	-5%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(1,969,231)	(1,990,841)	21,610	-1%	▼
Proceeds from New Debentures	1,500,000	1,500,000	0	0%	▼
Transfers to Reserves (Restricted Assets)	(3,065,001)	(3,312,039)	247,038	-7%	▼
Transfers from Reserves (Restricted Assets)	0	308,499	(308,499)	-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	3,434,804	1,485,752	1,949,052	131%	▼
	<u>9,256,903</u>	<u>9,226,536</u>	<u>30,367</u>	<u>0%</u>	<u>▲</u>
Amount Required to be Raised from Rates					

Shire of Wyndham East Kimberley

Note to Statement of Financial Activity

Net Current Assets

as at 30 April 2015

Composition of Estimated Net Current Asset Position

	YTD Actual 2014/15	Brought Forward 1 July 2014
CURRENT ASSETS		
Cash - Municipal (Restricted & Unrestricted)*	1,739,522	652,355
Cash - Restricted Reserves	11,328,356	8,263,354
Receivables	1,811,547	1,727,680
Inventories & Other Financial Assets	3,445	17,037
	<u>14,882,869</u>	<u>10,660,427</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	(119,710)	(3,794,124)
Less:		
Restricted - Reserves	(11,328,356)	(8,263,354)
NET CURRENT ASSET POSITION	<u>3,434,804</u>	<u>(1,397,052)</u>
Less:		
Restricted - Unspent Grants	(880,674)	(2,093,999)
Restricted - Unspent Loans	(849,091)	(1,566,965)
ADJUSTED NET CURRENT ASSET POSITION	<u><u>1,705,039</u></u>	<u><u>(5,058,016)</u></u>

* **Cash - Municipal brought forward balances represented by:**

Cash on Hand	1,700	1,700
Cash at Bank - Municipal		
Unrestricted	8,057	(3,010,309)
Restricted - Unspent Grants	880,674	2,093,999
Restricted - Unspent Loans	849,091	1,566,965
	<u>1,739,522</u>	<u>652,355</u>

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 April 2015

Explanation of Material Variances (between YTD Budget and YTD Actual)

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

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

Operating

Recurrent Income - Excluding Rates ▼

Rates

No material variances to report

General Purpose Funding ▲

No material variances to report

Governance ▼

LGIS Members Experience Income - Other Governance - 45,000 ▼ Income based on Occupational Safety & Health Committee training. Timing Variance

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 ▼

Kununurra Youth Services - Colocation Fees and Reimbursements - 25,000 ▼ Timing Variance - invoices to be raised in May

Recreation and Culture ▲

Wyndham Community Resource Centre (CRC) - Operating Grant Income 49,400 ▲ Timing variance. Income received earlier than expected.

Transport ▼

WANDRRA Funding - Monsoonal Trough and Associated Flooding (10 March 2011) - 215,400 ▼ The processing of the final claims and payments has been delayed, but the funds should be received in June.

Passenger Head Tax - East Kimberley Regional Airport - 130,700 ▼ Lower income during the wet season than anticipated, expected to pickup during dry season; and delay in April invoicing.

Passenger Screening Fees - East Kimberley Regional Airport - 52,900 ▼ Lower income during the wet season than anticipated, expected to pickup during dry season; and delay in April invoicing.

Economic Services ▼

No material variances to report

Other Property and Services ▼

No material variances to report

Recurrent Expenditure ▼

General Purpose Funding ▼

Write Offs - Rates 39,600 ▼ Timing variance. Potential write-offs are yet to be presented to the Audit (Finance and Risk) Committee.

Governance ▼

Write Offs (as approved by Council) 114,100 ▼ Awaiting final report from liquidator of budgeted write-off

Legal Fees 20,100 ▼ Timing Variance. Work has been initiated, but awaiting invoices.

Re-Valuation Expenses - Fair value 100,000 ▼ Timing Variance. Project to be commenced in June 15

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

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 April 2015

Explanation of Material Variances (between YTD Budget and YTD Actual)

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

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

Recurrent Expenditure (continued)

Community Amenities

Tip Maintenance	64,400	▼	Timing variance. Capping and covering maintenance occurring during dry season.
Refuse Collection	88,100	▼	It is now clear that the new contract, and the anticipation of fewer once-off charges, is likely to result in about \$90,000 savings by the end of June.
Street Tree Planting - Protection of Environment	40,200	▼	Project commencing in June 2015. Timing variance.
Consultants - Local Planning Strategy	44,000	▼	Awaiting response to Local Planning Strategy from WA Planning Commission. This resulting work will now most likely spread into 2015-16
Administration Salary and Wages Allocated - Town Planning & Regional Development	20,600	▼	Non cash item. Timing variations.
Cemetery Maintenance	21,200	▼	Timing variance. Maintenance to commence during dry season.

Recreation and Culture

Pool Operating - Kununurra Swimming Complex	42,900	▼	A couple of large orders are expected in the next month. However savings of around \$40,000 are likely to be realised by the end of June. These savings in operating costs are partly due to an improved maintenance regime.
Pool Operating - Wyndham Swimming Complex	41,100	▼	A couple of large orders are expected in the next month. However savings of around \$47,500 are likely to be realised by the end of June. These savings in operating costs are partly due to an improved maintenance regime.
Building Maintenance - Wyndham Swimming	23,700	▼	Timing variance. Major maintenance work commencing in June 2015
Building Operating - Kununurra Leisure Centre	29,500	▼	This variation is partially offset with the variation in building maintenance account due to cleaning and security expenses. There will be a potential savings of \$20,000.
Parks and Gardens Maintenance - Kununurra	151,900	▼	Staff vacancies and a drier than normal wet season have resulted in savings which will amount to about \$260k for the year.
Parks and Gardens Maintenance - Wyndham	48,500	▼	Staff vacancies and a drier than normal wet season have resulted in savings which will amount to about \$50k for the year.

Transport

Administration Salary and Wages Allocated - Streets, Roads & Bridges - Non Capital	61,000	▼	Non cash item. Timing variations.
Admin Overheads Allocated - Streets, Roads & Bridges - Non Capital	- 34,600	▲	Non cash item. Timing variations.
Rural Road Maintenance	213,500	▼	A lack of response during tender process has caused a delay in the process. Work likely to start in June and about \$300k worth will continue into 2015-16.
D2 Drain Rehabilitation	44,800	▼	Design in progress. Project expected to commence in May.
Monsoonal Trough Flood Event, 6-9 Feb 2014	- 21,400	▲	Higher flood recovery cost than anticipated. Offset by increased grant revenue from WANDRRA fund.
Plant Operating Costs - East Kimberley Regional Airport	- 42,500	▲	Airport plant costs are no longer being allocated to separate airport line-items and all costs are being consolidated in this line-item. Offset by savings distributed in other airport line-items.
Consultancy Fees - East Kimberley Regional Airport	33,400	▼	Timing variance
Airport Grounds Maintenance - East Kimberley Regional Airport	21,400	▼	Savings made in salaries based on lower overtime hours than anticipated; and indirect salaries and plant costs no longer being allocated to separate line-items.
Airside Operations - East Kimberley Regional Airport	79,400	▼	Savings made in salaries based on lower overtime hours than anticipated; and indirect salaries and plant costs no longer being allocated to separate line-items.
Admin Overheads Allocated - East Kimberley Regional Airport	- 25,300	▲	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.

Economic Services

No material variances to report

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 April 2015

Explanation of Material Variances (between YTD Budget and YTD Actual)

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

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

Recurrent Expenditure (continued)

Other Property and Services ▼

Public Works Overheads Allocated - Payroll	-	75,400	▲ This variation is offset with savings in salaries across other depot programs. Due to the complexity of the allocation process only minimal adjustments were made during the budget review. Non-cash item.
Direct Salaries - Outdoor Workforce		38,000	▼ A correction to Plant O/head allocations has been processed after the budget revision, resulting in lower costs in this GL. However, this is a non-cash adjustment
Administration Salary and Wages Allocated - Public Works Overheads	-	55,900	▲ Less allocation due to overall admin costs less than anticipated as at reporting date. Non cash item. Timing variance.
Admin Overheads Allocated - Public Works Overheads	-	31,900	▲ Less allocation due to overall admin costs less than anticipated as at reporting date. Non cash item. Timing variance.
Integrated Planning Framework (IPF) - Asset Management		31,700	▼ Project in progress. Timing variance.
ABC Allocations		157,100	▲ A YTD adjustment to the allocations has been made in April. This will come back to the amended budget by June. Non-cash item. Timing variance.
Software Licencing - Information Services		30,800	▼ Underspend recognised to date. Timing variation as software licences become due.
Plant Operating Cost Allocated	-	336,300	▼ Under expenditure in parts and repairs and repair wages has resulted in an under allocation. This will be monitored and reviewed in the coming months.
POC Internal Repair wages		50,200	▼ Reduced costs to date resulting in potential savings for the full-year.
POC Parts and Repairs		35,200	▼ Reduced costs to date resulting in potential savings for the full-year.
POC Tyres and Tubes		24,100	▼ Reduced costs to date resulting in potential savings for the full-year.
Loss on Sale of Assets - Plant Operation		30,300	▼ Book loss on assets damaged by fire at Wyndham Depot. Insurance claim submitted. Non-cash item.

Non Cash Expenditure and Revenue

Adjustments and Accruals

Loss on Sale of Assets - Plant Operation	-	30,300	▼ Loss on book value of assets disposed as a result of the Wyndham depot fire. The assets lost have been claimed on insurance. Non-cash item.
Movement in Accruals and Provisions	-	491,200	▼ 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.

Capital

Purchase Land Held for Resale ▲

No material variances to report

Purchase Land and Buildings ▼

Land Subdivision Costs SES Shed Land		46,100	▼ Project is almost at the final stage. Timing variance.
Wyn depot fire damage reinstatement - Buildings		49,800	▼ Costs related to the Wyndham Depot fire damage. These are offset against insurance settlements.
Partial Flooring replacement - Terminal - East		24,000	▼ Project will now not commence until 2015-16.
Building Upgrade- Wyndham Administration		26,800	▼ Project work progressing. Timing variance.

Purchase Infrastructure Assets - Roads ▼

Kalumburu Road - Re-sheet		162,300	▼ Project work progressing. Timing variance.
Road Upgrade Carlton Hill Road		47,700	▼ Project work progressing. Timing variance.
Bridges (5116) - D4 Weaber Plain Rd		50,000	▼ Timing variation only. Relates to Main Roads funded works.

Purchase Infrastructure Assets - Footpaths ▼

No material variances to report

Purchase Infrastructure Assets - Drainage ▼

Drainage Upgrade (Design & Estimates)		77,400	▼ Project underway - work may continue into 2015-16
Divert collapsed drain under properties Mininata St		25,800	▼ Timing variance - work commenced and should be completed in June.

Purchase Infrastructure Assets - Other ▼

Kununurra Landfill Site - Liquid Waste Facility		29,300	▼ Due to the current difficulty sourcing appropriately qualified contractors, the remainder of this project (~\$78k) will be deferred to 2015-16.
Wyndham Waste Water Treatment Facility		41,400	▼ Due to the current difficulty sourcing appropriately qualified contractors, this project (~\$42k) will be deferred to 2015-16.
Airport Runway Extension Assessment and Business Case		44,400	▼ Timing variance - work will commence in June, but final report may not be completed until July or August.
Landfill cover lids - Knx Landfill MUN		120,000	▼ A lack of response to the tender process has delayed the project. Timing variance.
Lily Creek Lagoon Boat Ramp and Jetty		337,000	▲ Project in progress. Timing variance.

Shire of Wyndham East Kimberley

Notes to Statement of Financial Activity

For the Period Ended 30 April 2015

Explanation of Material Variances (between YTD Budget and YTD Actual)

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

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

Capital (continued)

Purchase Plant and Equipment		▼	
Airport Plant - Purchase Price	60,000	▼	Plant is now not likely to be purchased until 2015-16.
Light Plant - Purchase Price	27,800	▼	Plant to be purchased in June 15 .
Purchase Furniture and Equipment		▼	
No material variances to report			
Grants / Contributions for Development of Assets		▲	
Aboriginal Roads Funding - State Grants	- 60,000	▼	Income based on progress claim for projects. Timing variance.
Regional Road Group Grants	158,900	▲	Income based on progress claim for projects. Timing variance.
Proceeds from Disposal of Assets		▼	
No material variances to report			
Debentures		▼	
New Loan - Administration Building - Principal Repayment	21,600	▼	Loan funds received later than budget assumptions, therefore repayments delayed. Timing variance.
Reserves		▼	
No material variances to report			

Shire of Wyndham East Kimberley

Statement of Financial Activity Budget Remaining to Collect/Spend as at 30 April 2015

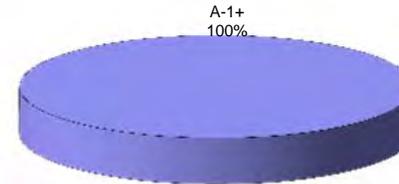
	YTD Actual 2014/15 \$	Revised Annual Budget 2014/15	Budget Remaining 2014/15 \$	%	
Revenue					
General Purpose Funding	3,455,413	4,420,177	964,764	22%	▼
Governance	1,054,981	1,099,542	44,561	4%	▼
Law, Order, Public Safety	53,308	58,350	5,042	9%	▼
Health	59,282	77,650	18,368	24%	▼
Education and Welfare	83,721	96,434	12,713	13%	▼
Housing	140,646	193,711	53,066	27%	▼
Community Amenities	2,249,580	2,479,788	230,208	9%	▼
Recreation and Culture	719,806	779,986	60,180	8%	▼
Transport	6,460,854	8,185,117	1,724,264	21%	▼
Economic Services	68,777	99,423	30,646	31%	▼
Other Property and Services	154,930	194,402	39,472	20%	▼
	<u>14,501,297</u>	<u>17,684,581</u>	<u>3,183,284</u>	<u>18%</u>	<u>▼</u>
Expenses					
General Purpose Funding	(412,085)	(535,855)	(123,770)	23%	▼
Governance	(1,246,581)	(1,464,511)	(217,930)	15%	▼
Law, Order, Public Safety	(421,545)	(587,575)	(166,030)	28%	▼
Health	(242,394)	(300,930)	(58,536)	19%	▼
Education and Welfare	(284,908)	(332,757)	(47,849)	14%	▼
Housing	(559,212)	(695,787)	(136,575)	20%	▼
Community Amenities	(3,407,156)	(4,988,573)	(1,581,417)	32%	▼
Recreation & Culture	(4,933,100)	(6,833,801)	(1,900,701)	28%	▼
Transport	(9,755,700)	(11,838,503)	(2,082,803)	18%	▼
Economic Services	(373,403)	(503,172)	(129,769)	26%	▼
Other Property and Services	(1,409,048)	(1,344,324)	64,724	-5%	▲
	<u>(23,045,132)</u>	<u>(29,425,788)</u>	<u>(6,380,656)</u>	<u>22%</u>	<u>▼</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	413,169	451,621	38,452	9%	▲
Movement in Accruals and Provisions	(486,232)	5,000	491,232	9825%	▼
Depreciation on Assets	4,797,217	5,818,820	1,021,603	18%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▼
Purchase Land and Buildings	(529,015)	(816,560)	(287,545)	35%	▼
Purchase Infrastructure Assets - Roads	(1,279,782)	(2,373,096)	(1,093,314)	46%	▼
Purchase Infrastructure Assets - Footpaths	(5,894)	(36,910)	(31,016)	84%	▼
Purchase Infrastructure Assets - Drainage	(54,606)	(337,138)	(282,532)	84%	▼
Purchase Infrastructure Assets - Other	(716,033)	(1,746,305)	(1,030,272)	59%	▼
Purchase Plant and Equipment	(7,030)	(153,462)	(146,432)	95%	▼
Purchase Furniture and Equipment	(16,847)	(102,500)	(85,653)	84%	▼
Grants / Contributions for Development of Assets	5,490,870	6,218,439	727,569	12%	▼
Proceeds from Disposal of Assets	47,204	256,403	209,199	82%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(1,969,231)	(2,350,331)	(381,100)	16%	▼
Proceeds from New Debentures	1,500,000	1,803,218	303,218	17%	▼
Transfers to Reserves (Restricted Assets)	(3,065,001)	(4,488,742)	(1,423,741)	32%	▼
Transfers from Reserves (Restricted Assets)	0	1,287,637	1,287,637	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	3,434,804	(475,630)	(3,910,434)	822%	▲
	<u>9,256,903</u>	<u>9,226,536</u>	<u>(30,367)</u>	<u>0%</u>	<u>▲</u>
Amount Required to be Raised from Rates					

MONTHLY REPORT ON INVESTMENT PORTFOLIO (CASH)

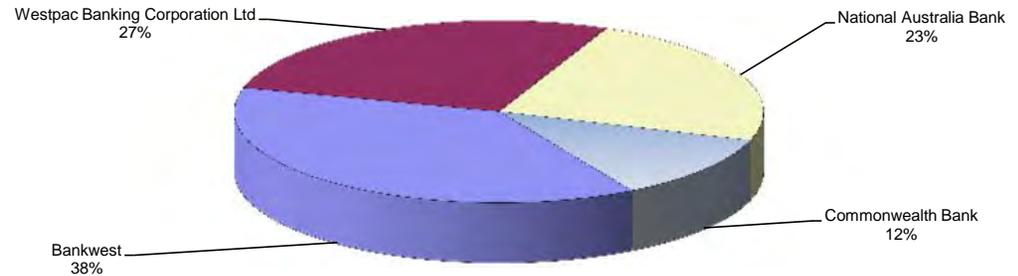
INVESTMENT POLICY - CP FIN - 3203		
"Overall Portfolio Limits"		
S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %
AAA	A-1+	100%
AA	A-1	100%
A	A-2	60%
<small>Note: "S & P" relates to Standard & Poors credit rating agency</small>		
"Counterparty Credit Framework"		
S&P Long Term Rating	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		
Portfolio % < 1 year	100% max 40% min	
Portfolio % > 1 year	60%	
Portfolio % > 3 year	35%	
Individual Investment Maturity Limits		
Authorised Deposit Institution	12 Months	
State/Commonwealth Government Bonds	3 years	
<small>Note: "ADI" relates to an Authorised Deposit Institution (authorised under the Banking Act 1959)</small>		

RESULTS AS AT 30 April 2015

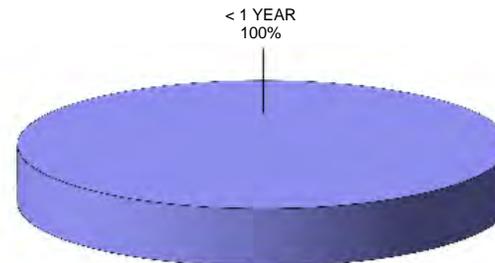
Overall Portfolio



Counterparty Credit



Term to Maturity



13.2.2 List of Accounts paid under Delegation

DATE:	26 May 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 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 ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required

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 123398 – 123635 (02 April – 30 April 15)	\$ 1,074,727.33
Municipal cheques 50772 - 50859 (02 April – 30 April 15)	\$ 123,351.55
Trust cheques 741 – 751 (02 April – 30 April 15)	\$ 9,090.88
Trust EFT 500918 – 500934 (01 April – 28 April 15)	\$ 14,770.70
Payroll (01 April – 29 April 15)	\$ 597,176.52
Direct bank debits (01 April – 20 April 15)	\$ 8,903.10
TOTAL	\$ 1,828,020.08

COUNCIL DECISION

Minute No. 10948

Moved: Cr K Wright

Seconded: Cr R Dessert

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

Municipal EFT 123398 – 123635 (02 April – 30 April 15)	\$ 1,074,727.33
Municipal cheques 50772 - 50859 (02 April – 30 April 15)	\$ 123,351.55
Trust cheques 741 – 751 (02 April – 30 April 15)	\$ 9,090.88
Trust EFT 500918 – 500934 (01 April – 28 April 15)	\$ 14,770.70
Payroll (01 April – 29 April 15)	\$ 597,176.52
Direct bank debits (01 April – 20 April 15)	\$ 8,903.10
TOTAL	\$ 1,828,020.08

Carried Unanimously 9/0

ATTACHMENT 1**LIST OF ACCOUNTS SUBMITTED TO COUNCIL 26 MAY 2015**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT123398	02/04/2015	ABCO PRODUCTS	CLEANING SUPPLIES - EAST KIMBERLEY REGIONAL AIRPORT	853.14
EFT123399	02/04/2015	AMP SUPERANNUATION SAVINGS ACCT	SUPERANNUATION CONTRIBUTIONS	234.50
EFT123400	02/04/2015	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,229.08
EFT123401	02/04/2015	AUSTRALIAN FUEL DISTRIBUTORS	BULK DIESEL - 8,000 LITRES - KUNUNURRA DEPOT	10,942.27
EFT123402	02/04/2015	AVIATION ID AUSTRALIA PTY LTD	ASIC APPLICATIONS - STAFF MEMBERS - EAST KIMBERLEY REGIONAL AIRPORT	444.00
EFT123403	02/04/2015	ALLGEAR MOTORCYCLES & SMALL ENG	BRUSHCUTTER SAFETY CHAPS - KUNUNURRA DEPOT	64.99
EFT123404	02/04/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	150.60
EFT123405	02/04/2015	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	62,352.00
EFT123406	02/04/2015	BROCK SOLID CABINETS	INSTALL EZY LIFT MECHANISM NEAR AVIS COUNTER - EKR AIRPORT	504.65
EFT123407	02/04/2015	BLACKWOODS ATKINS PTY LTD	PAINT, BATTERIES FOR RETIC, SHARPS CONT., GREASE - DEPOT & EKR AIRPORT	684.77
EFT123408	02/04/2015	BOAB REFRIG. & AIRCONDITIONING	REPAIRS TO AIRCONDITIONER NO.4 - KUNUNURRA AIRPORT	110.00
EFT123409	02/04/2015	C & S JOLLY ELECTRICS PTY LTD	REPLACED THERMAL OVERLOADS ON PUMPS IN POOL SHED - KNX POOL	465.48
EFT123410	02/04/2015	CENTURION TRANSPORT	FREIGHT - CLEANING SUPPLIES - KNX AIRPORT	59.75
EFT123411	02/04/2015	DAVEY TYRE & BATTERY SERVICE	REPAIRS - P124	30.00
EFT123412	02/04/2015	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KNX ADMIN, KNX AIRPORT, KNX DEPOT, KLC	113.10
EFT123413	02/04/2015	FIGLEAF POOL PRODUCTS	SERVICE & REPAIRS TO COMMERCIAL PLANT ROOMS - KNX POOL/WYN POOL	20,014.70
EFT123414	02/04/2015	FRANMOR CONSTRUCTIONS PTY LTD	REPAIRS - WINDOW & GLASS - KLC, WYN ADMIN & COMMUNITY LIBRARY	2,202.60
EFT123415	02/04/2015	GHD PTY LTD	CONSULTANCY - HYDROGEOLOGICAL ASSESSMENT OF 3 LANDFILL SITES	60,270.10
EFT123416	02/04/2015	IBAC PLUMBING PTY LTD	PLUMBING WORKS - STAFF HOUSING, BLOCKED TOILET - KLC	435.82
EFT123417	02/04/2015	J & C ATKINS CONTRACTING PTY LTD	INSPECT AND REPAIR BASKETBALL HOOP - TED BIRCH MEM. REC. CENTRE WYN	132.00
EFT123418	02/04/2015	JSW HOLDINGS PTY LTD	EQUIPMENT HIRE - FORKLIFT TO LIFT PIPES OFF DELIVERY TRUCK	74.25
EFT123419	02/04/2015	KIMBERLEY COMMUNICATIONS	REPAIR TRIPLE J ANTENNA - WYNDHAM	564.00
EFT123420	02/04/2015	KIMBERLEY KOOL REFRIG. & AIRCON	REPAIRS TO AIRCONS - KNX ADMIN & KNX AIRPORT	3,864.00
EFT123421	02/04/2015	KUNUNURRA LOCK & KEY	SUPPLY & INSTALL NEW LOCKS - KNX ADMIN & EKR AIRPORT	1,034.00
EFT123422	02/04/2015	KUNUNURRA NEIGHBOURHOOD HOUSE	COMMUNITY QUICK GRANT FOR INTERNATIONAL WOMENS DAY 2015	550.00
EFT123423	02/04/2015	KUNUNURRA PANEL BEATING WORKS	TOW ABANDONED VEHICLES - VARIOUS LOCATIONS TO KUNUNURRA LANDFILL	220.00
EFT123424	02/04/2015	KUNUNURRA PEST MANAGEMENT	PEST CONTROL SERVICE - STAFF HOUSING	250.00
EFT123425	02/04/2015	KUNUNURRA RURAL TRADERS	FIRE SAFETY CHECK - TOURISM HOUSE KUNUNURRA	30.00
EFT123426	02/04/2015	KUNUNURRA SECURITY SERVICE	SECURITY PATROL & MONITORING - VARIOUS INCL. KNX AMIN , KLC , KYC	2,823.50
EFT123427	02/04/2015	LAWRENCE & HANSON GROUP	SUPPLIES - FLAT CABLE- WYN DEPOT	108.69

EFT123428	02/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	140.83
EFT123429	02/04/2015	MAXXIA	PAYROLL DEDUCTIONS	4,718.56
EFT123430	02/04/2015	MICHAEL PAGE INTERNATIONAL PTY LTD	PROFESSIONAL RECRUITMENT SERVICES	4,797.33
EFT123431	02/04/2015	ORD RIVER ELECTRICS	ELECTRICAL REPAIRS TO LIGHTS - BASKETBALL LIGHTS KNX	1,910.35
EFT123432	02/04/2015	OFFICE NATIONAL KUNUNURRA	DEFIANCE SAFE - WYNDHAM POOL OFFICE	352.00
EFT123433	02/04/2015	ORD MACHINING	REPAIR JOCKEY WHEEL FRAME , REPLACE BEARINGS AND SEALS - P386	484.36
EFT123434	02/04/2015	ORD RIVER HOUSE BOATS	REIMBURSE FOR HIRE OF BOBCAT & SLASHER TO SLASH HOUSEBOAT BLOCK	297.00
EFT123435	02/04/2015	PIVOTEL	SATELITE PHONE COSTS - MARCH 15	60.00
EFT123436	02/04/2015	SALERNO LAW	PROFESSIONAL FEES - REVISING LEASE BTWN SWEK & ORD RIVER SPORTS CLUB	880.00
EFT123437	02/04/2015	SEARLES HOLDINGS T/A AUTO PRO	25 LITRES OF TRUCK WASH - KNX AIRPORT	120.00
EFT123438	02/04/2015	SJR CIVIL CONSULTING PTY LTD	CONSULT. - VAR. INCL. DESIGN OPTIONS - IRONWOOD DV, MANGALOO ST KNX	3,388.00
EFT123439	02/04/2015	TNT AUSTRALIA PTY LIMITED	FREIGHT- KNX TO PERTH - HEALTH SAMPLES	341.39
EFT123440	02/04/2015	BANJO FAMILY TRUST-EK TOWING	TRANSER TRACTOR & SLASHER - WYN AIRPORT DEPOT TO KNX AIRPORT DEPOT	528.00
EFT123441	02/04/2015	TOX FREE AUSTRALIA PTY LTD	STREET SWEEPING - KUNUNURRA & WYNDHAM - JAN AND FEB 15	33,315.67
EFT123442	02/04/2015	UHY HAINES NORTON (WA) PTY LTD	BALANCE OF AUDIT FEES FOR THE YEAR ENDED 30 JUNE 14 AS PER AGREEMENT	29,556.10
EFT123443	02/04/2015	VANDERFIELD NORTHWEST PTY LTD	REPAIRS AND PARTS - P491, P356, P333	1,456.27
EFT123444	02/04/2015	WA LOCAL GOVERNMENT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	21,664.04
EFT123445	02/04/2015	WESTBOOKS	LIBRARY SUPPLIES - MARCH 15 BOOK ORDER- KUNUNURRA LIBRARY	511.24
EFT123446	02/04/2015	WALER AUSTRALIA P/L	PHOTOMETRE TABLETS - KUNUNURRA LEISURE CENTRE	443.86
EFT123447	09/04/2015	JAB INDUSTRIES	MOBILISATION OF ROLLER FROM COATES HIRE TO CURLEW CRT AND RETURN	330.00
EFT123448	09/04/2015	AMPAC DEBT RECOVERY (WA) PTY LTD	DEBT COLLECTION COMMISSIONS AND COSTS - MAR 15	3,359.42
EFT123449	09/04/2015	AERODROME MANAGEMENT SERVICES	ANNUAL INSPECTION - KNX & WYN AERODROMES INC.TRAVEL& ACCMDN	7,785.01
EFT123450	09/04/2015	ALLGEAR MOTORCYCLES & SMALL ENG.	PARTS & REPAIRS - P356 & P357	356.60
EFT123451	09/04/2015	AUSTRALIA POST	ANNUAL POST OFFICE BOX RENEWAL - WYNDHAM ADMIN & CRC	96.00
EFT123452	09/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	131.39
EFT123453	09/04/2015	BEST KIMBERLEY COMPUTING	PRINTING COSTS - KUNUNURRA AND WYNDHAM ADMIN - MAR 15	1,807.09
EFT123454	09/04/2015	BLACKWOODS ATKINS PTY LTD	SAFETY GEAR, LIGHTING SUPPLIES, ASPHALT MIX- VARIOUS LOCS. KNX	4,250.10
EFT123455	09/04/2015	BUSHCAMP SURPLUS STORE	UNIFORMS AND PROTECTIVE CLOTHING - OUTDOOR WORKFORCE - KNX	897.50
EFT123456	09/04/2015	C & S JOLLY ELECTRICS PTY LTD	TEST & TAG ELECTRICAL EQUIPMENT - EAST KIMBERLEY REGIONAL AIRPORT	1,300.75
EFT123457	09/04/2015	CENTURION TRANSPORT	FREIGHT- CLEANING SUPPLIES - KUNUNURRA DEPOT	57.50
EFT123458	09/04/2015	CR JOHN HAMILTON MOULDEN	ELECTED MEMBER PAYMENT 01/01/2015 - 30/03/2015	11,125.00
EFT123459	09/04/2015	CARPET, VINYL & TILE CENTRE	SUPPLIES - BRUSHES AND PAINT - STAFF HOUSING	426.15
EFT123460	09/04/2015	COATES HIRE OPERATIONS PTY LTD	EQUIPMENT HIRE - ROLLER SMOOTH SINGLE DRUM - MAINT. CURLEW CRT KNX	742.50
EFT123461	09/04/2015	CR BEAU ROBINSON	ELECTED MEMBER PAYMENT 01/01/2015 - 30/03/2015	3,770.00

EFT123462	09/04/2015	CR DARREN SPACKMAN	ELECTED MEMBER PAYMENT 01/01/2015 - 30/03/2015	3,770.00
EFT123463	09/04/2015	CR GARY KING	ELECTED MEMBER PAYMENT 01/01/2015 - 30/03/2015	3,770.00
EFT123464	09/04/2015	CR GLENN MATTHEW TAYLOR	ELECTED MEMBER PAYMENT 01/01/2015 - 30/03/2015	3,770.00
EFT123465	09/04/2015	CR KEITH WRIGHT	ELECTED MEMBER PAYMENT 01/01/2015 - 30/03/2015	3,770.00
EFT123466	09/04/2015	CR SOPHIE ANN COOKE	ELECTED MEMBER PAYMENT 01/01/2015 - 30/03/2015	3,770.00
EFT123467	09/04/2015	DATA #3 LICENSING SOLUTIONS	CITRIX SOFTWARE LICENSING RENEWAL - 16/4/2015 TO 16/4/2016	1,881.66
EFT123468	09/04/2015	DAVEY TYRE & BATTERY SERVICE	TYRE REPAIRS - P356	19.50
EFT123469	09/04/2015	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - EKR AIRPORT & KUNUNURRA ADMINISTRATION	288.50
EFT123470	09/04/2015	FRANMOR CONSTRUCTIONS PTY LTD	REPLACE BROKEN WINDOW - WYNDHAM ADMINISTRATION OFFICE	126.85
EFT123471	09/04/2015	JSW HOLDINGS PTY LTD	SUPPLY CONCRETE & KERB MIX - EKR AIRPRT CAR PARK, WEABER PLAIN RD KNX	486.42
EFT123472	09/04/2015	KIMBERLEY KOOL REFRIG. & AIRCON	REPAIRS - AIRCONDITIONER - KNX HISTORICAL SOCIETY	286.00
EFT123473	09/04/2015	KUNUNURRA DISTRICT HIGH SCHOOL	SWEK CONTRIBUTION TO LIBRARY ELECTRICITY CHARGES - JAN & FEB 15	7,990.50
EFT123474	09/04/2015	KUNUNURRA HOME & GARDEN	RETICULATION SPRINKLERS AND FITTINGS - EKR AIRPORT	37.80
EFT123475	09/04/2015	KUNUNURRA PANEL BEATING WORKS	REPAIRS - P134	440.00
EFT123476	09/04/2015	KUNUNURRA SECURITY SERVICE	SECURITY PATROL & MONITORING - VARIOUS INCL. KNX ADMIN, KYC, KLC	3,386.00
EFT123477	09/04/2015	LAWRENCE & HANSON GROUP	LIGHT FITTING - KUNUNURRA YOUTH CENTRE	85.80
EFT123478	09/04/2015	MICHAEL PAGE INTERNATIONAL PTY LTD	PROFESSIONAL RECRUITMENT SERVICES	3,354.47
EFT123479	09/04/2015	MOONLIGHT BAY SUITES	ACCOMMODATION - STAFF MEMBERS - TRAINING 29/03/2015 - 01/04/2015	589.00
EFT123480	09/04/2015	ORDCO	SUPPLY OF WEED CONTROL CHEMICALS - KNX DEPOT	1,221.00
EFT123481	09/04/2015	OUTBACK CLEANING	CLEANING - VACANT STAFF HOUSING PRIOR OCCUPATION	880.00
EFT123482	09/04/2015	ORD MACHINING	REPAIRS - P137	770.00
EFT123483	09/04/2015	RED SUN SPORTS	BASKETBALLS, VOLLEY BALLS - TED BIRCH MEM. REC CENTRE WYNDHAM	164.00
EFT123484	09/04/2015	THINK WATER KUNUNURRA	RETICULATION SPRINKLERS AND FITTINGS - VARIOUS LOCS - KUNUNURRA	1,117.60
EFT123485	09/04/2015	WYNDHAM PLUMBING & GAS PTY LTD	RENEW CISTERN AT WYNDHAM PORT TOILETS	765.20
EFT123486	16/04/2015	JAB INDUSTRIES	RFQ WLF01 14-15 - WIN, LOAD HAUL COVER FOR WYNDHAM LANDFILL	15,675.00
EFT123487	16/04/2015	A & R WELDING FABRICATION	FABRICATION OF FRAME FOR BASTION WATER TANK	1,100.00
EFT123488	16/04/2015	AUSTRAL MERCANTILE PTY LTD	DEBT COLLECTION COMMISSIONS AND COSTS - DEC 14 TO MAR 15	227.05
EFT123489	16/04/2015	ALLGEAR MOTORCYCLES & SMALL ENG.	PARTS - P357	290.75
EFT123490	16/04/2015	ARGYLE ENGINEERING	SUPPLY STAINLESS STEEL TIE DOWN RODS - EKR AIRPORT	924.00
EFT123491	16/04/2015	AUSTRALIA POST (KNX)	POSTAGE AND STATIONERY PURCHASES - MAR 15	845.00
EFT123492	16/04/2015	BEING THERE SOLUTIONS PTY LTD	VIDEO CONFERENCING SUBSCRIPTION - APR 15	715.00
EFT123493	16/04/2015	C & M DINGO SERVICES	FLOOD RECOVERY WORKS PACKAGE 5 - CLEANING DRAINS - IRONWOOD DRIVE	1,460.00
EFT123494	16/04/2015	CABCHARGE	CAB CHARGES - PERTH - STAFF MEMBER AS PER EMPLOYMENT CONTRACT	46.40
EFT123495	16/04/2015	CHEFMASTER AUSTRALIA	CLEANING SUPPLIES - KUNUNURRA DEPOT	1,083.00

EFT123496	16/04/2015	CIVIC LEGAL	LEGAL FEES -VARIOUS INCL. ASSIGNMENT OF LEASE, DEVELOPMENT APPLIC.	3,264.25
EFT123497	16/04/2015	COATES HIRE OPERATIONS PTY LTD	GENERATOR HIRE - KERBING PROGRAM - GREYBOX CRESCENT KUNUNURRA	66.81
EFT123498	16/04/2015	COCA-COLA AMATIL	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	842.65
EFT123499	16/04/2015	CORE BUSINESS AUSTRALIA PTY LTD	CLAIM 15 & 16 - AGRN606 WANDRRA PLACEMENT	32,134.42
EFT123500	16/04/2015	CROCODILE SIGNS PTY LTD	SIGNAGE - PRICE ALTERATION DECALS REFUSE CHARGES - KNX LANDFILL	71.50
EFT123501	16/04/2015	DELRON CLEANING PTY LTD	CONTRACT CLEANING - KNX ADMIN, KYC, KLC, CHANGE RMS, TOILETS KNX	15,232.30
EFT123502	16/04/2015	DAVEY TYRE & BATTERY SERVICE	REPLACEMENT TYRES, FITTING & DISPOSAL - P331	924.00
EFT123503	16/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	10.19
EFT123504	16/04/2015	DEPT OF DEFENCE PROPERTY MGT	REFUND OF PAYMENT MADE TO THE SHIRE IN ERROR BY DTZ REAL ESTATE	330.00
EFT123505	16/04/2015	DEPT OF FIRE & EMERGENCY SERVICES	ANNUAL ALARM MONITORING FEE - EKR AIRPORT TERMINAL BUILDING	4,815.11
EFT123506	16/04/2015	DEPARTMENT OF SOCIAL SERVICES	COMMUNITY CHILD CARE SUPPORT PROGRAMME	14,839.00
EFT123507	16/04/2015	DRUMBRESNA PTY T/AS AUTO TOW	REPAIRS - P367	5,271.42
EFT123508	16/04/2015	EK ENGINEERING	FABRICATE SUMP COVER AT CELEBRITY TREE PARK PUMP	303.60
EFT123509	16/04/2015	EAST KIMBERLEY HARDWARE	VARIOUS ITEMS - KNX DEPOT, KNX ADMIN, EKR AIRPORT, WYN DEPOT	557.80
EFT123510	16/04/2015	EAST KIMBERLEY PLUMBING	ANNUAL BACKFLOW DEVICE TESTING - DEPOT, WASTE WATER FACILITY - WYN	313.50
EFT123511	16/04/2015	FIGLEAF POOL PRODUCTS	CHLORINE BOTTLE, REPLACE REGULATOR, PARTS - PLANT ROOM - WYN POOL	1,606.10
EFT123512	16/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	62.40
EFT123513	16/04/2015	HITACHI CONSTRUCTION MACHINERY	PARTS - P477	2,032.94
EFT123514	16/04/2015	IBAC PLUMBING PTY LTD	PLUMBING WORKS TO FIRST AID ROOM - KUNUNURRA LEISURE CENTRE	939.73
EFT123515	16/04/2015	JSW HOLDINGS PTY LTD	SUPPLY OF KERB MIX - VARIOUS STREETS INCL. BARRINGTONIA AVE KNX	517.00
EFT123516	16/04/2015	JORRITSMA H & CO	PART FOR TOILET - STAFF HOUSING KNX	147.00
EFT123517	16/04/2015	KUNUNURRA BUSHMAN'S RODEO ASS.	REFUND DUE TO OVER PAYMENT OF APPLICATION FEE FOR PUBLIC EVENT	740.00
EFT123518	16/04/2015	KUNUNURRA DISTRICT HIGH SCHOOL	SWEK CONTRIBUTION TO LIBRARY ELECTRICITY CHARGES - MARCH 2015	5,917.02
EFT123519	16/04/2015	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS - KNX DEPOT, PLASTIC TABLE - WYNDHAM LIBRARY	304.00
EFT123520	16/04/2015	KUNUNURRA PANEL BEATING WORKS	REPAIRS - P331, P123	968.00
EFT123521	16/04/2015	LAKESIDE RESORT - HOTEL AND PARK	CATERING - COUNCIL BRIEFING SESSION 14/04/15	255.00
EFT123522	16/04/2015	MICHAEL PAGE INTERNATIONAL PTY LTD	PROFESSIONAL RECRUITMENT SERVICES	7,998.00
EFT123523	16/04/2015	NYTROWORX	REPAIRS TO INTERNATIONAL CORRIDOR - EAST KIMBERLEY REGIONAL AIRPORT	787.00
EFT123524	16/04/2015	ORDCO	AQUA BOOST FOR SEEDLING TREES - KUNUNURRA CEMETERY	376.20
EFT123525	16/04/2015	OLLIE'S IRRIG. & PLUMBING SUPPLIES	RETICULATION FITTINGS - KNX DEPOT, WYN DEPOT	1,541.05
EFT123526	16/04/2015	ORD AGRICULTURAL EQUIPMENT	REPAIRS - P382	1,910.60
EFT123527	16/04/2015	ORD FUEL SUPPLIES	GREASE - P390	207.94
EFT123528	16/04/2015	RAPISCAN SYSTEMS AUSTRALIA PTY LTD	MAINTENANCE SERVICE ON SECURITY SCREENING EQUIPMENT - EKR AIRPORT	66,847.00
EFT123529	16/04/2015	SEARLES HOLDINGS T/A AUTO PRO	PROJECTA BATTERY CHARGER - P356	178.50

EFT123530	16/04/2015	SAYARNE PTY LTD T/A FLEET FITNESS	GYM SUPPLIES - 20KG HEX DUMBBELL - KUNUNURRA LEISURE CENTRE	140.00
EFT123531	16/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	88.00
EFT123532	16/04/2015	TNT AUSTRALIA PTY LIMITED	FREIGHT- KNX TO PERTH - HEALTH SAMPLES	321.63
EFT123533	16/04/2015	THINK WATER KUNUNURRA	RETICULATION SPRINKLERS AND FITTINGS - KNX	152.67
EFT123534	16/04/2015	THORLEY'S STORE - WYNDHAM	KEY CUTTING - TED BIRCH MEMORIAL RECREATION CENTRE WYNHAM	24.00
EFT123535	16/04/2015	TOP END (AUST) PTY LTD	REPAIRS - P331	10,997.35
EFT123536	16/04/2015	TOX FREE AUSTRALIA PTY LTD	REFUSE & LITTER COLLECTION - JAN 15, FEB 15 - KUNUNURRA & WYNDHAM	100,356.90
EFT123537	16/04/2015	TYREPLUS KUNUNURRA	TYRE REPAIR & REPLACEMENT - P357, P135, P377, P322	475.00
EFT123538	16/04/2015	UHY HAINES NORTON (WA) PTY LTD	2014/2015 LOCAL GOVT. RATES COMPARISON REPORT	203.50
EFT123539	16/04/2015	VANDERFIELD NORTHWEST PTY LTD	PARTS - P394 , P125 , P127	128.46
EFT123540	16/04/2015	WA LOCAL GOVERNMENT ASSOCIATION	MARKET FORCE ADVERTISING - TENDER T06-14/15	1,472.93
EFT123541	16/04/2015	WYNDHAM PLUMBING & GAS PTY LTD	REPAIRS TO TOILETS - TED BIRCH MEMORIAL REC. CENTRE - WYNDHAM	286.00
EFT123542	17/04/2015	AMP SUPERANNUATION SAVINGS ACCT	SUPERANNUATION CONTRIBUTIONS	212.32
EFT123543	17/04/2015	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,021.68
EFT123544	17/04/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	150.60
EFT123545	17/04/2015	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	65,758.00
EFT123546	17/04/2015	MAXXIA	PAYROLL DEDUCTIONS	4,718.31
EFT123547	17/04/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	50.00
EFT123548	17/04/2015	WA LOCAL GOVERNMENT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	21,595.46
EFT123549	23/04/2015	AMPAC DEBT RECOVERY (WA) PTY LTD	DEBT RECOVERY - COLLECTION COMMISSIONS AND COSTS - MAR 15	2,332.00
EFT123550	23/04/2015	ALLGEAR MOTORCYCLES & SMALL ENG.	PARTS AND REPAIRS , P357 , P356	1,183.90
EFT123551	23/04/2015	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL - KUNUNURRA DEPOT - MARCH 15	305.78
EFT123552	23/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	11.50
EFT123553	23/04/2015	BEST KIMBERLEY COMPUTING	OFFICE SUPPLIES - WYNDHAM ADMIN OFFICE	146.64
EFT123554	23/04/2015	BLACKWOODS ATKINS PTY LTD	RAGS - KUNUNURRA DEPOT	141.66
EFT123555	23/04/2015	CAM MANAGEMENT SOLUTIONS	QUARTERLY CLOUD HOSTING FEE - APRIL TO JUNE 2015	1,980.00
EFT123556	23/04/2015	CARPET, VINYL & TILE CENTRE	PAINT FOR STAFF HOUSING - KUNUNURRA	209.52
EFT123557	23/04/2015	COATES HIRE OPERATIONS PTY LTD	EQUIPMENT HIRE - MAINTENANCE DRYANDRA RD, KUNUNURRA	64.15
EFT123558	23/04/2015	E & MJ ROSHER PTY LTD	PARTS - P382, P384, P313	391.90
EFT123559	23/04/2015	EK ENGINEERING	REPLACE SKIDS, FABRICATE MUDGUARDS & SPRAY BOOM - P356, P386 ,P331	2,190.99
EFT123560	23/04/2015	EAST KIMBERLEY CONSTRUCTION P/L	PRACTICAL COMPLETION OF FIRE SHEDS - IVANHOE & CROSSING FALLS BFBS	46,584.00
EFT123561	23/04/2015	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KNX ADMIN, KNX DEPOT, KNX LEISURE CENTRE	334.90
EFT123562	23/04/2015	EXPRESS VIRTUAL MEETINGS	TELECONFERENCE CHARGES - MARCH 2015	43.76
EFT123563	23/04/2015	GHD PTY LTD	T02 13/14 ENGINEERING SERVICES - EKRA RUNWAY WRKS APPROVAL	2,678.50

			APPLICATION	
EFT123564	23/04/2015	JSW HOLDINGS PTY LTD	SUPPLY OF PAVERS - STAFF HOUSING - KUNUNURRA	336.49
EFT123565	23/04/2015	KIMBERLEY KOOL REFRIG. & AIRCON	REPAIRS & MAINTENANCE - AIRCONS - STAFF HOUSING, WYN DEPOT	1,056.00
EFT123566	23/04/2015	KUNUNURRA BETTA ELECTRICAL & GAS	SUPPLIES – INCL. SD CARD, AUX CORD - TED BIRCH MEM REC. CENTRE - WYN	80.90
EFT123567	23/04/2015	KUNUNURRA COURIERS	DRINKING WATER SUPPLIES - KNX LANDFILL & KNX ADMIN - MAR 15	494.00
EFT123568	23/04/2015	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS - KNX DEPOT & STAFF HOUSING KNX	124.00
EFT123569	23/04/2015	KUNUNURRA PEST MANAGEMENT	PEST CONTROL SERVICE - STAFF HOUSING KNX	250.00
EFT123570	23/04/2015	KUNUNURRA RURAL TRADERS	FIRE SAFETY CHECK - KNX ADMIN, KLC, HISTORICAL SOCIETY, KNX LANDFILL, KYC	540.00
EFT123571	23/04/2015	KUNUNURRA SECURITY SERVICE	SECURITY MONITORING AND PATROL - KNX ADMINISTRATION	80.00
EFT123572	23/04/2015	LANDGATE	GROSS RENTAL & MINING TENEMENT VALUATIONS - MARCH 2015	1,508.35
EFT123573	23/04/2015	MCLEODS BARRISTERS AND SOLICITORS	LEGAL ADVICE - MINOR CASE CLAIM & GENERAL PROCEDURE CLAIM	1,003.13
EFT123574	23/04/2015	MILMAR DISTRIBUTORS	SUPPLIES - EFTPOS THERMAL ROLLS - KUNUNURRA ADMINISTRATION	34.00
EFT123575	23/04/2015	MICHAEL PAGE INTERNATIONAL PTY LTD	PROFESSIONAL RECRUITMENT SERVICES	1,192.12
EFT123576	23/04/2015	NE SHEDS	SUPPLY ABSCO ECONOMY SHED - STAFF HOUSING	475.00
EFT123577	23/04/2015	NJ GAFF & C YATES	7 x REPLACEMENT BABY TREES - WYNDHAM	42.00
EFT123578	23/04/2015	OUTBACK CLEANING	CLEANING - VACANT STAFF HOUSING PRIOR TO OCCUPATION	165.00
EFT123579	23/04/2015	OLLIE'S IRRIG. & PLUMBING SUPPLIES	RETICULATION FITTINGS - KUNUNURRA DEPOT	55.00
EFT123580	23/04/2015	ORD AGRICULTURAL EQUIPMENT	BRUSHCUTTER - KUNUNURRA DEPOT	550.00
EFT123581	23/04/2015	QUICK CORPORATE AUSTRALIA	STATIONERY ORDER - KUNUNURRA ADMINISTRATION - MAR 15	277.42
EFT123582	23/04/2015	SEARLES HOLDINGS T/A AUTO PRO	PARTS - P356, P122	240.50
EFT123583	23/04/2015	SHELF SUPPLY	DOG FOOD - KNX POUND & WATER TANK FOR UPPER BASTION WYNDHAM	1,298.00
EFT123584	23/04/2015	SHIRE OF BROOME	REIMBURSE - KIMBERLEY ZONE DARWIN FORUM & REG'N FOR 3 DELEGATES	2,145.00
EFT123585	23/04/2015	ST JOHN AMBULANCE	FIRST AID TRAINING - STAFF MEMBER	249.00
EFT123586	23/04/2015	TNT AUSTRALIA PTY LIMITED	FREIGHT - PARTS - KNX AIRPORT	16.21
EFT123587	23/04/2015	TOYWORLD KUNUNURRA	POOL NOODLES - KUNUNURRA LEISURE CENTRE	69.90
EFT123588	23/04/2015	THORLEY'S STORE - WYNDHAM	GAS BOTTLE REFILLS FOR BASTION BBQS - WYNDHAM	90.00
EFT123589	23/04/2015	TOX FREE AUSTRALIA PTY LTD	SKIP EMPTIES, REFUSE/LITTER COLLECTION, ST SWEEPING KNX, WYN-MAR 15	69,173.89
EFT123590	23/04/2015	TUCKERBOX / RETRAVISION KNX	VARIOUS PROVISIONS AND MATERIALS - KNX ADMIN & KNX LEISURE CENTRE	591.43
EFT123591	23/04/2015	TYREPLUS KUNUNURRA	REPAIRS - P138, P123, P385, P377	175.00
EFT123592	23/04/2015	VANDERFIELD NORTHWEST PTY LTD	PARTS AND REPAIRS - P491, P357, P491	2,604.90
EFT123593	23/04/2015	WESTRAC EQUIPMENT PTY LTD	SERVICE - P390	1,674.64
EFT123594	23/04/2015	WYNDHAM EXCAVATIONS	LOADER HIRE, WYN LANDFILL MAINT, GRADE ACCESS RD MT. ALBANY WYN	5,410.00
EFT123595	23/04/2015	WILD MANGO	CATERING - BREAKFAST MEETING WITH BRONWYN BISHOP AND MELISSA PRICE	195.00
			16/04/2015	

EFT123596	23/04/2015	WYNDHAM SUPERMARKET	SUPPLIES - PROVISIONS & MATERIALS - WYNDHAM ADMINISTRATION	120.16
EFT123597	30/04/2015	AMP SUPERANNUATION SAVINGS ACCT	SUPERANNUATION CONTRIBUTIONS	254.26
EFT123598	30/04/2015	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1,021.68
EFT123599	30/04/2015	ARGYLE ELECTRICAL SERVICES PTY LTD	ELECTRICAL REPAIRS - REPLACE MAIN SWITCH - WYNDHAM ADMINISTRATION	418.00
EFT123600	30/04/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	150.60
EFT123601	30/04/2015	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	66,639.00
EFT123602	30/04/2015	BODAN CONSTRUCTIONS PTY LTD	REPAIRS - WYNDHAM AIRPORT ROOF, WYNDHAM DEPOT FENCE	18,485.10
EFT123603	30/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	123.00
EFT123604	30/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	80.00
EFT123605	30/04/2015	COCA-COLA AMATIL	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	333.78
EFT123606	30/04/2015	EAST KIMBERLEY HARDWARE	REPAIRS - STAFF HOUSING KUNUNURRA	36.90
EFT123607	30/04/2015	FRONTIER POST & NEWS	OFFICE SUPPLIES - VARIOUS INCL. MARKERS & PENS - WYN YOUTH CENTRE	47.25
EFT123608	30/04/2015	GHD PTY LTD	PROFESSIONAL SERVICES - FINALISING D2 DRAIN REDESIGN	10,949.05
EFT123609	30/04/2015	GUERINONI & SONS	APPLY EPOXY RESIN-KEYWAY-CONCRETE DROP STRUCTURES -CARLTON HILL RD	1,008.48
EFT123610	30/04/2015	HART SPORT	OUTDOOR SWIMMING WALL CLOCK - KUNUNURRA LEISURE CENTRE	164.50
EFT123611	30/04/2015	ICE AGE REFRIG. & AIRCONDITIONING	REPAIRS & MAINTENANCE - AIRCONDITIONERS - STAFF HOUSING KNX	1,558.50
EFT123612	30/04/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	80.00
EFT123613	30/04/2015	KIMBERLEY MARKETING	CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	129.54
EFT123614	30/04/2015	KIMBERLEY MOTORS	FUEL COSTS - FEB & MAR 15	3,629.33
EFT123615	30/04/2015	KIMBERLEY SOCIETY INC	PURCHASE OF NEW BOOKS FOR WYNDHAM LIBRARY	46.00
EFT123616	30/04/2015	KUNUNURRA MOBILE WELDING SERVICE	REPAIRS TO FENCING, FOOTINGS NEAR CHEMICAL SHED - KNX LEISURE CENTRE	220.00
EFT123617	30/04/2015	KUNUNURRA PEST MANAGEMENT	ANNUAL TERMITE INSPECTION & REPORT - WYNDHAM LANDFILL OFFICE	250.00
EFT123618	30/04/2015	KUNUNURRA RURAL TRADERS	FIRE SAFETY CHECK - WYNDHAM POOL, WYNDHAM DEPOT, WYNDHAM ADMIN	150.00
EFT123619	30/04/2015	LANDGATE	LAND ENQUIRIES - MAR 15	72.00
EFT123620	30/04/2015	MAXXIA	PAYROLL DEDUCTIONS	4,718.31
EFT123621	30/04/2015	MCLEAN ENTERPRISES PTY LTD	FREIGHT- CHEMICALS - KUNUNURRA LEISURE CENTRE	44.00
EFT123622	30/04/2015	ORD FUEL SUPPLIES	FUEL COSTS - P124, P119, P482, P128 - MARCH 15	3,384.77
EFT123623	30/04/2015	ROYAL LIFE SAVING (WA BRANCH)	SWIM SCHOOL CERTIFICATES - KUNUNURRA LEISURE CENTRE	164.75
EFT123624	30/04/2015	SEARLES HOLDINGS T/A AUTO PRO	PARTS - P133	63.00
EFT123625	30/04/2015	SHIRE OF BROOME	REIMBURSEMENT FOR CLGF KEY WORKER HOUSING SIGNAGE	720.50
EFT123626	30/04/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	BSL LEVY - OCCUPANCY PERMITS IVANHOE & CROSSING FALLS BFB SHEDS	315.00
EFT123627	30/04/2015	TNT AUSTRALIA PTY LIMITED	FREIGHT - KNX TO PERTH - HEALTH SAMPLES	230.88
EFT123628	30/04/2015	TAEKWONDO FUNDRAISING	KIDS SPORT SPONSORSHIP	200.00
EFT123629	30/04/2015	THE WEST AUST. NEWSPAPERS LTD	ADVERTISING - RECRUITMENT, SWEK NEWS - MARCH 15	2,340.64

EFT123630	30/04/2015	TYREPLUS KUNUNURRA	REPLACEMENT TYRES - P388	365.00
EFT123631	30/04/2015	VANDERFIELD NORTHWEST PTY LTD	PARTS - P135	209.68
EFT123632	30/04/2015	WA LOCAL GOVERNMENT SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	21,711.30
EFT123633	30/04/2015	WA LOCAL GOVERNMENT ASSOCIATION	MARKET FORCE ADVERTISING - TENDERS T04 14-15, T05 14-15, T07 14-15	701.54
EFT123634	30/04/2015	WESTBOOKS	PURCHASE OF NEW BOOKS FOR KUNUNURRA LIBRARY	415.91
EFT123635	30/04/2015	WESTERN AUST. TREASURY CORP.	LOAN REPAYMENT NO. 119 & 119A	24,595.50
TOTAL MUNICIPAL EFT PAYMENTS				1,074,727.33

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
50772	02/04/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	50.00
50773	02/04/2015	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	665.24
50774	02/04/2015	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	3,211.30
50775	02/04/2015	BT LIFETIME SUPER - EMPLOYER PLAN	SUPERANNUATION CONTRIBUTIONS	423.42
50776	02/04/2015	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	249.47
50777	02/04/2015	CASH - PETTY CASH KNX AIRPORT	PETTY CASH REIMBURSEMENT - KUNUNURRA ADMINISTRATION	96.80
50778	02/04/2015	CBUS	SUPERANNUATION CONTRIBUTIONS	381.12
50779	02/04/2015	CARE SUPER	SUPERANNUATION CONTRIBUTIONS	129.30
50780	02/04/2015	COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	286.49
50781	02/04/2015	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	459.55
50782	02/04/2015	COMMONWEALTH BANK SUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50783	02/04/2015	DEPT. OF TRANSPORT PAYMENT CENTRE	REGISTRATION - P477, P478, P480	348.65
50784	02/04/2015	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
50785	02/04/2015	HORIZON POWER	ELEC-INCL. KYC , KNX ADMIN, AG OVAL LIGHTS 20/01/15 -12/03/15	12,002.87
50786	02/04/2015	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	652.96
50787	02/04/2015	INTRUST SUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50788	02/04/2015	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	1,477.92
50789	02/04/2015	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	482.07
50790	02/04/2015	MTAA SUPER	SUPERANNUATION CONTRIBUTIONS	37.50
50791	02/04/2015	REI SUPER	SUPERANNUATION CONTRIBUTIONS	425.15
50792	02/04/2015	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,369.58
50793	02/04/2015	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50794	02/04/2015	THE TRUSTEE FOR HEADING SUPER FND	SUPERANNUATION CONTRIBUTIONS	582.17
50795	02/04/2015	UNISUPER	SUPERANNUATION CONTRIBUTIONS	180.47
50796	02/04/2015	VICSUPER	SUPERANNUATION CONTRIBUTIONS	205.92

50797	02/04/2015	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	473.38
50798	02/04/2015	WATER CORPORATION	WATER USE INCL.STAFF HSING, KNX DEPOT, KNX AIRPORT - 16/1/15 -14/3/15	6,194.83
50799	02/04/2015	WATER CORP. SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	212.39
50800	03/04/2015	DEPT. OF TRANSPORT PAYMENT CENTRE	REGISTRATION - P391	272.30
50801	09/04/2015	CR DON LEARBUCH	ELECTED MEMBER PAYMENT 01/01/2015 - 31/03/2015	3,770.00
50802	09/04/2015	CR RAYMOND DESSERT	ELECTED MEMBER PAYMENT 01/01/2015 - 31/03/2015	5,645.00
50803	09/04/2015	HORIZON POWER	ELEC- INCL.KNX LANDFILL,WYN AIRPORT &DEPOT 30/1/15 -25/3/15	2,275.62
50804	09/04/2015	WATER CORPORATION	WATER USE INCL. WYN SPORTS OVAL, WYN POOL 27/1/15-23/3/15	6,812.39
50805	10/04/2015	TELSTRA	LANDLINE AND MOBILE PHONE COSTS - FEB 15	3,569.09
50806	16/04/2015	DEPT OF TRANSPORT PAYMENT CENTRE	REGISTRATION - P111, P379	544.60
50807	16/04/2015	HORIZON POWER	ELEC-INCL.STAFF HSG,CROC PARK,WYN ADMIN,WYN POOL,31/1/15 -27/3/15	11,353.54
50808	16/04/2015	LINDA .A. IRVINE	REFUND OF NOTICE OF DISCONTINANCE FEE PAID IN ERROR	55.00
50809	16/04/2015	WATER CORPORATION	WATER USE INCL.STAFF HOUSING 28/01/15- 25/03/2015	330.46
50810	17/04/2015	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	494.00
50811	17/04/2015	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	3,211.95
50812	17/04/2015	BT LIFETIME SUPER - EMPLOYER PLAN	SUPERANNUATION CONTRIBUTIONS	423.42
50813	17/04/2015	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	249.47
50814	17/04/2015	CBUS	SUPERANNUATION CONTRIBUTIONS	362.96
50815	17/04/2015	COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	275.29
50816	17/04/2015	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	459.55
50817	17/04/2015	COMMONWEALTH BANK SUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50818	17/04/2015	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
50819	17/04/2015	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	839.99
50820	17/04/2015	INTRUST SUPER	SUPERANNUATION CONTRIBUTIONS	263.84
50821	17/04/2015	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	1,477.92
50822	17/04/2015	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	648.41
50823	17/04/2015	REI SUPER	SUPERANNUATION CONTRIBUTIONS	425.79
50824	17/04/2015	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,779.85
50825	17/04/2015	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50826	17/04/2015	SUPERANNUATION SAVINGS ACCOUNT	PAYROLL DEDUCTIONS	22.76
50827	17/04/2015	THE TRUSTEE FOR HEADING SUPER FND	SUPERANNUATION CONTRIBUTIONS	583.14
50828	17/04/2015	UNISUPER	SUPERANNUATION CONTRIBUTIONS	180.47
50829	17/04/2015	VICSUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50830	17/04/2015	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	473.38

50831	17/04/2015	WATER CORP. SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	160.93
50832	23/04/2015	HORIZON POWER	ELEC- INCL. STREET LIGHTING , STAFF HOUSING 24/02/15-09/04/15	19,348.55
50833	23/04/2015	MAGSHOP	SUBSCRIPTION - GOOD HEALTH MAGAZINE - KUNUNURRA LIBRARY	64.95
50834	23/04/2015	TELSTRA	LANDLINE AND MOBILE PHONE COSTS - APRIL15	11,508.81
50835	30/04/2015	AMP LIFE LTD	SUPERANNUATION CONTRIBUTIONS	485.84
50836	30/04/2015	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	2,960.39
50837	30/04/2015	BT LIFETIME SUPER - EMPLOYER PLAN	SUPERANNUATION CONTRIBUTIONS	423.42
50838	30/04/2015	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	249.47
50839	30/04/2015	CBUS	SUPERANNUATION CONTRIBUTIONS	381.65
50840	30/04/2015	COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	365.12
50841	30/04/2015	COMMONWEALTH BANK GROUP SUPER	SUPERANNUATION CONTRIBUTIONS	486.03
50842	30/04/2015	COMMONWEALTH BANK SUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50843	30/04/2015	DEPT OF TRANSPORT PAYMENT CENTRE	REGISTRATION - P368	24.95
50844	30/04/2015	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
50845	30/04/2015	HORIZON POWER	ELEC- INCL. RETICULATON , MESSMATE PARK 11/02/15 - 10/04/15	50.56
50846	30/04/2015	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	904.65
50847	30/04/2015	INTRUST SUPER	SUPERANNUATION CONTRIBUTIONS	314.16
50848	30/04/2015	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	1,477.92
50849	30/04/2015	MLC MASTERKEY PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	644.88
50850	30/04/2015	NORTH PERSONAL SUPER & PENSION	SUPERANNUATION CONTRIBUTIONS	311.23
50851	30/04/2015	REI SUPER	SUPERANNUATION CONTRIBUTIONS	425.79
50852	30/04/2015	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,340.55
50853	30/04/2015	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50854	30/04/2015	TELSTRA	EXECUTIVE LANDLINE AND INTERNET	242.24
50855	30/04/2015	THE TRUSTEE FOR HEADING SUPER FND	SUPERANNUATION CONTRIBUTIONS	586.69
50856	30/04/2015	UNISUPER	SUPERANNUATION CONTRIBUTIONS	213.93
50857	30/04/2015	VICSUPER	SUPERANNUATION CONTRIBUTIONS	249.47
50858	30/04/2015	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	473.38
50859	30/04/2015	WATER CORP. SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	133.24
TOTAL MUNICIPAL CHEQUE PAYMENTS				123,351.55

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
742	02/04/2015	CISSY GORE-BIRCH GAULT	BOND REFUND - HIRE OF WHITEGUM PARK	250.00
743	02/04/2015	SANTAR WARD	BOND REFUND - HIRE OF TABLE & CHAIRS	250.00

744	16/04/2015	PIETER WESTERBEEK	KEY BOND REFUND - TED BIRCH MEMORIAL RECREATION CENTRE WYNDHAM	20.00
745	23/04/2015	WYNDHAM DISTRICT HIGH SCHOOL	BOND REFUND - HALL HIRE AND KEY BOND NOV 2013	790.00
746	30/04/2015	DANIELLE WOODHOUSE	BOND REFUND - PETER REID MEM. HALL HIRE AND KEY	270.00
747	30/04/2015	BUILDING & CONST. INDUSTRY FUND	BCITF COLLECTIONS MAR 15	4,966.56
748	30/04/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	BCITF COMMISSIONS MAR 15	49.50
749	30/04/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	BSL COMMISSIONS MAR 15	60.00
750	30/04/2015	WA DEPT. OF COMMERCE	BSL COLLECTIONS MAR 15	21.00
751	30/04/2015	WA DEPT. OF COMMERCE	BSL COLLECTIONS MAR 15	2,413.82

TOTAL TRUST CHEQUE PAYMENTS

9,090.88

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
500918	01/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 01/04/15	1,050.90
500919	02/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 02/04/15	40.70
500920	07/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 07/04/15	360.30
500921	08/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 08/04/15	151.50
500922	09/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 09/04/15	669.20
500923	10/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 10/04/15	22.80
500924	13/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 13/04/15	501.15
500925	14/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 14/04/15	2,584.55
500926	15/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 15/04/15	2,411.60
500927	16/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 16/04/15	651.30
500928	17/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 17/04/15	427.35
500929	20/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 20/04/15	319.50
500930	21/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 21/04/15	1,922.70
500931	22/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 22/04/15	787.25
500932	23/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 23/04/15	878.90
500933	24/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 24/04/15	869.75
500934	28/04/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 28/04/15	1,121.25

TOTAL DIRECT DEBIT PAYMENTS

14,770.70

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	1/04/2015	PAYROLL	PAYROLL	192,595.06
	15/04/2015	PAYROLL	PAYROLL	198,943.03

24/04/2015	PAYROLL	PAYROLL	4,726.91
29/04/2015	PAYROLL	PAYROLL	200,911.52
TOTAL PAYROLL PAYMENTS			597,176.52

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	1/04/2015	DIRECT DEBIT	BANK FEES	177.70
	1/04/2015	DIRECT DEBIT	BPAY FEES	104.55
	7/04/2015	DIRECT DEBIT	MESSAGES ON HOLD	507.00
	20/04/2015	DIRECT DEBIT	PERIODICAL PAYMENT TO MASTERCARD*	8,113.85
			TOTAL DIRECT DEBIT PAYMENTS	8,903.10

***DETAILS OF MASTERCARD TRANSACTIONS INCLUDED IN DIRECT DEBIT 20/4/15**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	26/02/2015	SUBWAY KUNUNURRA	TRANSACTION ERROR - REIMBURSED BY STAFF MEMBER IN ACCORDANCE WITH CREDIT CARD POLICY	12.00
	27/02/2015	MERCURE BROOME	ACCOM. & MEALS ELECTED MEMBER-ATTEND MEETING BROOME 26-27/2/15	185.75
	27/02/2015	MERCURE BROOME	ACCOM. & MEALS ELECTED MEMBER-ATTEND MEETING BROOME 26-27/2/16	216.19
	28/02/2015	SPINIFEX HOLDINGS WA	ACCOM. ELECTED MEMBERS - ATTENDING ZONE MEETING DERBY 27/2/15	450.00
	03/03/2015	SENSIBLE SOFTWARE INC	SOFTWARE RENEWAL- NETWORK MONITORING	19.24
	04/03/2015	KIMBERLEY MARKETING	STORAGE BINS - STAFF HOUSING	74.75
	04/03/2015	LANJAN ENTERPRISES	PUNCTURE REPAIR - P117	35.00
	04/03/2015	FIXPRESS	REPAIRS TO IPAD SCREEN	149.00
	04/03/2015	BARRACUDA NETWORKS INC	BACKUP SOFTWARE RENEWAL - KUNUNURRA LIBRARY	139.73
	04/03/2015	SYNTRICATE	IPAD CASE	129.95
	05/03/2015	TELCO ANTENNAS	CONNECTOR FOR WYNDHAM LANDFILL	43.00
	09/03/2015	AIRNORTH	FLIGHTS KNX-BME-KNX ELECTED MEMBER - TRAINING 29/3/15-03/04/15	392.92
	10/03/2015	QBE INSURANCE AUSTRALIA	FLIGHT INS.- PTH-KNX 18/4/15 STAFF MEMBER AS PER EMPLOYMENT CONT.	24.00
	11/03/2015	AIRNORTH	FLIGHTS KNX-DRW-KNX 1/5/15, 5/5/15 ELECTED MEMBERS X2-ZONE MEETING	803.96
	11/03/2015	WOTIF	ACCOM. DARWIN 01-05/15 ELECTED MEMBERS X2 - ATTEND ZONE MEETING	1,092.00
	11/03/2015	AIRNORTH	FLIGHTS DRW-KNX 16/3/15 STAFF MEMBER AS PER EMPLOYMENT CONTRACT	473.69
	11/03/2015	QANTAS AIRWAYS	FLIGHTS PTH-KNX 18/4/15 STAFF MEMBER AS PER EMPLOYMENT CONTRACT	906.02
	11/03/2015	JETSTAR	FLIGHTS BNE-DRW 15/03/15 STAFF MEMBER AS PER EMPLOYMENT CONTRACT	327.50
	14/03/2015	MESSAGE MEDIA	SERVER SMS ALERT NOTIFICATION SERVICE	7.55
	17/03/2015	COLES KUNUNURRA	CLEANING SUPPLIES - VACANT STAFF HOUSING	87.71

17/03/2015	SILICON CHIP PUBLICATIONS PTY LTD	SUBSCRIPTION RENEWAL - IT INDUSTRY MAGAZINE	105.00
20/03/2015	AUSTRALIA POST	FREIGHT - IPHONE	23.75
21/03/2015	RYDGES DARWIN HOTEL	ACCOM. DARWIN 21-22/03/15 - STAFF MEMBER - CONFERENCE & TRAINING	156.31
22/03/2015	TRANSFIELD SERVICES	TRAIN TICKET BNE AIRPT TO CITY 22/3/15, 26/3/15- STAFF MEMBER - TRAINING	32.00
24/03/2015	SUBWAY KUNUNURRA	CATERING FOR OCM & BUDGET BRIEFING 24 MARCH 15	95.50
26/03/2015	AIRNORTH	FLIGHTS KNX-DWN-KNX 1/5/15, 5/5/15 - CEO-ATTEND ZONE MEETING DARWIN	341.38
26/03/2015	WOTIF	ACCOM. DARWIN 1- 5/5/15 - CEO - ATTEND ZONE MEETING DARWIN	546.00
26/03/2015	MERCURE BRISBANE	ACCOM & MEALS BRISBANE 22-26/03/15 STAFF MEMBER - TRAINING	935.78
26/03/2015	MERCURE BRISBANE	MEALS 22-26/03/15 STAFF MEMBER - CONFERENCE & TRAINING	16.50
26/03/2015	APPLE PTY LTD	SUPPLY OF APPLICATIONS FOR CAMERA	11.37
27/03/2015	RYDGES DARWIN HOTEL	ACCOM. DARWIN - 26-27/03/15 STAFF MEMBER - TRAINING	176.61
27/03/2015	PAYPAL TELECOMSHOP	SUPPLY OF 3 USB HEADSETS FOR VIDEO CONFERENCING - ICT USE	99.00
31/03/2015	BANKWEST	CARD FEES	4.69

13.2.3 Review of CP/FIN-3204 Purchasing Policy

DATE:	26/05/2015
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:	CM.11.2
DECLARATION OF INTERESTS:	Nil

PURPOSE

For the Council to consider the revised Council Policy *CP/FIN-3204 Purchasing Policy*, and:

- a. Adopt the revised Purchasing Policy; and
- b. Repeal Council Policy *F19 Purchasing and Tendering Policy* on the basis that it has been superseded.

BACKGROUND

The Council's Purchasing Policy has not been reviewed since June 2013 and requires amendment.

At the 28 April Ordinary Council Meeting the Council was presented with a Council Policy Review item which outlined a three-stage approach to the review of Council Policies. It also outlined standardised terminology for documents that support operational performance being:

1. **Policy** – a concise formal statement by Council that outlines non-discretionary governing principles and intentions, in order to guide the Shire's practice. Policies are a formal statement of intent that mandate principles or standards that apply to the Shire's governance or operations or to the practice and conduct of its staff. In short, a policy provides staff with the approved way of dealing with a particular matter. Policies are required to be reviewed by Council every 4 years.
2. **Organisational Directive** – a statement approved by the Chief Executive Officer that sets out the process and requirements for a particular course or mode of operation. Organisational directives clearly define how an operational process or standard is to be implemented and by whom. An organisational directive is reviewed more often than a Policy as operational processes change in line with legislative or organisational requirements. Organisational directives often elaborate on, and give effect to, a Local Law, rule, agreement, code or Policy and define the area in which the Policy is operative. Compliance with organisational directives is mandatory and non-compliance may be actionable through appropriate conduct policy documents.
3. **Work Instruction** – a step-by-step explanation of how to undertake a specific task, usually only performed by one (1) person from start to finish. Work instructions are developed by staff members with approval provided by the appropriate Manager. They are an important tool to identify and document continuous improvement opportunities and ensure best practise in service delivery.

Prior to the formal review of policies, the Acting Chief Executive Officer's report on the review of systems and procedures relating to risk management, internal control and legislative compliance that was presented to the 10 February 2015 Committee meeting and

subsequently to the Council. This report highlighted an improvement at item number IC 2.19 that the “purchasing policy and associated control procedures be reviewed to clarify procurement practices when using WALGA preferred suppliers”. At item IC 5.6 it also outlined improvements in relation to “staff with purchasing authority be training on the requirements of the purchasing policy and controls be implemented to ensure their compliance”.

At the 12 May Audit (Finance and Risk) Committee meeting, the Committee considered the revised *CP/FIN-3204 Purchasing Policy* and recommended that it be put to a briefing to be considered in further detail. The briefing was subsequently held later on the 12th of May, whereby the Policy was reviewed in detail. With the consent of the Committee members at the briefing, the outcomes have been incorporated into the revised Policy, and are being presented directly to the Council for consideration.

The revision of *CP/FIN-3204 Purchasing Policy* will also address the items raised in the Regulation 17 review of systems and procedures and continue the formal review of Council policies.

STATUTORY IMPLICATIONS

Local Government Act 1995

2.7. Role of council

(1) *The council —*

- (a) governs the local government’s affairs; and*
- (b) 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.*

3.57. Tenders for providing goods or services

(1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*

(2) *Regulations may make provision about tenders.*

Local Government (Functions and General) Regulations 1996

Part 4

Division 1 – Purchasing policies

11A. Purchasing policies for local governments

(1) *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100 000 or less or worth \$100 000 or less.*

- (2) *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1)*
- (3) *A purchasing policy must make provision in respect of —*
(a) the form of quotations acceptable; and
(b) the recording and retention of written information, or documents, in respect of —
(i) all quotations received; and
(ii) all purchases made.
- (4) *Different requirements may be imposed under a purchasing policy in respect of different classes, or types, of any of the following —*
(a) goods and services;
(b) suppliers;
(c) contracts;
(d) any other thing that the local government considers appropriate.

POLICY IMPLICATIONS

If the Council support the Officer's recommendation, the Shire will commence operating in accordance with the revised Policy. This will also result in the rescission of a superseded Council Policy being *F19 Purchasing and Tendering Policy*.

FINANCIAL IMPLICATIONS

The implementation of the amended Policy will create efficiencies in the processes surrounding procurement, particularly with the modification of the purchasing thresholds and the implementation of the Organisational Directive. There are however, no tangible financial implications.

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

Strategy 1.4.2: Improve the efficiency and productivity of Shire services

Strategy 1.4.4: Deliver cost effective and efficient corporate services

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

Engagement has occurred to date with the following parties:

- An officer from the Department of Local Government and Communities

- Shire of Wyndham East Kimberley Leadership Team
- Shire of Wyndham East Kimberley Executive Management Team
- Shire of Wyndham East Kimberley Finance Team
- Audit (Finance and Audit) Committee at the 12th of May meeting
- Elected Members at the 12th of May briefing

COMMENT

Shire officers are continually reviewing processes and implementing improvements across the organisation to ensure effectiveness, efficiency and compliance of the Shire's operations. This is a gradual process, and cannot be undertaken overnight given the resourcing constraints that the Shire has. However, it should be recognised that there have been many policies and processes that have been reviewed and improved over the last year or so.

The review of the Council Policy *CP/FIN-3204 Purchasing Policy* is another continuous improvement area whereby it is important to ensure that the purchasing of goods and services and works are regularly improved in relation to transparency, probity and good governance.

Along with the Policy, the Organisational Directive (which will be approved by the Chief Executive Officer) is paramount to ensure that best practice procedures are followed by Shire officers, and will assist to improve the perception of openness, transparency, fairness and equity of the purchasing processes to all potential suppliers.

It is intended that this will, with time, also strengthen the community's perception and confidence in relation to the integrity of the purchasing processes.

The revised Policy achieves several outcomes:

1. It provides clarity around the use of WALGA and State Government preferred suppliers and addresses the suggested improvements contained within the Regulation 17 review (IC 2.19 and IC 5.6).
2. It reduces the excessive administration processes surrounding minor purchases that pose little risk to the organisation.
3. The revised purchasing thresholds will lead to clearer procurement processes and "triggers" for when certain actions need to occur.
4. It will lead to a review of the purchasing authority limits placed on Shire officers that will then be aligned with the purchasing thresholds – again to ensure consistency and to provide clarity for officers.
5. It will lead to staff with purchasing authority to be trained on the new requirements of the Policy and the Organisational Directive (which at the time of writing this report, was being drafted).
6. Ensures compliance with the *Local Government Act 1995* and associated Regulations.
7. Ensures that the Policy does not include what is now considered to be components that should form part of the Organisational Directive.

8. Incorporates provisions that encourage the Shire to maximise participation of local and small businesses in the supply of goods, services and works purchased or contracted by the Shire – a question that was recently raised at the Annual General Meeting of Electors.

9. Rescinds a Policy that was superseded some years ago.

While it is understood that the Regulations may change in the upcoming months which may have an impact on this Policy, it is the Officer's recommendation that the Policy be amended immediately to ensure that the outcomes identified above can come to fruition, and not be held up by potentially lengthy parliamentary processes required to modify legislation.

ATTACHMENTS

Attachment 1 – Amended CP/FIN-3204 Purchasing Policy

Attachment 2 – Current CP/FIN-3204 Purchasing Policy

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION 1

That the Council:

1. Rescind Council Policy *FM19 Purchasing and Tendering Policy* on the basis that it was superseded some years ago.
2. Adopt the amended CP/FIN-3204 Purchasing Policy.

FORESHADOWED MOTION

Cr D Spackman foreshadows a motion that points 1 and 2 in the Officer's Recommendation be considered separately.

FORESHADOWED MOTION

Cr K Wright foreshadows a motion that in the event Cr Spackman's foreshadowed motion fails, that we defer item 13.2.3 Review of CP/FIN-3204 Purchasing Policy to a further workshop for refinement.

The Officer's Recommendation is considered:

COUNCIL DECISION

Minute No. 10949

Moved: Cr B Robinson

Seconded: Cr D Learbuch

That the Council:

- 1. Rescind Council Policy *FM19 Purchasing and Tendering Policy* on the basis that it was superseded some years ago.**
- 2. Adopt the amended CP/FIN-3204 Purchasing Policy.**

Carried 6/3

**For: Cr J Moulden, Cr R Dessert, Cr D Learbuch, Cr B Robinson, Cr S Cooke,
Cr G Taylor**

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



POLICY NO	CP/FIN-3204	
POLICY	Purchasing Policy	
RESPONSIBLE DIRECTORATE	Corporate Services	
RESPONSIBLE OFFICER	Director Corporate Services	
COUNCIL ADOPTION	Date: 18/06/2013	Resolution No: 10096
REVIEWED/MODIFIED	Date: 26/05/2015	Resolution No:
	Date:	Resolution No:
REVIEW DUE	Date: May 2017	
LEGISLATION	<ol style="list-style-type: none"> 1. Local Government Act 1995 – Sections 3.57, 5.41 2. Local Government (Functions and General) Regulations 1996 – Part 4 – Provision of Goods and Services 3. State Records Act 2000 	
RELATED POLICIES	1. RM1 – Records Management	
RELATED PROCEDURES	<ol style="list-style-type: none"> 1. Code of Conduct for Council Members, Committee Members and Employees 2. Audit (Finance and Risk) Committee Terms of Reference 3. Organisational Directive – Purchasing Process (currently being developed) 	

PURPOSE:

The purpose of this Policy is to demonstrate the Council's commitment to delivering best practice in the Shire of Wyndham East Kimberley's ("the Shire") purchasing of goods, services and works that align with the principles of transparency, probity and good governance in accordance with the *Local Government Act 1995* ("the Act") and the *Local Government (Functions and General) Regulations 1996* ("the Regulations").

DEFINITIONS:

Authorising Officer is a Shire of Wyndham East Kimberley employee who is registered in the sub-delegation register as authorised by the Chief Executive Officer to incur expenditure and claims for payment, within a specific monetary limit.

Requisitioning Officer is a Shire of Wyndham East Kimberley employee who has Shire system access to raise a purchase requisition. This employee will not necessarily have purchasing authority, in which case, the requisition, and associated documentation is forwarded to an Authorising Officer for consideration.

Preferred Suppliers include WALGA Preferred Supply Contracts (which are specifically designed around local government requirements) or State Government Common Use Arrangements (where local government access is permitted).

POLICY STATEMENTS:

The Council believes that overall policy must be underpinned by sound principles, which are well understood, communicated to the community and compliant with current legislation.

The Council's objectives in establishing this Policy is to:

1. Ensure best practice policies and procedures are followed in relation to the internal purchasing for the Shire of Wyndham East Kimberley.
2. Ensure compliance with the *Local Government Act 1995* and the *Local Government Act (Functions and General) Regulations 1996*.
3. Ensure compliance with the *State Records Act 2000* and associated records management practices and procedures of the Shire.
4. To undertake purchasing processes that ensures value for money for the Shire by delivering the most advantageous outcome possible.
5. To ensure openness, transparency, fairness and equity through the purchasing process to all potential suppliers therefore strengthening integrity and confidence in the purchasing process.
6. To ensure efficient and consistent purchasing processes are implemented and maintained across the Shire.

1. ETHICS & INTEGRITY

1.1. Code of Conduct

All officers and employees of the Shire undertaking purchasing activities must have regard for the requirements contained in the Code of Conduct for Council Members, Committee Members and Employees ("the Code of Conduct") and shall observe the highest standards of ethics and integrity. All officers and employees of the Shire must act in a manner which is honest and professional and supports the standing of the Shire at all times.

1.2. Purchasing Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire's policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;

- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

2. VALUE FOR MONEY

Value for money is an overarching principle governing purchasing which allows the best possible outcome to be achieved for the Shire. It is important to note that compliance with the purchasing specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing and service benchmarks.

An assessment of the best value for money outcome for any purchasing process should consider:

- all relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history); and
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

3. PURCHASING THRESHOLDS AND POLICY REQUIREMENTS

The requirements that must be complied with by the Shire officers, including purchasing thresholds and processes, are prescribed within the *Regulations* and this Purchasing Policy.

Determining purchasing value is to be based on the following considerations:

1. The actual or expected value of a contract over the full contract period (including all options to extend); or
2. The extent to which it could be reasonably expected that the Shire will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased.

Any purchasing activity must be undertaken in accordance with the Shire officer's sub-delegated purchasing authority limit as approved by the Chief Executive Officer and outlined in the sub-delegation register.

In some cases suppliers may not respond to a request for quotation. In this instance, Shire officers must provide documentation to demonstrate their attempt to source the required number of quotations as outlined in Table A, however non-responses should not delay any purchasing activity unless it would be considered inappropriate to proceed.

Table A

Purchasing Thresholds (ex GST)	Policy Requirements	
	Quotations	Conditions
Up to \$1,000	No quotations are required prior to purchase.	Officers must ensure that they use their professional knowledge and expertise in the purchasing process. AND Provision of a purchase requisition and an Office Copy of the signed Purchase Order (or in the case whereby the Requisitioning Officer is the same person as the Authorising Officer), only an Office Copy of the signed Purchase Order unless the purchase is exempt as outlined in Part 3.3 of this Policy.
Over \$1,000 and Up to \$10,000	Obtain at least two (2) verbal quotations from suppliers. OR Obtain at least two (2) quotations directly from preferred suppliers using a simple quotation process either verbally, through eQuotes or directly in writing. If you are utilising eQuotes as your sole purchasing method, quotations must be sought from each preferred supplier, as considered appropriate by the officer.	Two (2) verbal quotations to be recorded on the IF/PC-2281 – Record of Verbal & Written Quotes form. OR Two (2) written quotations to be recorded on the IF/PC-2281 – Record of Verbal & Written Quotes form with the written quotations attached unless the purchase is exempt as outlined in Part 3.2 of this Policy. AND Provision of a purchase requisition and an Office Copy of the signed Purchase Order (or in the case whereby the Requisitioning Officer is the same person as the Authorising Officer), only an Office Copy of the signed Purchase Order unless the purchase is exempt as outlined in Part 3.3 of this Policy.

Purchasing Thresholds (ex GST)	Policy Requirements	
	Quotations	Conditions
Over \$10,000 and Up To \$50,000	<p>Obtain at least three (3) written quotations (eg email, fax or original copy).</p> <p>OR</p> <p>Obtain at least three (3) quotations directly from preferred suppliers using a simple quotation process either through eQuotes or directly in writing. If you are utilising eQuotes as your sole purchasing method, quotations must be sought from each preferred supplier, as considered appropriate by the officer.</p>	<p>Three (3) written quotations to be recorded on the IF/PC-2281 – Record of Verbal & Written Quotes form with the written quotations attached unless the purchase is exempt as outlined in Part 3.2 of this Policy.</p> <p>AND</p> <p>Provision of a purchase requisition and an Office Copy of the signed Purchase Order (or in the case whereby the Requisitioning Officer is the same person as the Authorising Officer), only an Office Copy of the signed Purchase Order unless the purchase is exempt as outlined in Part 3.3 of this Policy.</p>
Over \$50,000 and Up To \$100,000	<p>Obtain at least three (3) written quotations (eg email, fax or original copy) from suppliers containing price and specification of goods and services. The procurement decision is to be based on all value for money considerations in accordance with the definition stated within this Policy.</p> <p>OR</p> <p>Obtain at least three (3) quotations directly from preferred suppliers using a formal request for quotation process either through eQuotes or directly in writing. If you are utilising eQuotes as your sole purchasing method, quotations must be sought from each preferred supplier, as considered appropriate by the officer.</p>	<p>Three (3) written quotations to be recorded on the IF/PC-2281 – Record of Verbal & Written Quotes form with the written quotations attached unless the purchase is exempt as outlined in Part 3.2 of this Policy.</p> <p>AND</p> <p>Provision of a purchase requisition and an Office Copy of the signed Purchase Order (or in the case whereby the Requisitioning Officer is the same person as the Authorising Officer), only an Office Copy of the signed Purchase Order unless the purchase is exempt as outlined in Part 3.3 of this Policy.</p>

Purchasing Thresholds (ex GST)	Policy Requirements	
	Quotations	Conditions
\$100,000 and above	<p>Conduct a public tender process in accordance with this policy and the WALGA Procurement Handbook. The procurement decision is to be based on value for money considerations in accordance with the definition stated within this Policy.</p> <p>OR</p> <p>Obtain at least three (3) quotations directly from preferred suppliers using a formal request for quotation process either through eQuotes or directly in writing. If you are utilising eQuotes as your sole purchasing method, quotations must be sought from each preferred supplier, as considered appropriate by the officer.</p>	Legislative compliance requirements must be adhered to.

3.1. Tender Exemptions

Tender exemptions apply in the following instances:

- * an emergency situation as defined by the *Act*;
- * the purchase is from a WALGA Preferred Supply Contract or Business Service. All WALGA Preferred Supply Contracts have been established utilising a competitive public procurement process to pre-qualify suppliers that meet compliance requirements and offer optimal value for money to the Local Government sector.
- * the purchase is from a Department of Finance Common Use Arrangements (where Local Government use is permitted), a Regional Local Government or another Local Government;
- * the purchase is under auction that has been authorised by Council;
- * the contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- * any of the other exclusions under Regulation 11 of the *Regulations* apply.

Note:

When making a decision about whether to conduct a public tender or utilise a tender exempt arrangement, the Shire officer should compare the cost and benefits of both processes.

The compliance requirements, time constraints, costs and risks associated with a public tender should be evaluated against the value delivered by such a process. This should then be compared with the costs and benefits of using a tender exempt arrangement which include direct access to preferred suppliers, full regulatory compliance, risk mitigation, administrative efficiencies and cost savings.

3.2. Exemptions Relating to Policy Requirements for Quotations

The obligation to source quotations is not required in the following instances:

- 1) Procurement of particular goods or services:
 - a) Utilities, including telephone, electricity
 - b) Water and gas
 - c) Freight up to the value of \$1,000 (GST exclusive)
 - d) Local public notice advertisements that are required by legislation
 - e) Statewide public notice advertisements that are required by legislation
 - f) Annual memberships/subscriptions
 - g) Conference registration fees
 - h) Reimbursements to staff
 - i) Employment of temporary staff members through temporary personnel service agencies
 - j) Department of Land Information on-line transactions
 - k) Motor Vehicle Licensing and Registration
 - l) Postage
- 2) Corporate Credit Card or Corporate Fuel Card purchases up to the value of \$1,000 (GST exclusive).
- 3) Petty Cash purchases up to the value of \$200 (GST exclusive).

3.3. Exemptions Relating to Policy Requirements for Purchase Requisitions and Purchase Orders

The obligation to issue a purchase order is not required in the following instances:

- 1) Procurement of particular goods or services:
 - a) Annual memberships/subscriptions
 - b) Department of Land Information on-line transactions
 - c) Motor Vehicle Licensing and Registration
- 2) Corporate Credit Card or Corporate Fuel Card purchases.
- 3) Petty Cash purchases up to the value of \$200 (GST exclusive).

3.4. Requirements When the Shire Invites Tenders Though It Is Not Required To Do So

Where considered necessary, the Shire may consider calling public tenders in lieu of undertaking a request for quotation for purchases under the \$100,000 threshold (excluding GST).

This decision should be made after considering the benefits of this approach in comparison with the costs, risks, timeliness and compliance requirements and also whether the purchasing requirement can be met through preferred suppliers.

If a decision is made to undertake a public tender for contracts of less than \$100,000, a Request for Tender process entailing all the procedures for tendering outlined in the Shire's Organisational Directive and the WALGA Procurement Handbook must be followed in full.

3.5. Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one source of supply is permitted without the need to undertake a competitive procurement process provided that there is genuinely only one source of supply.

Every effort to find alternative sources of supply must be made, and Shire officers must provide documentation to demonstrate their attempt to source alternative suppliers.

Note: The application of the "Sole Source of Supply" provision should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the required goods and/or services.

3.6. Anti-Avoidance

The Shire shall not enter two (2) or more contracts of a similar nature for the purpose of splitting the value of the contracts to enable the value of the consideration to be below the level of \$100,000, thereby avoiding the need to undertake a public tender process.

For the purpose of this Purchasing Policy, a signed purchase order is considered to be a contract.

4. ADDITIONAL PROCEDURAL THRESHOLDS FOR TENDERS

To ensure a best practice approach to purchasing activity for the Shire, the following additional procedural thresholds will apply to any tender process:

TENDER VALUE	PRE TENDER ACTIONS	POST TENDER CLOSING ACTIONS	ASSESSMENT TIMEFRAME	EVALUATION PANEL
Over \$100,000 and less than \$1,000,000	1. Optional site briefing	In accordance with statutory requirements	Up to 2 weeks	Two (2) Shire Officers and Director
Over \$1,000,000 and less than \$5,000,000	1. Compulsory site briefing (depending on complexity of goods/services to be procured) 2. Business / Operational Plan required 3. Peer review of design/specification including sign off* 4. Project Manager engaged (optional) 5. Tender Evaluation Plan 6. Asset Management Plan (where relevant)	In accordance with statutory requirements	Up to 4 weeks	Two (2) Shire Officers and Director
Over \$5,000,000 and less than \$10,000,000	1. As above, and 2. Legal advice on tender documents prior to distribution (dependent upon complexity of goods/services to be procured) 3. Engagement of probity advisor 4. External Project Manager engaged (optional) 5. Quantity Surveyor engaged (optional)	1. In accordance with statutory requirements 2. Interviews with tenderers 3. Quarterly QS approval of works undertaken prior to payment approval (optional) 4. Legal advice on tender contract prior to execution (dependent upon complexity of goods/services to be procured)	Up to 6 weeks	Two (2) Shire Officers and two (2) Directors
Over \$10,000,000	1. As above, and 2. Legal advice on tender documents prior to distribution is mandatory 3. External Project Manager engagement is mandatory 4. Quantity Surveyor engagement is mandatory	1. As above, and 2. Legal advice on tender contract prior to execution is mandatory 3. Monthly QA approval of works prior to payment approval is required	Up to 8 weeks	Two (2) Directors and CEO

* Does not apply to Design and Construct or Schedule or Rates tenders.

5. RECORDS MANAGEMENT

Records of all tenders, requests for quotation and other purchases must be retained in compliance with the *State Records Act 2000 (WA)* and the Shire's Records Management Policy.

6. SUSTAINABLE PROCUREMENT

Sustainable procurement is defined as the purchasing of goods and services that have fewer negative environmental and social impacts than competing products and services.

The Shire is committed to sustainable procurement and where appropriate shall endeavour to design requests for quotation and tenders to minimise negative environmental and social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the with Shire's sustainability objectives.

7. BUY LOCAL

Under the Western Australian Government's "*Buy Local Policy*", Government agencies and local governments are encouraged to maximise the participation of local and small businesses in the supply of goods, services and works purchased or contracted by government agencies.

A key goal in this policy is open and fair competition to ensure that Western Australian businesses are provided with every opportunity to bid for work. It is recognised that not every category of goods, services or works that is purchased by the Shire will lend itself to supply by local businesses.

As much as practicable, the Shire's purchasing must:

- ensure that buying practices, procedures and specifications do not unfairly disadvantage any business;
- ensure that procurement plans address local business capability and local content;
- explore the capability of local businesses to meet requirements and ensure that requests for quotation and tenders are designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for requests for quotation and tenders – all requests must be structured to encourage local businesses to bid; and
- provide adequate and consistent information to potential suppliers.

8. PURCHASING FROM WA DISABILITY ENTERPRISES

Pursuant to State Government policy, Shire officers are encouraged to consider the option of purchasing goods and services from registered WA Disability Enterprises. This is contingent on the provision of fair value and quality.

Shire officers are encouraged to invite relevant WA Disability Enterprises to respond to a request for quotation or tender for goods or services.

Determining the purchasing process to be followed is based on the actual or expected value of each purchase by the Shire as outlined above in Section 3 (Purchasing Thresholds and Policy Requirements) of this Policy. There are seven (7) Disability Enterprises registered in Western Australia.

A complete list of approved organisations is available from the following website:
www.wade.org.au

EXPLANATORY NOTES:

1. TENDER OR REQUEST FOR QUOTATION THROUGH TENDER EXEMPT PANELS (\$100,000 OR OVER IN VALUE)

For the procurement of goods, services or works where the value exceeds \$100,000, the Shire must either undertake:

- a) Public tender process; or
- b) Request for quotation process from a tender exempt panel of preferred suppliers including WALGA Preferred Supply Contracts (which are specifically designed around Local Government requirements) or State Government Common Use Arrangements (where Local Government access is permitted).

1.1. Using a Tender Exempt Panel of Preferred Suppliers

When accessing a tender exempt panel of preferred suppliers, the Shire must utilise a request for quotation process through eQuotes or in writing direct with the preferred suppliers in accordance with the requirements outlined in Table A.

In undertaking a request for quotation, the Shire does not need to request that preferred suppliers provide the type of information that is normally provided in a public tender. The fact that the State Government and WALGA has already undertaken a public procurement process and has pre-qualified each preferred supplier means that this information has already been obtained and validated.

Additionally, the Shire does not need to use its own contractual terms and conditions given that the State Government and WALGA has already developed best practice contractual terms and conditions which have been accepted by every preferred supplier. These contractual terms and conditions ensure that the interests of the Shire are fully protected.

Keeping the scope of the request for quotation focused on the specification and the selection criteria that will be utilised by the Shire to assess different quotations will ensure that only the required information is sought from preferred suppliers and the response process is streamlined.

Responses from preferred suppliers should be in writing and contain the price and a sufficient amount of information that addresses the specification and selection criteria provided by the Shire.

1.2. eQuotes

eQuotes is a secure, web-based procurement tool that streamlines and simplifies the request for quotation process with WALGA Preferred Suppliers at the same time as facilitating purchasing compliance, probity and control over all aspects of purchasing.

All WALGA Preferred Supply Contracts are available on eQuotes and all necessary contract information is preloaded to enable informed procurement choices, including contract details, insurances, pricing (where applicable) etc.

RISK:

Risk: Inability to fund the infrastructure gap.

Control: Develop LTFP to ensure critical assets maintained in Annual Budgets.

Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.



Council Policy Number: CP/FIN-3204 Purchasing Policy

OBJECTIVE:

Statement of intent

1. To provide compliance with the Local Government Act 1995 ("the Act") and the Local Government Act (Functions & General) Regulations 1996 ("the Regulations") as amended in March 2007.
2. To deliver a best practice approach and procedures to internal purchasing for the Shire.
3. To ensure consistency for all purchasing activities that integrates within all the Shire's operational areas.

ETHICS & INTEGRITY:

Policy

All officers and employees of the Shire shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire.

Guiding Statement

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire's policies and code of conduct;
- Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- Any information provided to the Shire by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

VALUE FOR MONEY:

Policy

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire.

It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

Guiding Statement

An assessment of the best value for money outcome for any purchasing should consider:

- *All relevant whole-of-life costs and benefits whole of life costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal;*
- *The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;*
- *Financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history); and*
- *A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.*

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

SUSTAINABLE PROCUREMENT:

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Policy

The Shire is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire's sustainability objectives.

Guiding Statement

Practically, sustainable procurement means the Shire shall endeavour at all times to identify and procure products and services that:

- *Have been determined as necessary;*
- *Demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling;*
- *Demonstrate environmental best practice in water efficiency;*

- *Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials*

from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;

- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise water;
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range; and
- For new buildings and refurbishments – where available use renewable energy and technologies.

PURCHASING THRESHOLDS:

Policy

All purchases shall be made through a competitive process, either using a Council's own procurement process or purchasing from a tender exempt organisation such as WALGA's Preferred Supply Contracts (which are established utilising a competitive public process).

Where a WALGA Preferred Supply Panel is in place, The Shire can get multiple quotations from Preferred Suppliers to ensure best value for money.

Guiding Statement

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Model Policy
Up to \$4,999	Direct purchase from suppliers requiring only two verbal quotations or purchase from WALGA / State Government Preferred Supply Contracts.
\$5,000 - \$19,999	Obtain at least three verbal or written quotations and recorded on the Record of Written and Verbal Quotes or purchase from WALGA / State Government Preferred Supply Contracts.
\$20,000 - \$49,999	Obtain at least three written quotations and recorded on the Record of Written and Verbal Quotes or purchase from WALGA / State Government Preferred Supply Contracts
\$50,000 - \$99,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations) and recorded on the Record of Written and Verbal Quotes or purchase from WALGA / State Government Preferred Supply Contracts.
\$100,000 and above	Conduct a public Tender process or purchase from WALGA / State Government Preferred Supply Contracts.

Where considered necessary, the Shire may consider calling tenders in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). This decision should be made after considering whether the purchasing requirements of the Shire can be met through a WALGA / State Government Preferred Supply Contract. If a decision is made to seek public tenders for contracts

of less than \$100,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

Up to \$4,999

Where the value of procurement of goods or services does not exceed \$4,999, purchase on the basis of at least two verbal quotations is permitted.

However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies. The WALGA Procurement Handbook contains a sample form for recording verbal quotations.

The Shire can still access a WALGA / State Government Preferred Supply Contract for these types of purchases.

Purchasing card purchases are recommended to reduce transaction costs.

\$5,000 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$5,000 and \$19,999.

At least three verbal or written quotations (or a combination of both) are required. Where this is not practical, egg. Due to limited suppliers, it must be noted through records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement/specification is clearly understood by the Shire employee seeking the verbal quotations;
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote;
- Read back the details to the Supplier contact person to confirm their accuracy; and
- Written notes detailing each verbal quotation must be recorded.

Record keeping requirements must be maintained in accordance with record keeping policies. The WALGA Procurement Handbook contains sample forms for recording verbal and written quotations.

The Shire can still access a WALGA / State Government Preferred Supply Contract for these types of purchases.

\$20,000 to \$49,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$49,999, at least three written quotes are required (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

The Shire can still access a WALGA Preferred Supply Contract for these types of purchases.

NOTES: *The general principles relating to written quotations are;*

- *an appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion*
- *the request for written quotation should include as a minimum:*
 - *written specification*
 - *selection criteria to be applied*
 - *price schedule*
 - *conditions of responding*
 - *validity period of offer*
- *Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.*
- *Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.*
- *Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.*
- *Respondents should be advised in writing as soon as possible after the final determination is made and approved.*

The WALGA Procurement Handbook should be consulted for further details and guidance.

\$50,000 to \$99,999

For the procurement of goods or services where the value exceeds \$50,000 but is less than \$99,999, at least three written quotations are required containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

The WALGA Procurement Handbook has a series of forms including a request for Quotation Template which can assist with recording details. Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

The Shire can still access a WALGA / State Government Preferred Supply Contract for these types of purchases.

REGULATORY COMPLIANCE:

Policy

All purchases shall be made through a competitive process, either by the Shire or by purchasing from a tender exempt organisation such as WALGA / State Government via Preferred Supply Contract (which have been established using a compliant and competitive public process). Suppliers and Tenderers shall be treated fairly and equitably at all times.

Guiding Statement

1. Tender Exemption

*In the following instances public tenders or quotation procedures are **not** required (regardless of the value of expenditure):*

- An emergency situation as defined by the Local Government Act 1995;*
- The purchase is from a tender exempt organisation such as WALGA (Preferred Supplier Contracts or Business Service), the Department of Treasury and Finance (permitted Common Use Arrangements), Regional Local Government or another Local Government;*
- The purchase is under auction which has been authorised by Council;*
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or*
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.*

2. Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. Manufacturer, supplier or agency) is permitted without the need to call competitive procurement process provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision “sole source of supply” should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

3. Anti-Avoidance

The Shire shall not enter two (2) or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$100,000, thereby avoiding the need to publicly tender.

4. Tender Criteria

In the event that the Shire elects to call a Tender, before Tenders are publically invited the Shire shall determine in writing the criteria for deciding which tender should be accepted.

The evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase. For requests with a total estimated (ex GST) price of:

- Between \$40,000 and \$99,999, the panel must obtain a minimum of 2 members; and*
- \$100,000 and above, the panel must contain a minimum of 3 members.*

5. Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

*The Tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 **full** days are provided as a minimum. The notice must include;*

- A brief description of the goods or services required;*
- Information as to where and how tenders may be submitted;*
- The date and time after which tenders cannot be submitted;*
- Particulars identifying a person from who more detailed information as to tendering may be obtained. Detailed information shall include;*
 - Such information as the Shire decides should be disclosed to those interested in submitting a tender;*
 - Detailed specifications of the goods or services required;*
 - The criteria for deciding which tender should be accepted;*
 - Whether or not the Shire has decided to submit a tender; and*
 - Whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.*

6. Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential Tenderers must have equal access to this information in order for the Shire not to compromise its duty to be fair.

7. Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

8. Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council officer. The details of all tenders received and opened shall be recorded in the Tenders Register. Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Shire. Members of the public are entitled to be present.

The Tenderer's offer form, price schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two (2) Shire officers present at the opening of tenders.

9. No Tenders Received

Where the Shire has invited tenders, however no compliant submissions have been received; direct purchases can be arranged on the basis of the following:

- *A sufficient number of quotations are obtained;*
- *The process follows the guidelines for seeking quotations between \$40,000 & \$99,999 (listed above);*
- *The specification for goods and/or services remains unchanged; and*
- *Purchasing is arranged within 6 months of the closing date of the lapsed tender.*

10. Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

11. Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations, or adjustments to the tender document and/or the conditions of tender are required, the Shire may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

12. Minor Variation

If after the tender has been publicly advertised and a successful Tenderer has been chosen, but before the Shire and Tenderer have entered into a Contract, a minor variation may be made by the Shire. A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided by the initial tender.

13. Notification of Outcome

Each Tenderer shall be notified of the outcome of the tender following Council resolution or appropriate delegated authority. Notification shall include:

- *The name of the successful Tenderer.*

- *The total value of consideration of the winning offer.*

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

RECORDS MANAGEMENT:

Policy

Records shall be retained of all tenders in compliance with the State Records Act (WA).

Guiding Statement

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- *Tender documentation;*
- *Internal documentation;*
- *Evaluation documentation;*
- *Enquiry and response documentation; and*
- *Notification and award documentation.*

For direct purchasing process this includes;

- *Quotation documentation;*
- *Internal documentation; and*
- *Order forms and requisition.*

Record retention shall be in accordance with the minimum requirements of the State Records Act and the Shires internal records management policy.

REGIONAL PRICE PREFERENCE:

Policy (only relevant for Local Governments located outside the metropolitan area)

A regional price preference shall be given to suppliers located outside the metropolitan area.

Guiding Statement

A Local Government located outside the metropolitan area may give a regional price preference to a regional Tenderer by reducing the bid price by:

- 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000;*
- 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$50,000; or*
- 10% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500,000, if seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the Shire.*

POLICY ADMINISTRATION

Directorate		Officer Title		Contact:	
<i>Corporate Services</i>		<i>Dave Hannington</i>		Ext:	
Date Effective	May 2013	CEO Approval			
Date Adopted	DD/MM/YYYY	Last Reviewed	DD/MM/YYYY		
Risk Rating	Low Medium High	Review Cycle	Annual	Next Due	06/05/2014
Organisational Compliance	E.g.: Delegations Manual				
Process Links	E.g.: Administrative Policy, Council Policy				

13.3 INFRASTRUCTURE

13.3.1 Proposed Asphalt Treatment – Kununurra Town Site

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Kununurra Town Site
AUTHOR:	Peter Kerp, Manager Engineering Services
REPORTING OFFICER:	David Klye, Director Infrastructure
FILE NO:	CM16.122
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to consider taking up the opportunity to undertake additional asphalt road rehabilitation works in the Kununurra town site whilst Downer Infrastructure are undertaking the asphalt overlay of East Kimberley Regional Airport runway.

BACKGROUND

Council at its Ordinary Council meeting on Tuesday 28 April resolved the following:

COUNCIL DECISION

Minute No. 10906

Moved: Cr G Taylor Seconded: Cr D Learbuch

That Council:

- 1. Accept the submission from Downer Infrastructure, 5 Marion Road, Maddington WA 6109 for ET02 14/15 Kununurra Airport Asphalt Surfacing Runway and Taxiway Intersections, in accordance with the tender document and their submitted schedule of prices for the lump sum price of \$4,684,813.60 ex GST;***
- 2. Accept the Downer Infrastructure offer to transport B380 Binder using road tankers, resulting in savings to Council of \$95,000 ex GST off the lump sum price of \$4,684,813.60 ex GST;***
- 3. Transfer \$200,000 from Airport Reserve Account to GL 04120734, Runway Asphalt Overlay, to cover contingencies and potential variations.***

Carried 6/2

For: Cr J Moulden, Cr G Taylor, Cr B Robinson, Cr D Learbuch, Cr G Taylor, Cr G King

Against: Cr K Wright, Cr D Spackman

STATUTORY IMPLICATIONS

Local Government Act 1995

3.57. Tenders for providing goods or services

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*;* or
 - (c) *is authorised in advance by the mayor or president in an emergency.*
- * Absolute majority required.*

Local Government (Functions and General) Regulations 1996

Part 4

Division 2

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.*
- (2) *Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) *the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;* or
 - (b) *the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;*

Regulation 11 (2) (b) allows local governments to purchase any value of goods or services through the Western Australian Local Government Association (WALGA) Preferred Supplier panel by seeking quotes from suppliers on that panel. In this instance, the Shire utilised the WALGA Preferred Supplier Panel No. 033_13 Road Building Supplies.

POLICY IMPLICATIONS

The Officer's recommendation in relation to this matter is in accordance with Council's CP/FIN-3204 Purchasing Policy.

The Department of Local Government and Communities has advised that as the procurement was undertaken through WALGA eQuotes the procurement is exempt under the provisions of the Local Government (Functions and general) Regulations 1996 Act.

FINANCIAL IMPLICATIONS

The Shire's current Roads to Recovery 2014/15 to 2018/19 Funding Programme has been allocated by the Federal Government into the following categories:

Roads	\$2,366,002
Kalumburu Road	\$740,000
Weaber Plain Road Bridge 5116 Replacement Design	\$300,000
TOTAL	\$3,406,002

The Shire has currently expended \$584,278 on the asphalt overlay of various roads in the Kununurra town site undertaken in July 2014. This leaves a balance \$1,781,724 from the Roads allocation of \$2,366,002 to allocate to other road projects as resolved by Council.

The proposed works will amount to an estimated expenditure of \$800,325 of which the Konkerberry Drive project is proposed to be funded from an underspend in the 2012/13 individual CLGF funds and requires an extension to the scope for the current Konkerberry Drive project that is already approved by the Department of Regional Development. The remainder – this equates to an estimated expenditure of \$710,585 from the R2R programme which has a current balance of \$1,781,724.

Downer Infrastructure has confirmed payment for roadway asphalt surfacing treatment deferred to 31 July 2015 Refer to Attachment 5.

The table below shows the impact on the Shire's budget for each of 2014/15 and 2015/16 financial years for expenditure and income respectively.

Item No.	Description	Expenditure 2014/15	Income 2015/16	Funding Stream
1	Konkerberry Drive – total budget (\$89,740 scope variation)	\$230,203	\$0	CLGF
2	Weaber Plain Road	\$112,650	\$112,650	R2R
3	Chestnut Drive	\$105,325	\$105,325	R2R
4	Barringtonia Avenue	\$76,300	\$76,300	R2R
5	Ebony Road	\$42,250	\$42,250	R2R
6	River Fig Road	\$110,300	\$110,300	R2R
7	Messmate Way	\$126,700	\$126,700	R2R
8	Messmate Way Service Road	\$137,060	\$137,060	R2R
	TOTAL – Items 2-8	\$710,585	\$710,585	

It should be noted that there is no impact on the overall 2014/15 budget allocation required for the Konkerberry Drive project as this is already contained within the funding agreement with the Department of Regional Development, however the funding agreement does require an extension to the scope of works to include the asphaltting of the service road at an estimated cost of \$89,740 which is utilising current underspend of the other Konkerberry project components. Discussions have been had with officers at the Department of Regional Development who have indicated that the variation would be supported.

The overall adjustment to the 2014/15 budget would be an increase in expenditure by the \$710,585, with an increase in the revenue budget for 2015/16 of \$710,585. While there has been an indication that payments would not be required to be made until 2015/16, the

expenditure would be required to be accrued into 2014/15, however this would not pose a cash flow issue as the funds relating to the Roads to Recovery projects would be sourced prior to the payment being made.

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 2.3: Facilities are appropriate for their intended purpose and factor in whole of life costing and maintenance

Strategy 2.3.2: Plan, design and budget for sustainable infrastructure

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's Community Engagement Policy has been considered in relation to this item.

Discussions have been had with officers from the Department of Regional Development in relation to a variation of the CLGF allocation that will be required if the Council support the officer's recommendation.

No community engagement is required however it is proposed to consult with business premises in relation to the likely disruption and inconvenience to shoppers whilst the proposed works are in progress.

COMMENT

Downer Infrastructure in their recent WALGA E-Quote submission for the asphalt overlay on Kununurra airport runway offered an opportunity to the Shire to provide asphalt at a reduced cost to enable the Shire to undertake an asphalt overlay program on various roads in Kununurra prior to the asphalt works commencing on the airport runway.

"As our crew and plant will be mobilised and on the site to conduct laying trials of the asphalt mix, Downer would be willing to discuss with the Shire providing the services of this crew, at a significantly reduced cost to undertake works to areas such as the car parks and roadways at the airport and in the town.

Based upon the theoretical sites of approximately 1000 tonnes over a five day period for Dense Graded C320 Asphalt, downer would be prepared to negotiate to undertake these works for a rate of approximately \$(Redacted)/tonne."

See CONFIDENTIAL Attachment 1.

The offer from Downer Infrastructure is an opportunity to utilise their asphalt plant and crew to undertake road rehabilitation work prior to commencement of the runway asphalt works on 2 June. Many roads in Kununurra have reached their serviceable life and require rehabilitation. An asphalt overlay will renew the wearing surfaces and provide additional strength to these roads.

The proposed asphalt resurfacing treatment will provide the following benefits:

- Renewal of the road wearing surface.
- Provision of additional pavement strength.
- Reduction of further moisture infiltration into the pavement.
- Provision of a further expected 20 years of service life from the road.
- Resetting the road condition to 1 (New) in the asset data base.
- Provision of a safe, economical, durable and smooth riding surface.
- Visually enhance the road environment for road users, adjacent businesses and residents

The proposal represents a significant opportunity to undertake a further significant road rehabilitation program in Kununurra. The roads proposed for an asphalt overlay, shown on Attachment 2, will complement the road rehabilitation program previously undertaken in 2014.

A WALGA E-Quote process was undertaken to secure a contract for the supply and laying of asphalt for the East Kimberley Regional Airport runway. On advice from the Department of Local Government and Communities, the proposed asphalt road rehabilitation program can be undertaken as a variation to the above contract.

In order to take advantage of this opportunity the works must occur prior to the commencement of the runway overlay works which start on of 2 June at 6.30pm. The project schedule has been confirmed in formal notices to airport operators and users. The proposed works will include additional costs to profile the road surface, cartage of road spoils from profiling, traffic management and reinstatement of drainage pits. Mobilisation and camp costs of crew are included with the runway project.

Downer Infrastructure has also provided the Shire with detail costing schedules (CONFIDENTIAL Attachment 3) should the Shire be interested in continuing road asphalt treatment after the completion of the runway asphalt works.

A separate costing report is attached (CONFIDENTIAL Attachment 4) detailing the estimated costings of roadway asphalt surfacing treatment pre-runway asphalt and post runway asphalt overlay treatment.

The roads identified for asphalt surfacing treatment were selected due their existing wearing course close to reaching design life and high traffic volumes. The roads listed satisfy the need the asset network is maintained to safe and functional standards as set out in the Asset Management Plan.

ATTACHMENTS

- Attachment 1 - CONFIDENTIAL Pre-Runway Asphalt Downer Infrastructure quotation (provided under separate cover folder)
- Attachment 2 - Plan showing roads proposed for asphalt surfacing
- Attachment 3 – CONFIDENTIAL Post Runway Asphalt Downer Quotation (provided under separate cover folder)
- Attachment 4 – CONFIDENTIAL Costing Report (provided under separate cover folder)
- Attachment 5 – Downer Infrastructure advice confirming payment deferred 31 July 2015

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Approve the initial allocation of income in 2015/16 against GL account number 03120214 "Road to Recovery Grants" of \$710,585;
2. Approve the additional expenditure allocation in 2014/15 against GL account number 04120318 "Ashpalt Resurfacing Program (R2R) – Kununurra Town Site" by \$710,585;
3. Approves the variation to the current Konkerberry Drive drainage upgrade and dual lane turn off project to incorporate the asphalt surfacing treatment of the Konkerberry Drive service road adjacent to the Coles Shopping Centre, and requests the CEO, or their delegate to seek a variation from the Department of Regional Development and Lands to the funding agreement;
4. Approves the inclusion of the following projects into the Forward Capital Works Plan:

Project	Amount	Funding Source
Konkerberry Drive service road adjacent to Coles	\$89,740	CLGF
Ebony Road between River Fig Road and Konkerberry Drive	\$42,250	R2R
River Fig Road between Messmate Way service road and Barringtonia Avenue	\$110,300	R2R
Barringtonia Avenue between River Fig Road and Weaber Plain Road	\$76,300	R2R
Messmate Way service road between Konkerberry Drive and cul-de-sac bowl	\$137,060	R2R
Messmate Way between Konkerberry drive roundabout and Victoria Highway	\$126,700	R2R
Chestnut Avenue between Coolibah Drive north and Coolibah Drive south	\$105,325	R2R
Weaber Plain Road between Victoria Highway and Barringtonia Avenue	\$112,650	R2R

5. Accept the additional offer from Downer Infrastructure, ABN 66 008 709 608, 5 Marion Road, Maddington WA 6109 as a variation to RFQ ET02 14/15 - Kununurra Airport Asphalt Surfacing Runway for the supply and lay of Dense Graded C320 Asphalt to the following streets as listed:
- a) Konkerberry Drive service road adjacent to Coles: \$89,740;
 - b) Ebony Road between River Fig Road and Konkerberry Drive: \$42,250;
 - c) River Fig Road between Messmate Way service road and Barringtonia Avenue: \$110,300;
 - d) Barringtonia Avenue between River Fig Road and Weaber Plain Road: \$76,300;
 - e) Messmate Way service road between Konkerberry Drive and cul-de-sac bowl: \$137,060;
 - f) Messmate Way between Konkerberry drive roundabout and Victoria Highway: \$126,700;
 - g) Chestnut Avenue between Coolibah Drive north and Coolibah Drive south: \$80,325;
 - h) Weaber Plain Road between Victoria Highway and Barringtonia Avenue: \$112,650.

COUNCIL DECISION

Minute No. 10950

Moved: Cr D Spackman

Seconded: Cr K Wright

That the Council suspends Standing Orders 7.5 Limitation of Number of Speeches.

Lost 3/6

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

Against: Cr J Moulden, Cr R Dessert, Cr D Learbuch, Cr B Robinson, Cr S Cooke, Cr G Taylor

AMENDMENT

Cr B Robinson moves an amendment to the Officer's Recommendation that point 5. g) within the Officer's Recommendation is amended from \$80,325 to \$105,325.

The amendment from Cr B Robinson is considered:

COUNCIL DECISION

Minute No. 10951

Moved: Cr G Taylor

Seconded: Cr B Robinson

That Council:

- 1. Approve the initial allocation of income in 2015/16 against GL account number 03120214 “Road to Recovery Grants” of \$710,585;**
- 2. Approve the additional expenditure allocation in 2014/15 against GL account number 04120318 “Ashpalt Resurfacing Program (R2R) – Kununurra Town Site” by \$710,585;**
- 3. Approves the variation to the current Konkerberry Drive drainage upgrade and dual lane turn off project to incorporate the asphalt surfacing treatment of the Konkerberry Drive service road adjacent to the Coles Shopping Centre, and requests the CEO, or their delegate to seek a variation from the Department of Regional Development and Lands to the funding agreement;**
- 4. Approves the inclusion of the following projects into the Forward Capital Works Plan:**

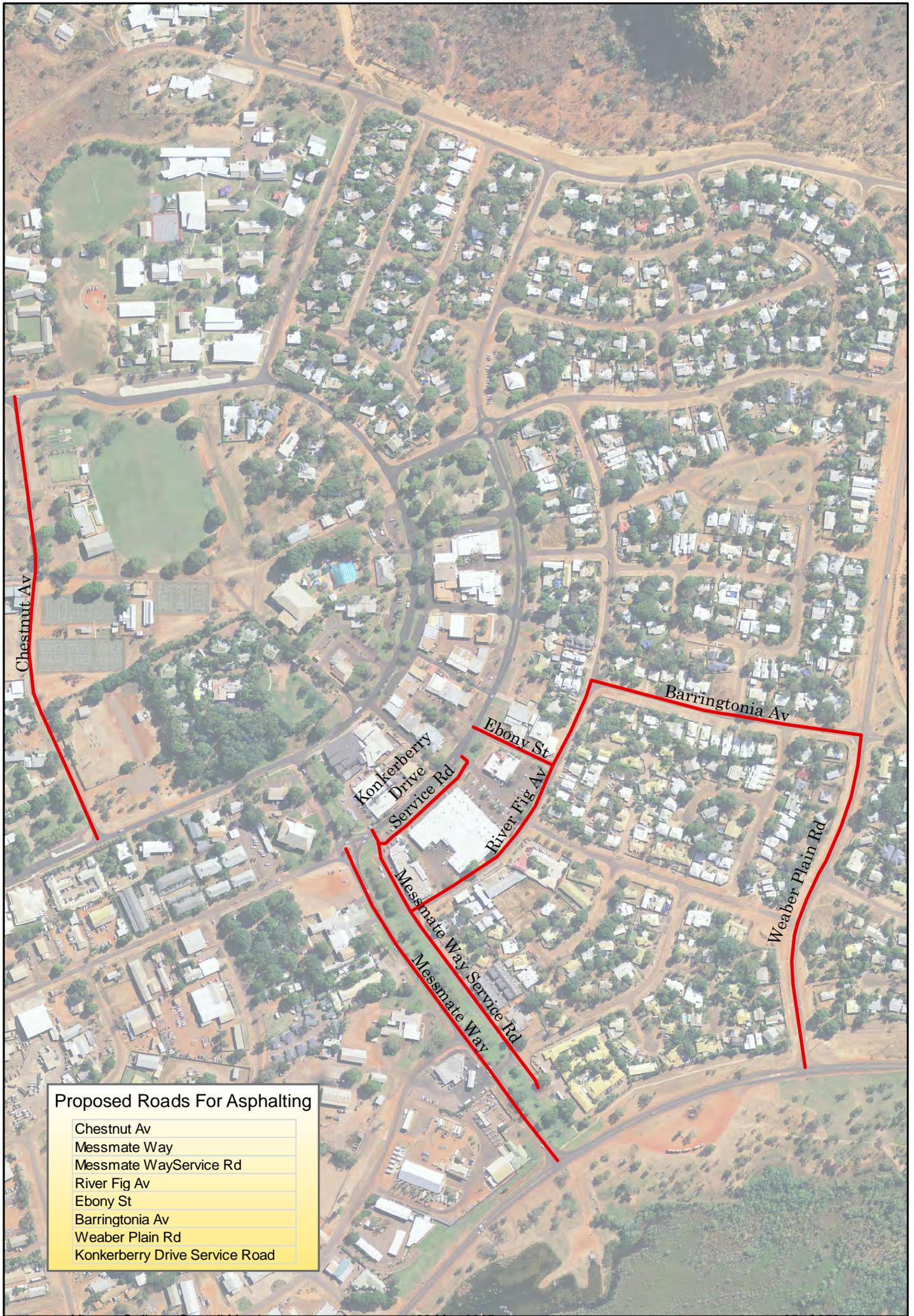
Project	Amount	Funding Source
Konkerberry Drive service road adjacent to Coles	\$89,740	CLGF
Ebony Road between River Fig Road and Konkerberry Drive	\$42,250	R2R
River Fig Road between Messmate Way service road and Barringtonia Avenue	\$110,300	R2R
Barringtonia Avenue between River Fig Road and Weaber Plain Road	\$76,300	R2R
Messmate Way service road between Konkerberry Drive and cul-de-sac bowl	\$137,060	R2R
Messmate Way between Konkerberry drive roundabout and Victoria Highway	\$126,700	R2R
Chestnut Avenue between Coolibah Drive north and Coolibah Drive south	\$105,325	R2R
Weaber Plain Road between Victoria Highway and Barringtonia Avenue	\$112,650	R2R

5. **Accept the additional offer from Downer Infrastructure, ABN 66 008 709 608, 5 Marion Road, Maddington WA 6109 as a variation to RFQ ET02 14/15 - Kununurra Airport Asphalt Surfacing Runway for the supply and lay of Dense Graded C320 Asphalt to the following streets as listed:**
- a) **Konkerberry Drive service road adjacent to Coles: \$89,740;**
 - b) **Ebony Road between River Fig Road and Konkerberry Drive: \$42,250;**
 - c) **River Fig Road between Messmate Way service road and Barringtonia Avenue: \$110,300;**
 - d) **Barringtonia Avenue between River Fig Road and Weaber Plain Road: \$76,300;**
 - e) **Messmate Way service road between Konkerberry Drive and cul-de-sac bowl: \$137,060;**
 - f) **Messmate Way between Konkerberry drive roundabout and Victoria Highway: \$126,700;**
 - g) **Chestnut Avenue between Coolibah Drive north and Coolibah Drive south: \$105,325;**
 - h) **Weaber Plain Road between Victoria Highway and Barringtonia Avenue: \$112,650.**

Carried 8/1

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

Proposed Asphalt Program 2015



Peter Kerp

From: Rob Scott <Rob.Scott@downergroup.com>
Sent: Wednesday, 20 May 2015 1:28 PM
To: Peter Kerp
Subject: Potential Town Works

Hi Peter

Further to our conversation this morning I can confirm we would be happy to honour our suggested deferred payment for the potential asphalt works on the town site projects until the new financial year (month ending 31st July)

If at all possible in order to assist Downer with FY15 year end financial results, a prompt payment for the Airport works would be greatly appreciated. (We will still honour the deferred town site payment irrespective of the Airport works)

I trust you find this acceptable.

Rob

Sent from my iPhone

Downer

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Cr D Spackman leaves the Chambers at 5.42pm due to a financial interest in item 13.4.1 Home Occupation at Lot 107 (14) Nutwood Crescent, Kununurra.

13.4 COMMUNITY DEVELOPMENT

13.4.1 Home Occupation at Lot 107 (14) Nutwood Crescent, Kununurra

DATE:	26/05/2015
PROPONENT:	Kylie Dawson
LOCATION:	Lot 107 (14) Nutwood Crescent, Kununurra
AUTHOR:	Roy Adam, Planning Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	A812P
ASSESSMENT NO:	DA107/14
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to consider the renewal of a Home Occupation planning approval at Lot 107 (14) Nutwood Crescent, Kununurra.

BACKGROUND

An application at this location was determined by Council at its Ordinary Council Meeting of 19 November 2013 (Minute No. 10252) for a Home Business (including Retail Trade by Appointment) by the applicant.

Approval was granted subject to several conditions, including: *"That approval be granted for a 12 monthly period with any such renewal to be brought to Council for re-approval"*. (**Attachment 1**).

As more than 12 months have passed and the applicant intends to continue operating the business, a renewed approval from Council has been sought. The current application was received on 24 November 2014 (**Attachment 2**).

The subject lot has an area of 967m², contains a single dwelling and backyard shed, and is zoned Residential in the Scheme (**Attachment 3**). Nutwood Crescent is predominantly residential in use and character.



Location of Lot 107 Nutwood Crescent

Proposal

To continue a Home Occupation use from within the residential dwelling on site. An interior room measuring 11.6m² (or 4 percent of the building) is the floor area of business operations. Employees comprise two household members.

No substantive change from the November 2013 application has been made. The applicant provides that:

- The retail trade component is to occur by appointment only.
- Opening hours will mainly be Friday afternoons and Saturday mornings.
- The estimated number of customers is 1 per day.
- Deliveries will not be directly to the dwelling. They will either be sent to the Post Office or the applicant's usual place of work.
- A website advertises the business and goods, providing a key method for trading. In addition, a community market stall (run by the applicant) assists with sales in a related manner.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – 'Kununurra and Environs'

The land at Lot 107 Nutwood Crescent is zoned Residential in the Scheme. The objectives of this zone are to allocate a density coding for the zone throughout the Scheme area to:

- i) *Provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;*

- ii) *Promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas;*
- iii) *Allow redevelopment opportunities for areas of older housing stock.*

The Scheme definition of Home Occupation is:

An occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which –

- a) does not employ any person not a member of the occupier's household;
- b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- c) does not occupy an area greater than 20 square metres;
- d) does not display a sign exceeding 0.2 square metres;
- e) does not involve the retail sale, display or hire of goods of any nature;
- f) in relation to vehicles and parking:
 - does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood;
 - does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight; and
 - does not include provision for the fuelling, repair or maintenance of motor vehicles.
- g) does not involve the use of an essential service of greater capacity than normally required in the zone.

The proposed use is not consistent with the definition of a Home Occupation at point (e).

By including retail sales, the proposal departs from the Scheme definition of Home Occupation (and Home Business). In this instance, the Scheme provides (cl. 3.1.6) that where the use of land is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the use classes, the Council may choose to:

- a) Determine that the use is not consistent with the objectives and purpose of the zone and policy statement and is therefore not permitted; or
- b) Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the particular zone and policy statement – and thereafter advertise and consider the application.

The Council concluded in 2013 that Organic Kreations did not fall within the definition of Home Business (or Home Occupation, or Home Office) due to it involving the *“retail sale, display or hire of goods of any nature”* and proceeded to deal with the application under cl. 3.1.6 (b) of the Scheme. Advertising took place followed by an approval by absolute majority.

It may be noted that Organic Kreations could fit the definition of Home Store as contained in the Scheme. This means: *“any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling”*. Were that view to be taken, Council would have the same ability to (re)approve the proposal as that definition.

POLICY IMPLICATIONS

Local Planning Policy 28 – Home Based Businesses

The objectives of policy are:

- *To provide clarification as to the different types and scale of home based businesses.*
- *To ensure that these types of uses do not compromise the amenity of the area.*
- *To ensure that the activity remains an ancillary use to the main dwelling or the principle land use on the property.*

In implementing these above objectives the policy outlines several suggested development conditions (**Attachment 4**). These limitations are in addition to the standard Scheme definitions. Relevance to the proposal, the policy provides for restrictions to:

- Opening hours;
- Limiting customer numbers (10 per day); and
- Approvals being limited to 12 months, after which renewal is required annually.

In regards to annual renewal of approvals, the policy provides that approval will be granted where (cl. 3.2); *“there have been no written complaints received during the 12 months period preceding the request for renewal, and there has been no change in the circumstances under which the previous approval was granted”*.

FINANCIAL IMPLICATIONS

The applicant has paid the relevant fee for a home based business renewal.

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

Strategy 2.1.1: Encourage a mix of businesses that meet community needs

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and has included adjoining owner notification in accordance with the Scheme. No submissions were received in response.

COMMENT

In 2013 the Council advertised and then approved the original application (which did not meet the definition of a Home Business), as it contained retail sales, as a “use not

specifically mentioned in the Zoning Table". It may arguably have been preferable to originally consider Organic Creations as a Home Store, rather than as a Home Business (including Retail Trade by Appointment), but as this is ultimately only a description of the use, it has little if any practical effect.

Council originally formed the view that the use could be consistent with the objectives and purposes of the Residential zone – which was an available conclusion to the Council – and went on to grant the approval. The same view is open to the Council in relation to the current application. However having reached the conclusion that it did in 2013, it would arguably be unreasonable for the Council to reach a different conclusion, with respect to the current application.

In regards to the objectives of the Residential zone, it is considered that the health, safety, convenience and general public welfare and amenity of the location is not diminished by this proposal. Rather, by providing a more active street frontage through a moderate increase in business activity and passive surveillance, the proposal is considered likely to create a positive contribution to the public safety of the location. In other respects, relating to land supply and redevelopment, the proposal has negligible effect.

No change or departure in the circumstances of the original approval has been made to this present proposal. In addition, no complaints have been received, either throughout the 17 months of its operations, or through the adjoining owner notification and advertising process. Due to these two key elements, the proposal specifically satisfies the Local Planning Policy regarding renewals.

Council may note that Shire Planning Officers have routinely driven by the subject lot to check for signage, car parking, and general amenity impacts, in the course of compliance operations throughout the town. No detrimental effects have been recorded.

It is noted that the original approval included a condition that "*Products associated with the business are not to be delivered directly to the dwelling*". It is recommended that this condition not be included. Policy-based conditions relating to vehicles, parking and wider amenity may achieve similar outcomes (as proposed).

In summary, it is considered that subject to conditions, the proposal is consistent with the Scheme and policy relevant to the Residential zone and home based business.

ATTACHMENTS

- Attachment 1 - Council Minute 10252 (19 November 2013)
- Attachment 2 – Submission and Plans
- Attachment 3 – Site photograph
- Attachment 4 - Local Planning Policy 28 – Home Based Businesses

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

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

1. The use shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
2. Retail trade must be by appointment only and any advertising associated with the business must not include the address of the property.
3. Appointments must only occur between 7am-7pm.
4. Any change of use shall be subject to further Council consent.
5. Does not employ any person not a member of the occupiers' household except with the consent of the Shire.
6. The use shall not cause injury to or prejudicially affect the amenity of the neighbourhood.
7. The use shall not occupy an area greater than 20m².
8. In relation to vehicles and parking, does not result in the requirement of a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles.
9. Does not involve the use of an essential service of greater capacity than normally required in the zone.
10. Approval is granted for a 12-monthly period with any such renewal to be brought forward to Council for re-approval.

COUNCIL DECISION

Minute No. 10952

Moved: Cr S Cooke

Seconded: Cr B Robinson

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

- 1. The use shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.**
- 2. Retail trade must be by appointment only and any advertising associated with the business must not include the address of the property.**
- 3. Appointments must only occur between 7am-7pm.**
- 4. Any change of use shall be subject to further Council consent.**
- 5. Does not employ any person not a member of the occupiers' household except with the consent of the Shire.**
- 6. The use shall not cause injury to or prejudicially affect the amenity of the neighbourhood.**
- 7. The use shall not occupy an area greater than 20m².**
- 8. In relation to vehicles and parking, does not result in the requirement of a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles.**
- 9. Does not involve the use of an essential service of greater capacity than normally required in the zone.**
- 10. Approval is granted for a 12-monthly period with any such renewal to be brought forward to Council for re-approval.**

Carried Unanimously 8/0

Cr D Spackman enters the Chambers at 5.44pm. The Shire President advises Cr D Spackman of the Council's decision.

COUNCIL DECISION

Minute No. 10252

Moved: Cr K Wright

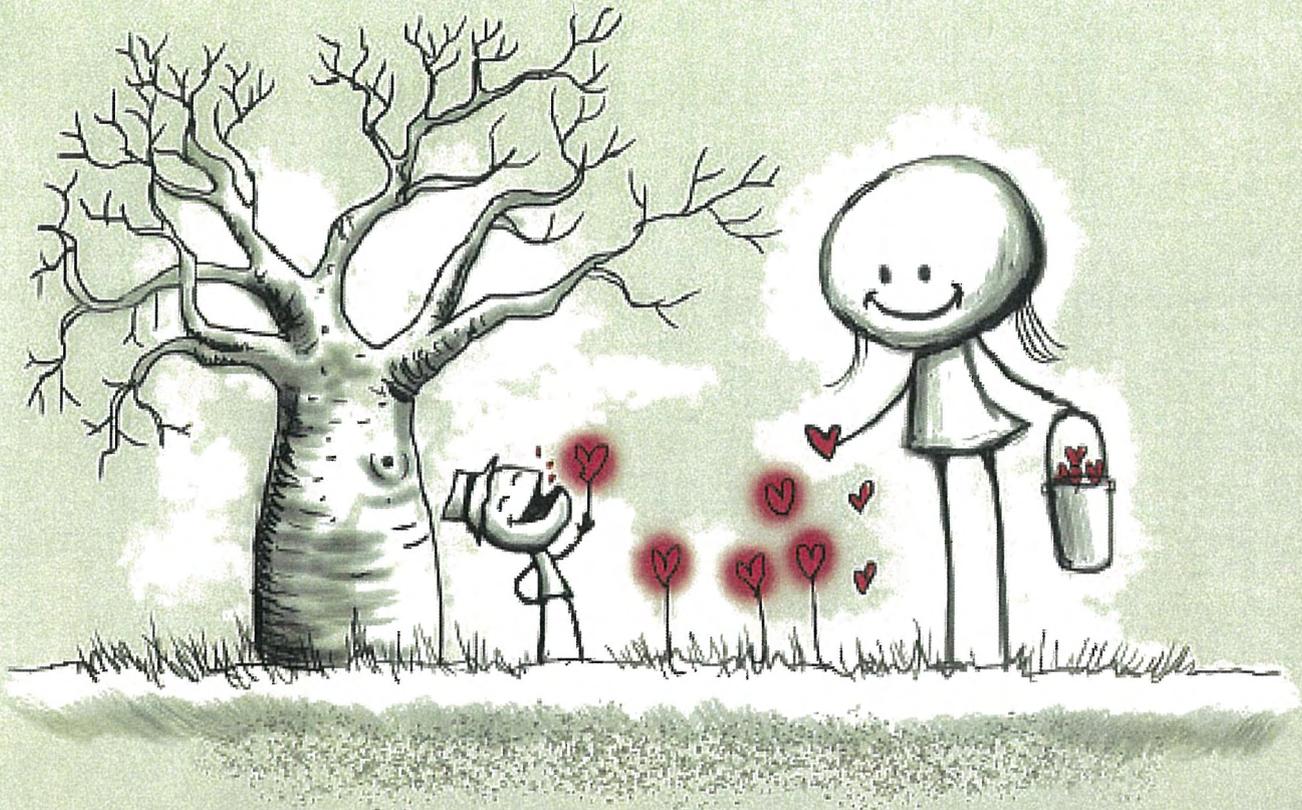
Seconded: Cr G Taylor

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

- 1. The use shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.**
- 2. Retail trade must be by appointment only and any advertising associated with the business must not include the address of the property.**
- 3. Appointments must only occur between 7am-7pm.**
- 4. Products associated with the business are not to be delivered directly to the dwelling.**
- 5. Any change of use shall be subject to further Council consent.**
- 6. Does not employ any person not a member of the occupiers household except with the consent of the Shire.**
- 7. The use shall not cause injury to or prejudicially affect the amenity of the neighbourhood.**
- 8. The use shall not occupy an area greater than 20m².**
- 9. In relation to vehicles and parking, does not result in the requirement of a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles.**
- 10. Does not involve the use of an essential service of greater capacity than normally required in the zone.**
- 11. That approval be granted for a 12 monthly period with any such renewal to be brought to Council for re approval.**

Carried Unanimously 6/0

6.12pm Cr D Spackman enters the meeting



Organic Kreation

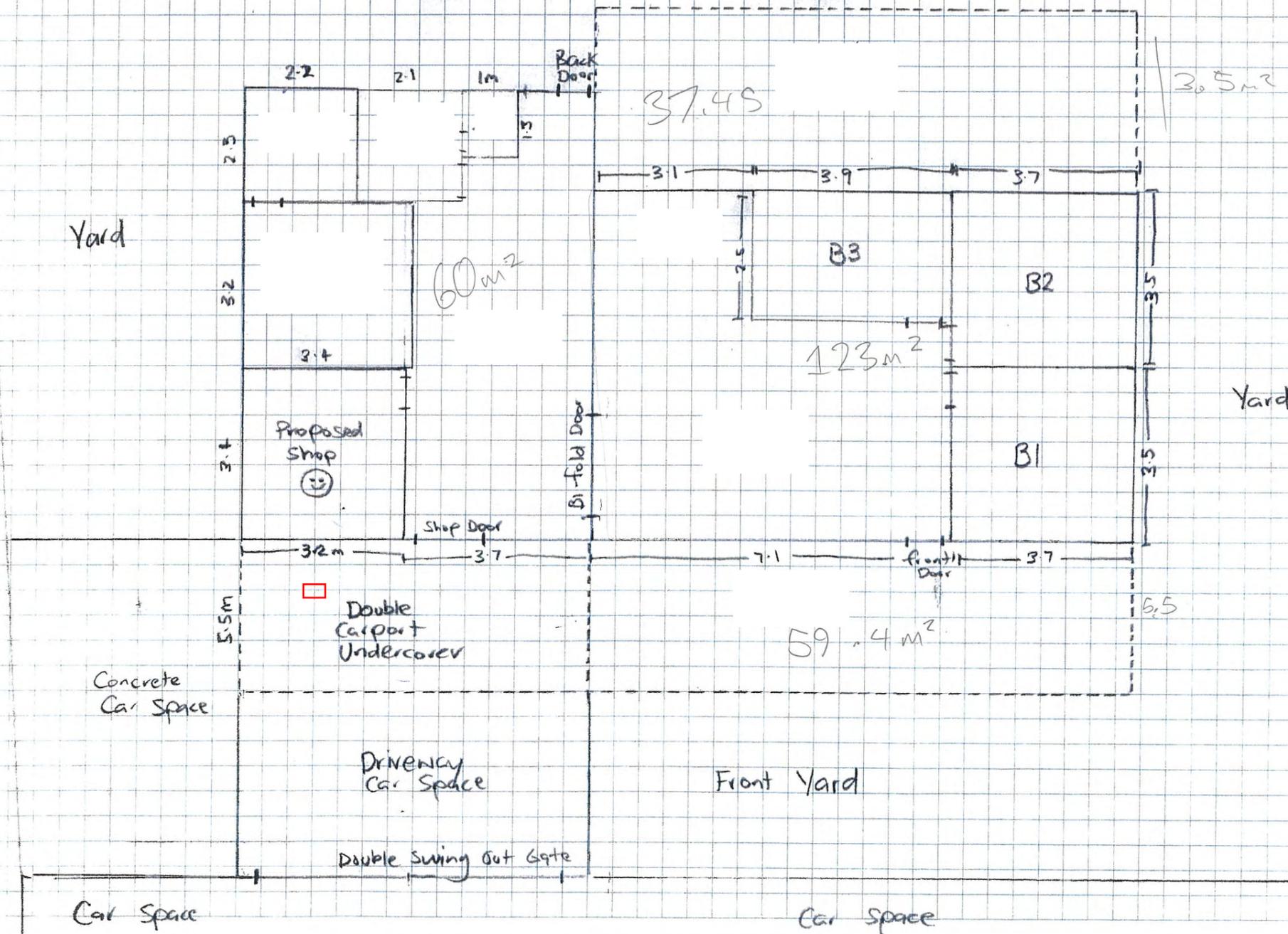
Kreating happier, healthier living for the East Kimberley

Organic Superfoods • Healthfoods
Organic Sounds • Earthy Aroma's
Organic Heirloom Seeds
Alternative Clothing • Plus More

Email: organickreations@hotmail.com

House Area 279.85m²

Back Yard



Organic Kreations Home Business

Proposal to Kununurra Shire

A Little bit about us

I Kylie Carter is the sole business owner of Organic Kreations with the help and support from my husband Danny in supporting my dream to have a health food and wholefoods store in Kununurra. My role in Organic Kreations to be the sales and accounts. At the moment I work fulltime at Kimberley Greens Construction and have been a reliable employee for the last 3 years.

My parents are both very successful business people owning a funeral home in Narrogin, which the business is 3 generations old. I have there full support, and possible financial backing in the near future if there is a potential market for the business to grow in the shire of the East Kimberley.

My partner Danny is doing his second trade as a refrigeration mechanic and is also proud to be the co-founder of the community gardening project, which he has provided countless hours as a committee member trying his hardest to provide benefits for healthy living, food security, indigenous affairs and providing an option in helping with the complex social issues of the town, and a meeting place for education in gardening. Danny is a very enthusiastic member of the community whose prime focus is to create healthier living for the East Kimberley. Danny's role in organic Kreations is marketing and researching everything that is healthy.

We are both committed to calling Kununurra our home for a very long time. We love the East Kimberley.

Organic Kreations Home Business

History of Organic creations

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

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

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

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

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

Organic Kreations Home Business

What is Organic Kreations going to manifest

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

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

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

A list of some of our product

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

Organic Kreations Home Business

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

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

Organic Kreations Home Business

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

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

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

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

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

Organic Kreations Home Business

Why is Organic Kreations important to Kununurra and the East Kimberley

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

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

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

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

Organic Kreations Home Business

Estimated numbers of customers per day

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

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

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

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

Organic Kreations Home Business

Detail how products will be delivered to the residence.

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

Organic Kreations Home Business

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

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

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

The room space for our business plus storage is under the 20m², and if you refer to house plan you will see it is approx. 11 m².

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

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

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





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

OBJECTIVE:

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

POLICY:

1. Definitions

For the purposes of this policy the following definitions shall apply:

Cottage Industry - means a trade or light industry (including but not limited to producing arts and crafts goods, food business, card making and sewing for commercial gain) which do not fall within the definition of a home occupation or hobby and which:

- does not cause injury to or adversely affect the amenity of the neighbourhood;
- where operated in a residential zone, does not employ any person other than a member of the occupier’s household;
- is conducted in an outbuilding which is compatible with the principle use to which land in the zone in which it is located may be put;
- does not occupy an area greater than 50m²; and
- does not display a sign exceeding 0.2m²

Hobby – means an activity or interest that is undertaken for pleasure or relaxation, often in one’s spare time, and where the goods and products produced:

- is of a low key nature that will not cause nuisance or amenity issues (ie noise, dust, odour, or electrical interference);
- is kept; gifted or donated or sold on a non-commercial basis (not subject to taxation declaration).

- c). does not involve retail trade other than at a weekend market, fund raising or charitable event.

Home Business - means a business, service or profession (including but not limited to Beautician, Chiropractor, Massage) carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- a). does not employ more than 2 people not members of the occupier's household;
- b). will not cause injury to or adversely affect the amenity of the neighbourhood;
- c). does not occupy an area greater than 20m²;
- d). does not involve the retail sale, display or hire of goods of any nature;
- e). in relation to vehicles and parking:
- does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
 - does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight.
- f). does not involve the use of an essential service of greater capacity than normally required in the zone.

Home Occupation - means an occupation (including but not limited to Property Valuer, Lawyer, Accountant, Tax Agent) carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- a). does not employ any person not a member of the occupier's household;
- b). will not cause injury to or adversely affect the amenity of the neighbourhood;
- c). does not occupy an area greater than 20m²;
- d). does not display a sign exceeding 0.2m²;
- e). does not involve the retail sale, display or hire of goods of any nature;
- f). in relation to vehicles and parking:
- does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volumes in the neighbourhood;
 - does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight; and

- does not include provision for the fuelling, repair or maintenance of motor vehicles.

g). does not involve the use of an essential service of greater capacity than normally required in the zone.

Home Office - means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not:

- a). entail clients or customers travelling to and from the dwelling;
- b). involve any advertising signs on the premises; or
- c). require any external change to the appearance of the dwelling.

2. General

2.1 Planning approvals for all types of home based businesses shall be limited to a maximum period of 12 months, after which the further renewal of the approval by the local government is required annually. **This is the responsibility of the applicant as the local government will not automatically re-issue approvals.**

2.2 Planning approval is not required for a “Home Office” or “Hobby” provided the activity is fully compliant with the definition as per Part 1, but may be subject to other approvals or licensing depending on the nature of the activity.

2.3 Planning approvals are issued only to the specific occupier of the particular parcel of land and is not transferable to any other person or to any other land parcel. Should there be a change of the occupier on the land in respect of which the planning approval was issued the approval shall no longer be valid.

2.4 Operating hours for home based businesses should be determined on the type of business being undertaken and having regard to the objectives of this policy.

As a general guide only, operating hours for businesses in residential areas should conform to what are considered normal business hours (generally 7.30am to 5.30pm, Monday to Friday and 8.30am to 1.00pm on Saturday).

2.5 Where an activity involves the visitation of clients or customers these appointments should be limited to 10 per day in accordance with hours as per Clause 2.4.

2.6 With the exception of a home office or hobby, activities should not be located on a site which has been intensely developed for group dwellings.

2.7 All materials and/or equipment used in relation to the activity must be stored within the dwelling, outbuilding and/or rear yard of the property, or behind property fences or appropriately maintained screening vegetation.

- 2.8 Activities must be ancillary to the principal use of the land as a residence, and are not to be construed as an alternative use.
- 2.9 For activities involving the preparation of food for commercial purposes, the domestic premises may need to be upgraded in accordance with the relevant health regulations.
- 2.10 Activities involving the following services will not be supported as a “Home Occupation” or “Cottage Industry”:
- Spray painting of any kind;
 - Vehicle wrecking/body repairs; and
 - The use of machinery causing excessive noise or processes causing unacceptable aromas, dust levels, rhythmic vibrations, lighting conditions, or electrical interference.
- 2.11 A “Cottage Industry” involving the retail sale, display or hire of goods of any nature will only be supported in non-residential areas.
- 2.12 The land use permissibility of home based businesses (including cottage industries) shall be in accordance with the respective Town Planning Scheme designations.

3. Application Requirements

- 3.1 Applications shall include the following information:
- Details of the proposed activity inclusive of any equipment used, proposed hours of operation, employees (if any) and their relationship to the occupier of the dwelling, frequency of clients or customers to the site and any other information considered relevant to the proposal; and
 - A site plan, and where applicable a floor plan, showing the dwelling and curtilage of the dwelling depicting where the activity is to take place, including areas for storage and/or administration and car parking provision where necessary.
- 3.2 Annual renewal of approvals is granted provided there have been no written complaints received during the 12 months period preceding the request for renewal, and there has been no change in the circumstances under which the previous approval was granted.

4. Consultation

Unless otherwise provided for in the Town Planning Scheme/s, an application for a home based business involving a variation to the standards as prescribed in the relevant definition, will require consultation with effected landowners and/or occupiers and neighbour consent should preferably be given.

5. Responsibilities:

The policy is subject to an annual Council review. The authority is delegated to the Chief Executive Officer and Director Development Services.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Planning and Development Act 2005</i>
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POLICY ADMINISTRATION

Directorate		Officer Title		Contact:	
<i>Community Development</i>		<i>Planning Officer</i>		Ext:	
Date Effective	OCT 2010	CEO Approved			
Date Adopted	OCT 2010	Last Reviewed	OCT 2010		
Risk Rating	Medium	Review Cycle	Tri-Annual	Next Due	OCT 2010

**13.4.2 Development Application for Radio Communication Structure -
Lot 656 Great Northern Highway, Wyndham**

DATE:	26/05/2015
PROPONENT:	Telstra Corporation Limited
LOCATION:	Lot 656 Great Northern Highway, Wyndham
AUTHOR:	Jennifer Ninnette, Senior Planning Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	A5174P
ASSESSMENT NO:	A5174
DECLARATION OF INTERESTS:	N/a

PURPOSE

For Council to consider a development application for a Radio Communication Structure at Lot 656 Great Northern Highway, Wyndham.

BACKGROUND

At the Ordinary Council Meeting held on 18 November 2014, Council considered a planning application by Telstra Corporation Limited for installation of a Radio Communication Structure adjacent to, and for the benefit of, the Guda Guda Community and resolved as follows:

Minute No. 10666

Moved: Cr K Wright

Seconded: Cr D Learbuch

- 1. That Council approves the planning application for a Radio Communication Structure at Lot 1344 Great Northern Highway, Wyndham, subject to the following conditions:**
 - a. 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.***
 - b. The proposed site is required to be excised from Lot 1344 on Deposited Plan 213411.***
- 2. That Council advises the Department of Lands that it supports the excision of a portion of Reserve 33684, part Lot 1344 Great Northern Highway Wyndham, to be reserved for telecommunication purposes, at no cost to the Shire of Wyndham East Kimberley.**

Carried Unanimously 8/0

However, Telstra have now advised that they have had to change the proposed location and an application for planning approval was lodged on 13 May 2015 by Telstra for the erection of the radio communication tower on Lot 656 Great Northern Highway, Wyndham, approximately 40m north of the initial location proposed.

The Guda Guda (Nine Mile) Community has an area of 21.48 hectares, and is zoned Settlement under Town Planning Scheme No. 6 – Wyndham Townsite (TPS6). The land is also reserved under the Land Administration Act for the purpose of ‘Use & Benefit of Aborigines’ and the management order for the reserve held by the Department of Aboriginal Affairs.



Figure 1 – Location Plan

Proposal

The applicant proposes to erect a 9 metre high Triad customer radio communication (pipe) structure to provide for reliable telephone services to the Guda Guda Community. Although the triad structure itself is 9m high, a lightning arrestor will also be attached to the top of the structure resulting in a total height of 13.2 metres.

The existing copper cable that provides the two telephone services to the Guda Guda community has been damaged from lightning strikes and from fires inside cable pits, and following numerous repairs over a number of years is now at the point that any further damage or faults, particularly during the wet season, will be extremely difficult to repair. Therefore the radio solution is proposed to guarantee reliable year round services.

A copy of the plans are provided at Attachment 1.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 6 – Wyndham Townsite (TPS6)

The land at Lot 656 is zoned Settlement under TPS6. The objective of the settlement zone is to improve the general health, safety and amenity of Aboriginal communities by supporting the preparation, endorsement and implementation of Layout Plans.

TPS6 outlines that development, including essential community infrastructure provided in conjunction with development, in the Settlement zone is to be consistent with a layout Plan endorsed by the Community, Council and Western Australian Planning Commission.

This application is required to be considered by Council as TPS6 does not allow Council to delegate any powers conferred on it by virtue of the Scheme.

Land Administration Act 1997

The land is also reserved (Reserve 25238) under the Land Administration Act 1997 for the purpose of 'Use and Benefits", and the management order is held by the Department of Aboriginal Affairs who have signed the application form as landowner.

Guda Guda Community Layout Plan

The Guda Guda Community Layout Plan was endorsed by the WAPC in April 2003, and identifies the proposed location of the structure within an area of land set aside for recreation.

The Layout Plan report outlines objectives for specific Land Uses including:

Parks and Recreation:

- 1. To provide areas where the community can safely participate in social and recreational activities.*
- 2. To set aside areas for informal and passive uses as well as areas for games and sports.*
- 3. To identify important natural environments, such as creeks and trees, for protection.*

Utilities:

- 1. To ensure that enough land is allocated to provide for major servicing utilities.*
- 2. To select sites that are convenient to service and safeguard, but far enough away to avoid conflicts with sensitive uses.*
- 3. To provide adequate buffer zones to protect water supply*

The Layout Plan also outlines that where possible, utilities should be located within road reserves and should not be aligned through areas of open space, must be protected within easements, and fenced in a manner appropriate to their specific security needs.

Although the site is identified for recreational use on the Living Area plan it is noted that in Section 7.2.5 of the report (Recreation and Open Space), the intent is to retain and provide for expansion of, and enhance the appearance and function of, the existing central open space and meeting area, and for active recreation facilities, such as basketball, or netball facilities, to be provided on the north side of Nine Mile Creek.

As such it is considered the proposed communication infrastructure will not impede on areas proposed to be enhanced or developed for specific passive and recreational uses, and is located far enough away to avoid conflicts with sensitive uses.

A copy of the Guda Guda Community Layout Plan report and map set is provided as Attachment 2.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The applicant has paid the fee for a development application.

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

Strategy 2.4.1: Advocate for improved health and community services

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required.

COMMENT

Telstra previously proposed a location within Lot 1344 as it would provide for access to the existing underground cable network and was slightly raised to ensure that the radio signal path would not be obstructed. Telstra had originally stated that other locations within the community were not suitable due to the radio path being obstructed, the additional cabling distance that would be required, and potential flooding concerns. However, they have now advised that they have had to change the location of the site to install the Radio Communication Structure within the Guda Guda Community.

The proposed radio communication structure is proposed to be located approximately 40 metres to the north of the initial site proposed, and 20-25 metres from the Great Northern Highway boundary, with access via the Guda Guda Road.

Other than the location, the application remains unchanged and it is recommended that the proposed development should be supported to ensure that the community has required and reliable telephone services.

ATTACHMENTS

Attachment 1 - Plans

Attachment 2 – Guda Guda Community Layout Plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council approves the planning application for a Radio Communication Structure at Lot 656 Great Northern Hwy, Wyndham, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.
2. The radio communication structure should be adequately fenced.
3. An easement is to be created over the radio communication structure.

COUNCIL DECISION

Minute No. 10953

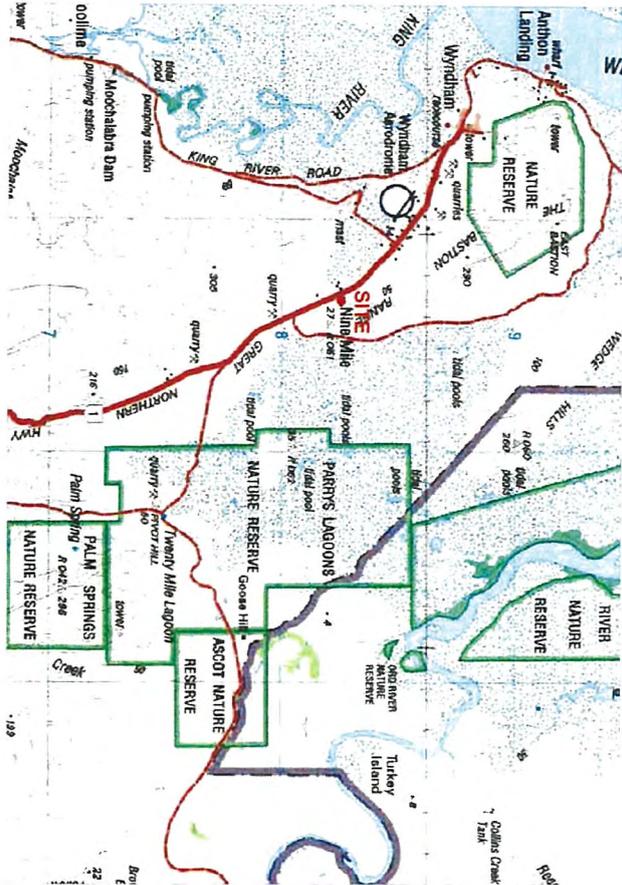
Moved: Cr G King

Seconded: Cr K Wright

That Council approves the planning application for a Radio Communication Structure at Lot 656 Great Northern Hwy, Wyndham, subject to the following conditions:

- 1. Development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire.**
- 2. The radio communication structure should be adequately fenced.**
- 3. An easement is to be created over the radio communication structure.**

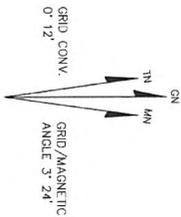
Carried Unanimously 9/0



SITE PLAN
NOT TO SCALE

GRID REFERENCE

E	413 285	ZONE	-15° 32' 02.5"	DATUM	GDA 94
N	8 282 428		52	LONG	128° 11' 28.9"



MAGNETIC DECLINATION
3° 36' EAST (2014)
TO OBTAIN MAGNETIC BEARING SUBTRACT
MAGNETIC DECLINATION FROM TRUE BEARING.

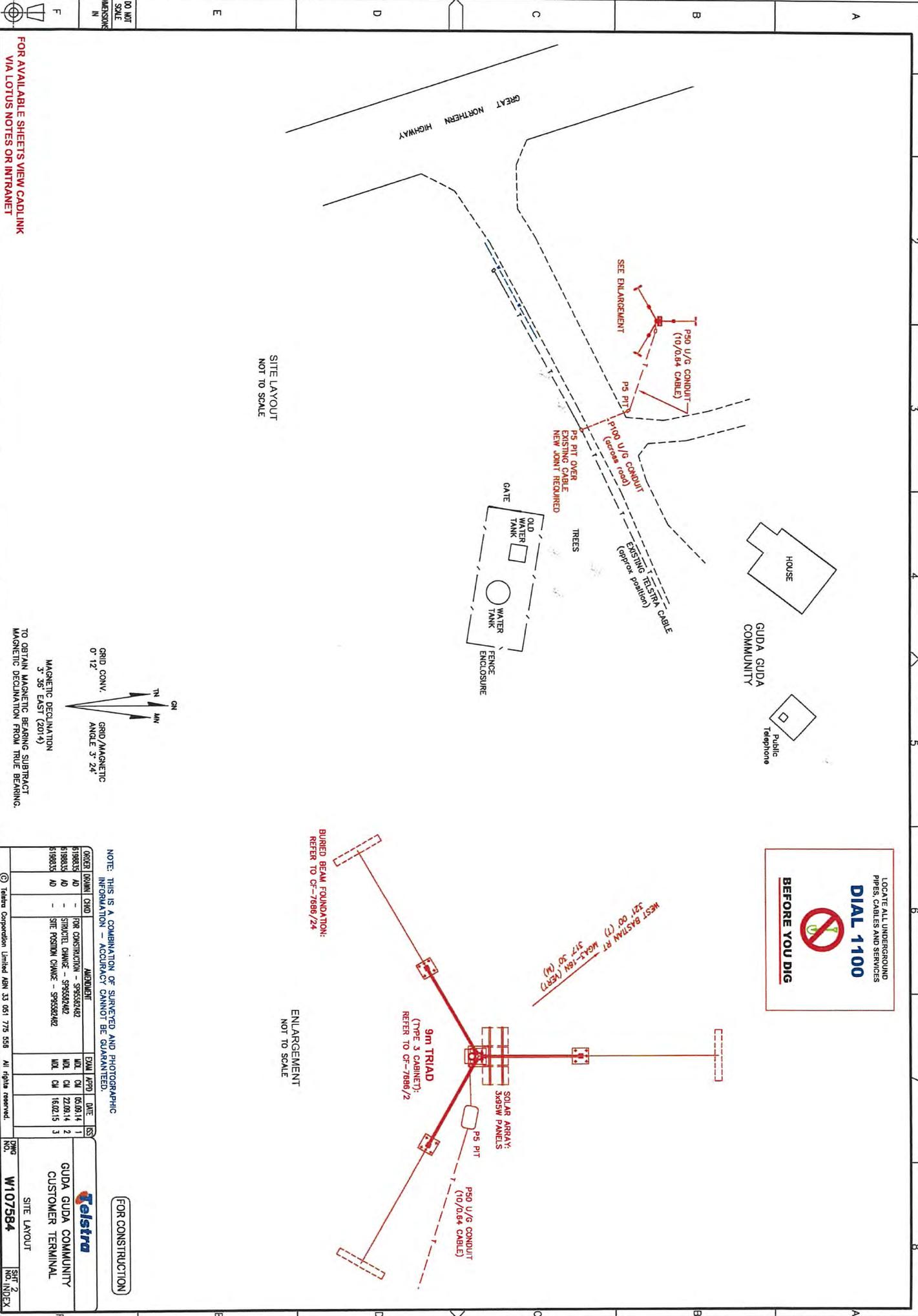


SITE LOCALITY
NOT TO SCALE

SD52-14
CAMBRIDGE GULF

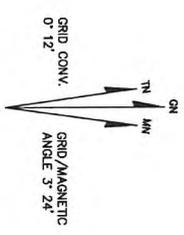
FOR AVAILABLE SHEETS VIEW CADLINK
VIA LOTUS NOTES OR INTRANET

ORDER NO.	6198835	ORDER NO.	6198835	AMENDMENT		DATE	04.09.14	ISS	1	 GUDA GUDA COMMUNITY CUSTOMER TERMINAL SITE LOCALITY AND SITE PLAN
NO.	40	NO.	-	FOR CONSTRUCTION - 595582482		DATE	16.02.15	ISS	2	
NO.	40	NO.	-	SITE POSITION CHANGE - 595582482		DATE		ISS		FOR CONSTRUCTION
NO.		NO.				DATE		ISS		
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DWG NO.	W107584	SHT NO.	1							

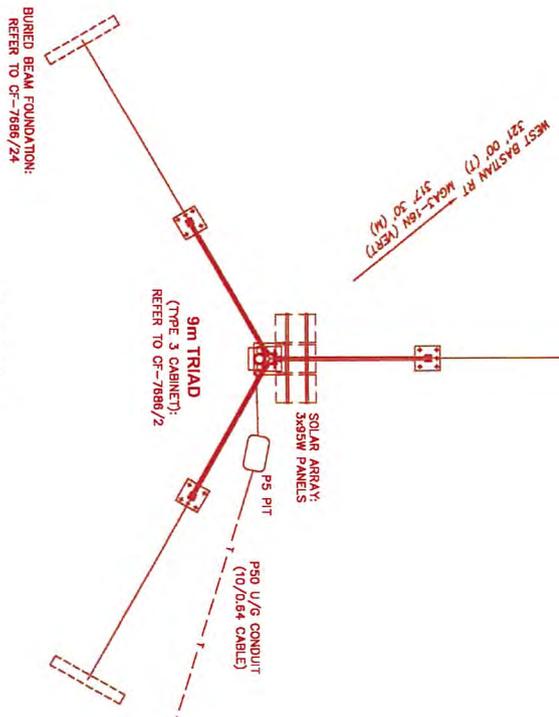


FOR AVAILABLE SHEETS VIEW CADLINK VIA LOTUS NOTES OR INTRANET

SITE LAYOUT NOT TO SCALE



LOCATE ALL UNDERGROUND PIPES, CABLES AND SERVICES
DIAL 1100
 BEFORE YOU DIG



NOTE: THIS IS A COMBINATION OF SURVEYED AND PHOTOGRAPHIC INFORMATION - ACCURACY CANNOT BE GUARANTEED.

OBJECT	DESCRIPTION	AMENDMENT	DATE	BY
5198003	AD	FOR CONSTRUCTION - 995502402	06/29/14	1
5198003	AD	STRUCTURE CHANGE - 995502402	12/09/14	2
5198003	AD	SITE POSITION CHANGE - 995502402	10/22/15	3

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FOR CONSTRUCTION

GUDGA GUDGA COMMUNITY CUSTOMER TERMINAL

SITE LAYOUT

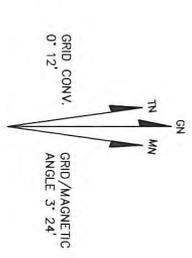
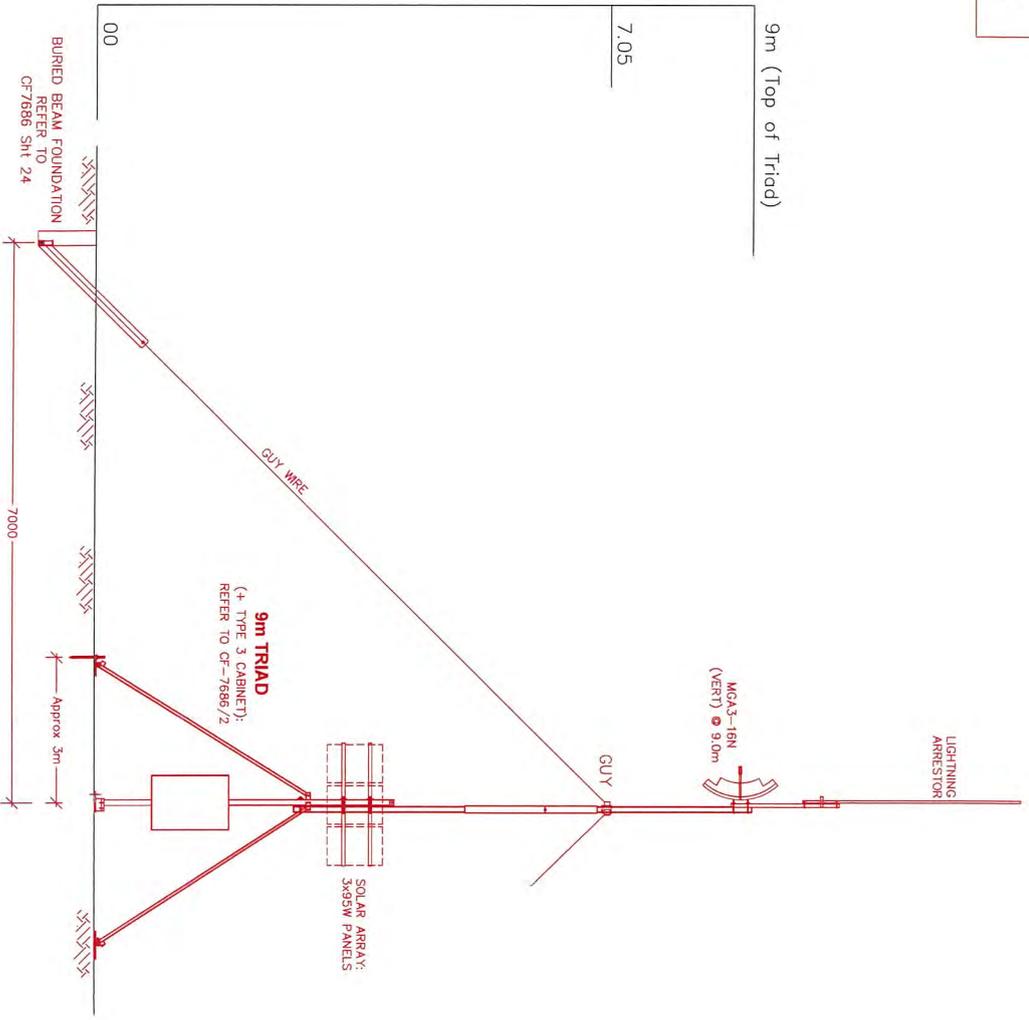
W107584

SHEET 2 OF 2 INDEX

LOCATE ALL UNDERGROUND
PIPES, CABLES AND SERVICES
DIAL 1100
BEFORE YOU DIG

ANTENNA DETAILS

Antl No.	UP/DOWN	ANTENNA	Fed No.	SYSTEM
1	WEST BASTIAN RT	RFS MGA3-16N (VERT) 3.21' (T) 9.0m	F1	WINDHAM HCRC SWING



TO OBTAIN MAGNETIC BEARING SUBTRACT
MAGNETIC DECLINATION FROM TRUE BEARING.

SOUTH ELEVATION
NOT TO SCALE

NOTE: THIS IS A COMBINATION OF SURVEYED AND PHOTOGRAPHIC INFORMATION - ACCURACY CANNOT BE GUARANTEED.

FOR CONSTRUCTION

ORDER NO.	ISSUE NO.	DATE	DESCRIPTION	BY	CHKD	APPD	DATE	REVISION
6198835	AD	05.09.14	FOR CONSTRUCTION - SP95582482	MDL	CM		22.09.14	2
6198835	AD	22.09.14	STRUCTURE CHANGE - SP95582482	MDL	CM		22.09.14	2

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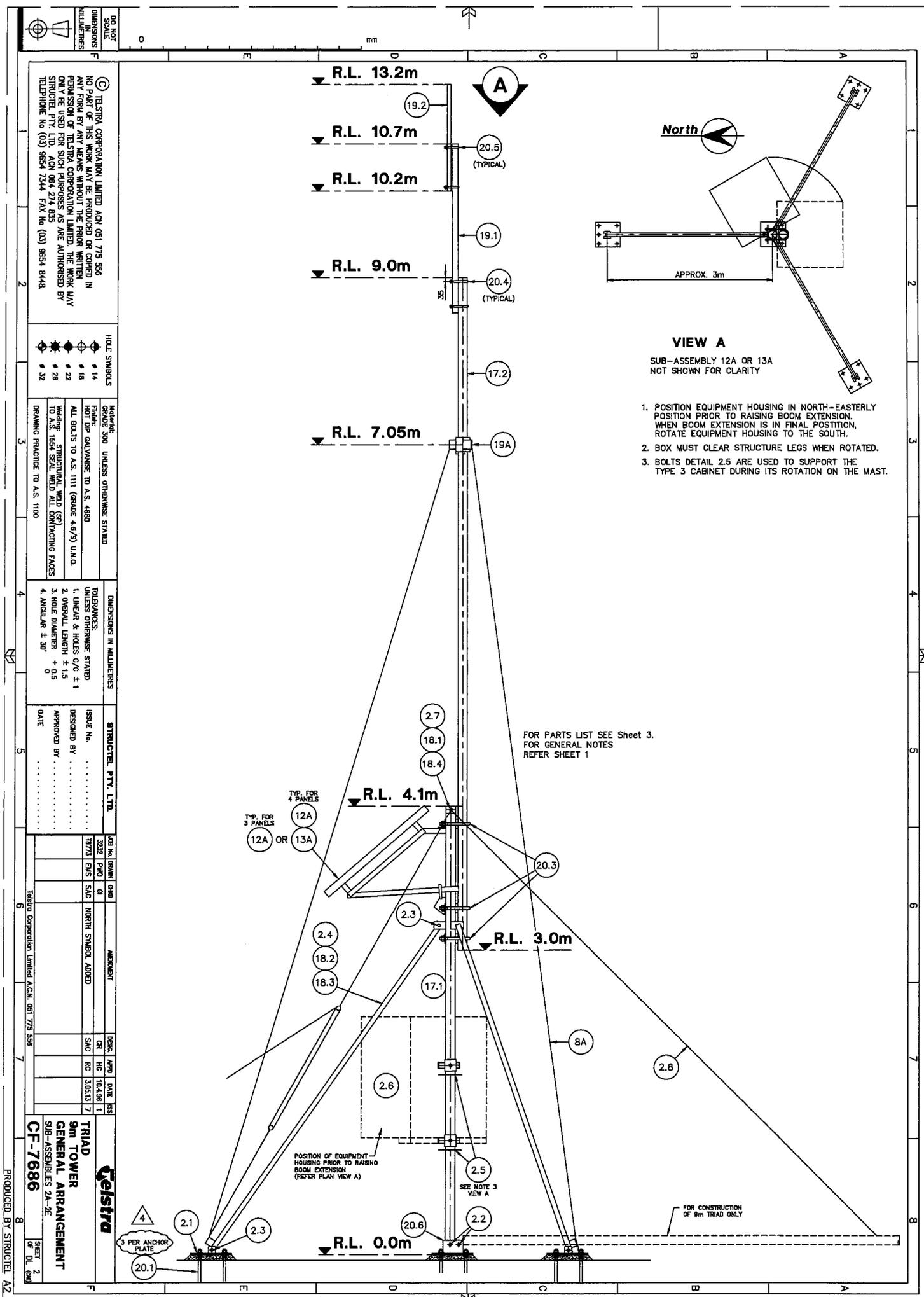
W107584



GUDDA GUDDA COMMUNITY
CUSTOMER TERMINAL
9M TRIAD
ELEVATION

DO NOT SCALE DIMENSIONS IN

FOR AVAILABLE SHEETS VIEW CADLINK
VIA LOTUS NOTES OR INTRANET



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 STRUCOTEL PTY. LTD. A/CN 054 274 835
 TELEPHONE No (03) 9654 7344 FAX No (03) 9654 8448

HOLE SYMBOLS	MATERIAL
14	GRADE 300 UNLESS OTHERWISE STATED
18	FRONT END GALVANNE TO A.S. 4680
22	ALL BOLTS TO A.S. 1111 (GRADE 4.6/5) UNO.
28	WELDING: STRUCTURAL WELD (S ₂) TO A.S. 1554 SEAL WELD ALL CONTACTING FACES
32	BRAZING PRACTICE TO A.S. 1100

TOLERANCES IN MILLIMETRES
 UNLESS OTHERWISE STATED
 1. UNDRILL & HOLES 0/+0.1
 2. OVERALL LENGTH ± 1.5
 3. HOLE DIAMETER + 0.0
 4. ANGLE ± 30°

STRUCOTEL PTY. LTD.
 ISSUE No.
 DESIGNED BY
 APPROVED BY
 DATE

JOB NO.	ISSUED	CHG	AMENDMENT
3232	PMC	Q	
10773	ENS	SAC	NORTH SYMBOL ADDED

Produced by STRUCOTEL A2
9m TOWER GENERAL ARRANGEMENT
CF-7686
 SHEET 2 OF 2

- VIEW A**
 SUB-ASSEMBLY 12A OR 13A NOT SHOWN FOR CLARITY
1. POSITION EQUIPMENT HOUSING IN NORTH-EASTERLY POSITION PRIOR TO RAISING BOOM EXTENSION. WHEN BOOM EXTENSION IS IN FINAL POSITION, ROTATE EQUIPMENT HOUSING TO THE SOUTH.
 2. BOX MUST CLEAR STRUCTURE LEGS WHEN ROTATED.
 3. BOLTS DETAIL 2.5 ARE USED TO SUPPORT THE TYPE 3 CABINET DURING ITS ROTATION ON THE MAST.

FOR PARTS LIST SEE Sheet 3.
 FOR GENERAL NOTES REFER SHEET 1

POSITION OF EQUIPMENT HOUSING PRIOR TO RAISING BOOM EXTENSION (REFER PLAN VIEW A)

FOR CONSTRUCTION OF 9m TRIAD ONLY



DO NOT SCALE

SERIAL/ITEM NUMBERS → 377/01198 377/01613

ITEM	DESCRIPTION	3 PANEL QTY	4 PANEL QTY
1.1	BP SOLAR PANEL (QB 200132)		
1.2	M12 x 25 GALV BOLT NUT & SPRING WASHER	4	4
1.3	M12 x 80 GALV BOLT NUT & SPRING WASHER	2	2
1.4	M12 GALV FLAT WASHER	8	8
2.1	SOLAR PANEL FRAME (LOWER)	1	-
2.2	SOLAR PANEL FRAME (UPPER)	1	-
2.3	STANDOFF (LONG)	1	-
2.4	STANDOFF (SHORT)	1	-
2.5	BRACE	2	-
3.1	"U" BOLT CLAMP	4	4
3.2	HINGE BRACKET	2	2
4.1	"U" BOLT (LARGE)	4	4
4.2	"U" BOLT (SMALL)	5	5
4.3	PIPE CLAMP PLATE (LARGE)	2	2
4.4	PIPE CLAMP PLATE (SMALL)	1	1
8.1	SOLAR PANEL FRAME (LOWER)	-	1
8.2	SOLAR PANEL FRAME (UPPER)	-	1
8.3	STANDOFF (LONG)	-	1
8.4	STANDOFF (SHORT)	-	1
8.5	BRACE	-	2

SUPPORTED CONFIGURATIONS eg ATTACHED TO MAST OR Q103617 (SOLAR POLE)

No OF PANELS	INCLINATION	WIND REGION
3	45°	C
4	45°	C

FREE STANDING CONFIGURATIONS eg NOT ATTACHED TO MAST OR Q103617 (SOLAR POLE)

No OF PANELS	HEIGHT	INCLINATION	WIND REGION	PIPE SIZE
3	3.0m	60°	A	76 OD x 5.9 WALL C250
2	3.0m	60°	A	76 OD x 3.6 WALL C250
3	3.0m	45°	A	76 OD x 3.6 WALL C250
2	2.0m	45°	C	76 OD x 3.6 WALL C250
2	2.9m	30°	C	76 OD x 3.6 WALL C250
2	3.0m	20°	C	76 OD x 3.6 WALL C250

APPROVALS
 THIS DESIGN HAS BEEN CERTIFIED BY STRUCTEL PTY LTD REF Nos NTRS 27/131/11994/1 AND NTRS 27/131/12149/1 AND P 27/131/T3398/1 IN A/W THE FOLLOWING LIMITATIONS BELOW AND THOSE LIMITATIONS AS SET OUT IN THE TABLES IN THE TOP RIGHT CORNER OF THIS DRAWING.
 TERRAIN CATEGORY 2 (FEW TREES)
 WIND DIRECTIONAL MULTIPLIER 0.95
 TOPOGRAPHICAL MULTIPLIER 1.0 (FLAT TERRAIN)
 TYPE 3 STRUCTURE.

USE OF Q103617 CUSTOMER RADIO POLE IN A/W NTRS 27/131/14658/2.

THIS DRAWING IS APPLICABLE TO THE FOLLOWING SOLAR PANELS.
 BP1259T - 59W PANELS
 BP268T - 68W PANELS
 BP580T - 80W PANELS

ORDER NO.	DRAWN	CHKD	EXAM	APPD	DATE	ISS
R1929	NAB	HVN	RB	AL	19.9.96	4
S1274	TMC	GC	TT	TT	20.06.02	5
S1343	HVN	SH	TT	TT	16.7.02	6
A14.05	NAB	SH	PG	JDW	22.10.07	7
A14.06	NAB	SH	PG	PG	27.11.07	8
A14.06	NAB	SH	PG	PG	27.11.07	9
A14.06	NAB	SH	GGC	GGC	18.01.08	10

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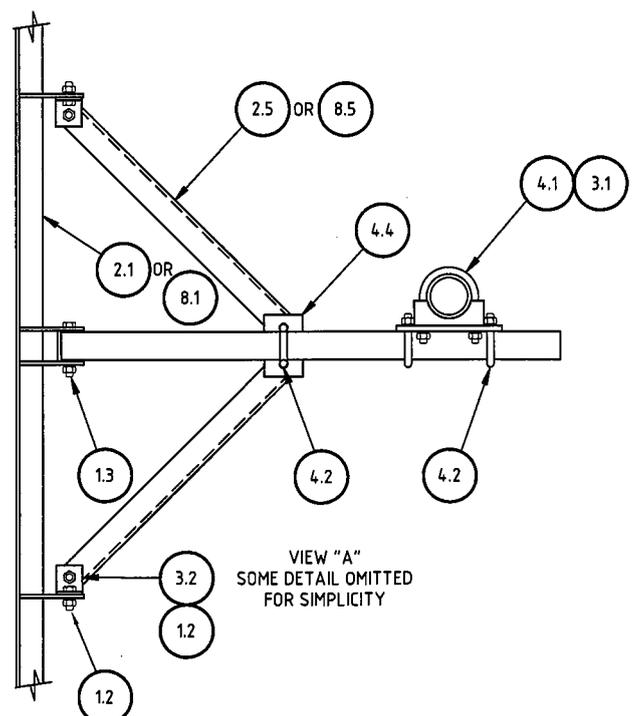
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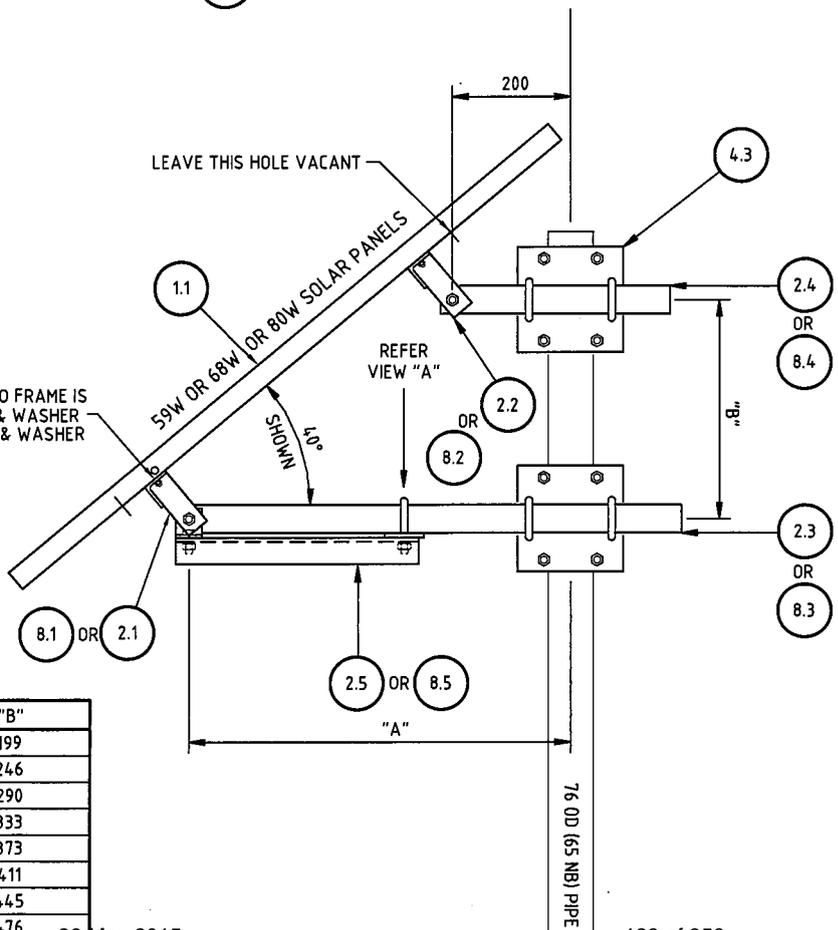
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Amendment 1
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Guda Guda Community Layout Plan

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PART 1 – BACKGROUND REPORT

1. Introduction

1.1 Guda Guda

Guda Guda is located on the Great Northern Highway, in the Nine Mile Area of the township of Wyndham, approximately 10 kilometres south-east of the town centre. The community is situated on reserve number 25238 which was established in the late 1970s.

1.2 The Guda Guda Community Layout Plan

The past approach to the planning and delivery of services for Aboriginal communities has been identified as unsatisfactory in a number of key aspects. This has resulted in problems such as inappropriate location of housing, inefficient provision of services, and outcomes for communities that do not reflect cultural and social needs.

The Department of Indigenous Affairs (DIA) and the Aboriginal and Torres Strait Islander Commission (ATSIC) have for some years recognised the need for an improved approach to planning for Aboriginal communities. The draft policy document *Planning for Aboriginal Communities* released by the Western Australian Planning Commission (WAPC) in October 1997, and prepared in conjunction with ATSIC and DIA, highlighted the problem and established a framework for the planning of permanent Aboriginal communities. This was adopted in August 2000 as *Statement of Planning Policy No 13 – Planning for Aboriginal Communities* under section 5AA of the *Town Planning and Development Act 1928*. This provides a formal planning framework for the preparation and approval of Community Layout Plans (CLP) and is supported by *Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities* prepared jointly by ATSIC, DIA and WAPC in November 1999.

In addition to funding provided by DIA and ATSIC, the Department of Housing and Works is providing additional funding to this program for the preparation of community layout plans for town reserve communities including Guda Guda under the Town Reserves Planning Program (TRPP). The need for the preparation of a CLP for Guda Guda has been identified, and is being funded through this program.

A CLP provides the parameters for land use and development within an Aboriginal community. The purpose of a CLP is to:

- establish a vision for the community and a guide to the future growth and development of the community
- provide a community focus for, and involvement in, the development process
- facilitate proper and orderly planning of the community to establish development requirements based on need with social, physical, environmental and economic opportunities and constraints
- provide a mechanism for a coordinated approach to the provision of services and infrastructure and enable access to existing services and infrastructure information
- promote development that maximises health, safety and welfare outcomes for the community

The Guda Guda CLP consists of this background report, together with the proposed **plan** of the physical layout of the community and supporting **provisions** for implementation. The plan and its supporting written provisions together establish the planning and management framework to guide the future development of Guda Guda and the coordinated provision of infrastructure and services.

1.3 Why Does Guda Guda Need a CLP?

Guda Guda needs a CLP prepared for a number of reasons. There is a need to ensure that circumstances within the community are reflected and the current needs and aspirations of the community are determined and reflected within the CLP. The CLP is required as a guide for future land use and development decisions within the community and to assist the coordinated provision of essential infrastructure and services by government agencies.

1.4 How Has the CLP been Prepared?

The preparation of the CLP has adopted a methodology and consultation process based on the recommended approach outlined within the *Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities* (ATSIC/DIA, 1999).

A five-stage process has been adopted for the preparation of the CLP. This process is summarised below.

Stage 1 – Stakeholder consultation and background research

- community advised about preparation of the CLP and process.
- stakeholders identified and consultation undertaken with stakeholders to scope issues and obtain relevant background information.
- background research on the community and review of existing information undertaken.

Stage 2 – Initial community consultation

- meetings held with the community to explain and confirm the process, scope issues and needs, and discuss planning options for the community.
- detailed field inspection of the community undertaken to assess current conditions and constraints and opportunities for future development.
- meetings held with stakeholders.

Stage 3 – Preparation of draft CLP for community and stakeholder comment

- draft CLP prepared and distributed to the community and stakeholders for consideration and comment.
- meeting held with Department for Planning & Infrastructure to discuss comments on draft CLP.

Stage 4 – Consultation with the community on the draft CLP

- visit to the community conducted to present the draft CLP, discuss comments and agree on required changes for the final CLP.

Stage 5 – Preparation of final CLP for endorsement and approval

- outcomes of the community consultation and written comments from stakeholders considered and incorporated into final CLP.
- final CLP prepared for endorsement by the community, the Shire, other stakeholders, and registration by the Department for Planning & Infrastructure.

Following this process, the implementation of the Town Reserves Regularisation Program (TRRP) will be initiated to determine requirements for creation of easements and road reserves and upgrading of infrastructure within the community.

1.5 What Does the CLP Contain?

The CLP has been prepared to meet the requirements of Statement of Planning Policy No 13 and supporting guidelines. The three parts of the CLP are this background **report**, a **plan** of the physical layout of the community and supporting **provisions** for implementation.

This background report forming Part 1 of the CLP provides background information about Guda Guda explaining the rationale behind the CLP and the process used to develop it including consultation undertaken. This report includes a profile of the community, existing development and infrastructure provision, and an assessment of possible future development within the community.

Part 2 of the CLP contains the plan and provisions. The plan provides the proposed physical layout of the community including a housing layout, open space and community sites. The provisions provide development objectives for land use and development within Guda Guda. They also include the procedure for implementation, which relates to the statutory requirements of the Shire of Wyndham-East Kimberley Town Planning Scheme. This provides a process for the modification of the Town Planning Scheme through the scheme review to establish land use objectives and development guidelines, procedures for approval of development and for subsequent changes to the CLP.

2. Policy and Administration

It is necessary to consider the state and local government agency plans and administrative frameworks relevant to the region or local area within which the community is situated. The statutory planning controls and the plans of regional and local Aboriginal representative bodies applicable to the community are also described.

2.1 Strategic and Statutory Planning Context

2.1.1 State Planning Strategy

The *State Planning Strategy* provides a strategic framework for future decision making and planning by government agencies, particularly the WAPC. Relevant recommendations for the Kimberley region and the preparation of Aboriginal community layout plans are as follows:

Facilitate the preparation and endorsement of community plans for remote Aboriginal communities to enable Aboriginal communities to determine the future of their settlements. (DIA, WAPC, LG)

Develop appropriate planning policies for service provision to remote Aboriginal communities and town reserves. (DIA, WAPC)

Encourage Aboriginal participation in industry related vocational training, through a combination of formal training and on-the-job training. (Curtin University, Community/Industry alliances)

Investigate the possibility of the involvement of the local Aboriginal groups in the management of the Kimberley Plateau, especially at tourist sites. (CALM, AAD, ATSIC)

Protect culturally significant places through town planning schemes. (HCWA, LG)

Coordinate the provision of services such as schools, hospitals, recreation facilities, childcare facilities and aged services. (WAPC)

Preserve Aboriginal cultural heritage and significant heritage sites. (WA Museum, AAD)

Provide appropriate infrastructure and social services to remote Aboriginal communities. (AAD)

Facilitate the preparation and endorsement of community plans for remote Aboriginal communities to enable Aboriginal communities to determine the future of their settlements. (AAD, WAPC, LG)

2.1.2 Statement of Planning Policy No 13

Statement of Planning Policy No 13 – Planning for Aboriginal Communities (SPP No 13) is a statutory policy prepared by the WAPC under section 5AA of the *Town Planning and Development Act 1928* and gazetted 11 August 2000. SPP No 13 establishes a formal planning framework for the preparation and approval of CLP for permanent Aboriginal communities.

The objectives of the policy are to improve the standard of living and quality of life of people living in Aboriginal communities by:

- providing a framework to ensure that large permanent Aboriginal communities are afforded a high level of service
- ensuring that these communities and associated land uses are appropriately identified and zoned within town planning schemes
- providing a mechanism that will enable both local government and the Western Australian Planning Commission to approve layout plans prepared for Aboriginal communities

- providing a framework for negotiation and decision making between Aboriginal communities and local government

SPP No 13 is supported by *Guidelines for the Preparation of Community Layout Plans for Western Australian Aboriginal Communities* prepared jointly by ATSIC, DIA and WAPC. This document provides guidelines regarding the content, form and structure of a CLP.

The CLP for Guda Guda has been prepared to meet the requirements of SPP No 13 and the supporting guidelines.

2.1.3 Kununurra-Wyndham Area Development Strategy

The Kununurra-Wyndham Area Development Strategy (KWADS) provides a long-term approach to the land use planning needs of the Kununurra-Wyndham area. It provides a link between State, regional and local planning based on a balance of environmental, social, cultural and economic considerations.

Relevant key recommendations for the Wyndham area and the preparation of Aboriginal community layout plans are as follows:

The structure plans for Kununurra and Wyndham should be adopted as a general guide to future development of the two towns. Implementation will then be progressed generally through provisions within the relevant local authority town planning schemes (SWEK, WAPC).

Initiate strategies across government and industry which will encourage Aboriginal individuals and communities to participate in and achieve economic and social benefit from the development of the region including:

- *Involvement in industry related vocational training (such as ranger training, rangelands management and training in the processing of sugar, cotton and other products), through a combination of training and on-the-job training.*
- *Involvement in ecotourism as a way of allowing traditional skills to be utilised.*
- *Encouragement and training for small business enterprises for passing tourists near Aboriginal communities (all agencies and industry).*

Other issues that are identified under the KWADS specific to Aboriginal communities were:

Undertake detailed assessment of Aboriginal settlement planning requirements. The assessment will need to:

- *Provide an inventory of existing town based and remote area communities and outstations, including population sizes and existing infrastructure;*
- *Identify all planned future community developments; and establish which communities will have detailed land use plans produced, identifying the types of planning measures that will be used in their implementation (AAD, MfP, SWEK, KDC, NTDLPE).*

Wyndham Structure Plan

The Wyndham Structure Plan, a land use framework for the Wyndham area which forms part of the Kununurra-Wyndham Area Development Strategy, was prepared jointly by the Shire and the Ministry for Planning. The structure plan recognises an historical decline in the status of Wyndham in terms of both economy and population. Wyndham has an ongoing role as an important service centre for a large indigenous population both in the town and in surrounding remote communities and outstations. The town's current role is described as being oriented to the public sector and community services. The structure plan provides scope for a total population of 2000 people and significant expansion of industrial, service and commercial activities (KWADS, p72-75).

Guda Guda is not included within the Wyndham Structure Plan area. However, the areas nearest Guda Guda are identified as rural use.

2.1.4 Local Town Planning Scheme

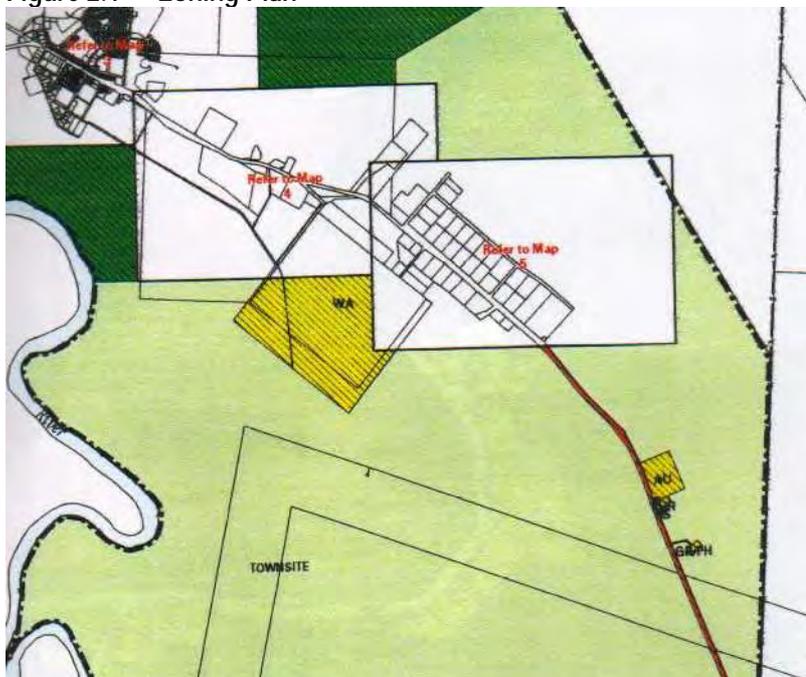
Guda Guda comprises part of the Wyndham township, and is located within the town boundary to the southeast of the town centre. The reserve within which the community is located is zoned Public Purposes denoted as Aboriginal Uses under the *Shire of Wyndham-East Kimberley Town Planning Scheme No 6*.

Refer to **Figure 2.1 – Zoning Plan**.

Land surrounding the reserve is zoned Rural/Pastoral with the exception of two small reserves adjacent to the Great Northern Highway abutting the southern boundary of the reserve. These sites are also zoned Public Purposes.

There is no existing community layout plan. Accordingly, this CLP needs to be prepared and incorporated into the Shire of Wyndham-East Kimberley Planning Scheme through a planning scheme review. It is considered that the Community Layout Plan should be incorporated as a policy in the Scheme with the reserve zoned as Settlement zone.

Figure 2.1 Zoning Plan



2.2 Agency and Representative Body Plans and Programs

2.2.1 ATSI Regional Plan

Guda Guda is located within the Wunan ATSI Regional Plan. There is a published ATSI regional plan for the Wunan ATSI Regional Plan. Key recommendations of the Regional Plan include:

- Support the continued development of the Wunan Foundation as the peak economic body for the East Kimberley Region through the:
 - contribution of land fund allocations to seed capital and joint ventures;
 - promotion of the Foundation as a central source of business advice and assistance for Indigenous people and enterprises; and
 - promotion of the active involvement of Indigenous people in Foundation enterprises through training and employment.
- Continue to support the role of the Wunan Housing and Essential Services Committee in the coordination and planning of housing and essential services in the East Kimberley.
- Implement strategies to support ecologically and economically sustainable community management.
- Establish an Enterprise and Training Consultative Committee to enhance coordination between training and employment initiatives and improve outcomes for Indigenous people.

- Support new business initiatives, including CDEP initiatives, to create employment and training opportunities at regional, sub-regional and community levels.
- Support initiatives leading to the development and expansion of an Indigenous Tourism Industry in the Region.
- In partnership with the Department of Education, Science and Training (DEST), Education Department of Western Australia (EDWA) and local education committees develop strategies to improve the education levels of Indigenous people in the East Kimberley.
- Facilitate the establishment of a trainee hostel for the East Kimberley.
- Advocate for, and work cooperatively with other agencies and bodies to ensure the protection of sacred sites and significant places and objects.
- Lobby Shire Councils and the Kimberley Development Commission (KDC) to adopt traditional names for public features and infrastructure, for example streets, rivers, parks.
- Liaise with government and non-government agencies, and with organisations across the region to facilitate the realisation of Indigenous enterprises which promote our heritage and culture.
- Advocate to ensure environmental health infrastructure and quality environmental health services are maintained.
- Lobby relevant agencies to fund the establishment and running of an appropriate aged care home in the East Kimberley.
- Pursue regional agreements with government organisations to improve the delivery of services in the East Kimberley.

2.2.2 Regional Housing Plan

The Department of Housing and Works and ATSIC do not have a current Regional Housing Plan for the Wunan Region.

2.2.3 Town Reserves Planning Program

The Town Reserves Planning Program (TRPP) is a statewide program jointly managed by ATSIC, DIA and the Department of Housing and Works. TRPP seeks to improve the provision and maintenance of essential and municipal services to town reserve communities to a standard commensurate with adjacent 'mainstream' townships in order to improve environmental health outcomes for the communities. The program is linked to the CLP program in that the transfer of responsibility to infrastructure providers and local governments involves the protection and rationalisation of services via incorporation within road reserves and easements.

The preparation and endorsement process for a CLP provides an overall framework for the relocation of services, if necessary, and for the resolution of any land tenure or related issues.

The following planning issues relevant to CLP implementation were raised during assessment via the program:

- The Shire of Wyndham/East Kimberley has no specific provision for adopting a community layout plan other than the provisions that enable them to prepare and adopt a policy under the Town Planning Scheme.
- From a Town Planning perspective, a community layout plan needs to be prepared and adopted as a policy under the Town Planning Scheme.
- An additional policy that should be adopted by Council is the Ministry for Planning's standard policy for community layout plans.
- A number of issues that need to be addressed prior to Council considering this community as it would a normal subdivision, include:
 - Roads be sealed, kerbed and drained to the satisfaction of Council
 - Public open space be provided and irrigated to the satisfaction of Council.
 - A public access road be provided to lots.

2.2.4 Aboriginal Community Strategic Investment Program (ACSIP)

No ACSIP funding has been allocated to Guda Guda in the 2002-03 year.

2.3 Local Administrative Context

2.3.1 Community Management

The community is managed by the Guda Guda Aboriginal Community Inc, which represents the community's residents. The corporation is an incorporated body under the Commonwealth Incorporations and Associations Act.

2.3.2 Shire of Wyndham-East Kimberley

The Shire of Wyndham-East Kimberley has no formal relationship with the Guda Guda community. Residents of Guda Guda do not pay Shire rates and do not receive a full range of services from the Shire. The Shire provides essential environmental health services including building approvals and inspections and dog control programs.

The Shire of Wyndham – East Kimberley has a policy relating to the development of aboriginal communities that has the following objective:

To ensure that essential and appropriate infrastructure is provided in terms of developing communities outside the established townsite areas.

3. Society, Culture and Economy

This section of the report provides an overview of the historical background, cultural attributes and socio-economic characteristics of Guda Guda, together with a description of its associations with other social groups in the Kimberley region. A description of the population makeup, patterns of resident and visitor mobility and future growth predictions for planning purposes is also provided.

3.1 Community Demographics

Table 3.1 shows the 2001 ABS Census Data for the Wyndham Indigenous Area. It gives an indication of the Guda Guda community in the local context. According to the 2001 Census, Aboriginal people account for 458 or 55 per cent of Wyndham's total population of 831 in comparison with 33 per cent in the Shire of Wyndham-East Kimberley and 46 per cent in the Kimberley region.

According to the Community Housing and Infrastructure Needs Survey (CHINS 2001), Guda Guda has a reported usual population of 46 people. The EHNS (1997) reported the population as 47 with a population density measure of 7.8.

The Guda Guda community is steadily growing due to people and affiliates who come from Halls Creek but in particular, from Oombulgurri which has a large Aboriginal community. It is understood that the population of the community is subject to seasonal variation and that there is a waiting list for housing within Guda Guda.

The majority of the people who are now at Guda Guda Community have personal histories and affiliations at Forrest River Mission (Oombulgurri). During the wet season Guda Guda Community is regularly visited by people from Oombulgurri, Halls Creek, One Arm Point, Lombadina, and outstations such as Mula Mula, Gibb River, Bow River and Mount Barnett. People from these areas also used to live in the 'flat areas' on the western side of the current Guda Guda community. People who originally lived in the town of Wyndham moved to the established community of Guda Guda ('Guda Guda' meaning 'home').

The core population in Guda Guda consists of the following families:

Galagher

Calaghan (Halls Creek)

Caroll

Auburn

Table 3.1 Wyndham Indigenous Profile

	INDIGENOUS			NON-INDIGENOUS		
	Males	Females	Persons	Males	Females	Persons
Total persons	211	247	458	199	174	373
0-4 years	22	35	57	14	9	23
5-14 years	52	50	102	12	17	29
15-24 years	38	54	92	16	10	26
25-44 years	58	74	132	61	57	118
45-64 years	35	26	61	71	59	130
65 years and over	6	8	14	25	22	47
Speaks Australian Aboriginal or Torres Strait Islander language	3	6	9	0	0	0
Speaks English only	191	224	415	186	168	354
Australian Aboriginal Traditional Religion	3	3	6	0	0	0
Attending an educational institution:(a)						
Aged 5-14 years	42	37	79	11	16	27
Aged 15-19 years	4	4	8	4	4	8
Highest level of schooling completed:						
Year 10 or below	86	104	190	96	66	162
Year 11 to 12	20	29	49	64	76	140
Still at school	0	4	4	3	3	6
Never attended school	6	5	11	0	0	0
Enumerated in private dwellings:						
Separate house	173	212	385	133	116	249
Improvised home, sleepers out, tent(b)	15	10	25	0	0	0
Other private dwelling	16	18	34	54	46	100
Total	204	240	444	187	162	349
Enumerated in non-private dwellings	7	7	14	12	12	24

(a) Includes 'full-time student', 'part-time student' and persons who did not state their full-time/part-time status but did state the type of educational institution attending.

(b) Includes persons enumerated in tents, sheds, humpies, persons sleeping 'rough' and other improvised dwellings.

Source: Australian Bureau of Statistics 2001 Census of Housing and Population

3.1.1 Population Forecast

Over the past 20 years the Shire as a whole has experienced an average annual increase of 2.05 per cent. This rate of increase is vulnerable to the vicissitudes of the local economy and major industrial projects in the East Kimberley may affect this rate. Changes in the local economy generally influence non-indigenous migration whereas the aboriginal population of the Kimberley has grown steadily in recent times, mainly as a result of natural increase (KDC 2001).

The population of Guda Guda is likely to increase steadily over the next 15 years from the current core population of approximately 50 people. This increase will be strongly influenced by the availability of housing in the community. It is understood that there is currently a community housing waiting list of ___ people.

3.2 Cultural Context

Guda Guda was initially a stopover on the droving track to Wyndham meatworks and Wyndham Port. Cattle were mustered from Doon Doon Station, Bow River and Gibb River. Drivers came from Maple Downs, Gurranyi, Lissadel station and Home Valley Station to the Wyndham meatworks which closed in 1989.

The older generation of Guda Guda residents went to school at Forrest River mission (Oombulgurri) and at Wyndham.

In the 1950's and the 1960's people who are currently living at Guda Guda community, used to live in the flat areas on the western side of the current community for a period of at least twenty years. Because of the long period of residence in this area people developed personal histories and affiliations in the region and chose the area where Guda Guda Community is now located.

The majority of the people who are now at Guda Guda Community have personal histories and affiliations at Forrest River Mission (Oombulgurri).

3.3 Economic Context

3.3.1 Land Tenure

Guda Guda is situated on Reserve 25238, which is managed by the Aboriginal Land Trust. The 22.1 hectare reserve is leased to Guda Guda Aboriginal Community Inc until 2077.

3.3.2 Regional Economy

The Kimberley region is characterised by its expansive area and low population density having only six major towns within an area of 421451 square kilometres. The total population of the Kimberley is 30539. The aboriginal population comprises almost half the population of the region in comparison with 2.6 per cent in Western Australia and there are over 100 aboriginal communities throughout the Kimberley region.

The Kimberley's industry activities include:

- Agricultural production including irrigated agriculture \$67.5 million in 1999/00 and rangeland production of beef cattle – \$53.9 million in 1998/99;
- Mineral and petroleum production - \$891 million in 1999/00;
- Fishing - \$12.5 million in 1999/00;
- Pearling - \$161 million in 1999/00;
- Housing construction - \$64.4 million in 1999/00; and
- Significant contributions from retail, tourism, and manufacturing.

The aboriginal population is estimated to account for approximately \$238 million in public sector expenditures in the Kimberley during 1997/98 through CDEP payments, essential services funding, education and training, etc. (Ref: KDC 2001)

3.3.3 Local Economy

The township of Wyndham, population 800, is one of the major urban areas of the Kimberley region. Wyndham is situated on the King River, near the north coast of Australia and has traditionally been an important shipping port for the pastoral industry (KDC 2001). The prosperity of Wyndham has been affected by the reduced importance of its location as a shipping port. While the port is still in operation and new industries such as the Wyndham Prawn Farm have been established, Wyndham's primary role is now as a service centre to the local and surrounding remote communities. (Ref: KWADS 1999)

Wyndham forms an urban corridor running from the Port, to the town centre at Three Mile area, to Six Mile area and Nine Mile area where the Guda Guda community is located, approximately 10 kilometres south of the town centre. Public transport is not currently available to provide access to shops and health care facilities in the town centre. Accordingly, community members without access to private vehicles have limited access to these services.

Guda Guda residents may participate in the work force in Wyndham or Kununurra. Community residents with regular employment typically work from Monday to Thursday. Potential employment is available in the community to provide services such as rubbish removal and maintenance of public open space through CDEP. Resources such as vehicles and tools have been sought through the local resource agency, Joorook Ngarni, in order to carry out such projects but are currently unavailable.

3.4 Community Services

3.4.1 On-Site Community Facilities

No formal community services are provided in Guda Guda and due to the proximity of quality services in Wyndham, this arrangement is considered to be adequate.

Community facilities provided on the town reserve (apart from residential dwellings) include:

- Pensioners quarters;
- Meeting shelter and open space; and,

- Workshop/Office.

Guda Guda residents have identified a need for additional facilities to be provided. The primary need is to establish a public transport system to allow better access to community services in Wyndham. In addition to this the following needs have been identified:

- Recreation facilities including a basketball court; and,
- Playground equipment.

3.4.2 District Community Facilities

Wyndham provides the following recreational and community facilities:

- Peter Reid Memorial Hall
- Swimming Pool
- Oval
- Tennis Courts
- Basketball Courts
- Public Library
- Toy Library and Joongari House
- District Youth Services
- Community Club

Health and family facilities provided in Wyndham include the Wyndham Neighbourhood Child Care Centre, Marlgu Village Aged Hostel, Ngnowar Aerwah 7 Mile Rehab Centre, Jardamu Aboriginal Women's Group and Safe House, and the Wyndham hospital. The town is serviced by a volunteer St Johns Ambulance service.

Resource support is provided to local aboriginal communities via Joorook Ngarni Aboriginal Corporation and Ngnowar Aerwah Aboriginal Corporation.

Shopping facilities include a supermarket, butchers, newsagent, liquor, hardware and general store, post office, service stations, and bakery. An office of the East Kimberley Business Enterprise Centre and a Telecentre are also located in Wyndham.

Schooling is available from pre-school to Year 10 in Wyndham and post-compulsory school courses are offered in association with Kimberley College of TAFE. The TAFE also offers a range of tertiary courses.

4. Environment and Land Use

This section provides a description of the physical environment and of the current land uses and community infrastructure that constitute the local surroundings of Guda Guda.

4.1 Guda Guda

4.1.1 Residential

Existing residential development consists of six houses and a pensioners quarters. Two additional houses are currently being planned for construction by early 2003.

Although Guda Guda occupies a reserve of over 22 hectares, the community is currently confined to the southern portion of the reserve by a large cut off drain which has been created to minimise the impact of stormwater during the wet season, and all housing is located within this area.

The community has raised concerns regarding the existing community layout and close proximity of neighbouring houses. Accordingly, the location of the proposed new houses is still under consideration.

4.1.2 Open Space

Formal open space is provided in the centre of the community adjacent to the main entrance. This area provides a meeting shelter and barbeque and is the location of the community's public telephone. This area forms the hub of the community and is surrounded by the internal loop road and houses.

A playground was previously constructed adjacent to the pensioners quarters, however, this was abandoned when playground equipment was vandalised.

Informal open space occupies the majority of the reserve not occupied by residential uses. This includes several large boab trees, rocky outcrops, and the dry creek bed of Nine Mile Creek.

4.1.3 Commercial / Industrial

There is no specific industrial land within the community reserve. However, there is a workshop and office located adjacent to the existing houses.

4.1.4 Utilities

A water tank is situated on a separate small reserve on the southern boundary of the community.

4.1.5 Community Purposes

A community workshop and office are situated adjacent to the existing houses and central open space area.

4.1.6 Visitor Accommodation

There is currently no visitor accommodation development.

4.1.7 Cultural Purpose Sites

A burial site is situated adjacent to a dwelling in the community. No other cultural purpose sites are located within the reserve.

4.1.8 Road Network and Pedestrian Movement

Access to the community is via the Great Northern Highway. The speed limit at the entrance to Guda Guda is 110 kilometres per hour. The formal entrance to the community is situated on the southern side of the reserve and the main entrance route forms a loop road within the developed area. Due to the close proximity of the existing houses and fencelines, it is not possible to create a 16 metre-wide road reserve over this road.

An informal crossing onto the Great Northern Highway has also been formed at the northern side of the reserve. A 400-metre access track links this crossing with the main loop road with a small crossing culvert over Nine Mile Creek.

Limited vehicle access through the community allows safe pedestrian traffic throughout. In addition to this, no building is located beyond 200 metres from the centre of the community, meaning that walking is convenient.

All roads throughout the community are unsealed, and Guda Guda is noted to have a high incidence to dust control problems (EHNS 1997). Bollards or painted rock borders have been located to limit vehicle movement in certain areas.

Some paved pedestrian accessways are provided through the central open space area however, pedestrian travel is generally via shared roadways. No footpath links the community to the town centre.

4.2 Surrounding Land Use and Zoning

Unallocated Crown Land surrounds Guda Guda. The Guda Guda reserve is located within the Wyndham town boundaries. The community is ten kilometres from the town centre which is located at Three Mile area and five kilometres from Six Mile area where some urban activity is also focussed. Land surrounding the Guda Guda reserve is zoned for rural use with a small reserve containing a water tank to the south of the community zoned for Public Purposes.

4.3 Surrounding Transport Network

Wyndham's location is significant as a port town and accordingly highway access to the town has been paramount. The town has formed along the Great Northern Highway which leads south to the Victoria Highway. The Victoria Highway provides access to Kununurra (100 kilometres) and Halls Creek (approx 400 kilometres) and the most direct road access to major capitals and regional centres including Broome and Katherine.

4.4 Natural Environment

4.4.1 Climate

Wyndham has a mean annual rainfall of 768.9 mm, typical of the tropical monsoonal climate. Rain generally occurs during the wet season from November to April, with the remaining months being referred to as the dry season and little or no rain occurring during this time. Wyndham receives almost 95 per cent of its rain during the wet season. Bureau of Meteorology rainfall and temperature data for Wyndham Post Office since 1968 is summarised below.

Table 4.1 Mean rainfall and mean rain days

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rainfall (mm)	168.7	193.1	149.0	31.8	7.8	1.8	4.3	0.0	5.3	21.3	54.9	130.7
Rain days (No.)	14.2	14.6	10.7	3.6	0.8	0.3	0.3	0.0	0.5	2.8	6.3	10.6

Table 4.2 Mean Temperatures

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Mean max. temperature (C)	37.1	36.0	36.2	35.8	33.7	31.2	31.2	33.8	36.7	38.8	39.5	38.1
Mean min. temperature (C)	26.3	25.9	25.5	23.7	21.0	18.0	17.1	19.4	22.9	25.9	27.1	26.9

(Source: Bureau of Meteorology)

4.4.2 Flora and Fauna

Tidal salt pans provide habitat for an abundance of bird and animal life. Guda Guda is approximately 5 kilometres northwest of the Parry Lagoons, which are a registered RAMSAR wetland.

Listed Threatened species in the area, identified by the EPBC decision making tools include the red goshawk, gouldian finch, purple-crowned fairy wren, freshwater sawfish. Species habitat may occur within the Guda Guda reserve, however, no threatened ecological communities exist in the region or in the reserve. Protected species include a range of migratory bird life.

Above Guda Guda the Bastion Range and sandstone plateau to the south are characterised by shallow, poor soils which support Spinifex species and small Eucalyptus and Acacia trees. Deeper sandy soils can be found in the small valleys due to water erosion which support a wider variety of wooded grasslands. The wetlands below Guda Guda are characterised by saline coastal soils which support smaller shrub species.

In the period when cattle were driven overland, grasslands around the Guda Guda area were commonly used for grazing when cattle were driven to Wyndham from outlying stations.

The Guda Guda reserve is characterised by relatively shallow, poor soils supporting sparse vegetation. The sandy creekbed of Nine Mile Creek bisects the community. The creek area has collected debris including flood debris and hard waste and is currently vegetated with pest grass species. The community supports some notable boabs and boab circles in the southeast and adjacent to the creek.

Photographs of the community showing the range of vegetation are included as Appendix A.

4.4.3 Surface water

With a high proportion of rainfall occurring over a few months in the wet season, Guda Guda experiences great variability in surface water conditions. During the dry season there are no occurrences of surface water in the reserve. During the wet season however, Guda Guda receives overland flows from a catchment of approximately 3.5 square kilometres formed at the south end of the Bastion Range. Flows generally travel along Nine Mile Creek however, significant amounts of runoff reach the community as overland flow.

Due to these overland flows some flooding and pooling of surface water occurs in the community. The central house in particular has previously experienced water levels above the dwelling foundations. A cut-off drain has been constructed around the community's existing dwellings during the 2002 dry season to divert overland flows into Nine Mile Creek. It is hoped that during the 2002-3 wet season, this drain as well as efforts to clear waste and weed growth from Nine Mile Creek will avoid flooding within the community.

4.4.4 Topography

The township of Wyndham is aligned with the east bank of the King River at the foot of the Bastion Range. Guda Guda is situated at the south end of Wyndham, to the east of a broad flood plain of the King River. A series of lagoons and wetlands to the south of Guda Guda, connect this flood plain with the flood plains of the Ord River to the east. Above the tidal lagoons are sandstone ranges and plateaux including the Bastion Range and Mount Erskine plateau to the south.

A brief description of the Guda Guda reserve topography required eg gently undulating etc, description of any other site features apart from the creekline which represent a constraint or opportunity re development.

5. Service Infrastructure

The following section details the existing conditions of the community infrastructure.

5.1 Water Supply

5.1.1 Existing Conditions

The Water Corporation 100 mm poly pipe for Wyndham supply along the Great Northern Highway terminates at the entrance to the Guda Guda Community. There is a 50 mm bulk meter at the Community entrance. Water Corporation maintains the water main to the point of entry to the Community.

No definite information is available on the condition, location, or material of the internal Community water reticulation. It is assumed the internal reticulation is 50 mm and from the presence of marker posts and two below ground fire hydrants appears to follow the access road from the bulk meter to the aged persons housing. The reticulation appears to be located inside several existing lot boundaries. The two houses to the south of the community have water meters, however no other meters could be found.

5.1.2 Future Upgrading Requirements

We recommend a new 100 mm main supply be laid according to the new layout and within the proposed road reserves to Water Corporation standards. The existing house water meters require replacement. All houses and other community buildings to have individual meters installed.

5.2 Sewerage

5.2.1 Existing Conditions

All existing houses have septic tanks and dual leach drains located in the vicinity of their allotment. One house has a fully inverted 'above' ground leach drain system, where the effluent from the septic tank is pumped into the leach drains. There have been numerous problems with the leach drains over the years, however due to recent remedial works, these problems have currently been resolved.

The Community expressed concerns over the past performance of the sewerage treatment system and wastewater disposal.

The two currently proposed houses will have septic tanks and dual leach drains. The Shire Aboriginal Environmental Health Officer has been consulted with regards to their location.

5.2.2 Future Upgrading Requirements

The nearest Water Corporation sewer is at 6 mile and the effluent from Guda Guda would need to be pumped in a rising main over 5 km. Due to the distance and cost involved it is not feasible to connect to the exiting Wyndham treatment works. At present the Wyndham treatment works and lower lying reticulation in Wyndham 3 mile is under pressure due to ingress of ground water during the wet season. Water Corporation is currently carrying out works to remedy the situation and would be unlikely to want to add to the existing problem.

The existing leach drains need to be surveyed and the information added to the database. Any leach drains outside proposed lot boundaries should be marked on the plan as 'no build' area.

In the short to medium term we recommend the continued use of septic tanks and leach drains, however in the longer term discussions should be held with Water Corporation for the treatment of effluent off site. This may include the option of bunded sewerage ponds. Due to current buffer zone requirements it is more than likely these ponds would have to be off site.

5.3 Power Supply

5.3.1 Existing Conditions

Western Power overhead 3 phase electrical lines supplying Wyndham run along the western side of Great Northern Highway road reserve. A transformer and bulk meter are located at the entrance to Guda Guda.

Guda Guda's internal reticulation is a single overhead 3-phase line running along the access road and terminating near the aged persons housing. The overhead house connections radiate like a spider's web from this incoming line. Only the two houses to the south of the access road have electrical meters. There are a couple of streetlights in the whole community.

Most houses have solar hot water systems installed, several of which require maintenance / replacement.

5.3.2 Future Upgrading Requirements

The existing reticulation services should be extended along the proposed road reserves. More streetlights are required, the existing ones may also require some maintenance.

Existing overhead house connections to be relocated once the main reticulation has been extended. Electrical house meters also required to all buildings not currently metered.

5.4 Refuse Collection

Metal 44-gallon drums are collected by the Community and taken to the Shire collection point. A collection truck is provided by Joorook Ngarni Aboriginal Corporation.

5.5 Roads and Stormwater Drainage / Flooding

5.5.1 Existing Conditions

Guda Guda is located next to the Great Northern Highway, which is maintained by Main Roads WA.

Access in Guda Guda is via a gravel loop road, the end of which has recently been blocked off with large rocks. To the north of Guda Guda there is another gravel access off the Great Northern Highway, which parallels the Great Northern Highway to the centre of the community.

There is one decrepit stormwater culvert directing stormwater towards Nine Mile Creek in the centre of the community and another undersized culvert at the Nine Mile Creek crossing.

In the past overland stormwater flows from the surrounding countryside have been a big issue resulting in flooding in the community. Recently a large open stormwater cut off drain has been constructed along the southern and eastern boundaries of the existing development. It is believed this drain will substantially reduce the overland flows through the community.

The Community has also indicated that floodwater sits around the 6.5m contour or just encroaches the north west corner of the lot closest to the Great Northern Highway. No further information regarding flood levels was available from Water and Rivers Commission or the Shire of Wyndham - East Kimberley.

5.5.2 Future Upgrading Requirements

The existing roads are in such poor condition there is no benefit in retaining them. We recommend bitumen access roads with kerbs, property access crossovers, footpaths and stormwater drainage should be prioritised.

It would be worthwhile to check if the existing culvert under the Great Northern Highway at the Nine Mile Creek crossing is acting as a constraint during floods and adding to the flooding problems at Guda Guda. Due to ad hoc dumping of spoil material in the vicinity of Nine Mile Creek, we recommend landscaping works be carried out to redefine Nine Mile Creek and improve the drainage of the area. Remedial works need to be carried out where the gravel road crosses Nine Mile Creek to improve drainage and ensure that the existing culvert is not damming water.

In order for future development to take place at Guda Guda the existing stormwater cut off drain needs to be extended along the southern boundary and relocated further east. We also recommend this cut off drain be reshaped from its current approximately box shape to a drain with accessible side slopes. Any further development to the North of the existing Community houses should only take place once sufficient stormwater drainage and roads are in place.

Any development in the proposed Industrial Use area would need elevated building pads to minimise flooding. We recommend a stormwater drainage corridor be allowed for, to channel stormwater towards Nine Mile Creek.

5.6 Telecommunications

A public phone is located in the centre of the community. No houses have phones.

The information supplied by Telstra showing location of services does not correlate with the existing service or the SKM services drawing. It is possible that the Telstra drawings refer to an older previous settlement located to the north of Nine Mile Creek.

6. Consultation and Community Needs

6.1 Recent Surveys

6.1.1 Environmental Health Needs Survey of Aboriginal Communities

Guda Guda is part of the Wunan ATSIC Region. The EHNS (1997) identified that Guda Guda has requirements for additional housing and major repairs and maintenance to this housing. Essential infrastructure other than housing including power, water and sewerage, is considered to be adequate.

Guda Guda is identified as having high dust levels, which contribute to poor environmental health. Rubbish collection was not reported to be inadequate, however, it is understood that the waste collection arrangement has changed and that the community no longer has adequate equipment to perform rubbish collection.

The State average for people per dwelling in communities surveyed was 7.1. In 1997 Guda Guda had a reported population of 47 in 6 houses which produces a population density measure of 7.8. At the time of the EHNS survey, high or excessive repairs were required to 3 or more surfaces or fixtures in 16.7 per cent of the housing at Guda Guda.

Plans have been approved for the construction of two new houses. With the construction of these two additional dwellings, the population density for the permanent or 'core' community will be approximately 5 – 6 persons per dwelling.

6.1.2 Community Housing and Infrastructure Needs Survey

The CHINS data from 2001 revealed the following points of importance for the development of the CLP for Guda Guda:

- The reported usual population of the community is 46.
- There are 7 permanent dwellings and no temporary dwellings.
- Water supply is via the town supply.
- Power supply is via the state electricity grid.
- The community uses septic tanks with leach drains.
- The nearest secondary school is 10 to 24 kilometres away.
- The nearest hospital is 10 to 24 kilometres away.

See Appendix B for full details of the CHIN Survey.

6.2 Stakeholder Consultation

6.2.1 Guda Guda Aboriginal Community

The predominant concern of the Guda Guda Aboriginal Community is the current management arrangement for the community's accounts including utility bills and funding applications. Guda Guda residents are supportive of the Town Reserves Regularisation Program for this reason.

Housing is also a concern for community residents. The construction of two additional houses is currently in planning which will address the housing needs of the current core population but does not address the current waiting list. In addition to this, the consideration of sites beyond the immediate community area for the construction of this housing, may not be possible due to the requirement to extend infrastructure.

Space has previously been made available for a basketball court on the north side of the community. The community has reiterated the need for recreation facilities for children and youths and is supportive of the idea of a basketball court.

Female residents of the community suggested that the existing office (within the workshop building) be renovated for use by the community for administration and community enterprises. The establishment of a community kitchen was also suggested which could be used for the preparation of food for pensioners.

The establishment of a market garden has previously been attempted and is still being considered by residents. Previous attempts may have been unsuccessful due to lack of water for irrigation during the dry season. A small dam was created on Nine Mile Creek to facilitate irrigation however the dam failed to retain water.

One of the predominant concerns for the community is access into the Wyndham town centre. Community residents are often forced to walk or hitch-hike the distance of 10 kilometres into town to access shops and community services. The community previously had access to a bus service run by Joorook Ngarni and are disappointed at the discontinuation of this service.

6.2.2 Joorook Ngarni

Joorook Ngarni Aboriginal Resource Agency currently provides accounting, utility and rental payment and funding support for Guda Guda as well as various support services such as CDEP management and the previous bus service. It is understood that the bus service has been temporarily discontinued until the vehicle registration is renewed.

6.2.3 Shire of Wyndham-East Kimberley

Residents of Guda Guda do not pay rates or charges to the Shire of Wyndham-East Kimberley. Accordingly, limited services are currently provided.

The Shire currently provides environmental health services to the community and has recently begun to provide development approval services as a way of controlling and improving environmental health outcomes. Planning control over construction in the community will ensure that environmental factors such as flooding, dust, and connections to services are considered in the early stages of a construction program. Council recoups funding for an Aboriginal Environmental Health Officer through DIA funding.

The Shire has commented regarding several aspects of the Community Layout Plans and their implementation. The following comments include a range of topics, some of which have been reflected in the Community Layout Plan to facilitate the Shire's role in the normalisation process:

- Street signage and traffic signage will be required within some communities.
- A street numbering protocol should be implemented.
- There are concerns regarding the sub-base of existing road pavements that may not be constructed to standard.
- The communities may require fire management plans.
- Outdoor barbeque pits can pose a fire hazard.
- Consideration must be given to the valuation of rateable properties.
- Rubbish collection in communities can be problematic due to the type of rubbish receptacles (44-gallon drums) used.
- Consideration must be given to the process for incorporating CLPs into the Planning Scheme and making the CLP available for review.

6.2.4 Western Australian Planning Commission

The Western Australian Planning Commission (WAPC) considers the duplication of regional facilities in townships and communities to be inappropriate.

The community site is subject to the provisions of the Shire of Wyndham-East Kimberley Town Planning Scheme No 6. Adoption of the CLP would require an amendment to the Town Planning Scheme and subdivision of the existing lots. Such subdivision of the town lots would be covered by the Department of Land Administration, as the land in question is a Crown Reserve.

The Shire of Wyndham-East Kimberley is due to undergo a Planning Scheme review and it is considered appropriate that the CLP be incorporated into the planning scheme at this time. Adoption of the draft CLP would include rezoning the reserve from Public Purposes to Settlement zone and adoption of the CLP as a policy.

6.2.5 Service Agencies

Requirements for upgrading and realignment of infrastructure and creation of easements will need to be determined in conjunction with relevant servicing authorities and will be incorporated into the final community layout plan.

Relevant servicing authorities include:

- Water Corporation
- Western Power
- Shire of Wyndham-East Kimberley and
- Telstra

7. Community Layout Plan

7.1 Development Possibilities

The following table identifies land use and development issues that currently occur within the community or that are likely to occur in future. The development possibilities respond to these issues and are incorporated into the layout plan and provisions.

Table 7.1

Issues	Development Possibilities
Residential	
Population growth of 3 to 5 per cent per annum	<ul style="list-style-type: none"> • 2 additional single residential lots (current) • 18 additional single residential lots (medium term) • Further residential land for future development.
Residential allotment size	Minimum dimensions of 25 metres by 35 metres are applied to allow adequate room for houses and septic beds with flexibility for orientation. Larger allotments may be utilised for alternative forms of housing.
Seasonal/Cultural fluctuations in population	Visitors to the community are generally relatives and can be accommodated within existing dwellings.
Recreation and Open Space	
Existing BBQ and meeting area	Maintain the quality and feel of this central community space.
Community Facilities	
Market Garden	Due to limited water supplies it is considered that a market garden is not currently viable. If desired, it is recommended that this use be established adjacent to Nine Mile Creek on the western boundary of the community.
Existing Office and Workshop	The existing workshop and office should be retained in its current location and the office should be renovated to allow its use for community administration or enterprises. The workshop may be relocated to the light industrial area in future to consolidate this open space link between the two sides of the community.
Light Industrial/Commercial Area	A light industrial area has been provided to allow a buffer between more sensitive residential uses and the highway. This land will be adjacent to community purpose areas and recreation facilities and may be used for a range of community purpose or technical facilities.
Community Kitchen	A community kitchen may be located within the community purposes areas. The location should be in close proximity to the pensioners' village.
Community Bus Service	The road layout should accommodate a future bus service.

Issues	Development Possibilities
Infrastructure	
Sewerage to future development lots	It is assumed that septic systems will continue to be used in the short to mid term. Future infrastructure should follow the road alignment where possible.
Power line through existing/proposed recreation areas	Future infrastructure should follow the road alignment.
Fencing conflicts with lot boundaries	Where possible, move lot boundaries to reflect existing fencing. In other cases, move fences to align with lot boundaries and allow for development on adjoining lots.
Much of the community site is low lying and no stormwater drainage is currently provided. The Waters and Rivers Commission does not currently have flood study information for the King River at Guda Guda.	Community development has been located in the higher portions of the community site.

7.2 Community Layout Plan

This section of the report describes the final CLP for Guda Guda. The CLP is included as Figure 7.1 overleaf.

7.2.1 Community Design

The planning approach or design philosophy for the final CLP has been to recognise the existing character of the community. The community's location near the township of Wyndham means that the range of community facilities and services currently available within Wyndham is accessible to Guda Guda residents. In this respect the community is integrated with the townsite and consequently the planning focus is confined largely to the provision of future community housing, open space enhancement and community purpose sites for community enterprises and administration. That is, there is considered to be no need to duplicate additional community facilities that are currently or potentially available within the townsite itself.

The future extent of development has been confined to those areas that are within 300 metres distance of the shop and office site, to facilitate convenient access by walking and to enable the cost-effective provision of service infrastructure.

7.2.2 Street Network and Pedestrian Paths

The final CLP has provided for the alignment of two new major access roads. These roads are aligned along existing tracks but do not follow the internal road network within the existing housing area due to lack of space. Primary access is provided to the south side of the community via a 16-metre road reserve travelling around the north side of the existing dwellings from the existing entry point to the south east corner of the community. Secondary access is provided to the north side of the community via an existing informal crossing and 16-metre road reserve which would link both sides of the community with a crossing culvert over Nine Mile Creek. The dual access arrangement would be essential to ensure all-weather access to both the north and south sides of the reserve.

Additionally, the plan provides for the long term option of providing future road access to the north-east section of the reserve to facilitate its future development.

Bollards should be provided to ensure vehicular access to open space areas is not generally available.

The layout clear street network focussed on a single main access road with adjacent housing areas on separate cul-de-sacs. Pedestrian circulation within the community should be facilitated along the main access way with dedicated, grade-separated footpaths. Pedestrian access is also available throughout open space areas. The focus of the pedestrian network is the community areas adjacent to the pensioners village and the existing open space and meeting shelter.

7.2.3 Housing

The community's immediate requirement for two (2) new houses can be readily accommodated via development of new lots.

The typical lot layout is rectangular / square with proposed minimum frontages of about 25 metres and depths of about 35 metres, to create lot areas in the order of 900 m² at an overall density of R 12.5. The lot configuration is designed to provide houses with ample side setbacks and areas for the placement of 2 x 20 metre long leach drains.

With the extension of the primary access road to the south half of Guda Guda, seven (7) additional single residential lots may be developed in the next cul-de-sac with minor service extensions required. Residential development beyond 5 years is anticipated in the form of the eleven (11) remaining lots on the southern side of the reserve. Land for residential development beyond, say, 15 years is available on the northern side of the reserve. Residential land should be developed according to the stages shown on the plan.

7.2.4 Community Facilities

The majority of community facilities and services are provided off-site within Wyndham. A community purposes site is provided at the entrance to the community to accommodate the existing workshop and administration office and small scale multi-purpose community development. Such a facility could consist of a community kitchen, meeting room and other similar uses to accommodate future community needs.

Community and commercial facilities have been grouped together near the centre of the community. A store, office and school are planned to form part of the next stage of development for the community. The proposed school site has been designed to allow for both planned development and possible future expansion, in a location which allows for joint school and community use of active recreation areas.

The draft CLP provides for a number of centrally located sites that will accommodate a range of future community facilities to be developed in accordance with community needs and priorities over time. It is envisaged that these additional facilities may be developed either as stand-alone or co-located facilities, depending on the compatibility of particular uses. Such facilities will potentially include the following:

- Women's centre
- Childcare centre
- Arts / cultural centre
- Training centre
- Health clinic
- Recreation centre
- Meeting hall

7.2.5 Recreation and Open Space

The final CLP retains and provides for expansion of the existing central open space area by removing the existing inadequate access roads. This area has been expanded to consolidate and enhance the appearance and function of the existing open space and meeting area. Overhead power lines should be relocated away from this area and aligned along the road reserve where possible.

Active recreation facilities are available for the use of the community in Wyndham. However, it is considered appropriate to provide neighbourhood facilities for a community of the size of Guda Guda. The type of facility that may be appropriate could include tennis, basketball, or netball facilities. An area has been provided for such use on the north side of Nine Mile Creek adjacent to the access road taking advantage of the stand.

7.2.6 Light Industrial/Commercial Uses

This area between the secondary access road and the highway frontage is designated for less sensitive uses such as commercial and light industrial community uses. This area may accommodate the relocated workshop, market garden area, and other community enterprises. Due to potential flooding concerns a

setback of 10 metres should be maintained from the western boundary of the reserve for drainage purposes.

PART 2 – COMMUNITY LAYOUT PLAN

Implementation

The Shire of Wyndham-East Kimberley is currently undertaking a review of *Town Planning Scheme No 6*. The reserve within which the community is located is currently zoned Public Purposes for Aboriginal Use under the *Shire of Wyndham-East Kimberley Town Planning Scheme No 6*. Surrounding land is zoned Rural.

It is recommended that upon endorsement of the Community Layout Plan, the Shire of Wyndham-East Kimberley include the community plan as a policy in the Town Planning Scheme as an amendment through the current scheme review. Modification of the Scheme Maps should allow the rezoning of ALT Reserve 25238 to "Settlement Zone".

Following endorsement of the Community Layout Plan, requirements for upgrading and realignment of infrastructure and creation of easements will need to be determined in conjunction with relevant servicing authorities including:

- Western Power
- Water Corporation and
- Local Authorities

Implementation Table

Task	Responsibility
Consolidate lease area and consider land tenure options.	ALT
Ensure that all development is undertaken with appropriate approvals.	Council/Shire/WAPC
Footpaths/Roads – Any necessary upgrades should be undertaken in accordance with the plans.	Shire
Power – Any necessary upgrades should be undertaken in accordance with the plans.	Western Power
Sewerage/Water – Any necessary upgrades should be undertaken in accordance with the plans.	Water Corporation

Provisions

Contents

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3. Land Uses 29
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Introduction

The Community Layout Plan (CLP) should be referred to whenever development is planned to occur within Guda Guda. The Plan shows the locality and extent of the reserve on which the community is located. The CLP, which includes the Plan and these Provisions, is for the use of the Guda Guda Aboriginal Community and the Shire of Wyndham-East Kimberley to coordinate the physical development of the community.

These Provisions should be used with the Layout Plan to make decisions about what type of development should occur, where it should be located, and how it should be designed.

The Plan shows Land Use areas with uses that are considered to be appropriate in each area of the community. The Provisions then provide further information about the objectives for development in these Land Use areas and guidelines for development throughout the community.

If circumstances change, or where otherwise appropriate, the Community Council and the Shire, may prepare an Amendment to change the Plan or Provisions.

Where a conflicting use has already been developed, this use may continue but where a conflicting use is discontinued, any new use must comply with the objectives for the Land Use area.

The Community Council and the Shire of Wyndham-East Kimberley can refer to this report if more information is required to interpret the objectives and guidelines.

Requirements for Use or Development of Land

No development or use of land shall be commenced without the approval of the Guda Guda Aboriginal Community Council and the endorsement of the land owner (Aboriginal Lands Trust).

Guda Guda is situated in a Public Purposes zone pursuant to the Shire of Wyndham-East Kimberley Town Planning Scheme No 6 and a permit may also be required for use or development within the community.

The Council shall determine proposals based on the objectives specified for the relevant Land Use shown on the Plan and the Development Standards. If a planning permit is required for the proposed use or development, the Shire of Wyndham-East Kimberley must advise the community Council and the applicant.

The Shire of Wyndham-East Kimberley may not issue a planning permit to approve a proposed use or development within the community without the endorsement of the Guda Guda Aboriginal Community Council and the land owner.

Land Uses

The Plan allocates Land Uses throughout the community reserve. The Provisions provide objectives for each Land Use and outline Development Standards to allow the community Council and the Shire to control the appearance and location of buildings within each Land Use area.

A proposed use should comply with the objectives for the Land Use area.

The following Land Uses may be allocated within the Community Layout Plan:

- Residential
- Business
- Industrial
- Parks and Recreation
- Community Purposes
- Special Purposes
- Utilities and Access
- Rural Purposes
- Flood Prone Land
- Camping Area

Where an inappropriate Land Use applies, the community Council and the Shire may prepare an Amendment to change the Plan to allocate a more appropriate Land Use.

Land Use Objectives

Residential:

1. To allow for the orderly development of residential land in sequence allowing for the completion of stages according to the plan.
2. To provide sites for permanent accommodation that will complement existing development.
3. Non-residential activities in or around this area shall not disturb the living environment, in operation or appearance.
4. To provide land areas for people to live with proper access to power, water, sewerage and communications.
5. To provide living areas convenient to community facilities and amenities.

Business:

1. To provide adequate areas for shops and offices.
2. To ensure that adequate land is set aside for future uses.
3. To ensure safety and convenience of vehicular movements and adequate parking facilities.

Industrial:

1. To minimise amenity impacts by allowing adequate buffers between conflicting uses.
2. To ensure that adequate land is set aside for future uses.
3. To ensure that heavy vehicles do not have to travel through the community to get to industrial land uses.

Parks and Recreation:

1. To provide areas where the community can safely participate in social and recreational activities.
2. To set aside areas for informal and passive uses as well as areas for games and sports.
3. To identify important natural environments, such as creeks and trees, for protection.

Visitor Accommodation:

1. To provide adequate land for temporary visitor accommodation.

Community Purposes:

1. To set aside land for community uses including civic and social activities.
2. To provide a convenient location for special activity centres, meeting areas, special interest group activities.
3. To provide for schools and other educational or training facilities.
4. To provide adequate area for the colocation of community uses to facilitate the sharing of infrastructure.
5. To make sure the design of access, parking and use of such areas is safe and consistent with the requirements of the community.

Cultural Purposes:

1. To ensure that culturally significant land is protected from inappropriate uses.

2. To ensure that full consultation with relevant community members is carried out prior to a development or use of land set aside for cultural purposes. The Community Layout Plan report will assist to determine an appropriate consultation method.

Utilities:

1. To ensure that enough land is allocated to provide for major servicing utilities.
2. To select sites that are convenient to service and safeguard, but far enough away to avoid conflicts with sensitive uses.
3. To provide adequate buffer zones to protect water supply.

Rural Purposes:

1. To protect rural areas from community development.

Flood Prone Land:

1. To identify areas at risk of flooding.
2. To protect land for the drainage and temporary storage of floodwaters.

Development Standards

Lot Layout:

Buildings should not be setback less than five metres from the front or rear boundary. Residential buildings should be located centrally between the side boundaries.

All lots allow for houses to be oriented for maximum solar efficiency.

Fences:

Housing should be fenced along the property boundary. Front fences should not be higher than 1.2 metres, unless otherwise approved by the community Council.

Industries, utilities and commercial outdoor storage areas shall be fenced in a manner appropriate to their specific security needs.

Parking:

Parking in living areas shall be contained within the property boundary. Driveways should have adequate access to houses without traversing septic leach drains.

Parking for commercial vehicles should be limited to appropriate non-residential areas.

Parking for community facilities shall be allocated on-site by the community Council, as determined to be adequate for the purpose.

Trees and Landscaping:

Existing trees shall be maintained and enhanced on all communal and private land. Landscaping of streets, public open space and other communal areas shall be the responsibility of the community Council.

Applications for new development within the community should include appropriate landscaping for dust control and screening.

Flooding and Drainage:

Where areas of the community may be subject to flooding, the applicant shall obtain flood data from the Shire or the community Council. The proposed development should be protected from the effect of flooding through siting, floor level heights, or other appropriate measures.

Bushfire Hazard:

In areas of high bushfire hazard, communal firebreaks of no less than six metres in width should be constructed surrounding the community. If possible, bushfire management plans should be prepared and implemented.

Roads and infrastructure should allow for the efficient movement and operation of emergency vehicles.

Utilities:

Buffer zones should be implemented where necessary to protect ground water supplies.

Where possible, utilities should be located within road reserves and should not be aligned through areas of open space. Utilities must be protected within easements.

Safety and Accessibility:

Traffic flows should be restricted to main roads with appropriate traffic calming measures to minimise the amount and speed of traffic in residential areas. The community centre should be oriented towards pedestrian accessibility. Community buildings should be centrally located to minimise walking distances. Paths should be allocated along priority pedestrian routes and should be designed to traffic and other visual and physical barriers.

Amendment and Review of Community Layout Plan

The Community Layout Plan has been prepared to reflect existing development within the community as well as the future needs and objectives of the community. Over time this may change and the Community Layout Plan should reflect this.

It is recommended that the Community Layout Plan be reviewed at least every six years. If changes to the Plan or Provisions are required as a result of this review or for other reasons, an amendment should be prepared to formalise this change.

An amendment will be prepared showing:
the existing situation;
the proposed amendment; and,
the reasons for the proposed amendment.

This amendment will then be circulated to the community Council, the Shire of Wyndham-East Kimberley. The community Council must ensure that the amendment is advertised to community residents for a minimum of 28 days. The Shire of Wyndham-East Kimberley must ensure that the amendment is circulated to relevant stakeholders and planning authorities, allowing a period of 28 days for comment.

Following the advertising period, the community Council will consider any comments or objections received during the advertising period and will endorse or refuse the proposed amendment. Should the Council endorse the amendment, the Shire of Wyndham-East Kimberley will then proceed to review the comments of relevant stakeholders and will endorse or refuse the amendment.

Table of Amendments

Amendment Number	Date Adopted	Description of Amendment

Glossary of Terms

Council The elected representative body of the Guda Guda Aboriginal Community Incorporated.

Land Use The land use type or zoning allocated to the land in the Plan.

Plan The physical layout plan, which with the Report and Provisions forms the Community Layout Plan, and which allocates Land Uses within the community reserve.

Provisions The written provisions contained in this document including Development Standards and Land Use Objectives, which with the Report and the Plan form the Community Layout Plan.

Report The background report which with the Plan and Provisions forms the Community Layout Plan and which provides a context and justification for the Plan and Provisions.

Shire The Shire of Wyndham-East Kimberley

ENDORSEMENTS

Endorsement

The Guda Guda Aboriginal Community hereby endorses the Community Layout Plan dated 2003 (including the Report, the Plan and the Provisions), for the purpose of ensuring the proper and orderly planning of the community area, at the meeting of the Council held on the day of 2003

.....
Chairperson

.....
Secretary

The Shire of Wyndham-East Kimberley hereby endorses the Community Layout Plan dated 2003 (including the Report, the Plan and the Provisions), for the purpose of ensuring the proper and orderly planning of the community area, at the meeting of the Council held on the day of 2003.

.....
President

.....
Chief Executive Officer

The Western Australian Planning Commission hereby endorses the Community Layout Plan dated 2003 (including the Report, the Plan and the Provisions), for the purpose of ensuring the proper and orderly planning of the community area on the day of 2003.

.....
Chairman

.....
Secretary

AMENDMENTS

Date: 8th February 2011

Reason for the Amendment

To show administrative changes to the plan.

Details of the Amendment

The intention is to modify the community layout plan endorsed by the WA Planning Commission on 15th April 2003.

Amendments made to CLP
<ol style="list-style-type: none">1. Number lots 30-39.2. Place boundary on Lot 10 and renumber according to a / b protocol.

Approved / Noted:

Amendments are minor in nature. As such, endorsement not required.

Other Information:

This CLP does not constitute development approval.

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site. Organisations responsible for such matters may include landowner, local government, incorporated community council, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

**To update the mapping, please forward details of amendment to
Western Australian Planning Commission, 469 Wellington Street, PERTH WA 6000**

Attn: Thomas Della Vedova,

or e-mail to thomas.dellavedova@planning.wa.gov.au

Plan Date : 15 April 2003	WAPC : 15 April 2003
Proponent : Department of Planning	Endorsed Requires Endorsement : WAPC only – minor amendment

Reason for the Amendment

The Department of Planning, on behalf of the Western Australian Planning Commission (WAPC), is the custodian for Layout Plans prepared under State Planning Policy 3.2, including the Guda Guda Layout Plan No.1.

Since the publication of that Policy in August 2000 all Layout Plan map-sets have been prepared using a variety of computer-aided-design (CAD) formats. All Layout Plan map-sets have now been converted to a common user geographic information systems (GIS) format, including the Guda Guda Layout Plan No.1.

This conversion process has required a comprehensive re-development of the map-set and includes a number of data and content upgrades. This may include the establishment of new Settlement Layout lots (SL-lots), the inclusion of recommended settlement zones, modification to ensure land-use areas accord with Aboriginal Settlements Guideline 1, inclusion of drinking water source protection areas, incorporation of updated cadastre, and many other general improvements.

Approved

This is a minor amendment as the myriad changes made to content and illustration are of a technical nature. As such, under provision 6.14 the endorsement of the WAPC only is required.

Western Australian Planning Commission

please sign and print name  2/5/2013
 Signed by an officer duly authorised by the Western Australian Planning Commission pursuant to section 24 of the Planning and Development Act 2005

RESOLVED & RECORDED IN MINUTES OF THE STATUTORY PLANNING COMMITTEE MEETING
 23 APR 2013

Other Information:

This Layout Plan does not constitute development approval.

It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on site. Organisations responsible for such matters may include landowner, local government, incorporated community council, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.



MGA Zone 52, GDA 84
 Top left: 413035, 6283030
 Bottom right: 413725, 6282175

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority (License LI 430-2012-7)

Extraction date of cadastral 29/06/2012

Features derived from as-constructed survey data provided by Sinclair Knight Merz. Last completed survey date 15/01/2007, updated 14/03/2007

2004 aerial image provided by Landgate

Guda Guda LP1 - Living Area.mxd

Western Australian Planning Commission Copyright © 2013

Settlement layout not derived from calculated dimensions.

This layout plan does not constitute development approval. It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owner, local government, incorporated community organisation, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

Layout Plan 1 endorsement	
Community	-
Local Government	-
Traditional Owners	-
WAPC	15 April 2003

Amendment 3 endorsement	
WAPC	23 April 2013

LEGEND

Land Use

- community
- industrial
- open space
- pedestrian access way
- recreation
- residential
- road reserve
- rural
- waterway

Land Administration

- cadastre
- recommended settlement zone
- settlement layout (SL)
- 67 SL-lot number

Exclusion Boundary

- industry
- no go boundary

Features

- electricity pole
- hydrant
- public telephone
- water tank
- telephone pole
- electricity network
- telecommunications cable

0 20 40 60 Metres

Western Australian Planning Commission

Government of Western Australia
Department of Housing

Guda Guda Layout Plan 1 - Living Area Amendment 3



Government of Western Australia
Department of Housing



Legend

- Land Use**
- community
 - industrial
 - open space
 - pedestrian access way
 - recreation
 - residential
 - road reserve
 - rural
 - waterway

Exclusion Boundary

- industry
- no go boundary

Land Administration

- cadastrate
- recommended settlement zone
- settlement layout (SL)

MGA Zone 52, GDA 84
 Datum: GDA 84
 Bottom right: 414665, 8281395

Layout plan prepared by Department of Planning.
 Existing cadastral data supplied by the Western Australian Land Information Authority. (Licence LI 1430-2012/7)

Extraction date of cadastrate 29/06/2012
 Features derived from as-constructed survey data provided by Sinclair Knight Merz.
 Last completed survey date 15/01/2007, updated 14/03/2007.

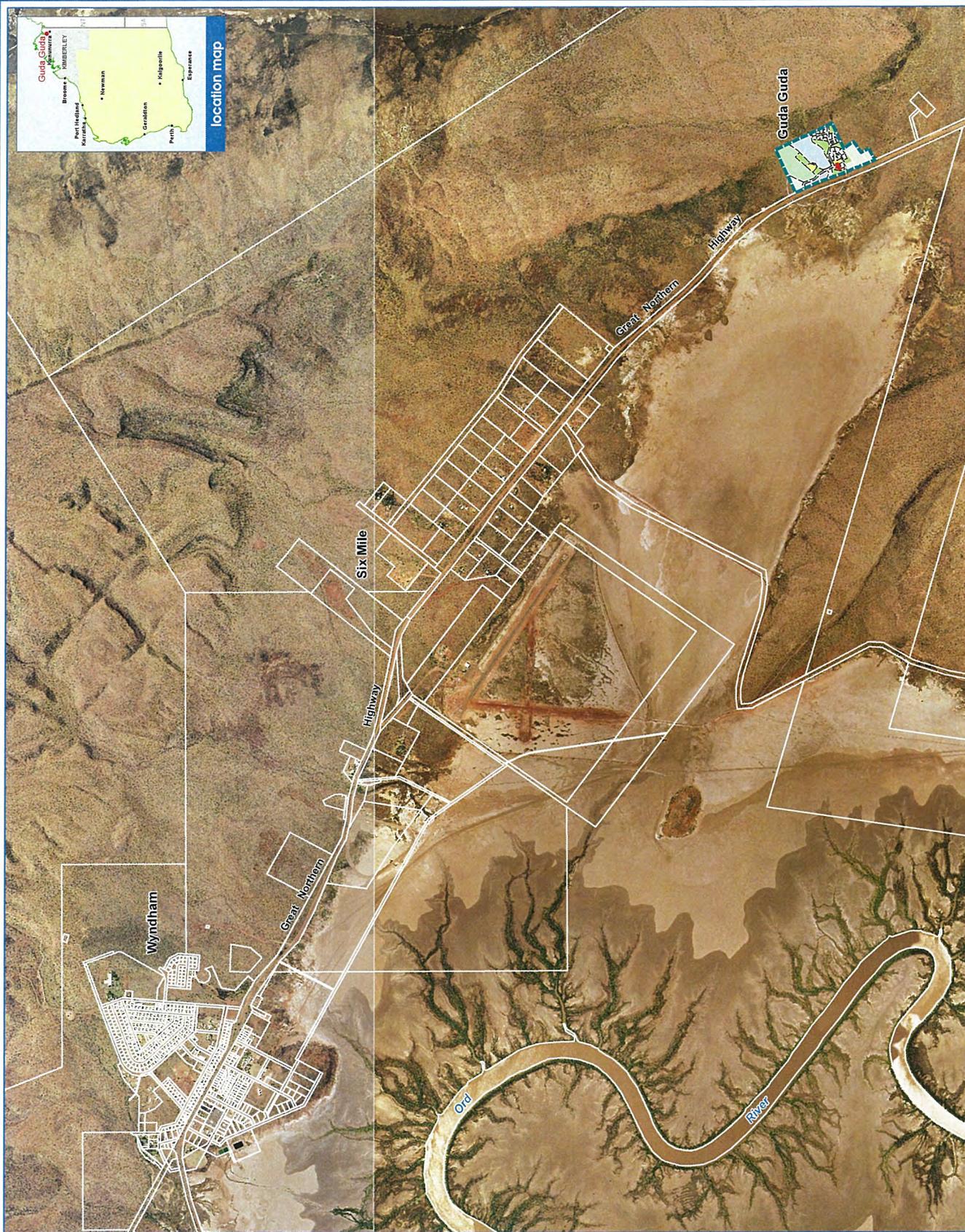
July 2004 aerial image provided by Landgate.
 Guda Guda LP1 - Context.mxd

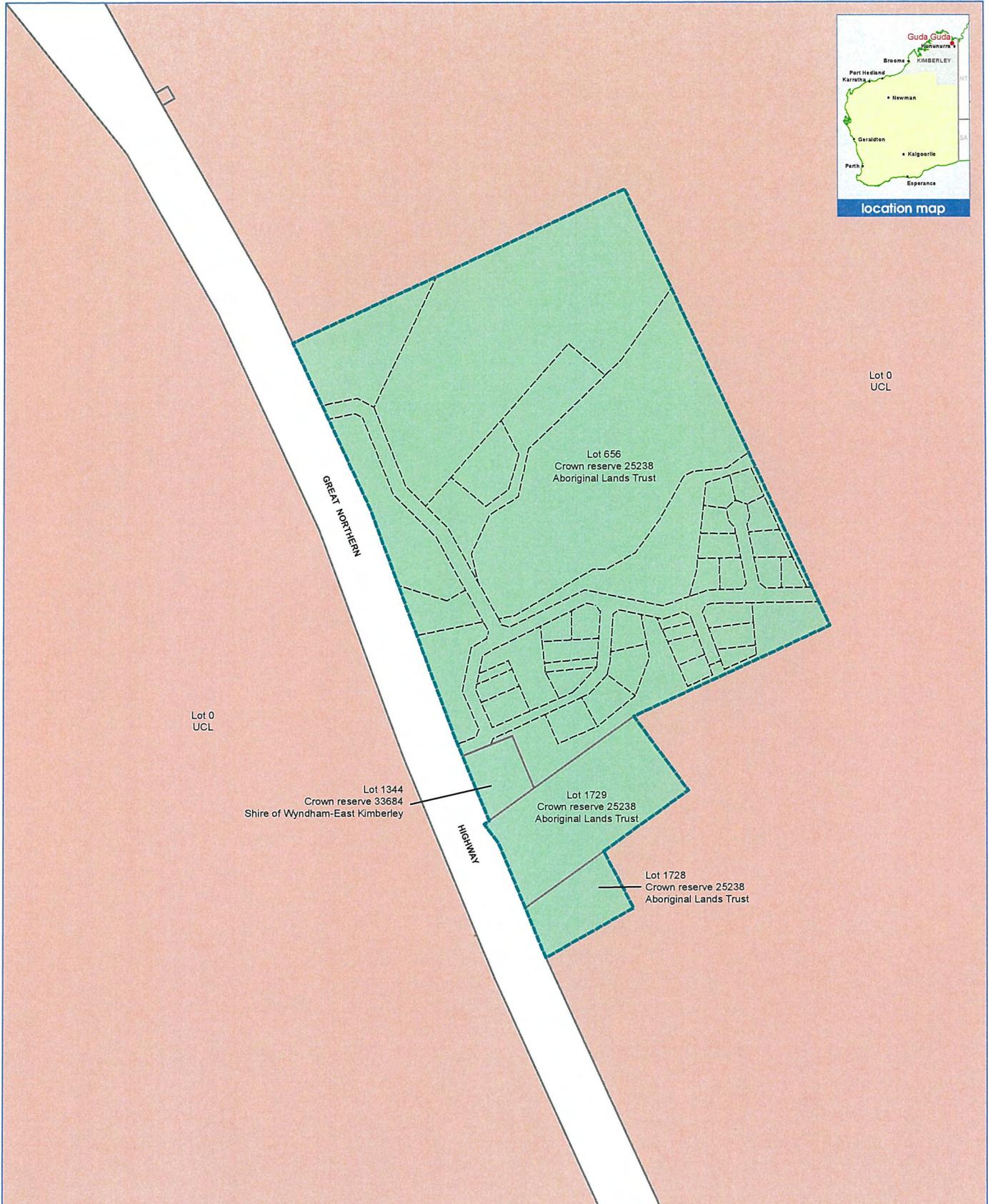
Western Australian Planning Commission Copyright © 2013

Settlement layout not derived from calculated dimensions.

Layout Plan 1 endorsement	
Community	-
Local Government	-
Traditional Owners	-
WAPC	15 April 2003
Amendment 3 endorsement	
WAPC	23 April 2013

This layout plan does not constitute a development approval. It is the responsibility of the proponent to ensure that all necessary consents, approvals, licences and clearances are in place prior to commencing physical works on the site. Organisations responsible for community council, native title representative body, Department of Environment, Conservation and Forestry, Cultural Materials, Consumer & Employment Protection and Department of Water.





Lot 0
UCL

Lot 0
UCL

GREAT NORTHERN
HIGHWAY

HIGHWAY

Lot 656
Crown reserve 25238
Aboriginal Lands Trust

Lot 1344
Crown reserve 33684
Shire of Wyndham-East Kimberley

Lot 1729
Crown reserve 25238
Aboriginal Lands Trust

Lot 1728
Crown reserve 25238
Aboriginal Lands Trust

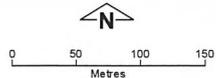
MGA Zone 52, GDA 94
Top left: 412785, 8283225
Bottom right: 413850, 8281905
Layout plan prepared by Department of Planning
Existing cadastral data supplied by the Western Australian Land Information Authority (License LI 430-2012-7)
Extraction date of cadastre 29/09/2012
Guda Guda LP1 - Land Ownership.mxd
Western Australian Planning Commission Copyright © 2013

This layout plan does not constitute development approval
It is the responsibility of the developer to ensure that all relevant consents, approvals, licences and clearances are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owner, local government, incorporated community council, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

Layout Plan 1 endorsement	
Community	-
Local Government	-
Traditional Owners	-
WAPC	15 April 2003
Amendment 3 endorsement	
WAPC	23 April 2013

LEGEND

- | | |
|-----------------------------|------------------------|
| cadastral | crown reserve |
| recommended settlement zone | unallocated crown land |
| settlement layout | |



Guda Guda Layout Plan 1 - Land Ownership

Amendment 3

13.4.3 Lot 1740 (2) Milkwood Street – Proposed Shed

DATE:	26/05/2015
PROPONENT:	Franmor Constructions
LOCATION:	Lot 1740
AUTHOR:	Roy Adam, Planning Officer
REPORTING OFFICER:	Louise Gee, Director Community Development
FILE NO:	A2370P
ASSESSMENT NO:	DA08/15
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to consider a development application for a Shed with an R-Code variation, at Lot 1740 (No.2) Milkwood Street, Kununurra.

BACKGROUND

An application for planning approval was lodged on 23 February 2015 by Franmor Constructions for the development of a Shed to the rear of Lot 1740 (2) Milkwood Street, Kununurra (**Attachment 1**).

The property is located on the corner of Casuarina Way and Milkwood Street and has an area of 1,158m². The land is zoned Residential and allocated R15 density coding in Town Planning Scheme No. 7 – ‘Kununurra and Environs’ (TPS No.7). The property contains a single dwelling with attached garage and pergola (**Attachment 2**).



Location of Lot 1740 Milkwood Street.

The Shed is proposed to the south-east of the lot and includes:

- Setbacks of 1.5m to the southern and 3.1m to the eastern lot boundaries
- 72m² floor space (9m length x 8m width)
- 4.2m wall height and 4.9m ridge height

- Two (2) roller doors (3.5m x 3.0m) on the western elevation
- One (1) access door on the northern elevation
- Colorbond steel non-reflective cladding and compatible colours
- Side access via Casuarina Way
- Intended for boat and caravan storage (**Attachment 3**)

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra and Environs

The subject lot is zoned Residential in TPS No. 7. The objectives of the zone are to:

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

Part 5 of the Scheme provides that all development, including a change of use, generally requires planning approval. Although exemptions do apply in certain circumstances (cl. 5.2.1), as the present proposal contains variations to the Residential Design Codes (R-Codes) an application is required.

Council may approve a variation to development requirements or standards of the Scheme in accordance with Part 5.5 of the Scheme. Consultation (or advertising) must take place and due regard shall be given to the views expressed by adjoining landowners or occupiers of surrounding land.

In considering the variation Council shall also consider whether:

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

POLICY IMPLICATIONS

State Planning Policy 3.1 Residential Design Codes

The purpose of the R-Codes is to provide a comprehensive basis for the guidance of residential development throughout Western Australia.

Outbuildings

Clause 5.4.3 of the R-Codes provides compliance requirements for the design of Outbuildings. Two approaches to satisfactory designs are described, through meeting *deemed-to-comply* and/or *design principle* requirements.

The proposed shed is not compliant in three (3) *deemed-to-comply* instances:

- The floor area is 72m², which exceeds the deemed-to-comply provision of 60m².
- The wall height of 4.2m exceeds the deemed-to-comply provision of 2.4m.
- The ridge height of 4.9m exceeds the deemed-to-comply provision of 4.2m.

These points notwithstanding, the R-Codes provides that a decision-maker may exercise its judgement to consider the merits of proposals, having regard to the *design principles* that correspond to development. In this respect, outbuildings shall not:

“Detract from the streetscape or the visual amenity of residents or neighbouring properties”.

In this matter also, the proposal does not fully comply - with the primary reason being that the locality does not contain similarly-sized outbuildings and it therefore being out of character. In addition, the shed:

- Does not “address” the street, as may (more typically) occur in residential dwelling façade design. A high-quality designed building may seek to improve the streetscape appearance through architectural features, such as windows and façade treatment for example. The shed front has roller doors and is relatively blank.
- Reduces vistas and views afforded to residents or properties to the adjoining rear and side lots. In this instance, although the setbacks to the rear and side boundaries are met, a moderate reduction in views and sunlight access to the adjoining lots would be caused by the development.
- Has a roof pitch of approximately 9 degrees. This is a factor in architectural design which has an effect on residential character, particularly as buildings become larger in area or built in higher density locations. It is noted that in Western Australia, dwellings generally employ roof pitches between 20-45 degrees.

As well as the R-Codes themselves, the R-Codes *Explanatory Guidelines* describe that as traditions change, there is a case for relaxed standards for some outbuildings. It provides criteria to consider for relaxed standards, and that any outbuilding should be:

- relatively small in area;
- relatively low in height;
- sited so as to preserve the use and amenity of open space;
- set back sufficiently from boundaries;
- confined to single houses and grouped dwellings; and
- excluded from street setback areas.

In relation to the above points it is noted that the proposed shed:

- Includes 72m² in floor space; which is larger than other outbuildings in the locality, (12m² more than R-Codes requirements).
- Has a 4.9m ridge height, which is lower than the existing, double-storey dwelling onsite but similar to neighbouring dwellings;
- Will allow for sufficient open space in the subject lot;
- Is set back adequately from side (1.5m) and rear (3.1m) boundaries;
- Is adjacent to a single dwelling; and
- Is set back adequately from the front boundary (23m).

FINANCIAL IMPLICATIONS

The applicant has paid the development application fee.

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

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and has included letters being sent to adjoining landowners. No submissions were received in response.

The applicant was also requested to obtain written consent from adjoining landowners. This was provided from the three (3) immediately neighbouring properties. No objections were raised.

COMMENT

The local, residential character does not include large, bulky outbuildings and to a certain extent the proposal is out-of-context. Considering the built environment further, although the subject lot itself does contain a double-storey dwelling, the majority of buildings in the surrounding area are single-storey dwellings. Outbuildings (backyard sheds) in the range of 10-20m² are common.

In considering precedent decisions, the Shire has rarely given approval to applications for Sheds exceeding the R-Codes. However these precedents do exist:

- DA58/10; 96m², 4.8m wall height, 6.5m ridge height. It is on a lot area of 1400m² (in Wyndham under Town Planning Scheme No. 6).
- DA06/09; 82m², 3.5m wall height, 4.5m ridge height. Lot area is 973m².
- DA82/13; 63m², 4.0m wall height, 5.4m ridge height. Lot area is 898m².

Although the streetscape and visual amenity aspects of the current proposal are not fully consistent with the R-Codes, it is considered that the detractive elements are minimal, given the relatively large area of the lot, the setbacks that are proposed, and opportunity for vegetative screening conditions. Further, objections to the proposal have not been raised through adjoining neighbour consultation.

Overall, there are elements which are acceptable to this proposal, and it ultimately is a carefully balanced decision regarding neighbourhood character versus "domestic storage" that must be made. On this, the matter of wall height (and by extension roof pitch) is a

critical factor which may be addressed, and an acceptable residential appearance created, with a relatively minor modification.

Although roof pitch is not expressly contained in the R-Codes requirements for outbuildings, consideration of this may clearly be inferred through the provisions that stipulate wall and ridge height (2.4m and 4.2m).

In further discussion with the applicant, a redesigned plan has been created which is similar to precedent approvals and has an improved roof pitch (**Attachment 4**). On balance it is considered that the design principle of the R-Codes has been met by this minor modification. It includes an eave height of 4.0m, wall height 1.2m with a ridge height of 5.1m, creating a roof pitch of 13 degrees. Also a 1.75m setback has been proposed to the side boundary.

In conclusion, it is considered that the proposal meets the relevant design principle, and hence approval is recommended with conditions.

ATTACHMENTS

- Attachment 1 - Submission and plans
- Attachment 2 – Site photograph
- Attachment 3 – Boat and trailer photograph
- Attachment 4 – Revised plan

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolves to:

- 1) Grant consent for a Shed at Lot 1740 Milkwood Street, 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. No development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into the Shire's stormwater system in accordance with Shire specifications, or onsite to garden areas, sumps or rainwater tanks. Stormwater will not be permitted to pond on the site or against any building or structure.
 3. The shed is to be clad in compatible, muted-tone exterior colour(s).
 4. Screening vegetation to be planted on the eastern and southern boundaries between the proposed shed and fence to the satisfaction of the Shire. Such additional screening as is necessary post-construction is to be planted prior to the occupation of the shed.

5. An application for crossovers shall be submitted to the Shire's Infrastructure Department. Crossovers shall be constructed to Shire specifications and to the satisfaction of the Shire's Director of Infrastructure. Turning and maneuvering requirements (including possible upgrades for entrances) may be considered as part of a crossover application.

Advice Notes: Standard advice notes apply.

- 2) Requests the Chief Executive Officer to advise the applicant and those who lodged a submission of the Council's decision.

COUNCIL DECISION

Minute No. 10954

Moved: Cr G King

Seconded: Cr D Learbuch

That Council resolves to:

- 1) **Grant consent for a Shed at Lot 1740 Milkwood Street, 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. **No development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall be mechanically directed into the Shire's stormwater system in accordance with Shire specifications, or onsite to garden areas, sumps or rainwater tanks. Stormwater will not be permitted to pond on the site or against any building or structure.**
 3. **The shed is to be clad in compatible, muted-tone exterior colour(s).**
 4. **Screening vegetation to be planted on the eastern and southern boundaries between the proposed shed and fence to the satisfaction of the Shire. Such additional screening as is necessary post-construction is to be planted prior to the occupation of the shed.**
 5. **An application for crossovers shall be submitted to the Shire's Infrastructure Department. Crossovers shall be constructed to Shire specifications and to the satisfaction of the Shire's Director of Infrastructure. Turning and maneuvering requirements (including possible upgrades for entrances) may be considered as part of a crossover application.**

Advice Notes: Standard advice notes apply.

- 2) **Requests the Chief Executive Officer to advise the applicant and those who lodged a submission of the Council's decision.**

Carried Unanimously 9/0



20 FEB 2015
SHIRE OF WYNDHAM EAST KIMBERLEY
APPLICATION FOR PLANNING APPROVAL

OWNER DETAILS

Name STEPHEN WOODHEAD
 Postal Address P.O. Box 42 KUNUNURRA Post Code 6743
 Phone (Work) 91681351 Phone (Home) 91681542 Fax 91682058 Email jswoodhead@wn.com.au
 Signature [Signature] Date 20/2/15
 Signature _____ Date _____

**The signature of the LEGAL LANDOWNER(S) is required on all applications.
 Assessment of the application will not proceed without the land owners' signature.**

Please ensure postal address is shown. All applications approved are mailed and require a postal address.

APPLICANT DETAILS

Name Framer Constructions
 Postal Address Box 702 Kununurra Post Code 6743
 Phone (Work) 91681395 Phone (Home) _____ Fax 91682621 Email framer@westnet.com.au
 Signature _____ Date 20/2/15

Please ensure postal address is shown. All applications approved are mailed and require a postal address.

PROPERTY DETAILS

Lot No. 1760 House/Street No. 2 Location No. _____
 Street Name Mikwood St Suburb Kun
 Nearest Street Intersection Casuarina Way Assessment No. _____
 Diagram or Plan No. _____ Certificate of Title Vol No. _____ Folio No. _____
 Title Encumbrances [If any] _____

DEVELOPMENT DETAILS

Existing Building/Land Use on property Proposed shed
 Description of Proposed Development/Land Use Boat Storage
 Approximate Cost of Proposed Development \$50,000
 Estimated Time of Completion 6 months

OFFICE USE ONLY

Date Received	<u>23/02/2015</u>
Fees Paid	<u>\$147.00</u>
Receipt No	<u>392028</u>
Application No	<u>DA8/15</u>

Document No	<u>101601</u>
Officer	<u>Roy Adam</u>
Response	
File	<u>A2370</u>

3.1 9.0

1.5
8.0

proposed
Shed.

Existing Dwelling

CONSTRUCTION

proposed Shed
Peer @ No 2.
Milkwood Street
Kununurra
for Steve Woodhead

Scale 1:250



APPROVED Milkwood Street



Plans Submitted Under:

S148 – Metropolitan Water Supply, Sewerage And Drainage Act 1909 if in the Perth metropolitan water, sewerage and drainage area, S43A – Country Areas Water Supply Act 1947, S41A – Country Towns Sewerage Act 1948

Property account number

9	0	0	7	5	6	6	2	3	5
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1. If the property is connected or proposed to be connected to a Water Corporation sewer

1.1 Before floor levels are established or property sewers laid the following requirements must be met:

- a) SEWER JUNCTION** – Position and depth of the property sewer junction must be confirmed by a plumber.
- b) PROPERTY SEWER GRADIENT** – Sufficient level difference must exist to allow the gradients in accordance with the applicable legislation and standards.
- c) SEWERAGE OVERFLOW RELIEF** – Sufficient height difference between overflow levels of lowest inlet fitting or fixture connected to the building's property sewerage installation and the ground surface must exist for overflow relief gullies.
- d)** All external gullies in the North West Region¹ must be fitted with a 'Pop Up Inspection Cover'.
- e)** Any sewer access chamber, inspection shaft or inspection openings located within a property must remain accessible to the Water Corporation at all times. An access-way of at least 900mm width is required.

1.2 CHANGES TO SITE LEVELS - The top (or cover) of any access chamber must remain, or be re-established, at finished ground level by the Water Corporation, at the owner's cost. Minimum soil cover over Water Corporation sewers in private property is 750mm.

1.3 Separate approval must be obtained if it is proposed to discharge industrial or commercial wastewater from this property to the Water Corporation's sewer. A separate application for such discharge (form 5623) is to be submitted together with two (2) copies of the hydraulic plans of the proposed development.

2. General

2.1 All plumbing works connected to the Water Corporation's services must be performed by a licensed plumber and conform with applicable legislation and standards. As this proposal may affect the existing property service pipes, their location must be verified prior to construction.

2.2 It is illegal to connect or discharge storm water from your roof or paving as well as water from your pool to the sewer.

Any alterations to this plan will require the plan to be re-submitted to the Water Corporation. Failure to do so may result in a penalty and/or removal of any structure. These conditions are in addition to any other conditions that apply to this building approval.

Any works to be carried out by the Water Corporation will commence within 10 working days of receipt of your payment.

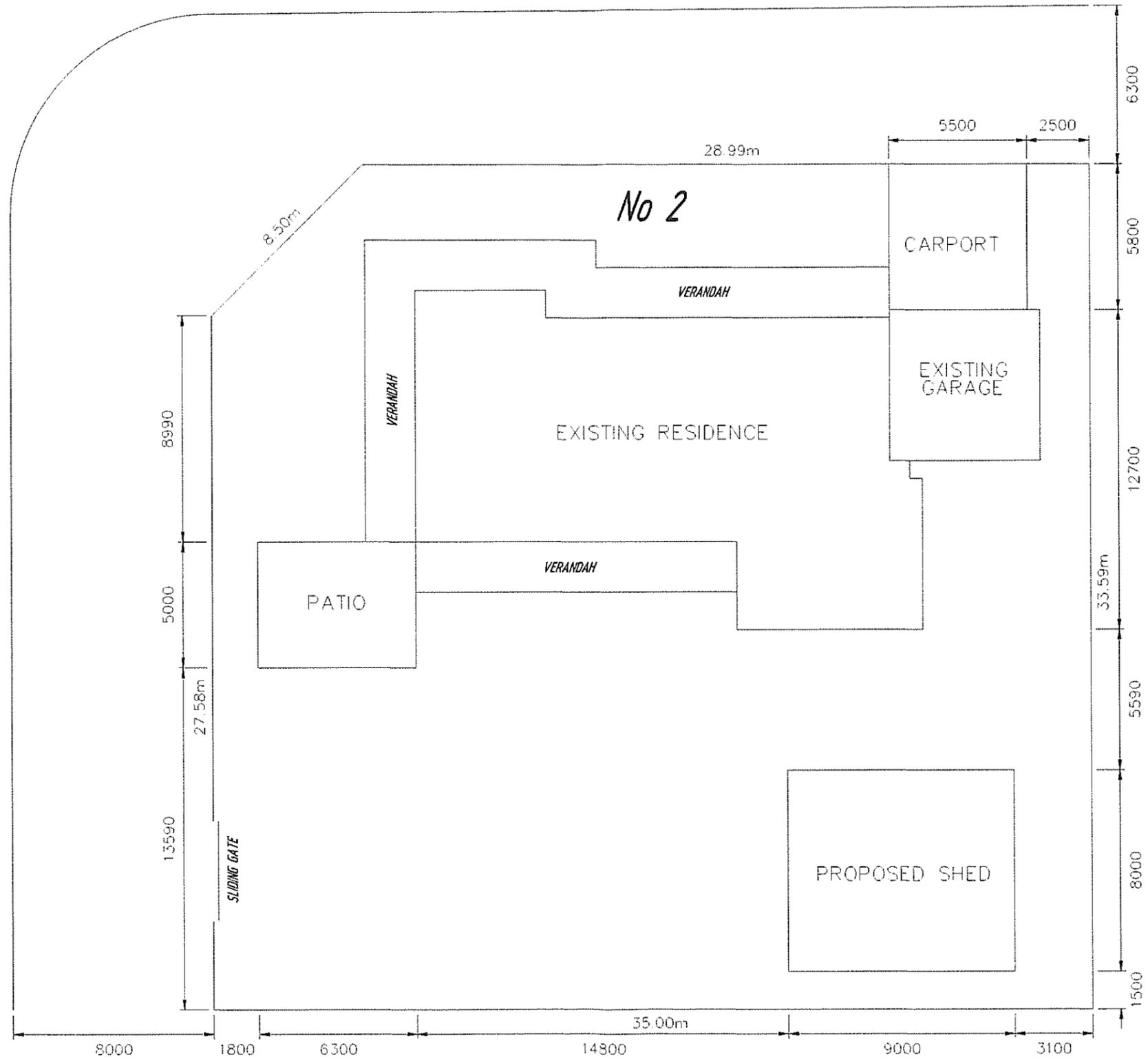
All fees must be paid before works commence.

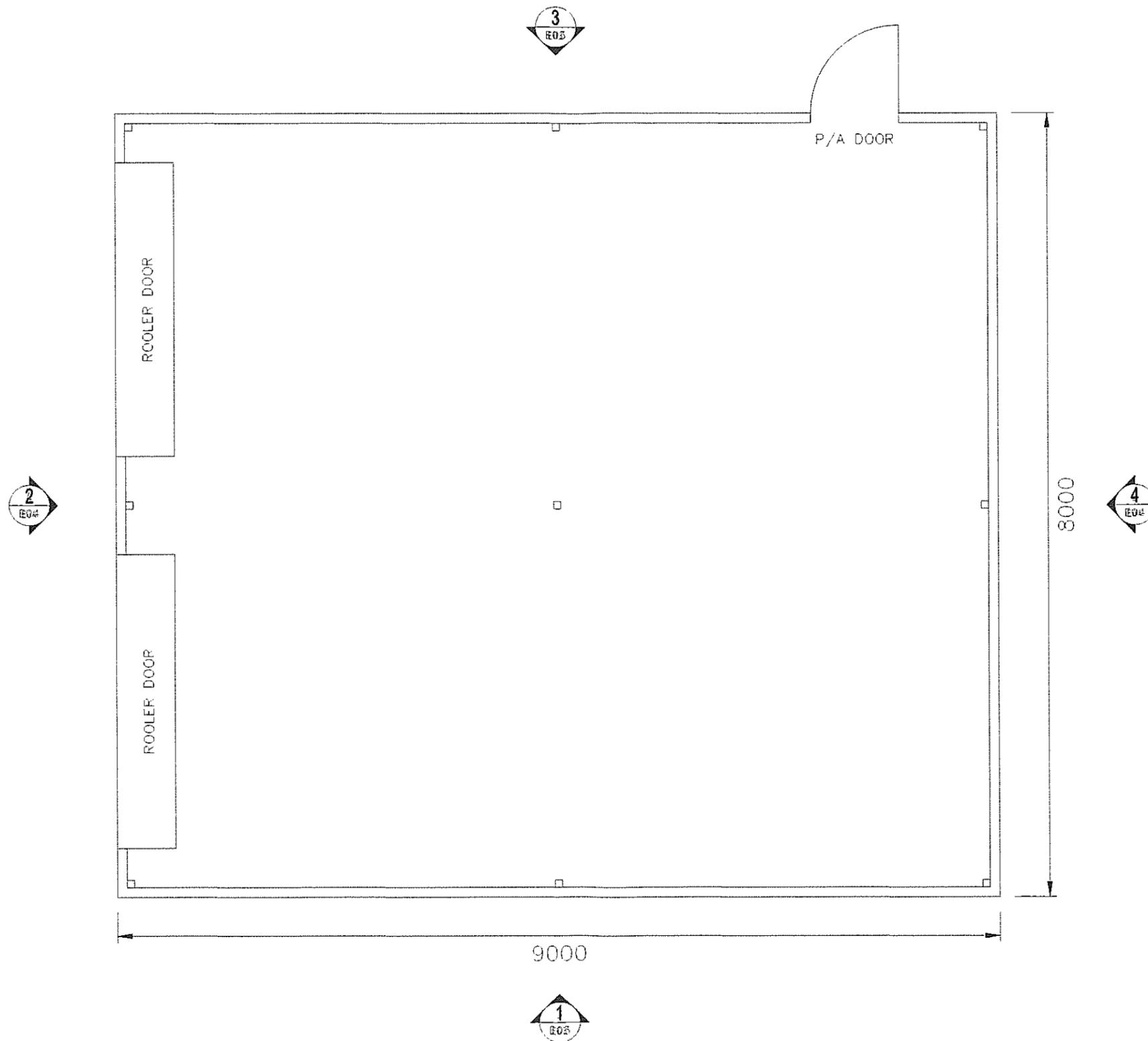
For information on the date works are scheduled to commence please phone 13 13 95.

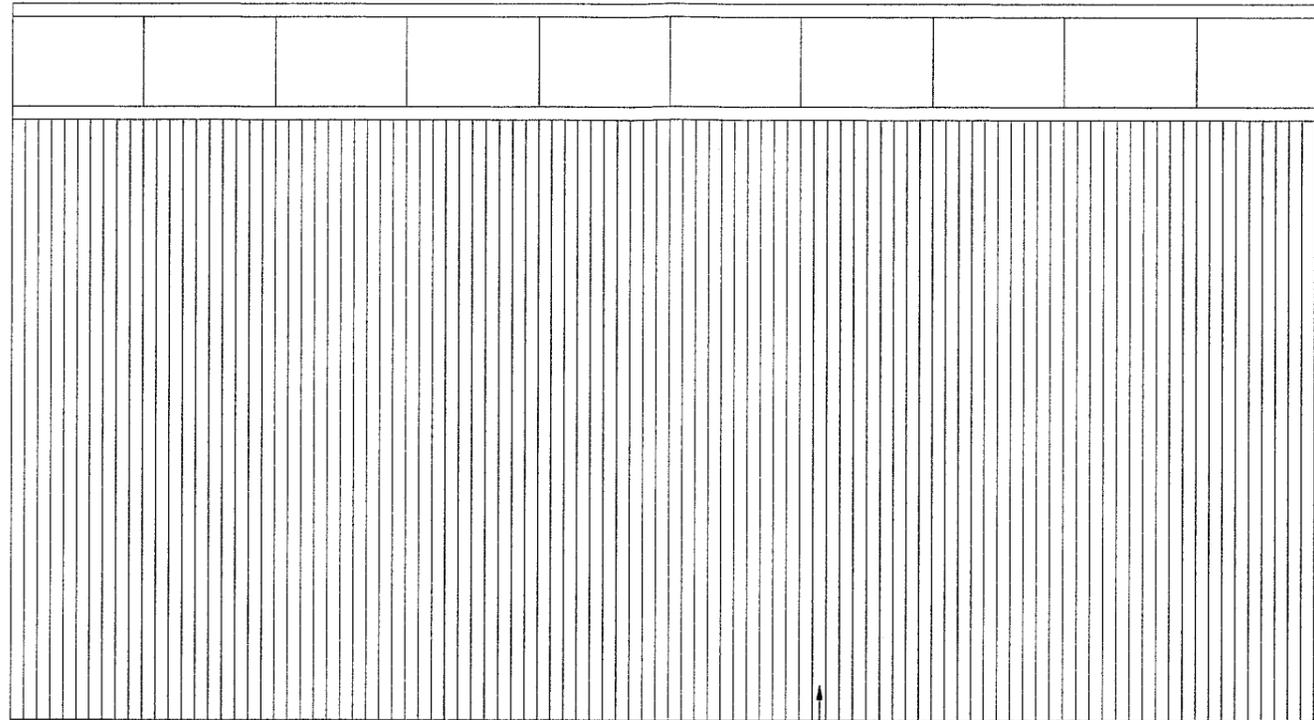
¹ North of latitude 26 degrees South

MILKWOOD STREET

CASUARINA WAY

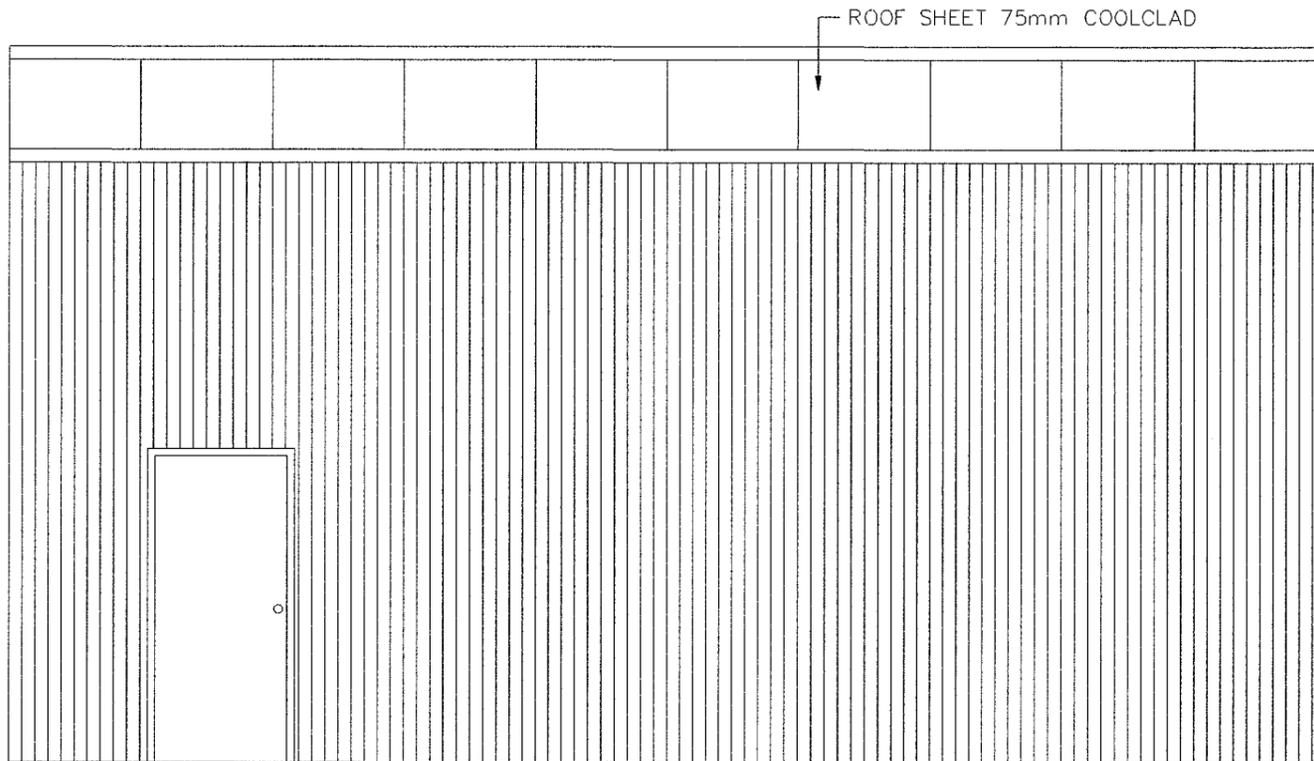






ELEVATION 1
E02

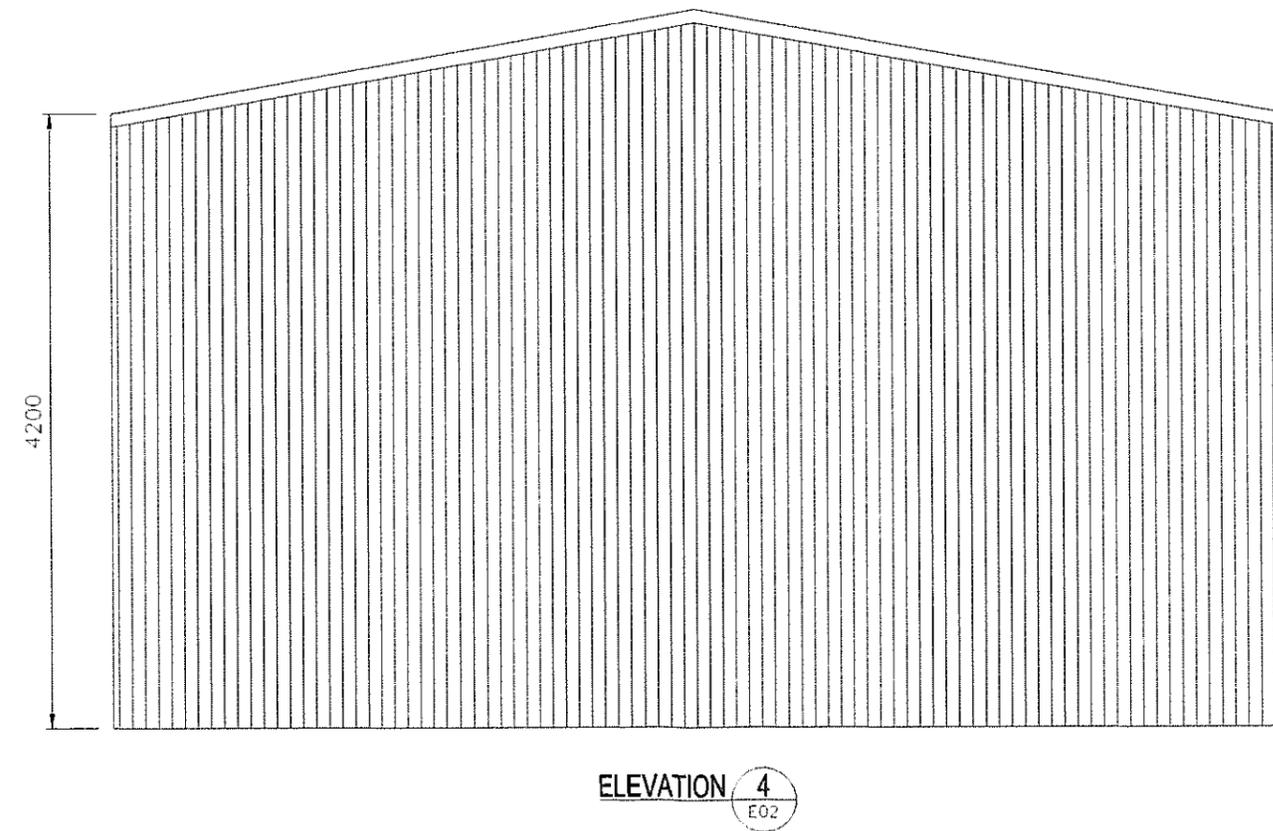
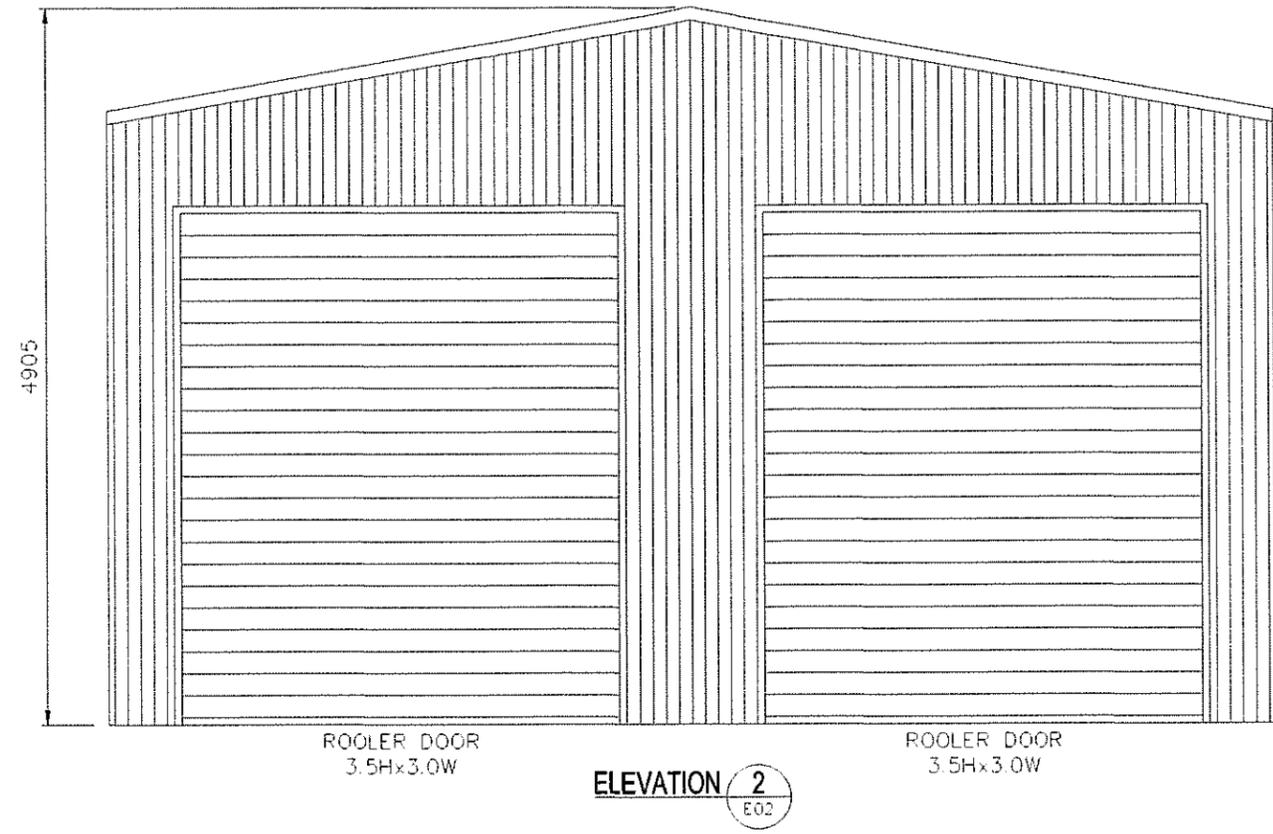
WALL SHEET C/B CUSTOM ORB



ELEVATION 3
E02

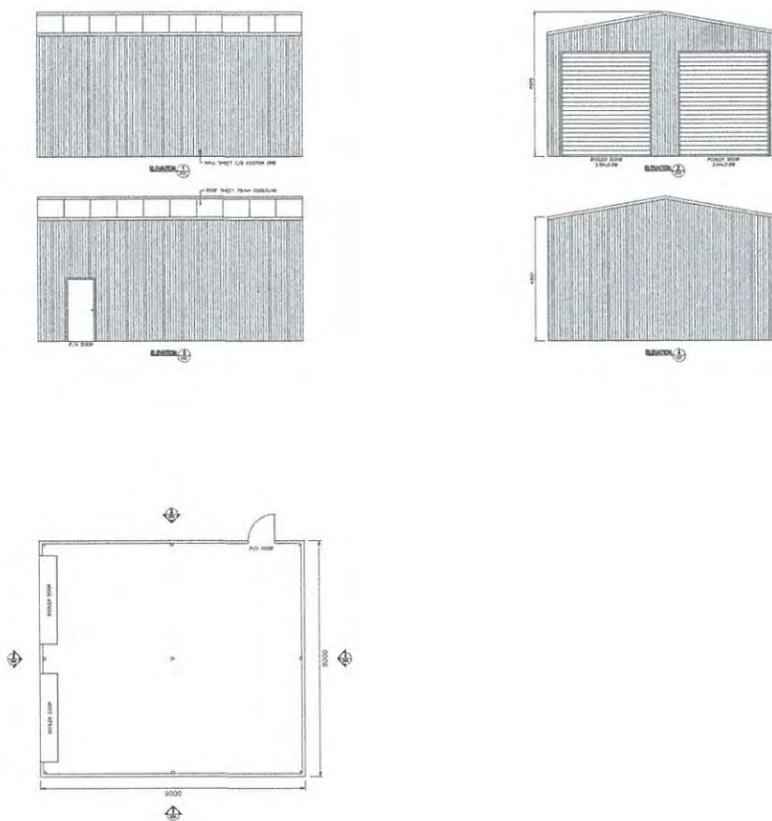
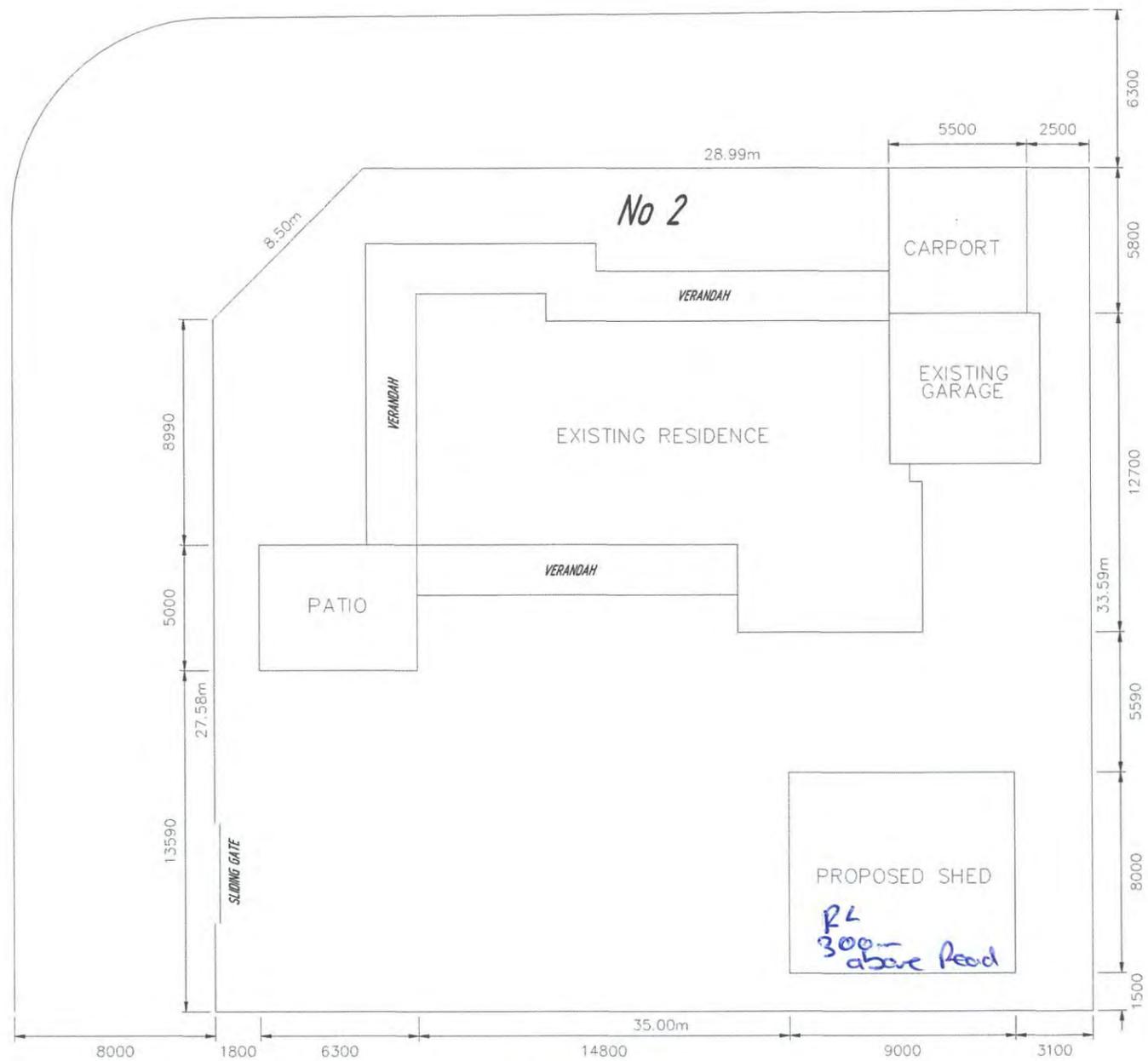
ROOF SHEET 75mm COOLCLAD

P/A DOOR



CASUARINA WAY

MILKWOOD STREET



Pale Eucalypt Walls = Iron
 Surf must Roof = copper



ACN: 058 604 327 ABN: 56 058 604 327 RB: 10803

FRANMOR CONSTRUCTIONS PTY LTD

For all your building and glazing requirements

PO BOX 702
KUNUNURRA WA 6743
EMAIL: franmorknx@westnet.com.au

PH: (08) 9169 1395
FAX: (08) 9168 2621
MOBILE: 0419 846 191

To: Planning Department of SWEK

29-Apr-15

Number 2 Lot 1740 Milkwood Street Kununurra

My client Steve wood head is requesting permission to install a shed that is outside the R Codes. The shed is 72mtr Square and has an eave height of 4.2 mtrs with a gable of 4.9 mtrs. The reason for this is for parking a currently owned boat which on its trailer is 7.5 mtrs long and has a height of 3.8 mtrs to its higher point. My client is also considering purchasing a caravan which will be parked alongside the boat. Hence the 9 x 8 mtr floor size.

The shed will be built in neutral non reflective colours to blend in with the surrounds and due to extensive existing vegetation and proposed future planting once development is approved and finalised the shed will be barely visible from the road.

The development has been through the necessary advertising for complaints process and no complaints have been received.

Looking forward to your positive response on this development so these residents of Kununurra can store their recreational vehicle at home and service and maintain them as required ready for use for some R&R on the weekend.

Regards
Leigh Pedler
Manager Franmor Construction
Reg: Number 10803

Date: 5.2.14

To: Planning Department of SWEK

Regarding: Application to SWEK for Construction Application of Shed Design that is Outside the R Codes. Site of 2 Milkwood Street Kununurra.

Email: Roy.Adam@swek.wa.gov.au

From: Stephen Woodhead. Ph 0407088747. Email jswhold@wn.com.au

I am asking if following shed would receive application approval. Realise will require Council approval as outside standard building R code.

Shed length and height is to accommodate 7.8m length boat plus additional trailer length, and boat height of ~ 3.5m on trailer. Would require some clearance above boat. In future would like to purchase a caravan which would sit in the second bay. Also, presently will be utilizing second bay to park my Hilux vehicle in when crime & graffiti levels appear high in the area (which in the last couple of weeks are very high with South neighbour & neighbour diagonally across road having their cars graffiti spray painted, and rear diagonal neighbour broken into). Unfortunately the Hilux does not physically fit in the existing garage constructed with house.

Eaves height becomes in the order of ~ 4.2m to accommodate some clearance under roller doors as they consume another ~ 500-600mm in their thickness when rolled open.

Shed would be 9m long x 8m wide. Pitch of roof minimal above eaves height to bring pitch height to ~ 4.9m. Franmore Construction will have exact plan detail.

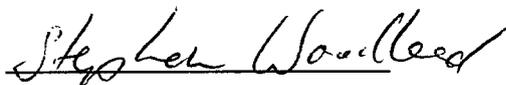
Shed to be colour bond and colour choice to minimize appearance.

I believe neighbours have had SWEK notification for application of shed with no objection from neighbours. My personal contact with neighbours regarding shed has been positive regarding shed construction (actually been asking why I haven't started).

The lot is in the order of ~1200m². The shed size is not imposing regarding the size of the lot and the existing house. Vegetation removed for shed location will be re-established. Neighbour vegetation is established on East side. South side is up to ~ 2.5m high and is of plant variety that will greatly diminish shed appearance as establishes further. Visibility of shed from road is very minimal and set well back. Have applied for shed setback of 3m from east neighbour fence and 1.5m off South neighbour fence as per similar to a multi storey house which would have an eaves height approaching ~5.5m and much greater roof pitch resulting in much higher total roof height.

Hopefully have a successful result for planning approval for shed.

Regards,







13.5 CHIEF EXECUTIVE OFFICER

13.5.1 Use of Common Seal

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	N/A
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 23 April – 20 May 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
12/05/2015	Lease, Booth 1 @ EKRA. SWEK and Territory Rent A Car Pty Ltd

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 23 April – 20 May 2015.

COUNCIL DECISION

Minute No. 10955

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

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 23 April – 20 May 2015.

Carried Unanimously 9/0

13.5.2 Delegated Authority Report

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jill Magee, Community Development Support Officer
REPORTING OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	PL.02.1
ASSESSMENT NO:	N/a
DECLARATION OF INTERESTS:	N/a

PURPOSE

To report to Council on the use of Delegated Authority by Officers for the period 1 to 30 April 2015.

BACKGROUND

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

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

STATUTORY IMPLICATIONS

Local Government Act 1995 - Sect 5.46

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

- 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

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

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

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

ATTACHMENTS

Attachment 1 – Delegated Authority Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Delegated Authority Report for the period 1 to 30 April 2015.

COUNCIL DECISION

Minute No. 10956

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council receives the Delegated Authority Report for the period 1 to 30 April 2015.

Carried Unanimously 9/0

Attachment: Delegated Authority Report**CERTIFICATE OF DESIGN COMPLIANCE (Form BA03) ISSUED AS THE CERTIFIER FOR THE PERMIT ISSUING AUTHORITY – 01 April 2015 to 30 April 2015****BUILDING PERMITS (Form BA04) ISSUED AS THE PERMIT ISSUING AUTHORITY – 01 April 2015 to 30 April 2015**

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ ADD	EST. VALUE
019/ 2015	31/03/2015	8/04/2015	Shire of Wyndham East Kimberley	RSL - Kununurra Sub Branch	Lot 501, 115 Coolibah Drive, Kununurra	Class10b Flag Poles at Cenotaph	New	\$2,500.00
020/ 2015	31/03/2015	10/04/2015	Helen Elizabeth & Hugh Scott Munro	DE Carpenters Pty Ltd	44 BANDICOOT DRIVE KUNUNURRA WA 6743	Class 7B New Warehouse Extension	Add	\$30,000.00
021/ 2015	11/03/2015	15/04/2015	Sue Ann Coburn & James William Rays	James Rays	LOT LOC 656 HARRIER CLOSE KUNUNURRA WA 6743	Class 1A - Extension to existing dwelling - 3 x bedrooms and verandah	Add	\$20,000.00
022/ 2015	23/03/2015	15/04/2015	Julian David & Nicole Lee Eastwell	Julian David Eastwell	2 WATER LILY PLACE KUNUNURRA WA 6743	Class 10a - New shed/ Carport	New	\$15,000.00

023/ 2015	27/03/2015	20/04/2015	Kimberley Agricultural Investments	East Kimberley Constructions	LOT 396 KUNUNURRA 6743	Class 1a - Caretakers Quaters - New Transportable Cabin with Tropical Roof and Deck	New	\$141,000.00
024/ 2015	14/04/2015	22/04/2015	Aviair Pty Ltd	Peter Nottle	Lot 319 Laine Jones Drive, Kununurra	Class 10A Garden Shed	New	\$4,000.00
025/ 2015	16/03/2015	23/04/2015	L & M Conley	Lennox Wildman Pty Ltd	Lot 221 River Farm Road, Kununurra	Class 1A Extensions to Existing Residence and Class 10A Carport	Add	\$120,000.00

**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 April 2015 to 30 April 2015**

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
BA7591	1/04/2015	Shire of Wyndham East Kimberley	A7925	Lot 1014 Weaber Plain Road, Kununurra	Class 7B Shed with Class 5 Office Ablution	7B	090/2014	East Kimberley Constructions	East Kimberley Constructions	\$249,810
BA7597	1/04/2015	Shire of Wyndham East Kimberley	A7924	Lot 350 Crossing Falls Road, Kununurra	Class 7B Shed with Class 5 Office Ablution 16 x10 x 3.9	7B	091/2014	East Kimberley Constructions	East Kimberley Constructions	\$249,810

PLANNING DELEGATED AUTHORITY APPROVALS – 01 April 2015 to 30 April 2015

Application / Delegation Number	Approval Type	Date Received	Applicant	Address	Proposed Development	Assess't Number	Approval Date	Approved By
DA5/15	P	16/02/2015	Kimberley Hotel Management Pty Ltd	Lot 100 Coolibah Drive, Kununurra	Proposed Tourist Accommodation and Building Extensions	A1194	13/04/2015	Roy Adam
DA10/15	COU	11/03/2015	Abigail Harwood	Lot 309, 95 Riverfig Avenue, Kununurra	Proposed Consulting Rooms	A1287	21/04/2015	Roy Adam
DA12/15	P	25/03/2015	Maxine Fitzpatrick & William Laity	Lot 172, Pentecost Elbow - Valentine Falls	Proposed Shed with Living Quarters	A7376	22/04/2015	Roy Adam

13.5.3 Annual General Electors Meeting 28 April 2015

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	N/A
DECLARATION OF INTERESTS:	Nil

PURPOSE

To present for Council consideration the motions carried at the Annual General Electors Meeting held 28 April 2015.

BACKGROUND

A number of questions were presented at the meeting with five (5) motions being voted on by the electors present.

STATUTORY IMPLICATIONS

5.32. Minutes of electors' meetings

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
 - (a) at the first ordinary council meeting after that meeting; or
 - (b) at a special meeting called for that purpose,whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There is potential for financial implications associated with some of the below recommendations. It is recommended that where applicable, business cases are prepared in full and submitted for consideration through the 2015/2016 annual budget process whereby Council will be provided with actual costs and resource demands.

STRATEGIC IMPLICATIONS

Various implications in line with the Shire's Strategic Community Plan 2012 – 2022.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include:

Various methods as required.

COMMENT

Questions tabled and answered at the meeting appear in the attached Minutes. Answers to questions 'taken on notice' at the meeting are shown below:

Question from Simone Rushby, Kununurra

What was the annual budgeted cost for legal matters last year?

The annual revised budget for legal matters for 2013/14 was \$75,000.

Question from Alma Petherick, Kununurra

I am one of the people who is critical of people wasting money however I would like to know what is happening about the beautification of Kununurra and Wyndham because both places are an absolute disgrace. Derby has less water than us yet it is a pleasure to go into. I have recently been to China and it blew me away. Sprinklers have been put in and kids are trashing them. The Shire is spending a lot of money for them to be trashed, can we look at other ways of watering? What about a water truck that goes along and waters the gardens? I have heard of this being done elsewhere. Even the boabs are dying down Messmate Way. You go down Papuana Street and look at the sprinklers you will see that the kids just rip them up and then gardeners come along and rip them up. What is the Shire going to do to look at alternative ways to try and upgrade the standard of both Kununurra and Wyndham?

Both Wyndham and Kununurra have reticulated in ground irrigation systems to their parks and gardens. Part of the cost and effort in providing irrigation is due to vandalism of the sprinklers. The pop up sprinkler heads are vulnerable to vandalism and there doesn't appear to be an effective vandal proof sprinkler available. The cost of using water trucks to irrigate large areas of turf and large numbers of trees is significantly in excess of the cost to irrigate using an in ground reticulated irrigation system notwithstanding the cost of vandalism.

It is felt that the Shire's parks and gardens are in very good condition and the Boab trees in Messmate Way seem to be in perfect health. The parks and gardens crew is doing an

admirable job with the resources available. Further, describing the Shire maintained areas of Wyndham and Kununurra as “an absolute disgrace” is not seen as a fair or reasonable description.

There were five (5) Elector Motions carried at the Annual General Meeting of electors. The motions are responded to individually below:

Elector Motion 1

ELECTOR MOTION

**Moved: Emma Venables
Seconded: Leigh Peddler**

That the mosquito fogging program is implemented on a weekly basis in Wyndham for a 4 week period to assess its effectivity with a view to continue it through the season. Assessed by a community survey and for it to start as soon as possible.

Carried 33/0

Officer's comment on Motion provided by Director Community Development:

Wyndham is surrounded by vast expanses of flat inter-tidal salt marshes and native bush land. It is during the months of November – March that mosquito population's increase due to the favorable weather conditions and significant amount of pooling water in surrounding bush land. Due to the close proximity of Wyndham to the marshland, outbreaks of mosquitoes are also common throughout the year and are noticeably problematic after large tides.

There are times when mosquito management is not achieved or achievable in Wyndham due to environmental factors and mosquito nuisance will result.

Fogging occurs under the direction of the Environmental Health Officer after consultation with the Department of Health Mosquito-Borne Disease Control Unit. The following is a list of key triggers:-

- High number of public complaints to the Shire
*Wet season 2014-15 (Wyndham) three complaints (two from the one complainant).
Below average number of complaints*
- Detection of Murray Valley Encephalitis and/or Kunjin Virus
No detections in Wyndham sentinel chicken flock to date (2015)
- Above average rainfall
Rainfall in Wyndham has been below average
- Above average notifications of mosquito borne disease
Two notifications in Wyndham for Ross River Virus (below average)
- Trapping has taken place and species of mosquito found are recommended for adult control by the Department of Health

Trapping has occurred at the Wyndham Port. Department of Health trapping was undertaken on 11 May 2015; there were 26 mosquito's trapped at Wyndham Pool (many of these were males, indicating nearby breeding sites) and 2 mosquito's trapped at Wyndham Caravan Park.

Therefore, the above triggers to initiate fogging for the protection of public health have not been met. It is recommended that until advice is received from the Department of Health that mosquito fogging should be commenced in order to protect public health that fogging not be undertaken in Wyndham.

To address the nuisance level resulting from mosquitos in Wyndham and Kununurra it is recommended that the Shire continues:-

1. Educating the public to take action to minimise their contact with mosquitoes, and
2. Applies larvicide in mosquito breeding areas
3. Investigates funding opportunities to assist with larvae and mosquito trapping.

In March 2015 the Shire became a CLAG (Contiguous Local Authority Group) member and is now eligible to apply for funding towards mosquito management and for staff to attend any CLAG specific training opportunities. The Standard CLAG funding is available each year and this provides for 50% of chemical purchases, earthworks and some public education strategies.

The Shire will be developing a Mosquito Management Plan in consultation with the Department of Health and the community. It is envisaged that this Plan will be developed in time for the 2015-16 wet season. The desired result will be that fewer mosquitoes will impact the communities of Kununurra and Wyndham. The initial stage of the Mosquito Management Plan development is to undertake a community survey to assess concerns from residents and stakeholders, including the subject of fogging with adulticide. A community on-line survey has been developed and will be launched in May 2015.

At the Special Council Meeting held on 1 May 2015 Council resolved as follows:-

Minute No. 10880

Moved: Cr D Spackman

Seconded: Cr K Wright

That Council:

a) Run a mosquito fogging program, 3 times a week for 2 weeks

b) Invites Dr Peter Neville from the Department of Health or his nominee to attend via video link to provide a briefing on this matter as soon as convenient

The mosquito fogging program as outlined in point (a) above is to commence on 25 May 2015 following public notice of the program. Dr. Peter Neville and Mr. Craig Brockway from the Department of Health visited Kununurra and Wyndham from 10 – 13 May 2015. Dr. Neville also provided a briefing to Councillor's on mosquito management at the 12 May 2015 Briefing Session. A report on Dr. Neville's visit is to be provided to the Shire when completed.

Officer's Recommendation:

That Council does not support the Elector Motion and that Council:-

1. Notes that a mosquito fogging program has commenced in Wyndham to address mosquito nuisance. This program is to run three (3) times a week for (2) weeks depending on climatic conditions.
2. Requests the Chief Executive Officer to develop a Mosquito Management Plan in consultation with the Department of Health and the community.

Elector Motion 2

ELECTOR MOTION

**Moved: Simone Rushby
Seconded: Cr K Wright**

All legal matters be taken to a minimum of 3 attempts at mediation before legal action.

Carried 25/5

Officer's comment on Motion provided by the Chief Executive Officer:

In the course of its business the Shire will be required to conduct legal proceedings or obtain legal advice, such as for the enforcement of local laws or Acts of Parliament which the Shire is responsible for administering. Legal opinion is generally sought after due consideration has been given to the importance of the issue, the likely cost and the availability of advice from other sources e.g. WALGA or other Councils. The cost of conducting legal proceedings may be expensive and the outcome of a prosecution may result in a minimal penalty/fine being imposed on the offender and/or only modest costs being recovered however some issues have to run the full course of the legal system due to the need to satisfy community concern and/or discourage others from conducting activities, or taking actions against the community interest.

Generally the Administration is authorised to initiate legal proceedings through Council's Solicitors and/or through Authorised Officers to prosecute offences and for the recovery of any fines or penalties from any person committing an offence under the Local Government Act and by-laws made in accordance with the provisions of that Act or any other Acts of Parliament which Council is responsible for administering e.g. the Health Act, the Litter Act, the Dog Act, the Bush Fire Act. The Administration will also obtain from Council's Solicitors such other legal advice and opinion as is deemed necessary for Council to make informed decisions. Legal advice/opinions are generally sought from solicitors best able to provide expert advice at a reasonable cost, with reliance not placed on any one legal firm.

Mediation is a way of resolving disagreements without going to court. It is effective for dealing with disputes early and quickly without the costs and delays of taking legal action. It is also good when you want to maintain an ongoing relationship with the other party. Mediation is one strategy to assist parties to resolve their dispute by agreement. Mediators will generally not advise a party, make decisions for a party or impose a solution on the parties. Parties should participate in good faith in the mediation process and co-operate with the mediator and each other during the mediation to achieve a mutually acceptable resolution of the dispute. Mediation is a type of alternative dispute resolution. People can enter into mediation voluntarily, but in some cases it is compulsory.

However to suggest that Council take all legal matters to a minimum of three attempts at mediation before legal action, is not considered practical or appropriate. Council must be free to seek and follow its legal advice on a case by case basis, as determined by the law. Whilst one avenue can be mediation, and it is often used in planning and development applications, any action before Council needs to be considered individually based upon the merits of the situation and/or Council's resolved position. Council should not limit itself to such an open ended motion which may have unintended consequences, including increased time to resolve issues and officer time/resources. Mediation is dependent upon the parties agreeing to outcomes however if this cannot be achieved further action may be necessary and Council must have the freedom to follow its legal and/or other advice and act in the best interests of the Shire of Wyndham East Kimberley.

Officer's Recommendation:

That Council does not support the Elector Motion.

Elector Motion 3

<p><u>ELECTOR MOTION</u></p> <p>Moved: Mark Northover Seconded: Simone Rushby</p> <p>A no confidence motion in the President.</p> <p style="text-align: right;">Carried 21/10</p>
--

There are no Officer's comments or recommendations for this motion.

Elector Motion 4

<p><u>ELECTOR MOTION</u></p> <p>Moved: Cr K Wright Seconded: Cr B Robinson</p> <p>That the Shire convenes a public meeting of all interested persons, business, private, departmental, police and anybody that may have input into the problem to discuss the ever increasing problem that methamphetamine is posing to our community and seeking ways to find cooperative solutions to address the issue in our community.</p> <p style="text-align: right;">Carried 32/1</p>

Officer's comment on Motion provided by Manager Community Services:

The problem and seriousness of methamphetamine use is acknowledged. The community concern about the issue is acknowledged and appreciated.

In addressing issues such as drug use, much care needs to be taken as a poor strategy and engagement process can cause significant issues such as increasing substance use, adverse publicity, undue fear and concern within the community. It would be prudent of

Council to discuss best practice for the Shire's involvement in addressing these issues prior to undertaking any action.

There are services operating within the Shire that specifically work with Drug issues including the Kimberley Alcohol and Drug Service funded through the Drug and Alcohol Office. These agencies have access to data, information and knowledge best practice for engaging the community as well as strategies for addressing these issues. There is also a community organisation established, the Kununurra Local Drug Action Group (LDAG). <http://localdrugaction.com.au/> established as a community initiative to address drug and alcohol issues.

It is also advised that in considering Council's actions, the Shire's CP/GOV-3100 Community Engagement Policy and subsequent Community Engagement Guidelines are used to guide the engagement process, of which a public meeting is one of many options.

It is proposed that prior to the decision being made about an open public meeting, key Drug and Alcohol Service Agencies/Specialists and Police be provided with an opportunity to present information to Council including:

- Data regarding Drug use within the Shire
- Details of strategies already in place
- Information on best practice in addressing these issues

Officer's Recommendation:

That Council does not support the Elector Motion and that Council requests the CEO to arrange a briefing of Council from key agencies to gain advice regarding best practice for Local Government in addressing methamphetamine use within the community.

Elector Motion 5

ELECTOR MOTION

Moved: Cr D Spackman

Seconded: Cr K Wright

When the probity report becomes available we make it publicly available.

Carried 33/0

Officer's comment on Motion provided by Director Corporate Services:

At the 2 September 2014 Special Meeting of Council, Minute No. 10553, the Council resolved the following:

"That the Council:

(3) directs the CEO, or their delegate to write to DLGC and ask them to carry out a probity audit on the Shire (SWEK operations) at no cost to SWEK for external agencies."

The probity compliance audit was subsequently conducted over the period 23, and 24 September 2014. The final confidential report will be issued to the Council to formally consider and respond. The Council will need to consider the contents of the report to ensure that its release to the public will not contravene the provisions of section 5.23 of the *Local Government Act 1993*.

Officer's Recommendation:

That Council does not support the Elector Motion until the probity report is reviewed by the Council, whereby a decision can be made at that time as to whether the contents can lawfully be made public.

ATTACHMENTS

Attachment 1 - Unconfirmed Minutes of the Annual General Meeting of Electors held on 28 April 2015

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council:

- a) Does not support the Elector Motion that the mosquito fogging program is implemented on a weekly basis in Wyndham for a 4 week period to assess its effectivity with a view to continue it through the season. Assessed by a community survey and for it to start as soon as possible.
- b) Notes that a mosquito fogging program has commenced in Wyndham to address mosquito nuisance. This program is to run three (3) times a week for (2) weeks depending on climatic conditions.
- c) Requests the Chief Executive Officer to develop a Mosquito Management Plan in consultation with the Department of Health and the community.

MOTION

Cr K Wright moves a motion that the Council receives the information from the electors meeting and is implementing changes to policies relating to fogging within our Shire.

FORESHADOWED MOTION

Cr S Cooke foreshadows a motion where the Officer's Recommendation has point a) replaced with the motion from Cr K Wright.

The motion from Cr K Wright is considered:

COUNCIL DECISION

Minute No. 10957

Moved: Cr K Wright

Seconded: Cr D Spackman

That Council receives the information from the electors meeting and is implementing changes to policies relating to fogging within our Shire.

Lost Unanimously 0/9

The foreshadowed motion from Cr S Cooke is considered:

<p><u>COUNCIL DECISION</u></p> <p>Minute No. 10958</p> <p>Moved: Cr S Cooke Seconded: Cr G King</p> <p>That Council:</p> <ul style="list-style-type: none">a) Receives the information from the electors meeting and is implementing changes to policies relating to fogging within our Shire.b) Notes that a mosquito fogging program has commenced in Wyndham to address mosquito nuisance. This program is to run three (3) times a week for (2) weeks depending on climatic conditions.c) Requests the Chief Executive Officer to develop a Mosquito Management Plan in consultation with the Department of Health and the community. <p style="text-align: right;">Carried Unanimously 9/0</p>
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OFFICER'S RECOMMENDATION 2

That Council does not support the Elector Motion that all legal matters be taken to a minimum of 3 attempts at mediation before legal action.

MOTION

Cr D Spackman moves a motion that Council has considered the Elector Motion and defers it to a briefing session to consider the savings for Council.

The motion from Cr D Spackman is considered:

<p><u>COUNCIL DECISION</u></p> <p>Minute No. 10959</p> <p>Moved: Cr D Spackman Seconded: Cr K Wright</p> <p>That Council has considered the Elector Motion and defers it to a briefing session to consider the savings for Council.</p> <p style="text-align: right;">Carried Unanimously 9/0</p>

Reason: Council requires more information.

RECOMMENDATION 3

That Council..... the Elector Motion of a no confidence motion in the President.

MOTION

Cr G Taylor moves that Council supports the Elector Motion of a no confidence motion in the President.

MOTION

Cr K Wright moves that the question be now put.

The motion from Cr K Wright is considered:

COUNCIL DECISION

Minute No. 10960

Moved: Cr K Wright

Seconded: Cr D Spackman

That the question (That Council supports the Elector Motion of a no confidence motion in the President) be now put.

Carried 8/1

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

Against: Cr G Taylor

The motion from Cr G Taylor is considered:

COUNCIL DECISION

Minute No. 10961

Moved: Cr G Taylor

Seconded: Cr K Wright

That Council supports the Elector Motion of a no confidence motion in the President.

Lost 3/6

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

Against: Cr J Moulden, Cr R Dessert, Cr D Learbuch, Cr B Robinson, Cr S Cooke, Cr G Taylor

OFFICER'S RECOMMENDATION 4

That Council:

- a) Does not support the Elector Motion that the Shire convenes a public meeting of all interested persons, business, private, departmental, police and anybody that may have input into the problem to discuss the ever increasing problem that methamphetamine is posing to our community and seeking ways to find cooperative solutions to address the issue in our community.

- b) Requests the CEO to arrange a briefing of Council from key agencies to gain advice regarding best practice for Local Government in addressing methamphetamine use within the community.

FORESHADOWED MOTION

Cr K Wright foreshadows a motion that the Shire convenes a public meeting of all interested persons, business, private, departmental, police and anybody that may have input into the problem to discuss the ever increasing problem that methamphetamine is posing to our community and seeking ways to find cooperative solutions to address the issue in our community (as per Elector Motion 4).

FORESHADOWED MOTION

Cr D Spackman foreshadows a motion that we arrange a briefing session with all the key agencies and then we convene a public meeting at our convenience.

The Officer's Recommendation is considered:

COUNCIL DECISION

Minute No. 10962

Moved: Cr B Robinson

Seconded: Cr S Cooke

That Council:

- a) **Does not support the Elector Motion that the Shire convenes a public meeting of all interested persons, business, private, departmental, police and anybody that may have input into the problem to discuss the ever increasing problem that methamphetamine is posing to our community and seeking ways to find cooperative solutions to address the issue in our community.**
- b) **Requests the CEO to arrange a briefing of Council from key agencies to gain advice regarding best practice for Local Government in addressing methamphetamine use within the community.**

Carried 5/4

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

OFFICER'S RECOMMENDATION 5

That Council does not support the Elector Motion to make the probity report public when it becomes available, until the report is reviewed by the Council, whereby a decision can be made at that time as to whether the contents can lawfully be made public.

MOTION

Cr D Spackman moves that Council does support the Elector Motion to make the probity report public when it becomes available after the report is reviewed by the Council, whereby

a decision can be made at the that time as to whether the contents can lawfully be made public.

FORESHADOWED MOTION

Cr K Wright foreshadows a motion that Council supports the release of the probity report as per the Elector Motion after Council has considered such report and sought legal advice and removed elements that cannot lawfully be released to the public.

FORESHADOWED MOTION

Cr B Robinson foreshadows a motion that Council notes the Elector Motion to make the probity report public once the report is reviewed by the Council.

The motion from Cr D Spackman is considered:

COUNCIL DECISION

Minute No. 10963

Moved: Cr D Spackman

Seconded: Cr G King

That Council does support the Elector Motion to make the probity report public when it becomes available after the report is reviewed by the Council, whereby a decision can be made at the that time as to whether the contents can lawfully be made public.

Lost 2/7

For: Cr D Spackman, Cr G King

Against: Cr D Learbuch, Cr K Wright, Cr J Moulden, Cr R Dessert, Cr B Robinson, Cr S Cooke, Cr G Taylor

The foreshadowed motion from Cr K Wright is considered.

MOTION

Cr D Spackman moves that the question be now put.

The motion from Cr D Spackman is considered:

COUNCIL DECISION

Minute No. 10964

Moved: Cr D Spackman

Seconded: Cr D Learbuch

That the question (That Council supports the release of the probity report as per the Elector Motion after Council has considered such report and sought legal advice and removed elements that cannot lawfully be released to the public) be now put.

Carried 8/1

**For: Cr J Moulden, Cr R Dessert, Cr D Learbuch, Cr K Wright, Cr G Taylor,
Cr D Spackman, Cr S Cooke, Cr G King**

Against: Cr B Robinson

The foreshadowed motion from Cr K Wright is considered:

COUNCIL DECISION

Minute No. 10965

Moved: Cr K Wright

Seconded: Cr S Cooke

That Council supports the release of the probity report as per the Elector Motion after Council has considered such report and sought legal advice and removed elements that cannot lawfully be released to the public.

Carried 7/2

**For: Cr J Moulden, Cr R Dessert, Cr D Learbuch, Cr K Wright, Cr D Spackman,
Cr S Cooke, Cr G King**

Against: Cr B Robinson, Cr G Taylor



MINUTES
ANNUAL GENERAL MEETING OF ELECTORS
HELD ON 28 APRIL 2015

I hereby certify that the Minutes of the Annual General Meeting of Electors are a true and accurate record of the proceedings contained therein.

Shire President Confirmed

Date: _____

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**SHIRE OF WYNDHAM EAST KIMBERLEY
MINUTES
OF THE ANNUAL GENERAL MEETING OF ELECTORS
HELD ON TUESDAY, 28 APRIL 2015 AT 6:00 PM**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.00pm.

**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
Cr G Taylor	Councillor
L Gee	Acting Chief Executive Officer / Director Community Development
N Octoman	Director Corporate Services
D Klye	Director Infrastructure
M Tonkin	Executive Assistant (Minute Taker)

GALLERY

Louise Schubert
Bernice Spackman
Natika Hawes-Wright
Danny Carter
Jade Elvin
Emma Venables
Linda McKenzie
Ann Sorritsma
Rhonda Guerononi
Julie Fysh
Jenny Spragg
Simone Rushby
Mark Northover
Allan Wedderburn
Cally Dupe
Carl Askew
Lincoln Heading
Chris Robinson
Tricia Handasyde

Geoff Garside
Jennifer Ninnette
Wayne Richards
Leigh Pedler
Geoff Warnock
Alma Petherick
Steve Guerinoni
Bevan Spackman
Lisa Spackman
Joanna Atkins
Kellie Jackson
Robert Storey
Vicky Biorac
Charlie Biorac
Helen Wright
Rob Voysey

APOLOGIES

Cr S Cooke

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

3. CONFIRMATION OF MINUTES

3.1 CONFIRMATION OF MINUTES OF ANNUAL GENERAL MEETING OF ELECTORS 29 APRIL 2014

RECOMMENDATION

That Council confirms the Minutes of the Annual General Meeting of Electors 29 April 2014

COUNCIL DECISION

Minute No. 10873

**Moved: Cr B Robinson
Seconded: Cr D Learbuch**

That Council confirms the Minutes of the Annual General Meeting of Electors 29 April 2014.

Carried Unanimously 8/0

4. PRESENTATION OF THE 2013-2014 ANNUAL REPORT

4.1 SHIRE PRESIDENTS REPORT

The Council's 2013-2014 year was highlighted by some significant projects that were delivered in line with the Council's Strategic Community Plan 2012-2022.

We commenced the development of a Local Planning Strategy to ensure town planning meets the needs of both residential and business communities.

Major projects included the asphaltting of the towns roads, and improved car parking at the East Kimberley regional airport along with some major drainage works to reduce the ongoing risk of flood damage.

The overdue reconstruction of Erythrina Street was completed to solve ongoing maintenance issues.

Council also moved to accept significant grant funding which will see a re-invigoration of the Lily Creek Lagoon boating facilities over the next two years.

Management of the Kununurra landfill site was improved significantly to the point where we are confident of gaining the Department of Environment Regulation's approval to operate it for up to 10 years more. This should give us a sufficient reserve with which to decommission the current site and set up a new facility for when the time comes.

The flood events of February and March were a significant event for the Shire and I am proud of the response and communication strategy that was implemented on the flood days. These events have a long term impact as they exposed the Shire to large unbudgeted expenses.

The year ahead will be a tough one for the Shire of Wyndham East Kimberley, requiring Council to make difficult decisions.

The Council is mindful of additional costs being imposed on residents, and attempts to keep rises within reasonable limits, while ensuring that rate increases support the increasing costs of service delivery.

The period of significant development within the Shire is over and we are now moving to core service delivery with a focus on regulatory requirements, risk mitigation and both asset and financial sustainability.

The Shire will continue to deliver on the Council's Strategic Community Plan 2012-2022 and are determined to deliver on the objective of "strong community engagement" by continually investigating and implementing options to encourage and integrate community input in Council planning, policies and decision making.

The Councillors and staff look forward to working together throughout 2014-2015 to ensure the Shire of Wyndham East Kimberley continues to be a great place to work, live and play.

Note: An amendment was made to the original published Annual Report. The amendment was to page 16, Section 6.2, Staff Summary.

4.2 ACTING CHIEF EXECUTIVE OFFICERS REPORT

The Shire of Wyndham East Kimberley has continued to deliver the strategies outlined in the Strategic Community Plan 2012-2022.

This annual report presents the outcomes achieved throughout the year, against these goals and strategies.

It also presents the Shire's financial statements.

Major initiatives that were addressed by the Shire in 2013-2014 included the development of a new Local Planning Strategy that will guide the future development of the Shire of Wyndham East Kimberley and the completion of the East Kimberley Tourism Action Plan which will be implemented in partnership with the East Kimberley Marketing Group.

Major infrastructure projects included asphaltting of town centre roads along Coolibah Drive / Konkerberry Drive and connecting streets, reconstruction of Erythrina Street and widening of Coolibah Drive in front of the Kununurra District High School.

Works undertaken at the landfill included recycling of the concrete / steel piles, construction of the new liquid waste lagoons, new gate houses with electronic record keeping, fencing upgrades and extension of the site to provide cover material into the future.

The year was also marked by the significant impact of the February 2014 flood event across the Shire with major damage to Kununurra infrastructure.

The Shire is proud of the immediate response that was provided to support the community during and after this event.

The Shire is on track to complete an estimated \$4.5 million in repairs by end of 2014, a great achievement.

The Shire of Wyndham East Kimberley welcomed six new Councillors after the October 2013 Ordinary Elections.

The 2014-2015 year promises to be a big year with the Shire driven to continue to perform strongly under difficult economic circumstances.

The year will be highlighted by an emphasis on prudent financial management given major grant reductions and improvement to its governance and legislative requirements.

I would like to thank staff for their continued commitment to providing services to the community and I would like to thank our Councillors who have supported the implementation of our Strategic Community Plan to ensure that the long-term vision for the Shire is achieved.

COUNCIL DECISION

Minute No. 10874

Moved: Cr K Wright

Seconded: Cr B Robinson

That Council accept the Annual Report.

Carried Unanimously 8/0

5. PUBLIC QUESTION TIME / OTHER GENERAL BUSINESS

Question from Jade Elvin, Wyndham

Question 1 - If Wyndham's rates are still remaining high, with no likelihood of reduction why is the Shire failing to mow lawns, water gardens and parks and lop dangerous trees in childrens playgrounds? Is the Shire's aim to reduce the services to Wyndham so much that they will close them all down?

L Gee, Acting Chief Executive Officer provides the following response:

Do you have specific instances? It is not my knowledge that we have stopped mowing etc?

Jade Elvin: For example our town oval was half a metre full of grass, we had to get a member of the community to mow the lawn so people could access the oval without worrying about snakes or ticks. In Lions Park most of the grass had died and there are concerns about snakes in long grass throughout the town. Most of the town has gone brown. My concern is that this is the Shire of Wyndham East Kimberley, not the Shire of Kununurra, is the Shire reducing the services so much as to close Wyndham down all together?

Cr John Moulden, Shire President provides the following response:

No we have no intention of reducing Wyndham's status at all in relation to Kununurra. We have taken some tough decisions to address the budget situation and that has resulted in reductions in outdoor staff in both Kununurra and Wyndham and some reduction in the level of services in both those towns. It is not a policy of Council to reduce the services in Wyndham.

Question 2 – The Wyndham fire was used in an insurance claim, were the funds returned to Wyndham?

D Klye, Director Infrastructure provides the following response:

I can confirm that the insurance funds have been applied to the Wyndham depot.

Cr K Wright leaves the Chambers at 6.11pm

Cr K Wright enters the Chambers at 6.12pm

Question from Emma Venables, Wyndham

Question 1 - Will you be repairing the damaged playground equipment at the pool, Lions Park and the recreation centre?

D Klye, Director Infrastructure provides the following response:

We are reviewing all playground equipment throughout the Shire. This review has been ready since December for Council consideration however as we have been inundated with work it will come to Council soon. The review recommends some rationalisation of playground equipment. It is recommended that some equipment is removed and left removed as we do not have the funds to replace or maintain it.

Question 2 - In regards to mosquito fogging are you going to reinstate it now there are public health warnings? I would like to state clearly that mosquito tablets are not working.

L Gee, Acting Chief Executive Officer provides the following response:

In regards to our advice from the Department of Health, mosquito fogging is most worthwhile when there is a lot of water around. Moving into the dry season we do not have pools of water around. Fogging is a once off, once you have sprayed, it targets the insects that can be hit at that time. Yes it may be used as required.

Emma Venables moves the following motion:

ELECTOR MOTION

**Moved: Emma Venables
Seconded: Leigh Peddler**

That the mosquito fogging program is implemented on a weekly basis in Wyndham for a 4 week period to assess its effectivity with a view to continue it through the season. Assessed by a community survey and for it to start as soon as possible.

Carried 33/0

Question from Lisa Spackman, Kununurra

Question 1 – This question is to John in line with your reply previously as to why Wyndham has reduced its services. Why then is Wyndham's demise a lower priority than spending money on things that have not been budgeted for and that Councillors have approved, for example removing the gates to Kelly's Knob, training, legal fees, 3 hour parking sites? The unbudgeted spending and prioritisation of spending is not right.

Cr John Moulden, Shire President provides the following response:

The decision to open Kelly's Knob was made by a resolution of this Council, recognising that there were some costs involved. Funds were reallocated to cover these costs from the existing parks and garden budget. This decision of Council will have no impact on the bottom line. There is no benefit to any individual in this project, the decision was made in recognition that the public have access to it already even with the gates in the way.

Lisa Spackman - I want to show the Councillors what their decision making is doing. You have chosen to spend money on the Kelly's Knob walking trail to the detriment of what is happening in Wyndham because that's your choice. Do we water Wyndham or do we do something that is someones really good idea at the time?

Cr John Moulden, Shire President provides the following response:

It was a majority decision of this Council with the view of it being for the economic benefit of this town.

Lisa Spackman – What I am trying to show is that the Councils wisdom in choosing what the money is spent on needs to be in line with the people that they represent.

Question from Simone Rusby, Kununurra

Question 1 - What was the annual budgeted cost for legal matters last year?

Natalie Octoman, Director Corporate Services 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 - Looking at the budget report, its quite comical, there is a blow out of \$150,000 for legal costs which would go a hell of a long way to fixing up some of the complaints that you have heard tonight, however the Shire forges ahead whether or not they have the advice to do so.

Simone Rushby moves the following motion:

ELECTOR MOTION

Moved: Simone Rushby
Seconded: Cr K Wright

All legal matters be taken to a minimum of 3 attempts at mediation before legal action.

Carried 25/5

Question from Alma Petherick, Kununurra

Question 1: I am one of the people who is critical of people wasting money however I would like to know what is happening about the beautification of Kununurra and Wyndham because both places are an absolute disgrace. Derby has less water than us yet it is a pleasure to go into. I have recently been to China and it blew me away. Sprinklers have been put in and kids are trashing them. The Shire is spending a lot of money for them to be trashed, can we look at other ways of watering? What about a water truck that goes along and waters the gardens? I have heard of this being done elsewhere. Even the boabs are dying down Messmate Way. You go down Papuana Street and look at the sprinklers you will see that the kids just rip them up and then gardeners come along and rip them up. What is the Shire going to do to look at alternative ways to try and upgrade the standard of both Kununurra and Wyndham?

Cr John Moulden, Shire President 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 from Jenny Spragg, Kununurra

Question 1 - There were inconsistencies between the ex CEO's account of the Wyndham Depot fire, the police report and witness statements. Is the Council investigating the discrepancy in reports?

Cr John Moulden, Shire President provides the following response:

The matter of the fire at the Wyndham Depot at its heart is an operational matter. The event has been covered by insurance and it is not an area I expect Councillors to take an active involvement in. If you believe there is something that is not as it should be you should talk to the police or the insurance company. If the insurance company has fully paid the claim there is nothing else to be done. The insurance company sent an investigator here and were satisfied enough to pay the insurance claim.

Question 2 - You are repealing the sexual harrasment policy and you have no racial discrimination policy and there is currently a complaint against yourself Cr J Moulden. Why are you repealing the sexual harrasment policy?

Cr John Moulden, Shire President provides the following response:

No response will be provided as both matters are currently under investigation.

Mark Northover moves the following motion:

ELECTOR MOTION

Moved: Mark Northover

Seconded: Simone Rushby

A no confidence motion in the President.

Carried 21/10

COUNCIL DECISION

Minute No. 10875

Moved: Cr D Spackman

Seconded: Cr G King

That Council overturns the Shire Presidents decision to not allow additional speakers for or against Mr Northover's motion.

Lost 3/5

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

Against: Cr J Moulden, Cr R Dessert, Cr D Learbuch, Cr B Robinson, Cr G Taylor

Question from Leigh Pedler, Kununurra

Question 1 - I'm yet to speak with the police but we have an issue with methamphetamine and it is effecting businesses. Can a community group have Shire and police assistance to look at addressing this? I feel the police are keeping certain information under the table such as the information about methamphetamine related arrests and charges. Can we set up a taskforce to address this with Shire help along with other departments?

Cr John Moulden, Shire President provides the following response:

We take your comments on board. There is a lot in what you said and the police are obviously involved and I will have a further conversation with staff about this.

Cr K Wright moves the following motion:

<p><u>ELECTOR MOTION</u></p> <p>Moved: Cr K Wright Seconded: Cr B Robinson</p> <p>That the Shire convenes a public meeting of all interested persons, business, private, departmental, police and anybody that may have input into the problem to discuss the ever increasing problem that methamphetamine is posing to our community and seeking ways to find cooperative solutions to address the issue in our community.</p> <p style="text-align: right;">Carried 32/1</p>

Cr D Spackman moves the following motion:

<p><u>ELECTOR MOTION</u></p> <p>Moved: Cr D Spackman Seconded: Cr K Wright</p> <p>When the probity report becomes available we make it publicly available.</p> <p style="text-align: right;">Carried 33/0</p>
--

Question from Joanna Atkins, Kununurra

Question 1 – Would the Council consider adopting a buy local policy through its procurement process? Companies from Perth or Eastern states are getting Shire work.

Cr John Moulden, Shire President provides the following response:

We can make sure that the conversation happens.

Natalie Octoman, Director Corporate Services provides the following response:

This is called a regional price preference policy and there are provisions in the Act that allow us to do this. Some other Shire's allow for this and sometimes it does cost the Shire. This takes a while to put in place and needs to go through community engagement. It is something we are looking at.

This will be taken to a Council briefing session.

6. CLOSURE

The Shire President declares the meeting closed at 7.08pm

13.5.4 Action and Task Progress Report, Corporate Business Plan 2012-2016

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	CM.10.3
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to receive the Action and Task Progress Report (January - March 2015), Corporate Business Plan 2012-2016.

BACKGROUND

The Corporate Business Plan 2012-2016 was adopted by Council at the September 2013 Ordinary Council Meeting. The report is produced on a quarterly basis and covers progress against all Corporate Business Plan Actions set by the Shire to implement the Strategic Community Plan 2012-2022.

The last report was received by Council at the February 2015 Ordinary Council Meeting.

STATUTORY IMPLICATIONS

Local Government (Administration) Regulations 1996, Regulation 19DA. Corporate business plans, requirements for (Act s. 5.56).

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Current actions are allowed for in the adopted annual budget.

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 Corporate Business Plan is a rolling four (4) year plan which identifies the services, activities and projects, and their resourcing requirements to deliver on the strategies and outcomes of the Strategic Community Plan.

This report provides a progress report on the implementation of the Corporate Business Plan for the January – March 2015 period.

ATTACHMENTS

Attachment 1 - Action and Task Progress Report (January – March 2015), Corporate Business Plan 2012-2016

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Action and Task Progress Report (January - March 2015), Corporate Business Plan 2012-2016.

COUNCIL DECISION

Minute No. 10966

Moved: Cr B Robinson

Seconded: Cr S Cooke

That Council receives the Action and Task Progress Report (January - March 2015), Corporate Business Plan 2012-2016.

Carried Unanimously 9/0

Action and Task Progress Report

Shire of Wyndham East Kimberley
January 2015 – March 2015



Print Date: 18-May-2015

ACTION PLANS



At least 90% of action target achieved



Between 70% and 90% of action target achieved



Less than 70% of action target achieved



No target set

* Dates have been revised from the Original dates

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

1.1 Strong community engagement

1.1.2 Improve planning processes to ensure broader engagement and identification of relevant issues from all parties.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.1.2.2 Continually update staff skills and qualifications in community engagement	Louise Gee - Director Community Development	Ongoing	01-Jul-2013	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Staff member appointed to champion community engagement across the organisation, position responsible for assisting staff with the development of community engagement frameworks. To assist all staff Community Engagement Guidelines have also been developed. Community Engagement Policy adopted by Council December 2014. Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.1.2.3 Develop and Implement Strategic Community Plan	Louise Gee - Director Community Development	In Progress	13-Dec-2014	30-Jun-2015	75.00%	75.00%	
ACTION PROGRESS COMMENTS: Strategic Community Plan adopted by Council December 2014. Progress on implementation reported to Council every quarter. Last Updated: 13-Feb-2015							

1.2 Alignment of regional and local priorities with other agencies and community groups

1.2.1 Work collaboratively with agencies for forward planning and to expand opportunities and to reduce wastage and duplication

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.2.1.1 Support the Kimberley Development Commission's Regional blueprint plan for the Kimberley.	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Have contributed to the Regional Blueprint. Document presented to Council December 2014 with letter of support to KDC sent. Last Updated: 22-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.2.1.2 Liaise with government departments and other stakeholders on key community issues including participation in WiP	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Continued involvement in and support for WiP and WING interagency networks Last Updated: 15-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.2.1.3 Plan and deliver programs to strengthen community capacity and engagement	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: SWEK Community Development Officer attends monthly "Healthy Events" interagency meetings to assist in coordinating local events. Last Updated: 15-May-2015							

1.2.2 Continue to actively participate in the Kimberley Zone and RCG on regional projects such as waste management and affordable housing

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.2.2.1 Continue to actively participate in the Kimberley Zone and Kimberley Regional Group on regional projects	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: All Zone meetings attended with Meeting Minutes presented to Council. Last Updated: 21-Apr-2015							

1.2.3 Promote the colocation of community facilities and sharing of resources among community groups

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.2.3.1 Review Shire facilities to identify colocation opportunities in consultation with community groups	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: This will be a standard inclusion for considerations with respect to new or upgraded Shire facilities including the Kununurra Youth Centre and proposed new leisure centre. Last Updated: 13-Feb-2015							

1.3 Advocacy of East Kimberley issues and opportunities at regional, state and national levels

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

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.3.1.1 Seek opportunities to have Councillor representation on Relevant Boards and Organisations	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Relevant positions are brought to the Councillors attention as they arise. Last Updated: 21-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.3.1.2 Lobby State & Federal representatives on key local issues	Carl Askew - Chief Executive Officer	Ongoing	13-Dec-2014	30-Jun-2015	-	75.00%	
ACTION PROGRESS COMMENTS: Meeting with the Parliamentary Speaker Hon Ms Bronwyn Bishop MP and Ms Melissa Price MP to discuss key local issues – 14/04/15 Last Updated: 22-Apr-2015							

1.3.2 Actively participate in the review and implementation of municipal services to remote and Aboriginal communities

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.3.2.1 Liaise with State and Federal government agencies on municipal services in Aboriginal communities	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Meeting held with MG Corporation and Minister Colin Holt re the planned closures of aboriginal communities – 10/04/15. Meeting with Tony Simpson and Terry Redman as part of Zone Meeting in April 2015. Last Updated: 22-Apr-2015							

1.4 Business innovation, efficiency and improved services

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

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.1.1 Develop and implement a Compliance Calendar to ensure compliance with Local Government Act 1995 and Local Government (Administration) Regulation 1996	Monika Tonkin - Executive Assistant	In Progress	01-Jul-2014	30-Jun-2015	75.00%	50.00%	
ACTION PROGRESS COMMENTS: Nearly complete. All compliance requirements for the Governance area have been added to the calendar. Next step is to collate compliance requirements for the remainder of the organisation. Last Updated: 21-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.1.2 Manage records to ensure compliance with legislation and the needs of the organisation	Natalie.Octoman - Director Corporate Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: The Team Leader, Records Management & Customer Services commenced with the Shire in January and will commence the development of a Business Plan and Training Plan for the team that will highlight both strategic and operational priorities, however a staff vacancy has currently placed this on hold. A records add-in was introduced whereby staff can now register emails into the records module in a more efficient manner. This has made significant improvements in the registering of email correspondence. Last Updated: 11-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.1.3 Provide financial functions that comply with legislative requirements	Natalie.Octoman - Director Corporate Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Financial functions ongoing in accordance with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996. Commenced the process for the engagement of audit services for the Shire that would commence from 1 July 2015 for a 5 year period. This will be considered by the Committee and Council in May 2015. Mid Year Budget Review has been completed and will be presented to the April OCM for consideration. Vacancy within the team is impacting upon the service provision of the finance team. Two recruitment processes have been undertaken to date with unsuccessful results. A further recruitment process will commence shortly. Last Updated: 11-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.1.5 Quarterly Reporting on implementation of Corporate Business Plan Actions to Council .	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Ongoing Last Updated: 21-Apr-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.1.6 Undertake the CEO's biennial review in accordance with legislative requirements.	Natalie.Octoman - Director Corporate Services	Completed	13-Dec-2014	30-Jun-2015	100.00%	75.00%	 GREEN
<p>ACTION PROGRESS COMMENTS: The new requirements of Regulation 17 require that every two years, the CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to (a) risk management; (b) internal control; and (c) legislative compliance, and must report the results to the audit committee. The review was completed prior to 31 December 2014 and presented to the Audit (Finance and Risk) Committee at the 10 February 2015 meeting, who then provided a report to the Council at the 24 February 2015 OCM. Actions noted from the report will be included in the revised Corporate Business Plan Last Updated: 10-Apr-2015</p>							

1.4.2 Improve the efficiency and productivity of Shire services

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.2.1 Undertake organisational review and restructuring to reflect changing needs	Carl Askew - Chief Executive Officer	Ongoing	01-Sep-2013	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Leisure centre reviews being undertaken for consideration prior to 2015/16 Budget. Last Updated: 21-Apr-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.2.2 Lead and manage the organisation	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Ongoing. CEO appointed 01/05/2015 Last Updated: 21-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.2.3 Manage and administer funds and cash (Operating)	Natalie.Octoman - Director Corporate Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Cashflow is managed on a weekly basis taking into account the estimated creditor payment run and payroll, along with anticipated inflows from grants, rates and the like. The Council determined to establish a bank overdraft facility for \$2.5m as an ongoing facility with a standing report being presented to the Audit (Finance and Risk) Committee which outlines any usage of the facility. To date the facility has not been required, however it is likely that it may be utilised toward the end of the financial year given the budget deficit that was adopted.</p> <p>Last Updated: 10-Feb-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.2.4 Manage and administer funds and cash (Capital)	Natalie.Octoman - Director Corporate Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Cashflow is managed on a weekly basis taking into account the estimated creditor payment run and payroll, along with anticipated inflows from grants, rates and the like. The Council determined to establish a bank overdraft facility for \$2.5m as an ongoing facility with a standing report being presented to the Audit (Finance and Risk) Committee which outlines any usage of the facility. To date the facility has not been required, however it is likely that it may be utilised toward the end of the financial year given the budget deficit that was adopted.</p> <p>Last Updated: 10-Feb-2015</p>							

1.4.4 Deliver cost effective and efficient corporate services

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.1 Provide customer services	Natalie.Octoman - Director Corporate Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: A Customer Services Policy and Complaints Management Policy was endorsed by the Council and public comment is being sought. These Policies were effective immediately, however the public submission period ends late April and all comments and feedback will be reported back to the Council thereafter and the Council will consider formally adopting the Policies at that time.</p> <p>Last Updated: 11-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.2 Manage and review strategic and operational risks	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Risk review undertaken by UHY as part of CEO Biannual Review Last Updated: 21-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.3 Manage the Wyndham Shire office, staff and facilities to improve service delivery (Operating)	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Wyndham Office Coordinator and Community Resource Centre Coordinator appointed. Last Updated: 22-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.4 Manage the Wyndham Shire office, staff and facilities to improve service delivery (Capital)	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Library roof being renewed January 2015. Last Updated: 21-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.5 Provide Council administration	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2013	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: All Council agenda's and minutes have been distributed within the statutory framework. Last Updated: 21-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.6 Provide governance administration and support services	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2013	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Council Policies commenced review on rolling basis. New policies to be implemented. Local Laws review commenced as a Kimberley Zone Regional project to align local laws across the Kimberley. Last Updated: 21-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.8 Lead, manage and administer the Corporate Services Directorate	Natalie.Octoman - Director Corporate Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: The focus for 2014/15 is to continue establishing robust governance frameworks around all processes that are led by Corporate Services. This includes the preparation, management and reporting of financial (actual and budget) information; creditors; debtors; rates; asset management; insurance; FBT etc. Many policies have been created or reviewed and adopted by the Council, with further ones to go through the review process. Last Updated: 10-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.10 Manage and support corporate Information and Communication Technology (ICT) systems (Capital)	Richard Bianco - Manager, Information Services	Ongoing	01-Jan-2013	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Following an initial comprehensive review in January 2013, a number of capital projects have been identified as necessary. The following projects were undertaken 2013/14: Comprehensive server room consolidation and virtualisation initiative. 80% Complete. Purchase of final capital equipment on track for February 2014. August 2014 update: 90% Complete. Anticipate September completion. December 2014 Update: Project Complete. Website replacement – Successful launch of new website was conducted during December 2014. Kununurra and Wyndham Landfill system installation – Successful launch of new system was conducted during January 2014. Kimberley Zone – Collaborative reporting initiative – currently under consideration with the RCG board. Kununurra Library – Provision of managed ‘voucher based’ public internet hotspot and kiosks – Completed November 2013. Consolidate Wyndham and Kununurra Library’s management systems – Scoped. Currently pending funding consideration. August 2014 update: Project Complete. Business Continuity / Disaster Recovery options: Specifically live offsite backups. Currently investigating options Replacement of incumbent internal ICT Helpdesk system. Has been procured and built, currently rolling out and training is being scoped. August 2014 update: Project Complete. Adoption and integration of video conferencing solution ‘Being There’. This system also has been adopted by Shire of Broome and Shire of Derby. Has been very beneficial in holding meetings within the Zone. Additionally it has been used at SWEK for staff recruitment with great success. Design and build Wyndham CRC Public Internet Kiosks and WiFi hotspot infrastructure. Install Audio/Visual systems into Wyndham Council Chambers. August 2014 Update: Project Complete Last Updated: 15-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.4.14 Develop and implement a corporate risk and business continuity plan	Natalie.Octoman - Director Corporate Services	Not Started	01-Jan-2014	30-Jun-2015	0.00%	-	
ACTION PROGRESS COMMENTS: This will be reviewed when resources become available, however the ICT component of the business continuity plan will commence in 2015/16. Last Updated: 11-May-2015							

1.4.5 Attract and maintain a skilled, motivated and professional workforce.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.5.1 Review Workforce Plan	Rebecca Richards - Coordinator Organisational Development	In Progress	01-Jul-2014	30-Jun-2015	5.00%	0.00%	
ACTION PROGRESS COMMENTS: May -2015 Review on the Workforce plan did not commence as previously scheduled due to the Coordinator being on maternity leave. A review of the Workforce plan will be undertaken in the coming weeks. Examples of best practice workforce plans have been researched to modify the current workforce plan significantly. Advice received from DLGC of Workforce Plan compliance with legislation. Review to be commenced. Last Updated: 18-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.5.2 Manage and administer organisational development and human resources	Rebecca Richards - Coordinator Organisational Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Day to day operations being undertaken. No new projects due to reduction of staff. The department has been working on reduced levels for 8 months now with a very brief period of a full team. Last Updated: 18-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
1.4.5.3 Manage and implement OSH plans, policies, procedures, promotions and training	Rebecca Richards - Coordinator Organisational Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	

ACTION PROGRESS COMMENTS:

No further action had been taken in regards to this item whilst Rebecca Richards was on maternity leave.

Training has been undertaken for untrained OSH Reps in the first week of May, current OSH Reps are attending a refresher course 3rd week of May whilst two of our managers attended the Managers training.

It is intended to put all management levels through the supervisor training to give a better understanding of their roles and responsibilities in regards to OSH.

A great deal of work has been completed from the LGIS audit completed on SWEK in early March 2014.

Last Updated: 18-May-2015

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

2.1 A highly valuable East Kimberley economy that maximises social benefits

2.1.1 Encourage a mix of businesses that meet community needs

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.1.1.1 Review existing strategic documents to prepare an integrated plan for the revitalisation of the Town Centre..	Jennifer Ninyette - Senior Planning Officer	In Progress	01-Jul-2012	30-Jun-2016	15.00%	-	
<p>ACTION PROGRESS COMMENTS: Draft Business Plan prepared for Kununurra Aquatic and Leisure Centre, and subsequent Draft Structure Plans have also been prepared for redevelopment of Kununurra Civic precinct and development of proposed East Lily Creek precinct. Documents currently being finalised for presentation and consideration by Council. Draft Local Planning Strategy has identified key recommendations to prepare a town centre plan for both Kununurra and the Three Mile precinct in Wyndham to address constraints and redevelopment opportunities in detail. Town Centre Planning to commence following advertising of the Strategy and Scheme. Last Updated: 13-Feb-2015</p>							

2.1.2 Promote and support major events that benefit locals and attract visitors to the area

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.1.2.1 Continue to sponsor and offer in-kind support to Council endorsed events	Monika Tonkin - Executive Assistant	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: In the 2014/15 approved budget the following events will receive financial support: \$5K to the 2015 Small Business Awards, \$2.5K to the Economic Development Forum, \$20K to the Ord Valley Muster (this includes a \$15K Diamond Sponsorship Package, with \$5K for additional 'in-kind' services, \$7.5K to Stars on the Bastion, \$5K to the Barramundi Concert All events have been contacted and asked to supply their event application forms. Financial support will not be processed until these are assessed as complete by the Community Development team. Community Development to consider how the sponsorship of events should become part of the overall application for a grant process for future. In-kind support will no longer be given to events. Events must apply for a grant or include in-kind support within their requests for sponsorship funding. Last Updated: 21-Apr-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.1.2.2 Prepare plans for the establishment of an events facility at Kununurra	Jennifer Ninnette - Senior Planning Officer	Not Started	01-Jul-2013	30-Jun-2016	0.00%	-	
ACTION PROGRESS COMMENTS: Draft Local Planning Strategy has identified potential major events precinct around the Kununurra Racecourse. Further investigation to be commenced following Council endorsement of draft Strategy. Last Updated: 13-Feb-2015							

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

2.2.1 Promote the expansion of residential and industrial land

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.1.1 Promote and support the development of new and infill residential land	Jennifer Ninnette - Senior Planning Officer	In Progress	01-Jul-2012	30-Jun-2016	25.00%	-	
ACTION PROGRESS COMMENTS: Draft Local Planning Strategy has identified new residential areas in Kununurra and increased density in residential areas in Wyndham to enable revitalisation. Draft Local Planning Scheme No. 9 has proposed areas to increase densities in both Wyndham and Kununurra to encourage infill development. Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.1.2 Promote and support the development of general industrial land in Kununurra	Jennifer Ninnette - Senior Planning Officer	In Progress	01-Jul-2012	30-Jun-2016	25.00%	-	
ACTION PROGRESS COMMENTS: The rezoning of the existing light industrial estate to composite industry has been included in the proposed Local Planning Scheme No. 9., in accordance with the draft Local Planning Strategy. It has also been identified in the draft Local Planning Strategy that further structure planning should be undertaken to rezone land for industrial development. Last Updated: 13-Feb-2015							

2.2.2 Support agricultural opportunities.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.2.1 Lobby State & Federal Ministers for Agriculture on issues relevant to the industry	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Ongoing support and involvement with progress of Stage 2 and future stages. Regular meetings held with KAI to keep informed of processing the development. Last Updated: 21-Apr-2015							

2.2.3 Advocate for improved availability of adequate water resources

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.3.1 Lobby the State Government on issues relevant to irrigated, potable or waste water	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: No progress to report Last Updated: 22-Apr-2015							

2.2.4 Enhance and expand tourism opportunities in the East Kimberley and improve access to significant tourism destinations

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.4.1 Implement an East Kimberley Tourism Strategy in collaboration with the tourism sector	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Cr Wright and CEO working with East Kimberley Marketing Group and Australia's North West to implement recommendations of the Tourism WA East Kimberley Tourism Plan. Shire has allocated funding to support EKMG to implement strategies from the plan. Last Updated: 22-Apr-2015							

2.2.5 Advocate for improved telecommunications and internet services

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.5.1 Liaise with State and Federal government agencies for improved Information and Communications Technology outcomes	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Shire support of Community Resource Centre (CRC) in Kununurra to ensure up to date with regional roll-outs. CRC implemented in Wyndham Office with 7 terminals established to provide better community ICT access. Shire Mobile Blackspots now registered on Federal Department of Communications Canberra site to inform the \$100million available for black spot funding. Following locations on Federal Communications Black Spot list with ACEO liasing with Telstra / Melissa Price, Federal Member for Durack to ascertain if Shire can assist a funding application. - Lake Argyle (very remote) - Cave Springs (remote) - Weaber Plains South (remote) Last Updated: 22-Apr-2015</p>							

2.2.6 Support local initiatives that promote entrepreneurial activities and a greater diversity of industries in the East Kimberley

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.6.1 Manage the Shire's economic development fund	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Adopted Budget 2014/15 reduced resources and funding. Support to Ord Valley Muster reduced to Diamond status East Kimberley Marketing Group \$15,000 approved by Council Kimberley Zone annual contribution to projects \$10,000 approved by Council Small Business Awards \$5000 2014 Kimberley Economic Forum Kununurra \$5000 Last Updated: 22-Apr-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.6.2 Work with relevant agencies to support industry and business development	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Sponsor the Small Business Awards and Kimberley Economic Forum Member of the Kununurra Chamber of Commerce and Industry Last Updated: 22-Apr-2015							

2.2.7 Advocate for a range of affordable housing options and styles that cater to a broad market including key worker housing.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.7.1 Develop and implement staff key worker housing options	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Staff Housing requirements being reviewed for consideration by Council. Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.7.2 Liaise with relevant State Departments (DoH) on initiatives to provide affordable community housing	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Waterlilly Place staff housing project not being progressed. Draft Structure Plan being developed in consultation with Landcorp and the MG Corporation for the development of East Lily Creek Last Updated: 22-Apr-2015							

2.2.8 Support and advocate for further development of the East Kimberley regional airport to attract more aircraft and greater competition

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.8.1 Implement the East Kimberley Regional Airport Master Plan	Brian Sargent - Operations Manager, Airports	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Completed 7.5metre reseal along with Main apron reseal. Wyndham Airport hangar lease tender was advertised on 2 occasions, with no submissions received. Limited possible tenants may mean that the lease will need to be opened up to wider industry sections other than aviation. This may require changes to the fencing alignment at Wyndham airport to allow access for non aviation based machinery to access the Hangar. New methodology in respect to lease and licensing arrangements enacted for Rental vehicle hire companies situated at the EKRA. The new pricing methodology will see a significant increase in revenue for the Airport, thus increasing non aeronautical revenue stream. New leases and licences to be put in place by October 2015. Last Updated: 09-Feb-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.8.2 Manage the operations of the East Kimberley Regional Airport in compliance with Federal aviation regulations (Operating)	Brian Sargent - Operations Manager, Airports	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Ongoing runway strip rectification, filling in of soil depressions Airport manual review has been undertaken, new Airport manual to be submitted to CASA in October for acceptance Security audit undertaken as part of Transport security program requirements Safe handling of firearms course undertaken last week of September by Airport Operational staff Set of Security screening guidelines and SOP's currently being developed Western Apron parking bays tare found to be not in compliance with the Regulations due to the size of the aircraft operating within. Parking bays will be expanded and some bays removed to meet specifications. Wyndham Airport runway and taxiway markings completed. Crack sealing of Runway, Aprons and taxiways is ongoing. Taxiway lead in lines have been remarked Last Updated: 09-Feb-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.8.3 Manage the operations of the East Kimberley Regional Airport in compliance with Federal aviation regulations (Capital)	Brian Sargent - Operations Manager, Airports	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Ongoing issues with Airport Air conditioning systems has led to increased maintenance/repair costs. The Air conditioners were installed during terminal build and are only a few years old, yet now are outside warranty period and unfortunately have no avenues to recoup costs through supplier/contractor. New Aircraft tie down cables have been installed Last Updated: 09-Feb-2015							

2.2.9 Lobby for improvements to transport infrastructure, particularly for heavy haulage and shipping

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.9.1 Advocate for the construction of the Kununurra by-pass	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: President & ACEO met with Min Transport as part of State Cabinet visit, project is competing with other state priority projects and Fed funding. Last Updated: 21-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.9.2 Lobby the State and Federal Governments for funding to upgrade the Great Northern Highway to Wyndham including town by-pass and port facilities	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Correspondence sent to Main Roads and Minister regarding road. Meeting with Min Transport as part of State Cabinet visit, project is competing with other state priority projects. Last Updated: 22-Apr-2015							

2.2.10 Provide growth management plans that identify and guide decision making for potential population growth scenarios

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.2.10.1 Advocate for funding for the development and implementation of growth management plans for urban expansion areas.	Louise Gee - Director Community Development	In Progress	01-Jul-2012	30-Jun-2016	60.00%	-	
ACTION PROGRESS COMMENTS: Funding (\$100,000) received from Northern Planning Program 2013/14 - Department of Planning to develop a business case for Kununurra Leisure Centre redevelopment and structure plans for East Lily Creek and Kununurra Civic Centre. Last Updated: 13-Feb-2015							

2.3 Assets are appropriate for their intended purpose and factor in whole of life costing and maintenance

2.3.1 Manage and maintain assets in a strategic and cost effective manner

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.4 Renew or upgrade of new Airport assets as per Master Plan	Brian Sargent - Operations Manager, Airports	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: New crack sealing machine delivered in February 2014 and will be utilised for extensive crack patching repairs at Kununurra and Wyndham Airports. Apron reseal and runway reseal of outer 7.5 metre edges of runway completed. New machinery shed has been constructed New compressor fitted to Eastern air conditioning unit of terminal. Last Updated: 28-Jan-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.7 Develop and implement the Stormwater Management Strategy for priority areas in Kununurra	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	50.00%	-	
ACTION PROGRESS COMMENTS: Drainage Strategy - survey/design north side drain Ironwood - Cajuput to Weaber Plain, Survey complete - design completed subject to budget allocation Drainage Strategy - survey outlet Victoria Highway to Lily Lagoon, Survey and design completed, November 2014 OCM resolved to seek DoL approval seeking creation of 2 separate drainage easements through old 'borrow pits' to Lily Lagoon Drainage Strategy - survey/design 'little BP' at Bandicoot to Victoria Highway via Pruinosa, Survey / Design complete - construction subject to budget allocation A project group of key local stakeholders was proposed to be formed in the latter half of 2014 with the objective of taking a collaborative approach to finding a solution to the flooding issues in Kununurra townsite following the February 2014 rain event. It was proposed that the project group will include the Water Corporation, Shire of Wyndham East Kimberley, Ord Irrigation Co-operative, Department of Parks and Wildlife and Department of Aboriginal Affairs. As the owner and operator of the M1 Channel, it is proposed the Water Corporation will lead the project group. The main task of the project group will be to commission a study to determine the scope of work required to minimise the risk of flooding to Kununurra town-site and how best to protect the irrigation assets from flood damage. The study will consider the entire drainage system of the town and all catchment areas to identify assets to be upgraded and possible options for new flood mitigation projects. Last Updated: 08-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.8 Maintain miscellaneous assets	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	75.00%	-	
ACTION PROGRESS COMMENTS: Miscellaneous assets maintained as per budget. Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.9 Renew or upgrade miscellaneous assets as per Asset Management Plan and Long Term Financial Plan	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	45.00%	-	
ACTION PROGRESS COMMENTS: Asset management Plan and Long term Financial Plan development and evaluation in progress Last Updated: 08-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.10 Maintain Stormwater assets	John Gault - Depot Manager	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	
ACTION PROGRESS COMMENTS: Clear stormwater drains before wet season Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.11 Renew or upgrade Stormwater assets as per Asset Management Plan and Long Term Financial Plan	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	55.00%	-	
ACTION PROGRESS COMMENTS: Stormwater Asset Management Plan development and evaluation in progress A project group of key local stakeholders was proposed to be formed in the latter half of 2014 with the objective of taking a collaborative approach to finding a solution to the flooding issues in Kununurra townsite following the February 2014 rain event. It was proposed that the project group will include the Water Corporation, Shire of Wyndham East Kimberley, Ord Irrigation Co-operative, Department of Parks and Wildlife and Department of Aboriginal Affairs. As the owner and operator of the M1 Channel, it is proposed the Water Corporation will lead the project group. The main task of the project group will be to commission a study to determine the scope of work required to minimise the risk of flooding to Kununurra town-site and how best to protect the irrigation assets from flood damage. The study will consider the entire drainage system of the town and all catchment areas to identify assets to be upgraded and possible options for new flood mitigation projects. Last Updated: 08-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.13 Maintain rural road network assets	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	75.00%	-	
ACTION PROGRESS COMMENTS: Undertaking opening up grades within the next few months, Managing road closures as well as practically possible.. Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.15 Maintain urban road network assets	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	75.00%	-	
ACTION PROGRESS COMMENTS: Continuation of normal urban road network maintenance Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.16 Provide urban street lighting (electricity)	Peter Kerp - Manager, Engineering	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	
ACTION PROGRESS COMMENTS: No projects funded in the 2014/15 budget Last Updated: 09-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.17 Renew or upgrade of Rural Road assets as per Asset Management Plan and Long Term Financial Plan (Capital)	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	45.00%	-	
ACTION PROGRESS COMMENTS: Rural Road renewal/upgrade as per Asset Management Plan and Long Term Financial Plan development and evaluation in progress Last Updated: 08-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.19 Renew or upgrade of Urban Road assets as per Asset Management Plan and Long Term Financial Plan	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	45.00%	-	
ACTION PROGRESS COMMENTS: Renew/upgrade urban roads as per Asset Management Plan and Long Term Financial Plan development and evaluation in progress Last Updated: 08-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.20 Renewal Erythrina Street, Kununurra	Peter Kerp - Manager, Engineering	Completed	01-Jul-2012	30-Jun-2015	100.00%	-	
ACTION PROGRESS COMMENTS: Construction completed October 2014 Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.23 Kalumburu Road Renewal/Upgrade	Peter Kerp - Manager, Engineering	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	
ACTION PROGRESS COMMENTS: Council at its meeting of 25 February 2014 received the Kalumburu Road Funding Business Case prepared by CAMMS Consulting Group. Council resolved also that a letter be written to MRWA requesting consideration of funding for the upgrade of the Kalumburu Road in its 2014/15 budget process as per the Funding Business Case Report. Application was unsuccessful. Current RFQ's out for gravel re-sheet various sectional lengths plus construct cement stabilise flood ways across existing streams/creeks - works schedule completion July/August 2015 - funding across 3 separate streams including R2R, MRWA and FAGs Last Updated: 11-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.24 Plant and Equipment renewal	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	90.00%	-	
ACTION PROGRESS COMMENTS: Limited funds available for plant replacement. Replacement 2015 developed. Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.25 Renew or upgrade new Landfill Assets as per Waste Management Strategy	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	90.00%	-	
ACTION PROGRESS COMMENTS: Awaiting final capping design approval from DER Ag land to be surveyed and fenced New production bore to be installed on site Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.26 Renew or upgrade Pathway Assets as per Asset Management Plan and Long Term Financial Plan	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	70.00%	-	
ACTION PROGRESS COMMENTS: Renewal program identified. Works to commence in dry season Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.27 Maintain Pathway assets	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	70.00%	-	
ACTION PROGRESS COMMENTS: Ongoing repairs and general maintenance of pathways Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.28 Maintain Parks and Reserves assets	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	70.00%	-	
ACTION PROGRESS COMMENTS: Mowed parks. Whipper snipped. Spray Weeds. Reticulation maintenance. Slashing of Reserves Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.29 Renew or upgrade Parks and Reserves Assets as per Asset Management Plan and Long Term Financial Plan	John Gault - Depot Manager	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	
ACTION PROGRESS COMMENTS: No Capital Expenditure budget allocation this year. Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.30 Manage Depot and Plant	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	70.00%	-	
ACTION PROGRESS COMMENTS: Ongoing management of depot, staff and associated plant maintenance Last Updated: 19-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.31 Renew / Upgrade Weaber Plain Bridge over D4 drain	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	5.00%	-	
ACTION PROGRESS COMMENTS: MRWA email advice dated 10 April 2015 as follows: Recommendation from Feasibility Report has been accepted by MRWA SE to construct Replacement Option 2 (2 x 12.6m Precast Plank) Design to be completed with design drawings and design report for precast plank option. Design to include: - Full set of construction drawings for review - Full design report for review - Updated price estimate - Comply with all relevant bridge standards - 100yr design life - New alignment to west within road reserve (please liaise with Landcorp over future canal alignments) - Design width of 9.4m to align with current MRWA standard Last Updated: 08-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.32 Reinstate Shire assets funded by WANDRRA for 2014 flooding event	David Klye - Director Infrastructure	In Progress	13-Dec-2014	30-Jun-2015	99.00%	75.00%	 GREEN
ACTION PROGRESS COMMENTS: Works completion. Acquittal almost completed. Last Updated: 06-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.33 Asphalt overlay to Coolibah Drive and Konkerberry Drive and some connecting streets	Peter Kerp - Manager, Engineering	Completed	13-Dec-2014	30-Jun-2015	100.00%	75.00%	 GREEN
ACTION PROGRESS COMMENTS: Following streets in Kununurra town site received a hot mix asphalt overlay performed by BGC Asphalt: Coolibah Drive - Ivanhoe Road to Chestnut Road Konkerberry Drive - Messmate Way to Leichardt Street Leichardt Street - Konkerberry Drive to Coolibah Drive White Gum Street - Konkerberry Drive to Coolibah Drive Cotton tree Avenue - Konkerberry Drive to Coolibah Drive Papua Street - Konkerberry Drive to Coolibah Avenue Banksia Street - Konkerberry Drive to Coolibah Drive Messmate Way - Konkerberry drive to Coolibah Drive Longitudinal line marking reinstated by MRWA Line marking of car bays in streets affected by asphalt overlay completed Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.34 Carpark drainage and turning lanes adjacent to Banksia Street	Peter Kerp - Manager, Engineering	In Progress	13-Dec-2014	30-Jun-2015	50.00%	75.00%	 RED
ACTION PROGRESS COMMENTS: Drainage works completed back of Subway car park area. RFQ for removal of existing refuge island and construction of new refuge island , modification to pathways and barrier fencing and new pavement line marking closes 11 May 2015. No responses received. Proposed to do in-house - schedule commencement 25 May 2015 with completion schedule June 2015 Last Updated: 14-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.35 Traffic management devices to Mangaloo Street	Peter Kerp - Manager, Engineering	In Progress	13-Dec-2014	30-Jun-2015	10.00%	75.00%	 RED
ACTION PROGRESS COMMENTS: Engineering detail drawings completed Lines and signs plans lodged with MRWA approval prior to works commencing Revised RFQ to state WALGA panel contractors distribution May 2015 Works schedule commence June 2015 and completion end June 2015 Last Updated: 14-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.1.36 Walking track to Kellys Knob	Peter Kerp - Manager, Engineering	In Progress	13-Dec-2014	30-Jun-2015	25.00%	75.00%	 RED
ACTION PROGRESS COMMENTS: In discussion with OIC and Broadcast of Australia regarding the removal of existing gates. Pending resolution of this matter and completion of some minor track reconstruction works , and erection of appropriate signage, completion schedule June 2015. Last Updated: 14-May-2015							

2.3.2 Plan, design and budget for sustainable infrastructure

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.2.1 Manage technical services	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	35.00%	-	
ACTION PROGRESS COMMENTS: Asphalt overlay and associated line marking completed January 2015 on following Kununurra streets: Banksia Street; White Gum Street; Papuana Street; Cotton Tree Avenue; Leichardt Street between Coolibah Drive and Konkerberry Drive; Messmate Way between Coolibah Drive and Konkerberry Drive; Coolibah Drive between Raintree Street and Chestnut Drive; Messmate Way roundabout at Konkerberry Drive junction; and Konkerberry Drive between Messmate Way and Leichardt Street							

Egret Close - Widen intersection at Victoria Highway - design completed MRWA approval underway - works schedule June 2015 and completion July 2015

Guard Rail Replacement completed on bridge 5123 completed July 2014 by MRWA

Guard rail replacement on bridge 4214 delayed due to design being incorrect by MRWA. At the commencement of installation of the guardrail by MRWA contractor dated 27/06/2014 it was found that the installation of the guardrail could not proceed as per initial construction drawings. Designer was called dated 27/06/2014 to attend on site for further investigation. It was found that both sides of the bridge there were concrete steps which were not considered during the design process. The original design was complete as a desktop exercise without including site visit to minimize design costs. During the site visit dated 29/06/2014 and the problem noticed, designer identified that the initial construction drawings to be reviewed with different options to address the current situation. Subsequently designer completed the design without any charge to Main Roads and progressed to updated construction drawings dated 10/10/2014. The updated construction drawings are considerably different configuration compared to the initial construction drawings. Full set of guardrail was procured as per initial construction drawings by the bridge maintenance contractor (Freyssinet Australia Pty Ltd) early June 2014. Due to the above circumstances MRWA were unable to install guardrail on bridge 4214 for financial year 2013/14. MRWA pursuing additional funding this financial year 2014/15 and hopeful would able to install the guardrail by next dry for bridge 4214.

Carlton Hill Road drainage improvements completed November 2014

Carlton Hill Road gravel re-sheeting schedule completion July 2015

Reconstruction Erythrina Street completed October 2014

SAMI seal treatment airport runway shoulders completed June 2014

SAMI seal treatment terminal airport apron completed June 2014

RFQ for construction of traffic management devices Mangaloo Street currently out via WALGA supplier panel - completion schedule June 2015

RFQ for removal of existing refuge island and installation of new refuge island at Konkerberry Drive/Banksia Street intersection plus minor footpath modifications and barrier fence modifications currently out via WALGA supplier panel - completion schedule July 2015

RFQ distributed May 2015 via WALGA supplier panel for drainage improvements Miniata Street - completion schedule July 2015

Downer Infrastructure awarded WALGA E-Quote for asphalt resurfacing Kununurra airport runway - scheduled for June/July 2015

WorleyParsons awarded WALGA E-Quote to develop detail engineering designs and technical specifications for boat ramp, finger jetty, public area lighting and boat trailer parking Lily Creek Lagoon - completion design drawings and specs schedule July 2015 - public tender for construction of boat ramp and finger jetty schedule for advertising August 2015 with Council consideration of award of tender October 2015 - total works schedule for completion 31 July 2016 in accordance with Financial Agreement signed between SWEK and State

Weaber Plain Road D2 Drainage channel improvements schedule for RFQ distribution May 2015 with works schedule completion August 2015

Parry Creek Road/Valentine Springs Road RFQ for gravel re-sheeting and culvert upgrade distributed May 2015 works schedule completion July 2015

Duncan Road gravel re-sheet RFQ distributed May 2015 works schedule completion July 2015

Last Updated: 11-May-2015

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.3.2.3 Lily Creek Lagoon jetty and boat	Peter Kerp - Manager, Engineering	In Progress	13-Dec-2014	30-Jun-2015	10.00%	75.00%	 RED
<p>ACTION PROGRESS COMMENTS: The Shire has received confirmation that the Department of Regional Development has approved the utilisation of the CLGF for the Lily Creek Lagoon Ramp Jetty and Lighting Project. Shire President and A/CEO have signed the agreement and affixed the common seal, a signed copy of the Agreement has been mailed to RDL Worley Parsons commissioned May 2015 following WALGA e-Quote vendor panel - stakeholders meeting schedule 19 May 2015 to confirm concept design before proceeding to detail design - detail engineering design schedule for completion June 2015. Public tenders to be called for construction of boat ramp and jetty in July with Council considering award of contract at its October meeting. Boat trailer parking and public area lighting to be undertaken via WALGA state vendor panel in March 2016 Project completion date 31 July 2016 in accordance with the Agreement unless written agreement has been obtained for a later date. Last Updated: 14-May-2015</p>							

2.4 Access to appropriate health, family and community services

2.4.1 Advocate for improved health and community services

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.1.1 Advocate for improved health and community services	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Meeting with Parliamentary Secretary Mr Alan Tudge regarding an update on the Forrest Review - Creating Parity Report Last Updated: 22-Apr-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.1.2 Develop and maintain a Disability Access and Inclusion Plan	Wayne Richards - Manager Community Services	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	
<p>ACTION PROGRESS COMMENTS: Report against actions within the DAIP scheduled for June 2015 Last Updated: 15-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.1.3 Lead, manage and administer the Community Development Directorate	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Regular meetings held with team members. Preparation and reporting of quarterly reports, continual monitoring of progress to achieve adopted actions. Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.1.4 Manage and support library services in Kununurra and Wyndham (Operating)	Joanne Roach - Library Manager	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Library services are being managed and supported in accordance with the adopted 2014/15 budget. Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.1.5 Manage and support library services in Kununurra and Wyndham (Capital)	Joanne Roach - Library Manager	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: No projects identified in 2014/15. Last Updated: 13-Feb-2015							

2.4.2 Advocate for the introduction of culturally appropriate alternative education for Indigenous people

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.2.1 Manage and provide environmental health services (Operating)	Louis Franks - Environmental Health Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: The management and provision of Environmental Health Services in an ongoing task which involves the coordination of operational activities to respond to demand and applicable timeframes whilst remaining within the proposed budget parameters. Activities include the following: - Inspections conducted on food premises, caravan parks, lodging houses, temporary food stalls, event approvals, septic tanks and asbestos removal. - Additional services provided included public pool sampling, private water sampling, asbestos mosquito management, infectious disease notifications, food recalls, food sampling and investigations, safe food handling training, nuisance complaints investigations and emergency preparedness. Last Updated: 15-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.2.2 Manage and provide environmental health services (Capital)	Louis Franks - Environmental Health Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: No projects identified in the 2014/15 budget. Last Updated: 15-May-2015</p>							

2.4.3 Support early childhood and family support services

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.3.1 Support for the Ewin Early Learning Centre facility in Kununurra	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: The Ewin Centre requested the removal of a clause for a viability payment from their Lease. This was presented to Council with agreement to remove this clause given at the 21 October 2014 Ordinary Council Meeting. The amended lease has been finalized Last Updated: 15-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.3.2 Support Wyndham Childcare facility, program and service delivery	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Lease for the Wyndham Childcare building and changeover of License to CSSU took place on 16 February 2015. Last Updated: 15-May-2015							

2.4.4 Provide an environment where youth are empowered to develop their potential

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.4.1 Manage and promote Shire youth services and program delivery in Wyndham and Kununurra aligned with a youth services plan	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Youth Officer Jasmin Ford commenced on 23 March and has had an immediate impact with a number of programs being implemented and between 20 and 30 kids attending each day. Last Updated: 15-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.4.4.2 Manage and support the Kununurra Youth Hub and the Youth and Recreation Centre in Wyndham aligned with a youth services plan	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Request for Proposal for ongoing management and operation of the Kununurra Youth Centre has been developed and will be advertised in the 4th quarter. Ted Birch Centre is again staffed following recruitment of the Wyndham Youth Officer. The period without staffing highlighted an absence of community use (hire) of the facility with little to no use of the facility during this time. Last Updated: 15-May-2015							

2.5 East Kimberley residents have access to a broad range of educational opportunities

2.5.2 Advocate for the introduction of culturally appropriate alternative education for Indigenous people.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.5.2.1 Support culturally appropriate alternative education opportunities	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Support for culturally appropriate alternative education opportunities has primarily been through involvement in WiP Education Group. Current alternate models include Clontarf and Girls Basketball Program through Kununurra District High School . While SWEK supports these programs in principle, SWEK is not involved in the delivery of these programs. SWEK does provide some resources for the Bushrangers program at Wyndham District High School including staff involvement and use of a Youth Services vehicle and camper trailer. While other models have been discussed, no specific projects are underway. Last Updated: 15-May-2015</p>							

2.5.3 Advocate for the establishment of more school based apprenticeships.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.5.3.1 Lobby the Department of Education for more school based apprenticeships	Carl Askew - Chief Executive Officer	Not Started	01-Jul-2012	30-Jun-2016	0.00%	-	
<p>ACTION PROGRESS COMMENTS: No progress on this action to report Last Updated: 22-Apr-2015</p>							

2.5.4 Encourage activities that promote adult educational opportunities including family support and life skills programs.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
2.5.4.1 Advocate for additional adult education opportunities	Carl Askew - Chief Executive Officer	Not Started	01-Jul-2012	30-Jun-2016	0.00%	-	
<p>ACTION PROGRESS COMMENTS: No progress on this action to report Last Updated: 22-Apr-2015</p>							

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

3.1 A broad range of lifestyle opportunities and activities are available for East Kimberley residents

3.1.1 Support activities that promote volunteerism and active participation in community events and programs

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.1.1.1 Support civic and volunteer events	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
Last Updated: 15-May-2015							

3.1.2 Promote a greater range of cultural and art activities

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.1.2.1 Promotion and support of art centres, local artists and cultural activities	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: The Shire assisted in the planning of Kununurra NAIDOC held by MG Corp. Last Updated: 15-May-2015							

3.1.3 Support the community by providing access to local funding and sponsorship opportunities.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.1.3.1 Administer grants for community clubs and events	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Review of the Shire's Grants program is in progress and will include Economic Development Grants. The quick grants have been fully subscribed with the \$8000 budget fully expended for 2014/15. Last Updated: 15-May-2015							

3.1.4 Facilitate activities that link communities.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.1.4.1 Identify opportunities and support activities that encourage relationships between different communities and community groups	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: - Participation in the WiP (Working in Partnership) group. - Partnership program with Western Australian Police known as EWatch. Last Updated: 13-Feb-2015							

3.2 Sustainable waste management and protection of the environment

3.2.1 Provide an integrated approach to waste management that includes waste minimisation strategies.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.2.1.1 Review and implement the Shire's Environmental Sustainability Plan	Carl Askew - Chief Executive Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: No progress on this action to report Last Updated: 22-Apr-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.2.1.2 Implement waste management strategy	David Klye - Director Infrastructure	In Progress	01-Jul-2012	30-Jun-2016	75.00%	-	
ACTION PROGRESS COMMENTS: Actions on target Last Updated: 06-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.2.1.3 Manage landfills and provide waste / litter services	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	70.00%	-	
ACTION PROGRESS COMMENTS: Re Profiling Landfill Site to be completed Introduction of Domestic Waste Vouchers & Fees Fees to be reviewed Last Updated: 19-Feb-2015							

3.3 Towns are safe and inviting for locals and tourists

3.3.1 Improve streetscapes in town and urban centres incorporating public art and 'designing out crime' principles

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.1.1 Work with community organisations to identify and support public art opportunities	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: The Shire supports the Banners in the Terrace facilitating the St Josephs Kununurra banner to be displayed on St George Terrace in July 2015 Last Updated: 15-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.1.2 Develop streetscape and landscape plans for town centres in Wyndham and Kununurra	Jennifer Ninyette - Senior Planning Officer	Not Started	01-Jul-2014	30-Jun-2016	0.00%	-	
ACTION PROGRESS COMMENTS: Draft Local Planning Strategy has identified the need for town centre plans which will incorporate consideration of amenity and , landscaping within the town centres. Literature review of previous studies and plans to commence in March 2015. Last Updated: 13-Feb-2015							

3.3.2 Promote greater vibrancy and activity within town centres, particularly through a mix of restaurants and accommodation.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.2.1 Review Town Centre strategies for Kununurra and Wyndham aligned to the Local Planning Strategy and Kununurra Strategic Directions	Jennifer Ninyette - Senior Planning Officer	Not Started	01-Jul-2014	30-Jun-2015	0.00%	-	
ACTION PROGRESS COMMENTS: Project will not commence until Local Planning Strategy has been endorsed by Council. Last Updated: 13-Feb-2015							

3.3.3 Ensure adequate street lighting

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.3.1 Improve street lighting in priority areas of Kununurra	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2014	30-Jun-2016	5.00%	-	
ACTION PROGRESS COMMENTS: This action cannot be started until the Local Planning Strategy has been reviewed. The town center structure plan for Kununurra (part of the Local Planning Strategy review) will be the precursor for a streetscape/landscape plan. Last Updated: 15-Dec-2014							

3.3.4 Ensure a well-connected and maintained network of shared paths

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.4.1 Determine the next priority stage and design of the shared pathway around Lily Lagoon and seek funding	Nick Allen - Coordinator, Recreation & Leisure	Not Started	01-Jul-2014	30-Jun-2016	0.00%	-	
ACTION PROGRESS COMMENTS: Funding bodies such as the Department of Sport and Recreation and Lotteries West have been consulted with regards to funding opportunities to contribute towards Master Plan and a draft funding application has been done. The funding is potentially up to \$25,000, however at this stage due to budget constraints no application has been made at this stage. Last Updated: 15-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.4.2 Prepare a Kununurra and Wyndham Shared Paths, Trails and Cycle ways Strategy	Nick Allen - Coordinator, Recreation & Leisure	Not Started	01-Jul-2014	30-Jun-2016	0.00%	-	
ACTION PROGRESS COMMENTS: - Trails funding application to the Department of Sport and Recreation for a Master Plan document for trails within Kununurra - \$25K (Drafted) Project has not commenced due to budget constraints. Last Updated: 15-May-2015							

3.3.5 Provide for adequate public parking areas that meet demand, including for long vehicles

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.5.1 Integrate parking plans into town centre strategies including provision for long parking bays	Jennifer Ninnette - Senior Planning Officer	Not Started	01-Jul-2014	30-Jun-2016	0.00%	-	
ACTION PROGRESS COMMENTS: Draft Local Planning Strategy has identified the need for town centre plans which will incorporate consideration of parking, traffic and pedestrian movement within the town centres. Literature review of previous studies and plans to commence in March 2015. Last Updated: 13-Feb-2015							

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

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.8.1 Manage and provide building services	Sharon McLachlan - Senior Building Surveyor	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: The management and provision of Building Services in an ongoing task which involves the coordination of operational activities to respond to demand and applicable timeframes whilst remaining within the proposed budget parameters. Activities include the following: <ul style="list-style-type: none"> - Inspections conducted in line with certified and uncertified Building Permit Applications, Occupancy Permits and Notice of Completions, - Inspections conducted on private swimming pool fencing, - Processing Building Permits, - Processing Demolition Permits, and - Processing Occupancy Permits. Last Updated: 26 May 2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.8.2 Assessment, inspection, approval and compliance with Pool Fencing Act	Sharon McLachlan - Senior Building Surveyor	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: The assessment, inspections, approvals and compliance of private pool fencing with Pool Fencing legislation is conducted by the Senior Building Surveyor. In order to ensure compliance a Casual Swimming Pool Compliance Officer was engaged for a period of six weeks to work with the Shire's Building Surveyor to intensively inspect private swimming pools and update the Shires register. Activities include the following: - Assessment of applications - Private Pool fencing inspections to ensure compliance - Approval of applications - Routine interim inspections - Notification Letters - Advertising to assist with public awareness Last Updated: 13-Feb-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.8.3 Manage and provide land use approval services	Jennifer Ninnette - Senior Planning Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: The management and provision of Land use approval services in an ongoing task which involves the coordination of operational activities to respond to demand and applicable timeframes. Activities include the following: - Development Applications have been processed in line with relevant legislation and guidelines. - Applications requiring a Council resolution have been reported to Council. - Home based businesses and Home occupation applications have been assessed in accordance with land use and amenity consistency. Last Updated: 13-Feb-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.8.4 Develop and review of Planning Scheme	Jennifer Ninnette - Senior Planning Officer	In Progress	01-Jul-2012	30-Jun-2016	50.00%	-	

ACTION PROGRESS COMMENTS:

Draft Local Planning Scheme No. 9 has been reviewed to incorporate recommendations of the draft Local Planning Strategy. Final modifications are being made to the draft Scheme following workshops with Council and in light of new regulations, prior to adoption for advertising purposes by Council. The new Local Planning Scheme No. 9 will advertised concurrently with the Local Planning Strategy, and the two documents are intended to be considered together.

Last Updated: 13-Feb-2015

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.8.5 Review and prepare design guidelines to reflect the character of the region	Jennifer Ninnette - Senior Planning Officer	Not Started	01-Jul-2014	30-Jun-2016	0.00%	-	

ACTION PROGRESS COMMENTS:

Deferred to commence following completion of the Local Planning Strategy Review.

Last Updated: 13-Feb-2015

3.3.9 Provide animal control in accordance with legislative requirements

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.9.1 Implement an Animal Management Plan	Paul Wilson - Senior Ranger & Emergency Service Coordinator	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	

Last Updated: 11-May-2015

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.9.2 Review Local Laws	Carl Askew - Chief Executive Officer	In Progress	01-Jul-2012	30-Jun-2016	50.00%	75.00%	

ACTION PROGRESS COMMENTS:

Kimberley Regional Councils thru Zone commenced December 2014 a regional review to align Local Laws across the region.

Last Updated: 22-Apr-2015

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.9.3 Implement Cat Act	Paul Wilson - Senior Ranger & Emergency Service Coordinator	Completed	01-Jul-2013	30-Jun-2016	100.00%	-	
Last Updated: 11-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.9.4 Provide Ranger Services	Paul Wilson - Senior Ranger & Emergency Service Coordinator	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: On going provision of competent ranger services to the Shire. Full and adequate coverage for ranger services not always achieved due to budgetary constraints. Last Updated: 11-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.9.5 Provide Fire / Emergency Services	Paul Wilson - Senior Ranger & Emergency Service Coordinator	Ongoing	01-Jul-2013	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Fire response and brigade management transferred to DFES. This program is operating well. The Shire's Senior Ranger, Emergency Services Coordinator manages emergency services and Kununurra and Wyndham LEMCs in conjunction with the Community Emergency Management Coordinator (CEMC) from the State Emergency Management Committee Secretariat, (SEMC Secretariat). Communication with Superintendent Grant Pipe in relation to the current response structure, with the view to get feedback on how the trial is operating. Mr. Pipe indicated that the trial had gone well thus far and suggested there would not be any changes before September 2015. Last Updated: 11-May-2015							

3.3.10 Adopt a partnership approach for emergency and fire management planning, preparedness, response and recovery.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.3.10.1 Manage Municipal Emergency / Regulatory Services function	Paul Wilson - Senior Ranger & Emergency Service Coordinator	Ongoing	01-Jul-2013	30-Jun-2015	-	-	
ACTION PROGRESS COMMENTS: The Shire's Senior Ranger, Emergency Services Coordinator manages emergency services and Kununurra and Wyndham LEMCs in conjunction with the Community Emergency Management Coordinator (CEMC) from the State Emergency Management Committee Secretariat, (SEMC Secretariat). Ranger services (the Regulatory Services function) operating efficiently but not always providing full and adequate coverage due to staffing levels. Last Updated: 11-May-2015							

3.4 Enhancement of community facilities

3.4.1 Maintain, manage and upgrade public parks and amenities to ensure they meet community need and are accessible to people of all ages and abilities.

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.1.1 Upgrade Wyndham waste water reuse treatment facility	Peter Kerp - Manager, Engineering	In Progress	01-Jul-2012	30-Jun-2016	15.00%	-	
ACTION PROGRESS COMMENTS: Discussion with Water Corporation to their proposed solution of treating/disposing raw sewerage prior to its application for reticulating Wyndham Oval. Water Corporation advice still pending to be followed by Director Infrastructure Last Updated: 14-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.1.2 Provision of tourist facilities (Capital)	David Klye - Director Infrastructure	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Visitor Information Centre operating form Shire facility. Public toilet facilities provided at Mambi, Prison Tree, Whitegum Park, Wyndham Oval, Wyndham Port, Celebrity Tree Park Last Updated: 13-Dec-2014							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.1.3 Maintain of tourist facilities (Operating)	John Gault - Depot Manager	In Progress	01-Jul-2012	30-Jun-2016	70.00%	-	
ACTION PROGRESS COMMENTS: On going maintenance of Mambi Tourist Facilities Last Updated: 19-Feb-2015							

3.4.2 Consider cultural values in all planning and design phases

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.2.1 Engage with Indigenous people in relation to public planning and design projects	Jennifer Ninyette - Senior Planning Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Consultation is being undertaken as part of the Local Planning Strategy review, and structure planning for the Kununurra Civic Centre and East Lily Creek precincts. The Shire has appointed a Community Development Officer who will be focused on community engagement which will incorporate engagement with Indigenous people in relation to public planning and strategic planning. Last Updated: 13-Feb-2015							

3.4.3 Ensure Shire facilities are planned and managed to meet community needs

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.3.1 Manage and provide maintenance and construction of Council properties and facilities (Operating)	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: Coordination of preventative, and continual maintenance including cleaning, air conditioner servicing, repairs, maintenance and replacement is ongoing. Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.3.2 Manage and provide maintenance and construction of Council properties and facilities (Capital)	Louise Gee - Director Community Development	In Progress	01-Jul-2012	30-Jun-2016	5.00%	-	
ACTION PROGRESS COMMENTS: Grant funding received through the Recreational Boating Facilities Scheme (RBFS) Department of Transport for the Lily Creek Lagoon Ramp, Jetty and Lighting Project. Last Updated: 13-Feb-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.3.3 Manage Shire leased properties and reserves (Operating)	Louise Gee - Director Community Development	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
ACTION PROGRESS COMMENTS: The coordination of Shire leased properties and reserves is ongoing with the responsibility for various aspects of the wide variety of leases spread across the organisation. Updated documentation has been compiled and provided to the State Land Revenue Office in accordance with legislation. Ongoing negotiation and development of leases include:- - draft lease agreement for Kununurra Agricultural Society - draft lease agreement for Kununurra Speedway - draft lease agreement Kununurra Ski Club - lease agreement with Lakeside Resort Ltd - deed of transfer BBQ Boat - draft lease agreement Ord River Sports Club Last Updated: 21-May-2015							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.3.4 Manage Shire leased properties and reserves (Capital)	Louise Gee - Director Community Development	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	
ACTION PROGRESS COMMENTS: No projects identified in the 2014/15. Last Updated: 13-Feb-2015							

3.4.4 Provide and support a more effective range of sport and recreation services and facilities including a new leisure and aquatic facility in Kununurra

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.4.1 Plan and manage the Shire's leisure and recreation facilities (Capital)	Nick Allen - Coordinator, Recreation & Leisure	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS:</p> <ul style="list-style-type: none"> - New gym equipment installed at the Kununurra Leisure Centre - Secured \$60,000 through the pool subsidy program - money is to be spent on aquatic upgrades or programs. (\$30K KLC and \$30 for Wyndham Pool) - Removed old storage shed and toilets at the Netball/Tennis Courts in preparation of new storage to be erected by clubs. <p>Last Updated: 15-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.4.2 Plan and manage the Shire's leisure and recreation facilities (Operating)	Nick Allen - Coordinator, Recreation & Leisure	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS:</p> <p>Plan and manage the Shire's leisure and recreational facilities is an ongoing task with consistent reviews of facilities maintenance and minor works completed to ensure that the Shire is providing safe environments for community sport.</p> <p>The following operational projects has been completed:</p> <ul style="list-style-type: none"> - In cooperation with the Water Corporation (Monitored weekly water reads) a number of leaks have been identified and fixed resulting in a reduction of water cost at the Kununurra Leisure Centre - Kununurra Leisure Centre and Wyndham Pool -major service on all plant rooms including replacement of chlorine gas tubing, new pump installed, new regulators and soda ash pumps - reduction in chemical use due to new installations. - Upgrade of lighting installed at the outdoor basketball courts to allow community groups to use the courts. Upgrade includes timer to allow community groups to use the lights from 6pm to 8.30pm no charge. - Damaged fence from around the outdoor basketball courts in Wyndham removed and replaced with a smaller more accessible fence to reduce vandalism problems - Installed CCTV at the Ted Birch Memorial Recreation Centre to help reduce vandalism and antisocial behaviour - Town oval lights serviced and replaced as needed in time for the community sports competition - Service of all gym equipment <p>Last Updated: 15-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.4.3 Provide and support safe and accessible sport and recreation services and programs to the community	Nick Allen - Coordinator, Recreation & Leisure	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Providing safe and accessible sporting programs to the community is a priority for the Shires Recreation Services team. A number of programs are run weekly at the Kununurra Leisure Centre, Wyndham Youth and Recreation Centre and the Wyndham Swimming Pool. Kununurra Leisure Centre: -Boxercise -ABT - Cardio - Power - HIT -Step - MetFit 9 classes running a week with the average participant rate of 12 people per class Swim School program during Term 1 and 2 - Approximately 160 participants in the program, and also secured funding to run the Swim for Fruit Program during the school holidays. - Personal training sessions held with local business to help them promote healthy active lifestyles Last Updated: 15-May-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.4.4.4 Prepare a business case and design for a new recreation hub at East Lily Creek, Kununurra incorporating a new leisure and aquatic facility.	Nick Allen - Coordinator, Recreation & Leisure	In Progress	01-Jul-2014	30-Jun-2015	30.00%	-	
<p>ACTION PROGRESS COMMENTS: - Draft Business Case has been developed Last Updated: 15-May-2015</p>							

3.5 An active outdoor lifestyle is encouraged and promoted

3.5.1 Promote an increase in the number of outdoor (public) events and promote cultural diversity

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.5.1.1 Strengthen community capacity by supporting outdoor community events	Wayne Richards - Manager Community Services	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: Several Events were supported through funding: - Ord Valley Muster - Barramundi Concert - Stars on the Bastion Events are also supported through the Shires Community grants scheme including: - Lake Argyle Swim - Lake Argyle Adventure Race - Kununurra Bushman's Rodeo The Shire also provides support for outdoor community events through the maintenance and management of outdoor facilities such as ovals, courts, parks, pathways and swimming pools. These are hired or leased out at heavily subsidized rates promoting use and encouraging positive community events and activities. A comprehensive review of the Shire's event application process is underway with an expected completion date of 30 June. Last Updated: 15-May-2015</p>							

3.5.2 Encourage cooperation between sporting groups and assist them in building capacity

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.5.2.1 Provide support to sport and recreation clubs at community level	Nick Allen - Coordinator, Recreation & Leisure	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: The Shire provides ongoing support to community sporting clubs through programs such as the KidSport program and Shire funding grants. KidSport Funding continues to be well received with \$25,000 spent to date allowing disadvantaged kids participate in sport. Attended meetings with a number of sporting clubs and organisations sharing information on sporting grants and funding available to assist with programs and coaching. Clubs included Speedway, Cricket, ORSC, EKFL, Netball and the Swim Club. Last Updated: 15-May-2015</p>							

3.5.3 Increase access to the lake, gulf and rivers, including boat ramps, according to demand usage and safety considerations

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.5.3.1 Implement recommendations from the Lake Kununurra Foreshore and Aquatic Use plan	Jennifer Ninnette - Senior Planning Officer	Ongoing	01-Jul-2012	30-Jun-2016	-	-	
<p>ACTION PROGRESS COMMENTS: A Lake Kununurra Foreshore Reference Committee meeting was held in December 2014. Review of recommendations and prioritising of actions currently being undertaken, as well as review of the structure of the document. Review of Lake Kununurra and Lily Creek Vegetation Management Plan being undertaken concurrently to principally address cumbungi management, and to potentially incorporate required recommendation and actions into the Foreshore plan. Last Updated: 13-Feb-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.5.3.2 Prepare plans for the development of the second stage commercial boating facility in Kununurra	Jennifer Ninnette - Senior Planning Officer	In Progress	01-Jul-2013	30-Jun-2016	10.00%	-	
<p>ACTION PROGRESS COMMENTS: Preliminary concept plans for a second stage of the Commercial Boating Facility have been developed however Council have not been briefed on the project to date. Last Updated: 13-Feb-2015</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
3.5.3.3 Manage cumbungi and noxious plants in Lilly Creek Lagoon	John Gault - Depot Manager	Completed	01-Jul-2012	30-Jun-2016	100.00%	-	
<p>ACTION PROGRESS COMMENTS: No funding available this financial year Last Updated: 19-Feb-2015</p>							

13.5.5 Council Policy Review – Public Interest Disclosure

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Rebecca Richards, Coordinator Organisational Development
REPORTING OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	CM.11.2
DECLARATION OF INTERESTS:	Nil

PURPOSE

For the Council to repeal Council Policy *CP/HR20 Public Interest Disclosure* and acknowledge the internal process Public Interest Disclosure Organisational Directive.

BACKGROUND

The Shire had adopted Council Policy CP/HR 20 Public Interest Disclosure in 2009 and it has not been reviewed or updated since. This draft organisational directive is designed to cover the primary requirements for the Shire of Wyndham East Kimberley under the *Public Interest Disclosure Act 2003* (PID Act)

The PID Act facilitates the disclosure of public interest information, and provides protection for those making such disclosures and those who are the subject of disclosures. The PID Act provides a system for the matters disclosed to be investigated and for appropriate action to be taken.

The PID Act does not confer additional powers on public authorities to investigate or take action in relation to public interest disclosures. Rather, it provides for protection to persons who make disclosures that may result in a proper authority exercising its existing powers to investigate and take action in relation to the subject matter of the disclosure. In some circumstances the PID Act requires a public authority to investigate a matter and to notify the person making the disclosure of the action taken.

A public interest disclosure is made when a person discloses to a proper authority information that tends to show past, present or proposed future improper conduct by a public body in the exercise of public functions.

In order to be a disclosure to which the PID Act applies, a disclosure must be:

- Made by a discloser who believes on reasonable grounds that the information is or may be true
- A disclosure of public interest information
- Made to the appropriate proper authority.

STATUTORY IMPLICATIONS

Local Government Act 1995

2.7. Role of council

- (1) *The council —*

- (a) *governs the local government's affairs; and*
 - (b) *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.*

POLICY IMPLICATIONS

It is proposed that this policy be repealed and replaced with the draft organisational directive attached.

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 ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required.

CONCLUSION / COMMENT

The CP/HR 20 Public Interest Disclosure Policy is outdated and no longer relevant and is recommended to be repealed. The PID Act requires the Principal Executive Officer of each public authority to prepare and publish internal procedures relating to their authority's obligations under the PID Act. These internal procedures must be consistent with the Public interest disclosure guidelines produced by the Public Sector Commissioner. The draft Organisational Directive has been produced using the guidelines with amendments to better reflect the Shire of Wyndham East Kimberley's own document format.

ATTACHMENTS

Attachment 1 - Council Policy CP/HR20 Public Interest Disclosure

Attachment 2 - Draft Organisational Directive – Public Interest Disclosure

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Repeals Council Policy CP/HR20 Public Interest Disclosure.
2. Acknowledges the draft Organisational Directive – Public Interest Disclosure.

COUNCIL DECISION

Minute No. 10967

Moved: Cr S Cooke

Seconded: Cr D Spackman

That Council:

1. **Repeals Council Policy CP/HR20 Public Interest Disclosure.**
2. **Acknowledges the draft Organisational Directive – Public Interest Disclosure.**

Carried 7/2

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



Shire of Wyndham East Kimberley
Council Policy
CP/HR20

POLICY No:	HR20
DIVISION:	Human Resources
SUBJECT:	Public Interest Disclosure
REPORTING OFFICER:	Executive Manager Corporate Services
ENABLING LEGISLATION:	Public Interest Disclosure Act 2003

OBJECTIVE

The purpose of this policy is to raise awareness and provide guidance on Public Interest Disclosures (PID) in accordance with the **Public Interest Disclosure Act 2003**. The PID Act is aimed at ensuring that corrupt or improper conduct including mismanagement of public resources, in the exercise of public functions does not occur by employees and or contractors.

POLICY

The Shire of Wyndham - East Kimberley recognises the central role all those working in the public sector have in ensuring that proper management occurs with public information and resources so that public confidence in Local Government is enhanced.

The Shire will:

1. Take reasonable steps to ensure disclosures by staff are confidentially managed, so that disclosures are encouraged.
2. Provide protection to those who make disclosures, by protecting against any legal action.
3. Provide confidentiality, and action against any victimisation.
4. Make clear delegation of responsibility by appointing two PID Officers.

PID Officer

The PID Officers for the Shire will be the Manager of Human Resources and Executive Manager for Corporate Services.

The PID Officers will

1. Investigate information disclosed, or cause that investigation occurs.
2. Report to the person making disclosure advising of progress actions taken and any conclusions.
3. Ensure confidentiality of the person making disclosure is maintained.
4. Keep all records securely and under all reporting functions.

ADOPTED: 20/01/2009



ORGANISATIONAL DIRECTIVE NO:	*** To be supplied by Governance once approved by the CEO
ORGANISATIONAL DIRECTIVE	Public Interest Disclosure
RESPONSIBLE DIRECTORATE	Governance
RESPONSIBLE OFFICER/S	Chief Executive Officer, Coordinator Organisational Development
CEO APPROVAL	Date: Insert date approved / written approval by the CEO is required in the form of a memo or email correspondence
REVIEWED/MODIFIED	Date: Insert Here
	Date:
REVIEW DUE	Date: May 2017
LEGISLATION	<i>Public Interest Disclosure Act 2003</i>
RELATED POLICIES	Nil
RELATED ORGANISATIONAL DIRECTIVES	Nil
RELATED WORK INSTRUCTIONS	

PURPOSE:

The purpose of this organisational directive is to provide for the manner in which the Shire of Wyndham East Kimberley will comply with its obligation under the *Public Interest Disclosure Act 2003* (PID Act). They provide for the manner in which:

- disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer)
- the PID Officer shall investigate the information disclosed, or cause that information to be investigated
- the PID Officer may take action following the completion of the investigation
- the PID Officer shall report to the discloser as to the progress and outcome of that investigation and the action taken as a consequence
- the confidentiality of the discloser, and any person who may be the subject of a public interest disclosure, shall be maintained
- records as to public interest disclosures shall be maintained and reporting obligation complied with.

DEFINITION:

Public Interest Disclosure is made when a person discloses to a proper authority information that tends to show past, present or proposed future improper conduct by a public body in the exercise of public functions. In order to be a disclosure to which the PID Act applies, a disclosure must be:

- made by a discloser who believes on reasonable grounds that the information is or may be true
- a disclosure of public interest information
- made to the appropriate proper authority.

Proper Authority is a public authority to which public interest information may relate including a department in the public service, an agency within the public sector, a local government or regional local government or a body established under State law for a public purpose.

Public Interest Disclosure Officer (PID Officer) is an officer within the public authority whom is registered as a PID Officer with the Public Sector Commissioner.

Discloser is a person making a public interest disclosure.

Public Interest Information must meet a number of criteria. It must:

- relate to a public authority, public officer or public sector contractor (“a public body”)
- relate to the performance of a public function of the public body
- tend to show that the public body is, has been, or proposes to be, involved in improper conduct.

Protection in general terms, for people who make disclosures, protection is provided against detrimental action, which includes injury, intimidation, harassment, adverse treatment or reprisal.

TRAINING REQUIRED:

Nil.

PROCEDURE:

Support for employee who make public interest disclosures

The Shire of Wyndham East Kimberley does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public function of the Shire of Wyndham East Kimberley and its officers, employees and contractors.

The Shire of Wyndham East Kimberley is committed to the aims and objectives of the *Public Interest Disclosure Act 2003 (PID Act)*. It recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

The Shire of Wyndham East Kimberley will take all reasonable steps to provide protection to employees who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.

The Shire of Wyndham East Kimberley does not tolerate any of its officers, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

Purpose of this Organisational Directive

This internal policy provides for the manner in which the Shire of Wyndham East Kimberley will comply with its obligations under the PID Act. They provide for the manner in which:

- disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer)
- the PID Officer shall investigate the information disclosed, or cause that information to be investigated.
- the PID Officer may take action following the completion of the investigation

- the PID Officer shall report to the discloser as to the progress and outcome of that investigation and the action taken as a consequence
- the confidentiality of the discloser, and any person who may be the subject of a public interest disclosure, shall be maintained
- records as to public interest disclosures shall be maintained and reporting obligations complied with

Object of the PID Act

The PID Act commenced operation on 1 July 2003. The object of the PID Act is to:

- facilitate the disclosure of public interest information
- provide protection for those who make disclosures
- provide protection for those who are the subject of a disclosure.

This is achieved by:

- protecting the person making the disclosure from legal or other action
- providing for the confidentiality of the identity of the person making the disclosure and a person who is the subject of a disclosure
- providing remedies for acts of reprisal and victimisation that occur substantially because the person has made a disclosure.

The rights and obligations created by the PID Act are described in Appendix 1 to this organisational directive.

Note for public authorities: The text in part 1 of these guidelines should be reproduced as Appendix 1 to your internal procedures, for the information of PID Officers, employees and customers of your public authority. The Commission also has a number of products on its [website](#) these products can also be used to assist you to inform PID Officers, employees and customers.

Designation of Public Interest Disclosure Officer

The person from time to time holding or acting in the position of Coordinator Organisational Development is designated as the Public Interest Disclosure Officer (PID Officer) of the Shire of Wyndham East Kimberley. The PID Officer is responsible for receiving disclosures of public interest information relating to matters falling within the sphere of responsibility of the Shire of Wyndham East Kimberley.

The contact details of the PID Officer are as follows:

Rebecca Richards, Rebecca.Richards@swek.wa.gov.au, 08 9168 4116, 08 9168 1798

As soon as practicable after assuming or beginning to act in the position of Coordinator Organisational Development the person holding or acting in that position is to forward a completed [PID Officer's declaration form](#) to the Public Sector Commission. This form is available at the back of this organisational directive or on the Commission's [website](#). A copy of the completed PID Officer's declaration form shall also be retained on the public authority's file.

Notes for public authorities:

- The PID Officer should be a senior officer within your organisation who is provided with support in relation to their obligations.
- In large or dispersed organisations it may be necessary to appoint more than one PID Officer.
- The named authorities – the Corruption and Crime Commission, the Ombudsman, the Auditor General and police officers – may themselves be proper authorities. In these name authorities a broader range of officers may require training in the receipt of public interest disclosures. For example, any police officer may be a proper authority for disclosures relating to offences. These name authorities should also appoint a PID Officer to deal with information relating to those authorities. The follow special paragraphs should be included in the procedures of named authorities.

Information to be included in the procedures for names authorities

Corruption and Crime Commission	The PID Act also provides for the Corruption and Crime Commission to receive public interest disclosure of information relating to an offence under State law. Subsequent references in these procedures to the PID Officer shall be taken to include an employee or officer of the Commission who receives, on behalf of the Commission, information relating to an offence under State law.
Police	The PID Act also provides for any police officer to receive public interest disclosures of information relating to an offence under State law. Subsequent reference in these procedures to the PID Officer shall be taken to include an officer who receives a public interest disclosure relating to an offence under State Law.
Ombudsman	The PID Act also provides for the Ombudsman to receive public interest disclosures of information relating to matters of administration within the jurisdiction of the Ombudsman, and matters relating to most public officers. Subsequent references in these procedures to the PID Officer shall be taken to include an officer of the Ombudsman who receives, on behalf of the Ombudsman, information relating to these matters.
Auditor General	The PID Act also provides for the Auditor General to receive public interest disclosures of information relating substantial unauthorised or irregular use of, or substantial mismanagement of public resources. Subsequent references in these procedures to the PID Officer shall be taken to include a person appointed by the Auditor General who receives, on behalf of the Auditor General, information relating to these matters.

Receiving public interest disclosures

1. Advice to disclosers

Before a discloser makes a public interest disclosure to a PID Officer, the PID Officer shall advise the discloser of the following matters:

- a) If they choose to make a public interest disclosure they will not as a result
 - incur any civil or criminal liability
 - be liable to any disciplinary action under State Law
 - be liable to be dismissed or have his or her services dispensed with or otherwise terminated
 - be liable for any breach of a duty of secrecy or confidentiality or any other applicable restriction on disclosure
- b) If they choose to make a public interest disclosure they may have the right to take civil proceedings if they are subject to detrimental action as a result of making the disclosure.
- c) If they choose to make a public interest disclosure then their identity will not be disclosed except in accordance with section 16 of the PID Act (i.e. disclosure of their identity may be required in the course of the investigations).
- d) If they choose to make a public interest disclosure then they will have the right to be informed of the progress and outcome of the investigation and action taken as a result.
- e) If they choose to make a public interest disclosure:
 - they are only protected if they believe on reasonable grounds that the information to be disclosed is or may be true
 - they will commit an offence, and lose the protection of the PID Act, if they know the information to be false or misleading in a material particular or are reckless about whether the information is false or misleading in a material particular
 - they will forfeit the protection given by the PID Act if they disclose the information otherwise than under the PID Act (i.e. if they provide the information to the media or a person who is not a proper authority)
 - they will forfeit the protection given by the PID Act if they fail, without reasonable excuse, to assist a person investigation the matter to which the information relates, by supplying any information requested
 - they may commit an offence if they disclose information that might identify or tend to identify anyone as a person in respect of whom a disclosure of public interest information has been made.
- f) The disclosure will only be protected if the PID Officer is the proper authority for receiving that kind of information as indicated in the following table:

Proper authorities for receiving disclosures of public interest information

When the disclosure relates to...	The proper authority is...
The sphere of responsibility of a public authority (e.g. matters about the public authority or its officers, or which the public authority has the function of investigating)	The Public Interest Disclosure Officer (PID Officer) of the Public Authority

Offences under State Law	A police officer or the Corruption and Crime Commission
Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources	The PID Officer of the public authority concerned, or the Auditor General
Matters of administration affecting someone in their personal capacity falling within the jurisdiction of the Ombudsman	The PID Office of the public authority concerned or the Ombudsman
A police officer	The Commissioner of Police or the Corruption and Crime Commission
A Member of the Legislative Council	The President of the Legislative Council
A Member of the Legislative Assembly	The Speaker of the Legislative Assembly
A judicial officer	The Chief Justice
A public officer who is not a member of Parliament, a Minister, a Judicial Officer or a Commissioned or other officer specified in schedule 1 of the <i>Parliamentary Commissioner Act 1971</i>	The PID Officer of the public authority concerned, the Ombudsman or the Public Sector Commissioner
A person or a matter of a prescribed class	A person declared by the regulations to be a proper authority

Important Notes: In addition, the information disclosed must be public interest information as defined in the PID Act.

Not all proper authorities to which a disclosure may be made will be required or have the power to investigate the information disclosed. In some cases it may be necessary for the discloser or information to be referred to another proper authority with power to investigate the information.

The Commission has produced a number of products to assist to inform those thinking about making a public interest disclosure about their rights and responsibilities under the PID Act. These are available on the Commission's [website](#).

2. Assessing a public interest disclosure

The PID Officer must, on receiving the information confirm that the discloser, after receiving the advice referred to in section 1 above, wishes to make a public interest disclosure under the Act.

If they do the PID Officer must make an initial assessment of whether:

- the information disclosed relates to a public authority, a public officer or a public sector contractor
- the information disclosed relates to the performance of a public function
- the information disclosed tends to show improper conduct
- the improper conduct is of the kind for which the PID Officer is the proper authority (see the table above in section 1)
- the discloser believes on reasonable grounds that the information is or may be true
- the information is not protected by legal professional privilege.

If the above questions are all answered “yes”, then the disclosure of information is a public interest disclosure to which the PID Act will apply.

In assessing whether a disclosure is a public interest disclosure, the PID Officer should consider the [Flowchart for receiving disclosures](#) at Appendix 2, as well as complete part 1 of the [assessment form for assessing public interest disclosures](#).

Important note: Where the proper authority does not have the power to investigate a matter the person should be referred to the appropriate authority. However, if they still wish to make the disclosure to you, it should be assessed and if it is a public interest disclosure, it should be referred to the appropriate authority for investigation as provided for under the PID Act.

3. Form of public interest disclosure

If a disclosure is a public interest disclosure, the discloser and the PID Officer can use the [Public interest disclosure lodgement form](#). The PID Officer should also complete [part 2 of the assessment form for public interest disclosures](#).

On completion of this form, the PID Officer should create a separate file for the public interest disclosure, with the following text clearly marked on the front of the file.

CONFIDENTIAL

The material in this file relates to a public interest disclosure made under the Public Interest Disclosure Act 2003

Disclosure of information that might identify or tend to identify either the discloser or a person in respect of whom the disclosure has been made is an offence, unless the disclosure occurs in accordance with the PID Act.

Penalty: \$24 000 or imprisonment for two years

The public interest disclosure should also be recorded in the Public interest disclosure register by the PID Officer and maintained in a secure location. The register is available on the Commission's [website](#).

Investigating a public interest disclosure

1. Determining whether the matter must be investigated

After receiving a disclosure, the PID Officer must consider whether:

- the disclosure relates to the Shire of Wyndham East Kimberley, its officers or contractors; or
- the disclosure relates to a matter or person that the Shire of Wyndham East Kimberley has a function or power to investigate.

If the answer to both of these questions is “no”, the PID Officer is not required by the PID Act to investigate the matter.

Note for public authorities: At this point the procedures may identify the matters which the proper authority has the functions and power to investigate, in accordance with the legislation under which the authority operates. This includes taking into account the independence that any particular proper authority has under a written law.

The PID Officer must also consider whether:

- the matter is trivial
- the disclosure is vexatious or frivolous

- there is no reasonable prospect of obtaining sufficient evidence due to the time that has elapsed since the occurrence of the matter; or
- the matter is being or has been adequately or properly investigated by another proper authority to which an appropriate disclosure of public interest information has been made under the PID Act.

If the answer to any of these questions is “yes”, the PID Officer is not required by the PID Act to investigate the matter.

Where the PID Officer considers that he or she lacks sufficient power to effectively investigate the matter, but the information received causes him or her to form the opinion that a public authority, public officer or public sector contractor may have engaged in improper conduct, the PID Officer should refer the matter to another appropriate investigative body. For example, an allegation of an offence supported by cogent evidence may need to be referred by a PID Officer to the Police for investigation.

The questions to be considered in the initial assessment by the PID Officer are indicated in the [Flowchart for investigation information disclosed](#) at Appendix 3 and complete [part 1 of the assessment form for public interest disclosures](#).

In assessing whether a public interest disclosure should be investigated, a PID Officer should consider the [Flowchart for investigating information disclosed](#) at Appendix 3 and complete [part 3 of the assessment form for public interest disclosures](#).

2. Investigation information received in a public interest disclosure

Where the PID Officer determines that the disclosure is a public interest disclosure that should be investigated, the officer must investigate the disclosed matter himself or herself or engage another person on to carry out the investigation.

In conducting an investigation, typical procedures could include:

- drawing up terms of reference, which should clarify the key issues identified by the disclosure
- specifying a date by which the investigation should be completed
- ensuring the objectives of the investigation include collecting and collating information relating to the disclosure, considering the information collected and drawing conclusions objectively and impartially
- maintaining procedural fairness for the person who is the subject of the disclosure
- giving information to the person who is the subject of a disclosure about their rights and obligations under the PID Act, the [Code of conduct and integrity](#), any agency code of conduct, and the law
- the investigator making contemporaneous notes of discussions and interviews and, where practicable and appropriate, recording discussions and interviews on audio or videotape
- ensuring strict security with all investigations, so as to maintain the confidentiality requirements of the PID Act.

A disclosure once properly made cannot be withdrawn. A proper authority may still continue to investigate the issues raised.

3. Maintaining confidentiality in an investigation

The PID Act imposes strict confidentiality requirements in relation to the identity of the discloser and persons in respect of whom a public interest disclosure has been made. The disclosure of information which might identify or tend to identify these persons, except in accordance with section 16 the PID Act, is a serious offence, punishable with a maximum penalty of \$24,000 or two year imprisonment.

The confidentiality provisions of the PID Act do not apply to all information disclosed in the public interest disclosure, but only to information that might identify or tend to identify the discloser and persons in respect of whom a public interest disclosure has been made.

One of the circumstances in which identifying information may be disclosed is with the consent of the person concerned. It is important that this consent be recorded. The [Consent to disclosure of identifying information form](#) should be used for this purpose.

Identifying information relating to a discloser may be disclosed without the discloser's consent where:

- it is necessary to do so, having regard to the rules of natural justice; or
- it is necessary to do so to enable the matter to be investigate effectively.

However, before information is disclosed for these reasons the person making the disclosure must take all reasonable steps (section 16) to inform the person whose identity is to be disclosed:

- that the disclosure is being made
- the reasons for the disclosure being made.

This information should be given, where practicable, in the form for [Notification of disclosure of identifying information](#).

Where identifying information in relation to a discloser is conveyed to another person for these reasons, the other person should be warned that disclosure of the information to a third person may involve a serious offence.

Identifying information relating to a person in respect of whom a public interest disclosure has been made can be disclosed at the investigation stage where the disclosure:

- is necessary to enable the matter to be investigated effectively
- there are reasonable grounds to believe that the disclosure of identifying information is necessary to prevent or minimise the risk of injury to any person or damage to any property.

In addition, disclosure made in accordance with section 152 or 153 of the *Corruption and Crime Commission Act 2003* are exempt from these confidentiality requirements.

Particularly where a discloser works for the Shire of Wyndham East Kimberley, protecting the identity of the discloser is an important part of protecting the discloser from reprisals and victimisation. Careful consideration must be given as to whether the disclosure of information that might identify or tend to identify a discloser is necessary for the effective investigation of the matter or having regard to the rules of natural justice.

Where a PID Officer appoints a third person to conduct an investigation in relation to the public interest disclosure, he or she must consider whether it is necessary to inform the

investigator of the identity of the discloser. In some cases it may not be necessary to provide the investigator with the identity of the discloser. Where it is necessary, to enable an effective investigation, or having regard to the rules of natural justice, to provide identifying information to the investigation officer, then the discloser should be notified in the manner described above.

4. Recording the outcome of an investigation

The outcome of an investigation should be clearly and comprehensively recorded. In addition to any investigation report, the person conducting the investigation should complete [part 4 of the assessment form for public interest disclosure](#).

The result of the investigation should also be recorded in the [public interest disclosure register](#); this register is available on the Commission's website. All annual reporting requirements to the Public Sector Commissioner required under section 22 of the PID Act will be based on extracts from this Register. This register (electronic and hard copy) is to be kept strictly confidential and in a secure place.

Taking action following an investigation

1. General

The PID Officer must take action where he or she forms the opinion that a person may be, or has been or may in the future be, involved in improper conduct. Action that may be taken includes:

- Preventing the matter to which the disclosure relates from continuing or occurring
- Referring the matter to the Police or other appropriate body, or
- Taking disciplinary action against a person responsible for the matter.

Before taking any action, the person against whom the action is to be taken is to be given the opportunity to make written or oral submissions.

In taking that action the PID Officer remains limited by the powers and functions that are conferred by the legislation under which the PID Officer operates. The PID Act does not give the PID Officer additional powers to take action.

As well as being limited to matters within the functions and powers of the PID Officer, the action to be taken is guided by what is necessary and reasonable.

2. Maintaining confidentiality when taking action

When taking action, the confidentiality of identifying information must be maintained, unless its disclosure is authorised by the PID Act.

The only additional exception, beyond those identified in relation to investigations, is where disclosure of the identity of a person who is the subject of a public interest disclosure is necessary in taking action following the investigation.

3. Recording action taken

In addition to keeping other records, the PID Officer shall complete part [5 of the assessment form for public interest disclosures](#) and record a summary of the action taken in the public interest disclosure register. This register is available on the Commission's website. All reporting requirements to the Public Sector Commissioner required under the PID Act will be based on extracts from this Register.

Reporting to a discloser on the progress and outcome of an investigation

Where the PID Officer decides not to investigate information disclosed under the PID Act, or discontinues an investigation, the PID Officer must give the person who made the disclosure reasons for doing so.

Within three months of the disclosure being made the PID Officer must notify the discloser of the action taken or proposed to be taken in relation to the disclosure (section 10). A discloser may also request a progress report.

If an investigation is not complete, the PID Officer may provide to the discloser a progress report on the current status of the investigation.

If an investigation is complete, the PID Officer must provide a final report (section 10) to the discloser, stating the outcome of the investigation and the reason for taking action following the investigation.

In providing information (section 11) and reports to disclosers, the PID Officer must not give information, in their opinion, would be likely to adversely affect:

- Any person's safety
- The investigation of an offence or possible offence; or
- Necessary confidentiality as to the existence or identity of another person who has made a disclosure of public interest information under the PID Act.

Protecting disclosers

1. Victimisation and reprisals

The Shire of Wyndham East Kimberley will not tolerate any acts of victimisation or reprisal as a result of a person making, or proposing to make, a public interest disclosure.

Any victimisation or reprisals must be reported immediately to the Chief Executive Officer or the PID Officer, who must take immediate action to prevent the continuance of this unlawful conduct.

Where victimisation or reprisals are reported, a record of the report and the action taken must be placed on the file relating to the public interest disclosure.

Steps taken to prevent acts of victimisation or reprisal should be recorded in a manner that they will be accessible for reference, should legal action be taken against the Shire of Wyndham East Kimberley.

2. Confidentiality

The confidentiality requirements in relation to information which might identify or tend to identify a discloser or a person in respect of whom a public interest disclosure has been made must be complied with at all times. As noted above, the disclosure of this identifying information, except in accordance with the PID Act, is an offence.

All files relating to a public interest disclosure, whether paper or electronic, must be secure and accessible only authorised persons. Files should carry clear warnings that there are penalties for unauthorised divulgence of information concerning a disclosure.

It is strongly recommended that sensitive information is not emailed or faxed to machines with general or shared access.

Public Interest disclosure register

To assist with annual reporting to the Commissioner, The Shire of Wyndham East Kimberley shall maintain a Public interest disclosure register recording a unique register number and key information for each disclosure. All annual reporting requirements to the Public Sector Commissioner required under section 22 of the PID Act will be based on extracts from this register. This register (electronic and hard copy) is to be kept strictly confidential and in a secure place. This register is available from the Commission's [website](#).

Reporting Requirements

Under the PID Act public authorities will need to report to the Commissioner each year as outline below.

1. Principal Executive Officer Report

Under section 23 (f) of the PID Act, the Shire of Wyndham East Kimberley is required to report annually to the Public Sector Commissioner on:

- the number of public interest disclosures received over the reporting period
- the results of any investigations conducted as a result of the disclosures
- the action, if any, taken as a result of each investigation.

2. Commissioner's Compliance Report

Under section 19 and 22 of the PID Act, the Commissioner is required to monitor compliance with the PID Act, to assist public authorities to comply with the PID Act and the code of conduct and integrity and to provide an annual report to Parliament.

3. Report Format and Submission

The Commission runs an annual agency survey program (1 July to 30 June). Each public authority will be surveyed on questions relating to the authorities role and obligations under the PID Act. This survey also requires that the public authority's PID Officer completes and sends in a register in a confidential electronic format.

Where there have been no disclosures in the reporting period the format of the report will provide for a simple nil return.

Making information available

These internal procedures shall be made available for access by all employees and members of the public. Copies of these internal procedures are available from the PID Officer and are to be kept at all Shire of Wyndham East Kimberley office locations.

The information at Appendix 5 Should also be provided to new employees on induction. Information about the public interest disclosure process is also available on the Commission's [website](#).

Where a person makes an allegation about improper conduct, but the person has not referred to the PID Act, the person should be advised that they might want to make a public interest disclosure under the PID Act. If they may wish to do so, they should be referred to the PID Officer for guidance on how to make a disclosure under the PID Act and on the implications of making a public interest disclosure.

Legislation – Public Interest Disclosure Act 2003

Public Interest Disclosure Act 2003

www.slp.wa.gov.au

Public Interest Disclosure Regulations 2003

www.slp.wa.gov.au

Appendix 1

Rights and obligations under the Public Interest Disclosure Act 2003 (The PID Act)

A. Overview of the *Public Interest Disclosure Act 2003*

1. Introduction

The *Public Interest Disclosure Act 2003* (PID Act) facilitates the disclosure of public interest information, and provides protection for those making such disclosures and those who are the subject of disclosures. The PID Act provides a system for the matters disclosed to be investigated and for appropriate action to be taken.

The PID Act does not confer additional powers on public authorities to investigate or take action in relation to public interest disclosures. Rather, it provides for protection to persons who make disclosures that may result in a proper authority exercising its existing powers to investigate and take action in relation to the subject matter of the disclosure. In some circumstances the PID Act requires a public authority to investigate a matter and to notify the person making the disclosure of the action taken.

The PID Act also requires the Principal Executive Officer of each public authority to prepare and publish internal procedures relating to their authority's obligations under the PID Act. These internal procedures must be consistent with these guidelines.

2. What is a public interest disclosure?

A public interest disclosure is made when a person discloses to a proper authority information that tends to show past, present or proposed future improper conduct by a public body in the exercise of public functions.

In order to be a disclosure to which the PID Act applies, a disclosure must be:

- made by a discloser who believes on reasonable grounds that the information is or may be true
- a disclosure of public interest information
- made to the appropriate proper authority.

While the PID Act provides for the protection of all public interest disclosures, not every proper authority will have the obligation or power to investigate and take action in relation to the disclosure. In some cases the discloser or information may need to be referred to another proper authority to enable an effective response to the disclosure to be made.

More specific information about how a public interest disclosure is to be made and assessed can be found in [section B of part 1](#) of these guidelines.

3. What is protection?

When a person makes an appropriate disclosure of public interest information to a proper authority, the PID Act:

- protects the person making the disclosure from legal or other action

- provides for the confidentiality of the identity of the person making the disclosure and a person who is the subject of a disclosure (section 16 of the PID Act)
- provides remedies for acts of reprisal and victimisation that occur substantially because the person has made a disclosure.

In general terms, for people who make disclosures, protection is provided against detrimental action, which includes injury, intimidation, harassment, adverse treatment or reprisal. More specific information about protection can be found in [section D of part 1](#) of these guidelines.

The PID Act also provides penalties for disclosing the identity of those persons about whom public interest disclosures are made, as well as emphasising the need for those persons to be accorded natural justice or procedural fairness.

4. Key aspects of the legislation

From the point of view of a public authority developing internal procedures, there are certain aspects of the PID Act that require careful consideration and a more in-depth understanding.

- Part 2 of the PID Act is concerned with the action of **making a disclosure**. It clarifies who may make a disclosure, to whom it can be made and their obligations, including investigation, action and notification.
- Part 3 of the PID Act deals with **protection**. It describes the forms of protection available and when protection is lost. It provides for offences relating to the disclosure of the identity of disclosers and those in respect of whom a public interest disclosure is made.
- Part 5 of the PID Act enumerates the **obligations of Principal Executive Officers of public authorities**. Of particular importance is the requirement for a Principal Executive Officer to designate a person within the authority who is responsible for receiving disclosures and to provide protection for their employees from detrimental action arising from their making of a disclosure.

B. Making, receiving and assessing a public interest disclosure

1. What is different about a public interest disclosure?

Not all disclosures about government can be classified as public interest disclosures that are protected by the PID Act.

In order to be a disclosure to which the PID Act applies, a disclosure must be:

- made by a discloser who believes on reasonable grounds that the information is or may be true
 - a disclosure of public interest information
 - made to the appropriate proper authority.

2. Who can make a disclosure?

Any person may make a disclosure of public interest information. While public officers may make disclosures of public interest information, the PID Act also allows for members of the public to make these disclosures.

A person making a public interest disclosure can be called a discloser.

A person making a public interest disclosure must believe, on reasonable grounds, that the information disclosed is true or may be true. A person making a disclosure purporting to be a disclosure of public interest information commits an offence where they:

- know the information to be false or misleading in a material particular; or
- are reckless about whether the information is false or misleading in a material particular.

The discloser does not necessarily need to be able to identify any person whom the disclosure concerns.

3. What is public interest information?

The PID Act only applies to disclosures of public interest information. Public interest information must meet a number of criteria. It must:

- relate to a public authority, public officer or public sector contractor (“a public body”)
- relate to the performance of a public function of the public body
- tend to show that the public body is, has been, or proposes to be, involved in improper conduct.

4. Who are the public bodies to which public interest information just relate?

The following are public authorities to which public interest information may relate:

- a department in the public service
- an agency within the public sector
- a local government or regional local government
- a body established under State law for a public purpose. (e.g. public universities, port authorities, government boards etc.) bodies established by the Governor or a minister.

The following are public officers to whom public interest information may relate:

- Ministers, Parliamentary Secretaries and Members of Parliament
- Judicial officers
- Police officers
- Officers such as a bailiff serving or executing the process of a court or tribunal for remuneration
 - Public service officers
 - Members, officers and employees of public authorities
- Holders of offices under the State and offices established by the Governor or a minister
 - Officers of the Commonwealth exercising a function on behalf of the State

The PID Act does not apply to information relating to Commonwealth Government bodies, apart from officers of the Commonwealth exercising functions for the State under State law.

Public sector contractors to whom public interest information may relate are contractors engaged by public authorities for the supply of goods and services or the performance of public functions.

5. What is a public function to which public interest information must relate?

The PID Act does not apply to the disclosure of information concerning improper conduct, unless the conduct relates to the performance of the functions of the public authority, public officer or public sector contractor.

So, for example, the PID Act would not apply to information that an employee of a Department had engaged in criminal behaviour unconnected with their employment.

6. What is improper conduct to which public interest information just relate?

Public interest information must tend to show the involvement of a public body in:

- improper conduct
- an offence against State law
- a substantial unauthorised or irregular use of public resources
- a substantial mismanagement of public resources
- conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment; or
- conduct relating to matters of administration affecting someone in their personal capacity falling within the jurisdiction of the Ombudsman.

A public authority can receive many different types of complaints. These can range from workplace disputes, through harassment, bullying or occupational health concerns, to allegations of improper conduct or corruption. Not all of these disclosures will be of public interest information to which the PID Act will apply. Public authorities should establish a chart or matrix or similar for identifying the nature of a complaint to determine if it is a public interest disclosure.

For example, the table below identifies some of the differences between a grievance to which the PID Act would not apply and a public interest disclosure.

Differences between a grievance and a public interest disclosure

Grievance	Public interest disclosure
Aims to resolve a complaint or dispute	Does not aim to resolve a grievance or dispute
Aims to deal with the complaint as close to the source as possible, i.e. to resolve differences directly between the parties concerned	This principle is not relevant to the handling of a public interest disclosure
Usually a dispute between an employee and management, or between two parties	More than a dispute between two parties – relates to a matter of public interest
A complainant generally ‘owns’ the complaint and can withdraw it at any stage	The discloser doesn’t ‘own’ the disclosure once it has been made and cannot withdraw it
Generally can be resolved by agreement between the parties	The aim is not to resolve the issue between two or more parties

7. To whom must a public interest disclosure be made?

A disclosure will only be a public interest disclosure if it is made to the appropriate proper authority. Depending on the nature of the disclosure, the identity of the appropriate proper authority will vary. It is important that the disclosure be made to the appropriate proper authority as disclosures to other persons will not be protected.

The PID Act only applies to disclosures made to an appropriate proper authority. Disclosures to a journalist, the media or other persons who are not specified as proper authorities are not protected by the PID Act.

Generally, disclosures about a public authority or its officers or contractors should be made to the Public Interest Disclosure Officer (PID Officer) of the public authority concerned. The PID Act requires that each public authority specify a position the holder of which is the PID Officer responsible for receiving disclosures of public interest information.

The PID Officer of a public authority is the proper authority for the disclosure of information relating to a matter falling within the sphere of responsibility of that public authority. The PID Officer should become familiar with procedures. Importantly, the PID Officer has a responsibility to keep up to date with all information made available by the Public Sector Commissioner. The PID Officer must also comply with the [Code of conduct and integrity](#) made under the PID Act.

In some cases a public interest disclosure may be made to an external named proper authority. The authority to which a disclosure ought to be made will vary according to the nature of the information disclosed.

The table below **Proper authorities for receiving disclosures of public interest information** identifies the appropriate proper authority for each type of disclosure.

Proper authorities for receiving disclosures of public interest information

When the disclosure relates to...	the proper authority is...
The sphere of responsibility of a public authority (matters about the public authority or its officers, or which the public authority has the function of investigating)	The Public Interest Disclosure Officer (PID Officer) of the public authority
Offences under State law	A police officer or the Corruption and Crime Commission
Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources	The PID Officer of the public authority concerned, or the Auditor General
Matters of administration affecting someone in their personal capacity falling within the jurisdiction of the Ombudsman	The PID Officer of the public authority concerned or the Ombudsman
A police officer	The Commissioner of Police or the Corruption and Crime Commission

A Member of the Legislative Council	The President of the Legislative Council
A Member of the Legislative Assembly	The Speaker of the Legislative Assembly
A judicial officer	The Chief Justice
A public officer who is not a member of Parliament, a Minister, a Judicial Officer or a Commissioned or other officer specified in schedule 1 of the Parliamentary Commissioner Act 1971	The PID Officer of the public authority concerned, the Ombudsman or the Public Sector Commissioner
A person or a matter of a prescribed class	A person declared by the regulations to be a proper authority

Important Note: In addition, the information disclosed must be public interest information as defined in the PID Act. Not all proper authorities to which a disclosure may be made will be required or have the power to investigate the information disclosed. In some cases it may be necessary for the discloser or information to be referred to another proper authority with power to investigate the information.

8. Can a disclosure of public interest information be made to more than one proper authority?

Yes – the PID Act refers to a disclosure being made to more than one proper authority. In such a case the protection and obligations created by the PID Act will apply to each of the disclosures.

A public authority may not have to investigate a matter raised by a public interest disclosure where it considers that the matter is being or has been adequately investigated by another person to whom a disclosure under the PID Act has been made.

In some cases the proper authority to which the disclosure is made may refer the matter to some other person having power to investigate the matter.

In general, a disclosure about a public authority or its officers or contractors, or a disclosure falling within the sphere of responsibility of a public authority, should in the first instance, be made to the public authority concerned.

9. No time limit on a disclosure

A disclosure may relate to matters that occurred before the commencement of the PID Act. There is no time limit to the retrospectivity of a disclosure. However, a claim cannot be made in relation to victimisation that occurred prior to the PID Act coming into effect on 1 July 2003.

10. Can information protected by legal professional privilege be disclosed?

The PID Act does not protect disclosures of information protected by legal professional privilege. Legal professional privilege protects confidential communications between public authorities and their legal advisers, and associated documents. This protection exists where the communication was made or document was created for the dominant purpose of:

- obtaining or giving legal advice; or
- with reference to current or contemplated litigation.

C. Dealing with public interest disclosures

1. How should a public interest disclosure be made?

The PID Act does not specify a form in which an appropriate disclosure of public interest must be made.

However, each public authority is required to prepare and publish internal procedures relating to the authority's obligations under the PID Act. These internal procedures will need to provide for the manner in which disclosures of public interest information may be made to the public authority concerned.

The internal procedures will need to provide for making a written record of the information disclosed, which clearly identifies the disclosure as a public interest disclosure made under the PID Act. This is necessary to enable public interest disclosures to be identified for reporting purposes, and to be distinguished from ordinary complaints made to the public authority. This provision is also necessary to ensure that the information is identified as information to which the protection and confidentiality provisions of the PID Act apply.

2. Must a public interest disclosure be investigated?

A proper authority is not obliged to investigate every public interest disclosure made to it. Generally, a proper authority must investigate information disclosed under the PID Act where:

- the disclosure relates to the proper authority, its officers or contractors; or
- the disclosure relates to a matter or person that the proper authority has a function or power to investigate (e.g. where a police officer may investigate an offence committed in a Department).

A proper authority may refuse to investigate, or discontinue an investigation, where it considers that:

- the matter is trivial
- the disclosure is vexatious or frivolous
- there is no reasonable prospect of obtaining sufficient evidence due to the time that has elapsed since the occurrence of the matter; or
- the matter is being or has been adequately or properly investigated by another proper authority to which an appropriate disclosure of public interest information has been made.

The obligations in relation to investigations do not apply to the Corruption and Crime Commission or the Ombudsman where they have functions in relation to the disclosure under their own legislation. These provisions are made in the legislation.

The PID Act does not give proper authorities investigative powers that they do not otherwise have. The proper authority must look to the other legislation which they operate under for their investigative powers.

Where a proper authority lacks sufficient power to effectively investigate the matter, but the information received causes the proper authority to form the opinion that a public body has engaged in improper conduct, the proper authority may need to refer the matter to another investigative body.

3. What action must a proper authority take following an investigation?

A proper authority is only required to take action following an investigation if it forms the view that a person may be, may have been, or may in the future be, involved in improper conduct to which the PID Act applies. If the proper authority does not form that view after undertaking the investigation that is within its power, it is not required to take further action other than reporting to the discloser and recording the outcome.

If the proper authority forms the view that a person may be, may have been, or may in the future be, involved in improper conduct to which the PID Act applies, then it will be required to take action in relation to the matter.

In taking that action the proper authority remains limited by the powers and functions that are conferred by the legislation under which the authority operates. The PID Act does not give the proper authority additional powers to take action.

As well as being limited to matters within the functions and powers of the proper authority, the action to be taken is guided by what is necessary and reasonable.

Having regard to those matters, the proper authority must take action to:

- prevent the matter to which the disclosure relates from continuing or occurring in future
- refer the matter to the Commissioner of Police or another person, body, or organisation having power to investigate the matter; or
- take disciplinary action or commence or enable disciplinary proceedings to be commenced against a person responsible for the matter.

These options are not mutually exclusive, and a proper authority may take more than one of the indicated steps: for example, to seek to terminate the employment of an officer caught stealing and refer the matter to the police.

Before taking preventative or disciplinary action the proper authority is to afford any person against whom, or in respect of whom, the action is to be taken the opportunity to make a submission, either orally or in writing, in relation to the matter.

The above obligations to take action do not apply to the Corruption and Crime Commission or the Ombudsman where they have functions in relation to the disclosure under their own legislation. Provision relating to their actions after investigation is made in their legislation.

4. Is the discloser given details of the investigation and action taken?

Where a proper authority refuses to investigate information disclosed under the PID Act, or discontinues an investigation, it must give the discloser reasons for doing so.

Within three months after a public interest disclosure is made the proper authority must notify the discloser of the action taken or proposed to be taken in relation to the disclosure.

A discloser may also request a progress report.

If an investigation is not complete, the proper authority may provide a progress report on the current status of the investigation to the discloser.

If an investigation is complete, the proper authority must provide a final report to the discloser stating the outcome of the investigation and the reason for taking action following the investigation.

In providing information and reports to disclosers, a proper authority must not give information that, in its opinion, would be likely to adversely affect:

- any person's safety
- the investigation of an offence or possible offence; or
- necessary confidentiality about the existence or identity of another person who has made a disclosure of public interest information under the PID Act.

The obligations to report do not apply to the Corruption and Crime Commission or the Ombudsman where they have functions in relation to the public interest disclosure under their own legislation.

5. Can a discloser withdraw a public interest disclosure?

No. Once a disclosure of public interest information is made, a proper authority is required to investigate it and take action regardless of the subsequent attitude of the discloser.

In addition, a discloser may forfeit the protection given by the PID Act if they fail, without reasonable excuse, to assist a person investigating the matter to which the information relates by supplying any information requested, unless a court otherwise orders.

6. What if a discloser does not agree with the action taken by the proper authority?

The PID Act does not provide for any right of appeal against decisions of an appropriate authority as to investigations and subsequent action.

If a discloser is dissatisfied with a decision made by a proper authority, they may make a further disclosure of the information to another proper authority. For example, where a discloser is dissatisfied with the response to a public interest disclosure about a matter of administration made to a PID Officer of a Department, the discloser may disclose the information to the Ombudsman.

However, a proper authority to which a subsequent disclosure is made need not investigate the matter if it considers the matter has been adequately or properly investigated by another proper authority. In deciding whether this is the case, the second proper authority may need to contact the authority that has already dealt, or is already dealing, with the information in relation to its investigation.

7. Record keeping

It is extremely important that comprehensive and secure records are kept for each disclosure made.

As well as being normal administrative practice, keeping proper records enables a proper authority to give account of their decisions and actions. The period for which any record should be kept and the manner of disposal must be in accordance with the provisions of the *State Records Act 2000*.

Additionally, the PID Act requires all proper authorities to provide to the Public Sector Commissioner information annually about the number of disclosures received, investigations conducted and actions taken.

8. Code of conduct and integrity

Any person to whom a public interest disclosure may be made must comply with the [Public interest disclosure Code of conduct and integrity](#).

D. Confidentiality and protection for disclosers

1. What protection does the PID Act provide to disclosers?

The PID Act offers protection to disclosers by:

- providing for immunity from legal or other action in relation to the disclosure
- providing for an offence of reprisal
- providing for civil remedies for acts of victimisation
- providing for confidentiality of the identity of the discloser, subject to exceptions
- requiring public authorities to provide protection from detrimental action for disclosers who are their employees.

2. What immunity do disclosers have?

Making an appropriate disclosure of public interest information to a proper authority does not result in a discloser:

- incurring any civil or criminal liability
- being liable to any disciplinary action under State law
- being liable to be dismissed or have his or her services dispensed with or otherwise terminated
- being liable for any breach of a duty of secrecy or confidentiality or any other applicable restriction on disclosure.

3. Is it an offence to take reprisals against a discloser?

Yes. A person must not take, or threaten to take, detrimental action against another because someone has made, or intends to make, a disclosure under the PID Act. This is the offence of reprisal.

Detrimental action for these purposes includes action causing:

- injury, damage, or loss
- intimidation or harassment
- adverse discrimination, disadvantage, or adverse treatment in relation to a person's career, profession, employment, trade, or business
- a reprisal.

A person who attempts to commit the offence of reprisal, or incites another to commit that offence, is also guilty of this offence.

The maximum penalty for the offence of reprisal is a fine of \$24 000 or imprisonment for two years.

4. What remedies does a discloser have against victimisation?

A person who takes or threatens to take detrimental action against another because someone has made, or intends to make, a disclosure of public interest information commits an act of victimisation.

A person who is subject to detrimental action may either take civil proceedings for damages or make a complaint under the *Equal Opportunity Act 1984*. Instituting one of these alternative avenues of relief extinguishes the other.

Civil proceedings may be taken against either the perpetrator of the PID Act of victimisation or any employer of the perpetrator. For example, the employer of the perpetrator may be:

- the State, in the case of public service officers
- the public authority which employs the perpetrator
- a public sector contractor whose employees engage in victimisation.

However, an employer may have a defence to civil proceedings for damages where it proves that it:

- was not knowingly involved in the act of victimisation
- did not know and could not reasonably be expected to have known about the act of victimisation
- could not, by the exercise of reasonable care, have prevented the act of victimisation.

5. Is a discloser's identity to be kept confidential?

Generally, a person must not make a disclosure of information that might identify or tend to identify anyone as a person who has made an appropriate disclosure of public interest information under the PID Act (section 16).

This prohibition against disclosure applies both to disclosures that identify a discloser and disclosures that might tend to identify a discloser. For example, to disclose that a young woman in a small accounts section has made a public interest disclosure about irregularities she has detected in the accounts of a particular public authority might tend to identify the discloser, even though she is not named.

Exceptions arise where the disclosure of a discloser's identity:

- is made with the discloser's consent
- is made in accordance with section 152 or 153 of the *Corruption and Crime Commission Act 2003*
- is necessary, having regard to the rules of natural justice (see Section [E 2 in relation to the rules of natural justice](#))
 - is necessary to enable the matter to be investigated effectively.

In the case of the last two bullet points, the person making the disclosure must take all reasonable steps to inform the person whose identity is to be disclosed:

- that the disclosure is being made
- the reasons for the disclosure being made.

Those steps to inform the person must be taken a reasonable time before the identifying disclosure is made.

A breach of these confidentiality requirements is an offence punishable with a penalty of \$24 000 or imprisonment for two years.

E. Managing person(s) subject to disclosure

1. Is the identity of a person about whom a disclosure is made to be kept confidential?

The protection the PID Act (section 16) gives to the discloser is largely mirrored in the protection offered to a person to whom disclosed public interest information relates.

A person must not make a disclosure of information that might identify or tend to identify anyone as a person in respect of whom a disclosure of public interest information has been made under the PID Act.

Exceptions arise where:

- the disclosure is made with the consent of that person
- the disclosure is made in accordance with section 152 or 153 of the *Corruption and Crime Commission Act 2003*
- the disclosure is necessary to enable the matter to be investigated effectively
- the disclosure is necessary in the course of taking action following the investigation
- there are reasonable grounds to believe that the disclosure of identifying information is necessary to prevent or minimise the risk of injury to any person or damage to any property.

A breach of these confidentiality requirements is an offence punishable with a penalty of \$24 000 or imprisonment for two years.

2. Providing natural justice

The PID Act requires that natural justice, or procedural fairness, be accorded to those who may be the subject of a public interest disclosure. An exception to the obligation to keep identifying information confidential arises where, having regard to the rules of natural justice, disclosing identifying information is necessary.

The rules of natural justice will generally include a requirement that, before disciplinary or other action is taken against them, those subject to a disclosure be given the opportunity to:

- be informed of the substance of the allegations, and
- make a submission, either orally or in writing, in relation to the matter.

Note: The precise requirements of the rules of natural justice will vary according to the circumstances, and legal advice should be obtained in a case where there is any doubt as to these requirements.

F. Roles and responsibilities of public authorities

1. What is the role of the Public Sector Commissioner?

The role of the Public Sector Commissioner under the PID Act (Part 4) is to:

- develop a Code setting out the minimum standards of conduct and integrity to be complied with by proper authorities
 - monitor compliance with the PID Act and Code

- assist public authorities and public officers to comply with the PID Act and Code
- prepare and publish guidelines on internal procedures relating to the functions of a proper authority under the PID Act
- report annually to Parliament on the performance of his/her obligations and the compliance or non-compliance with the PID Act and Code
- at any time report to Parliament on any matter arising in connection with the exercise of his/her functions under the PID Act.

2. What are the responsibilities of public authorities?

The Principal Executive Officer of a public authority must ensure that his or her public authority complies with the PID Act and Code (Part 5).

In particular, the Principal Executive Officer must:

- designate the occupant of a specified position as the person responsible for receiving disclosures of public interest information
- prepare and publish internal procedures relating to the authority's obligations under this Act, which are consistent with the guidelines published by the Public Sector Commissioner.

The Principal Executive Officer must also provide protection from detrimental action or the threat of detrimental action for any employee of the public authority who makes an appropriate disclosure of public interest information.

There is also an obligation to report to the Public Sector Commissioner annually on:

- the number of disclosures made to the public authority under the PID Act
- the outcome of investigations conducted as a result of disclosures
- the action taken as a result of the investigation
- other matters prescribed.

In order to enable these reports to be consolidated into the Commissioner's report to Parliament, it will be necessary for the information to be provided in a common format, refer to the [Public interest disclosure register](#) for public authorities on the Commission's website.

3. Roles and responsibilities of persons directly involved in a public interest disclosure

In the case of a typical public interest disclosure there will be a number of people involved with different roles and responsibilities.

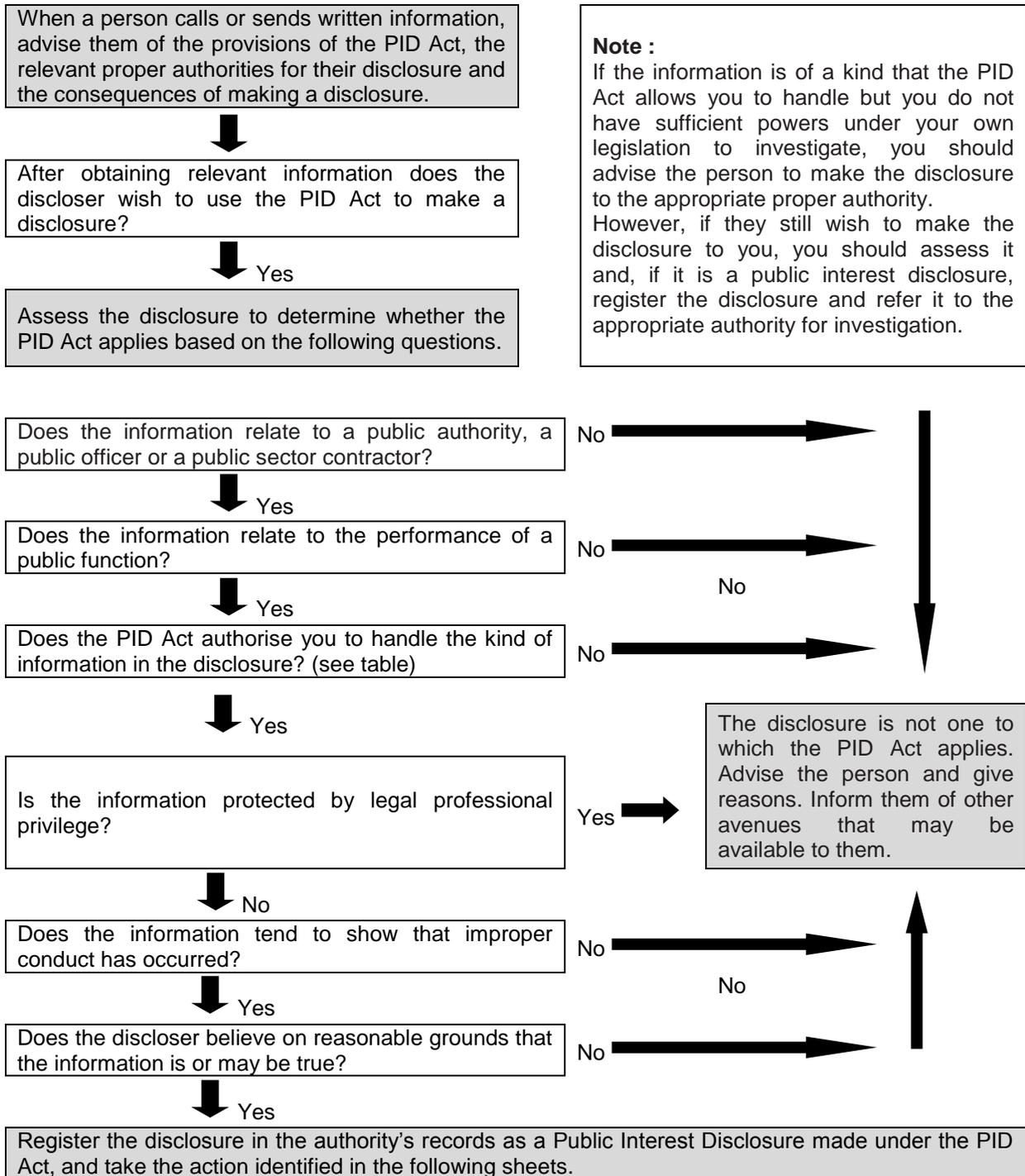
The main players and their principal roles and responsibilities are noted in the table below. A more detailed description of the rights and obligations of these individuals is given elsewhere in these guidelines, and reference should be made to the preceding sections, as well as this table, in determining rights and responsibilities.

**Roles and responsibilities of person's directly involved
in a public interest disclosure**

Who	Role and responsibilities
The discloser	<ul style="list-style-type: none"> • Makes an appropriate public interest disclosure Maintains confidentiality of the information disclosed and, in particular, the identity of the persons to whom the information relates
The proper authority	<ul style="list-style-type: none"> • Receives a public interest disclosure • Considers whether an investigation is required • Carries out, or causes to be carried out, any investigation Maintains confidentiality of the identity of the discloser and persons subject to the disclosure, in accordance with the requirements of the PID Act <ul style="list-style-type: none"> • Takes action following an investigation, where appropriate Provides appropriate reports of investigation and action taken to discloser Creates and maintains proper records in relation to disclosure <ul style="list-style-type: none"> • Keeps statistics of disclosures made Acts in accordance with the rules of natural justice or procedural fairness
The person about whom the disclosure is made	May be subject to investigation and other action if improper conduct is established <ul style="list-style-type: none"> • Maintains confidentiality of the identity of the discloser
An investigating officer	May conduct investigations of public interest information on behalf of a proper authority, within the terms of reference given Maintains confidentiality of the identity of the public interest discloser and persons subject to the disclosure, in accordance with the requirements of the PID Act Makes and keeps secure comprehensive records of any investigation undertaken

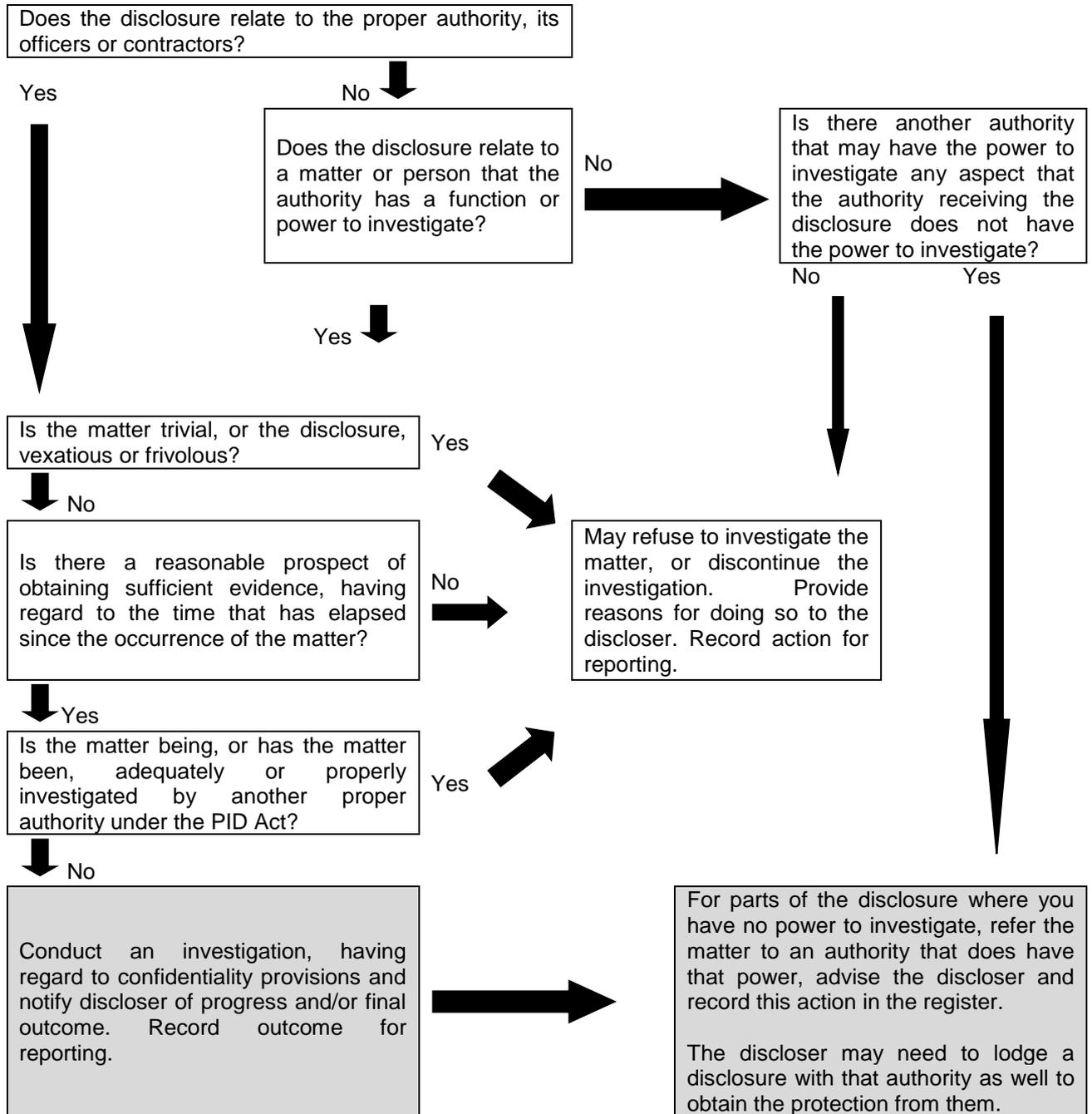
Appendix 2

Flowchart for receiving and assessing disclosures



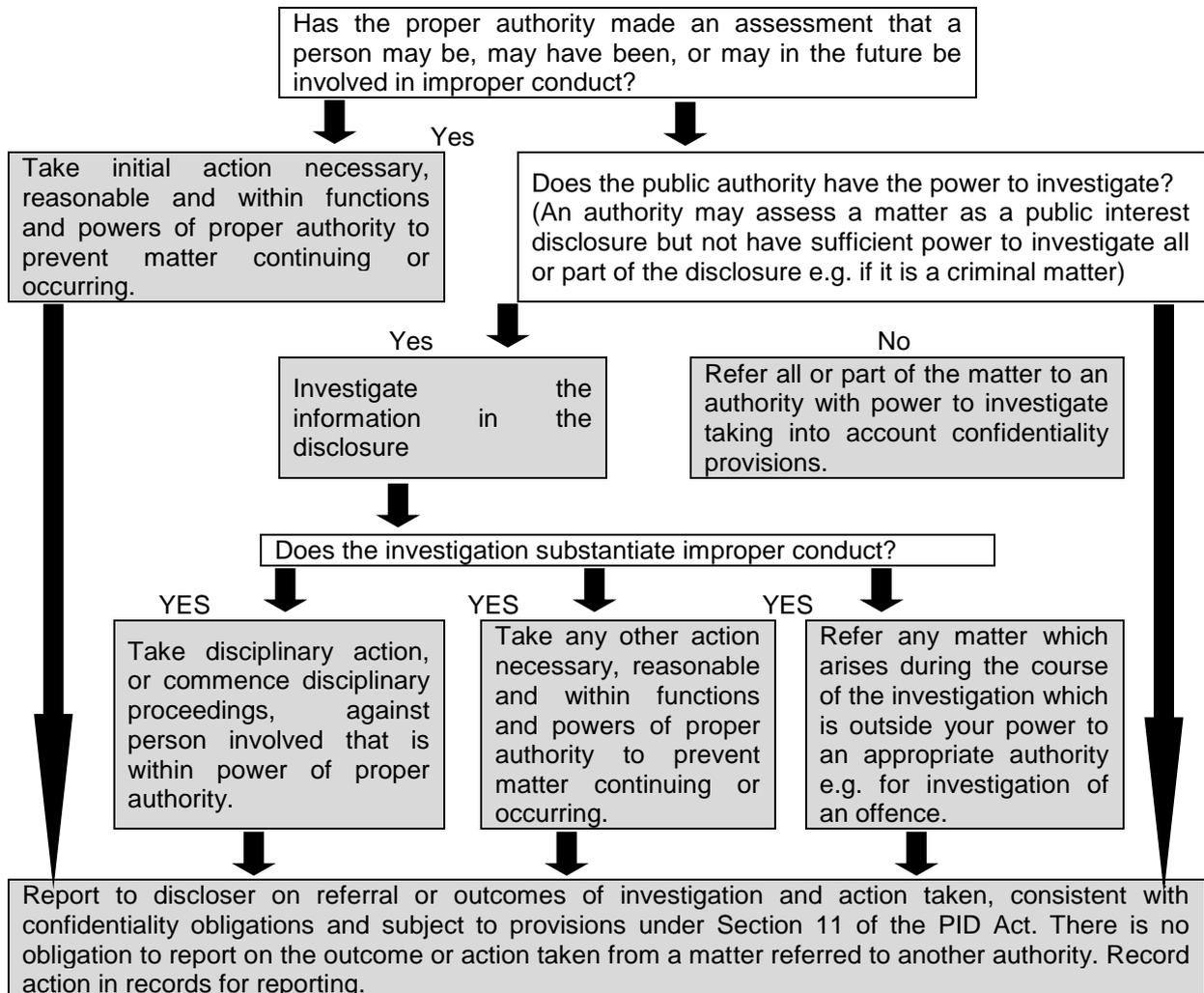
Appendix 3

Flowchart for investigating information disclosed



Appendix 4

Flowchart for taking action



Note on referrals

The confidentiality provisions apply when you refer a matter and the authority to whom the matter is referred is bound by the confidentiality provisions of the PID Act. However, they will treat it in accordance with their own powers and are not required to treat the matter as a PID for the purposes of reporting the outcome to the discloser.

Nothing precludes the discloser from lodging the matter as a PID in the new authority if they wish to extend the legal protections available to them under the PID Act and receive reports from the new authority on the outcome and action taken.

Appendix 5

Information for employees

What is a public interest disclosure?

The *Public Interest Disclosure Act 2003* (The PID Act) came into effect on 1 July 2003. The PID Act facilitates the disclosure of public interest information by providing protection for those who make disclosures and those who are the subject of disclosures.

The Shire of Wyndham East Kimberley is committed to the aims and objectives of the PID Act. It recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees regarding corrupt or other improper conduct.

What do I need to know before making a disclosure?

The PID Act deals with disclosures by anyone (not just government employees) but the information must be specific to the following areas:

Improper conduct	Irregular or unauthorised use of public resources
An offence under State law, including corruption	Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources
Administration matter(s) affecting you	Conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment

If your information falls outside the above areas then you may still be able to make a complaint, but this will not be a public interest disclosure under the PID Act.

Before making a disclosure it is important that you are aware of the rights and responsibilities imposed on disclosers and others under the PID Act. In particular you need to need to be aware that:

- at the time you make your disclosure, you must believe on reasonable grounds that the information you have is, or may be, true
- it is an offence to make a disclosure if you know, or are reckless about, it being false and misleading
- with some exceptions, the public authority will investigate your information and in doing so you will be expected to cooperate
- you will have to keep your information confidential – or else you may lose protection under the PID Act and may commit an offence under the PID Act.

The PID Act only confers protection where a disclosure is made to an appropriate proper authority. The identity of the appropriate proper authority will vary according to the kind of information to be disclosed.

The Public Interest Disclosure (PID Officer) of the Shire of Wyndham East Kimberley is Coordinator Organisational Development, PO Box 614 Kununurra, WA 6743, Rebecca.Richards@swek.wa.gov.au, 08 9168 4116, 08 9168 1798.

The PID Officer is responsible for receiving disclosures of public interest information relating to matters falling within the sphere of responsibility of the Shire of Wyndham East Kimberley

Proper authorities for receiving disclosures of public interest information

When the disclosure relates to...	The proper authority is...
The sphere of responsibility of a public authority (e.g. matters about the public authority or its officers, or which the public authority has the function of investigating)	The Public Interest Disclosure Officer (PID Officer) of the public authority
Offences under State law	A police officer or the Corruption and Crime Commission
Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources	The PID Officer of the public authority concerned or the Auditor General
Matters of administration affecting someone in their personal capacity falling within the jurisdiction of the Ombudsman	The PID Officer of the public authority concerned or the Ombudsman
A police officer	The Commissioner of Police or the Corruption and Crime Commission
A Member of the Legislative Council	The President of the Legislative Council
A Member of the Legislative Assembly	The Speaker of the Legislative Assembly
A Judicial officer	Chief Justice
A public officer who is not a member of Parliament, a Minister, a judicial officer or a Commissioned or other officer specified in schedule 1 of the Parliamentary Commissioner Act 1971	The PID Officer of the public authority concerned, the Ombudsman or the Public Sector Commissioner
A person or a matter of a prescribed class	A person declared by the regulations to be a proper authority

Important Note:

In addition, the information disclosed must be public interest information as defined in the PID Act. Not all proper authorities to which a disclosure may be made will be required or have the power to investigate the information disclosed. In some cases it may be necessary for the discloser or information to be referred to another proper authority with power to investigate the information.

What you should ask yourself

Making a disclosure is a serious matter and needs to be fully considered. Before making a disclosure you should ask yourself:

- whether you have reasonable grounds to believe the information you are thinking of disclosing is or may be true
- if the information is something that you think is important to be disclosed because it is in the public interest
- whether you have sought proper advice
- if you fully understand your rights and responsibilities under the PID Act if you make a disclosure.

I have made a disclosure – what next?

After assessing your information the public authority will have to investigate unless it considers:

- the matter to be trivial
- the disclosure to be vexatious or frivolous
- there is no reasonable prospect of obtaining sufficient evidence, due to the lapse of time
- the matter is being, or has already been, adequately or properly investigated by a proper authority under the PID Act
- the information does not relate to the proper authority, an officer or contractor of the authority or a matter that the proper authority has the function or power to investigate.

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Will I be kept informed?

Yes – the public authority must inform you within three months of making the disclosure of what they intend to do about your disclosure.

Where the information is under investigation you will be able to request a progress report. You are entitled to a report on the outcome and any action taken when the investigation is complete.

What about confidentiality and my protection?

As the disclosure is about a public interest matter rather than a specific complaint, the PID Act requires confidentiality to be maintained about:

- The identity of the person making the disclosure
- The identity of any person named in the disclosure.

There are exceptions to these rules in certain circumstances (section 16 of the PID Act) and anyone thinking of making a disclosure should seek advice from the relevant PID Officer or the Public Sector Commission on these prior to making a disclosure.

A person making a disclosure is provided with protection under the PID Act for:

- any reprisals
- civil and criminal liability in the event of making a disclosure
- dismissal or having services dispensed with
- breach of confidentiality or secrecy agreements.

A person alleging victimisation as a result of a disclosure can complain to the Equal Opportunity Commission or may be able to take civil action. The Equal Opportunity Commission is at Level 2 Westralia Square 141 St Georges Terrace, Telephone (08) 9216 3900.

After investigation

After making a disclosure you will not normally be required to do anything else other than cooperate with an investigation. If you are unhappy with the public authority's response to your disclosure there is no right of appeal under the PID Act to challenge the public authority's actions. You may, however, be able to make another disclosure to a different proper authority.

Victimisation and reprisals

The Shire of Wyndham East Kimberley will take all reasonable steps to provide protection to employees who make such disclosures from any detrimental action in reprisal for the making of a disclosure.

The Shire of Wyndham East Kimberley does not tolerate any of its officers, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures. These acts should be reported immediately to the PID Officer or the Chief Executive Officer.

Named proper authorities

There are some public authorities that are named as proper authorities in the PID Act that may be able to offer you assistance. These are listed below.

- The Public Sector Commission provides assistance to public authorities and public officers to comply with the code of conduct and integrity and the PID Act. The Commission also provides general information about the disclosure process to employees and members of the public. PID Advice and Referral Line on 6552 8888 1800 676 607 or website www.publicsector.wa.gov.au
- The Corruption and Crime Commission will be able to provide advice on misconduct and corruption. Telephone (08) 9215 4888 or website: www.ccc.wa.gov.au
- The Ombudsman will be able to provide advice on matters of State and local government administration. Telephone (08) 9220 7555 or website www.ombudsman.wa.gov.au
- The Office of the Auditor General will be able to provide advice on proper use and management of public resources and more generally public authorities' accountability and performance requirements. Telephone (08) 6557 7500 or website www.audit.wa.gov.au

Forms – Public Interest Disclosure Act 2003

- Public Interest Disclosure Officer’s declaration form
- Public interest disclosure lodgement form
- Assessment forms for public interest disclosures
 - Part 1 – Receiving the disclosure: Assessment of whether information is a valid disclosure
 - Part 2 – Internal quality control
 - Part 3 – Assessment of whether the disclosure should be investigated
 - Part 4 – Investigation
 - Part 5 – Further action
- Consent to disclosure of identifying information form
- Notification of disclosure of identifying information form

Public Interest Disclosure Act 2003

Public interest disclosure officer's declaration

To: Public Sector Commission
Dumas House
2 Havelock Street
West Perth WA 6005
Facsimile: (08) 6552 8500
Email: admin@psc.wa.gov.au

Name of PID Officer	
Position of PID Officer in public authority	
Name of public authority	
Address	
Telephone	
Facsimile	
Email	
Date of commencement as PID Officer	

I declare that I understand my obligations as a PID Officer for the above authority. In particular, I am aware that it is an offence to make a disclosure of information that might identify or tend to identify anyone:

- as a person who has made a public interest disclosure under the *Public Interest Disclosure Act 2003* (PID Act); or
- as a person in respect of whom such a disclosure has been made.

except in accordance with the PID Act (section 16).

Public Interest Disclosure Officer's declaration form

1

Signed by PID Officer	
Date	
Name of public authority	
Signed by CEO or designated officer	
Date	
<input type="checkbox"/>	I consent for my name and office phone number to be published on the Commission's website to identify me as a PID Officer for my agency.

Public interest disclosure lodgement form

Appropriate advice should be gained before a public interest disclosure is made. A discloser should ensure that they understand their rights and responsibilities under the *Public Interest Disclosure Act 2003* prior to completing this lodgement form.

Personal details			
Family name			
Given name			
Date of birth		Gender	M/F
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other:		
Address			
Work phone		(mobile)	
		(fax)	
Email			

Disclosure details	
Name of the public authority (ies) the disclosure relates to	
Do you work for a public authority? If yes, which public authority and what is your position title?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the disclosure relate to one or more individuals? If yes, please provide names and positions held by person(s) in the public authority	<input type="checkbox"/> Yes <input type="checkbox"/> No

Please tick box(es) on the area relevant to your disclosure

Improper conduct	<input type="checkbox"/>	Irregular or unauthorised use of public resources	<input type="checkbox"/>
An offence under State law, including corruption	<input type="checkbox"/>	Substantial unauthorised or irregular use of, or substantial mismanagement of public resources	<input type="checkbox"/>
Administration matter(s) affecting you	<input type="checkbox"/>	Conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment	<input type="checkbox"/>

When did the alleged events occur?

Summary of disclosure

Description of any documentation provided or names of witnesses

Have you reported this information to any other person or agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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If yes, please provide details:

You should read the following information and sign at the end of this form

Acknowledgment

I acknowledge that I believe on reasonable grounds that the information contained in this disclosure is or may be true.

I have been informed and am aware that:

- I will commit an offence if I know that the information contained in this disclosure is false or misleading in a material particular, or am reckless as to whether it is false or misleading in a material particular.

Penalty: \$12,000 or imprisonment for one (1) year.

- I will forfeit protection provided by the PID Act if I fail, without reasonable excuse, to assist a person investigating the matter by supplying requested information.
- I will forfeit the protection provided by the PID Act if I subsequently disclose this information to any person other than a proper authority under the PID Act.
- I will commit an offence if I subsequently make a disclosure of information that might identify or tend to identify anyone as a person in respect of whom this disclosure has been made under the PID Act, except in accordance with section 16(3) of PID Act.

Penalty: \$24,000 or imprisonment for two (2) years.

Signed	
Date	

For office use only

Registered number	
Date	

Assessment form for public interest disclosure

Part 1: Receiving the disclosure - assessment of whether information is a valid disclosure

Register #

		Notes
Does the disclosure relate to a public authority, a public officer or a public sector contractor?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the information relate to the performance of a public function?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the information tend to show matters which public information can relate? ¹	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the information tend to show public interest information for which the person receiving the information is the proper authority?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the discloser believe on reasonable grounds that the information is or may be true?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
After being informed of the consequences, does the discloser wish to disclose the information under the PID Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

If any of the “No” boxes have been ticked then the disclosure is unlikely to be one that the *Public Interest Disclosure Act 2003* applies to. The PID officer should ensure a proper record is made of the reasons for the “No” response and should provide his or her response to the discloser.

¹ Matter to which public interest information can relate

- Improper conduct
- An offence against State law
- An unauthorised or irregular use of public resources
- A substantial mismanagement of public resources
- Conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment
- Conduct relating to a matter of administration affecting someone in their personal capacity that falls within the jurisdiction of the Ombudsman

Assessment form for public interest disclosure

Part 2: Internal quality control

Register #

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Does the disclosure meet the manner and form required by the Internal Procedures of the [insert name of public authority]?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If no, explain why
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Signature	
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I, the Public Interest Disclosure Officer for the [insert name of public authority] confirm that the disclosure made to me on the day of 20__ by (discloser's name) is registered as a disclosure under the *Public Interest Disclosure Act 2003* in the Public interest disclosure register of the [insert name of public authority].

Signed PID Officer		Date	
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Assessment form for public interest disclosure

Part 3: Assessment of whether the disclosure should be investigated

Register #

		Notes
Does the disclosure relate to the proper authority, its officers or contractors?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the disclosure relate to a matter or person that the authority has a function or power to investigate?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

If any of the “No” boxes have been ticked then the disclosure is unlikely to be one that the *Public Interest Disclosure Act 2003* (PID Act) requires be investigated. The PID officer should ensure a proper record is made of the reasons for the “No” response and should provide his or her response to the discloser.

		Notes
Is the matter trivial?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the disclosure vexatious?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the disclosure frivolous?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

If any of the “Yes” boxes have been ticked then the disclosure is unlikely to be one that the PID Act requires be investigated. The PID officer should ensure a proper record is made of the reasons for the “Yes” response and should provide his or her response to the discloser.

		Notes
Is there a reasonable prospect of obtaining sufficient evidence, having regard to the time that has elapsed since the occurrence of the matter?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the matter being, or has the matter been, adequately or properly investigated by another proper authority under the PID Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

If the “Yes” box has been ticked then the disclosure is unlikely to be one that the PID Act requires be investigated. The PID officer should ensure a proper record is made of the reasons for the “Yes” response and should provide his or her response to the discloser.

Signature	
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I, the Public Interest Disclosure Officer for the [insert name of public authority] confirm that the public interest disclosure made to me on the day of 20__ by (discloser’s name) in my opinion meets/does not meet (delete one) the requirements for a public interest disclosure to be investigated.

I also confirm that I have recorded this opinion in the Public interest disclosure register of the [insert name of public authority].

Signed PID Officer		Date	
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Assessment form for public interest disclosure

Part 4: Investigation

Register #

Investigating officer's name	
Normal designation of investigating officer	
Address	
Contact telephone number	
Email address	
Date investigation authorised by the proper authority	
Details of authorisation	

Review of the investigation process

		Notes
Has the documentation used in the assessment of the disclosure been reviewed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Was an investigation plan developed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Were terms of reference developed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Were people interviewed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Was confidentiality maintained <ul style="list-style-type: none"> • of the discloser's identity? • of the information disclosed? • of the identity of the subject(s) of the disclosure? 	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Were natural justice rules followed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Was a report prepared?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

The investigation process is not prescribed under the *Public Interest Disclosure Act 2003* (PID Act), but the above serves as a useful checklist for a proper investigation.

Recommendation

It is recommended that the proper authority form the opinion that:

Signature	
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I, the investigating officer appointed by [insert name of public authority] to investigate the public interest disclosure No (file reference number) confirm that the above is a summary of my investigation undertaken as a result of a disclosure made in accordance with the PID Act.

Signed (investigating officer for public authority)		Date	
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Assessment form for public interest disclosure

Part 5: Further action

Register #

Notes		
Does the proper authority accept the recommendation contained in part 4?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

If the 'yes' box has been ticked, please indicate action to be taken by proper authority.

Action taken by the proper authority

Notes		
Take action necessary, reasonable and within functions and powers of proper authority to prevent matter continuing or occurring	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Refer matter to another body with power to investigate the matter	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Take disciplinary action, or commence disciplinary proceedings, against person involved, within power of proper authority	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Report to discloser on outcome of investigation and action taken, or to be taken consistent with confidentiality obligations. Record action(s) in records in PID register.

Signature	
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I, the Public Interest Disclosure Officer for the [insert name of public authority] confirm that the above action was taken or will be taken following the public interest disclosure made by (discloser's name) and that I have recorded the outcome of the investigation and the PID Action taken or to be taken in the public interest disclosure register of the [insert name of public authority].

Signed PID Officer		Date	
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Consent to disclosure of identifying information

Personal details			
Family name			
Given name			
Date of birth		Gender	M/F
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other:		
Address			
Home telephone		Work telephone	
Email			

Please tick relevant box(es):

Consent to disclosure of identifying information by discloser	
I consent to the disclosure of information that might identify or tend to identify me as a person who has made an appropriate disclosure of public interest information under the <i>Public Interest Disclosure Act 2003</i> (PID Act).	<input type="checkbox"/>

Consent to disclosure of identifying information by person in respect of whom a public interest disclosure has been made (subject)	
I consent to the disclosure of information that might identify or tend to identify me as a person in respect of whom a disclosure of public interest information has been made under the <i>Public Interest Disclosure Act 2003</i> (PID Act).	<input type="checkbox"/>

Limitations on consent (optional)

This consent only applies to disclosures made to the following persons	<input type="checkbox"/>

This consent only applies to the following information	<input type="checkbox"/>

Signed		Date	
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Notification of disclosure of identifying information

To			
Title (please circle)		Gender	M/F
Title	<input type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other:		
Name (in full)			
Address			
Home telephone		Work telephone	
Email			

I intend to make a disclosure of information that might identify or tend to identify you as a person who has made an appropriate disclosure of public interest information under the *Public Interest Disclosure Act 2003*.

The disclosure of this information:

[Please tick relevant box(es)]

Is necessary, having regard to the rules of natural justice	<input type="checkbox"/>
Is necessary to enable the matter to be investigated effectively	<input type="checkbox"/>

The reason(s) why the disclosure of this information is necessary for these purposes/ this purpose is that (specify reason):

Important: A person making an identifying disclosure for these reasons must take all reasonable steps to provide this information to the discloser a reasonable time before making the disclosure.

Signed (person proposing to make disclosure)		Name	
Position		Date	
Contact details			

RISK:

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review organisational directive and work instructions in accordance with review schedule.

13.5.6 Local Government Elections 2015

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Carl Askew, CEO
FILE NO:	GN.07.2
DECLARATION OF INTERESTS:	Nil

PURPOSE

For Council to appoint the Western Australian Electoral Commission (WAEC) to conduct the 2015 Local Government Ordinary Election as an In Person Election on behalf of the Shire of Wyndham East Kimberley.

BACKGROUND

The next local government ordinary election is scheduled to be held on Saturday 17 October 2015 with five of the nine elected member positions for the Shire of Wyndham East Kimberley to be contested.

The Chief Executive Officer of a local authority is responsible for the conduct of local government elections unless arrangements are made in accordance with section 4.20 of the *Local Government Act 1995* to appoint another person. This appointment must occur at least 80 days prior to election day.

Section 4.61(1) of the *Local Government Act 1995* provides for an election to be conducted as a:

postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or
voting in person election which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

Previously elections for the Shire have been conducted in house by Shire Officers as in person elections. The current system for voting in the Shire of Wyndham East Kimberley Local Government elections is whereby voters attend the Shire of Wyndham East Kimberley Offices (Wyndham and Kununurra) on Election Day to cast their vote. In person elections also provide electors with the option of casting an early vote at the Shire's offices prior to election day. Early voting is also conducted at Kalumburu on an advertised day. In addition, an in person election still enables electors to choose to submit their vote via post if this is their preferred voting method.

For the October 2013 election, of the 139 Local Governments in Western Australia the West Australian Electoral Commission (WAEC) was contracted to manage 78 Local Government elections. These consisted of 76 postal elections and 2 in person elections. The in person elections were conducted for the Shire's of Broome and Halls Creek. The Shire of Broome have used the WAEC for the past 3 Ordinary Elections. In 2011 they conducted extensive community consultation to ascertain whether there was sufficient support to conduct the

2013 election as a postal election however this support was not obtained and their elections therefore remain as in-person elections.

STATUTORY IMPLICATIONS

Local Government Act 1995

4.20. CEO to be returning officer unless other arrangements made

- (1) *Subject to this section the CEO is the returning officer of a local government for each election.*
- (2) *A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —*
 - (a) *an election; or*
 - (b) *all elections held while the appointment of the person subsists.*

** Absolute majority required.*

- (3) *An appointment under subsection (2) —*
 - (a) *is to specify the term of the person's appointment; and*
 - (b) *has no effect if it is made after the 80th day before an election day.*
- (4) *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, for all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.*

** Absolute majority required.*

- (5) *A declaration under subsection (4) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (6) *A declaration made under subsection (4) on or before the 80th day before election day cannot be rescinded after that 80th day.*

[Section 4.20 amended by No. 64 of 1998 s. 19(1); No. 49 of 2004 s. 16(4) and 32(1)-(4).]

4.61. Choice of methods of conducting election

- (1) *The election can be conducted as a —*
postal election *which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or*
voting in person election *which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.*

- (2) *The local government may decide* to conduct the election as a postal election.*
** Absolute majority required.*
- (3) *A decision under subsection (2) has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.*
- (4) *A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.*
- (5) *A decision made under subsection (2) on or before the 80th day before election day cannot be rescinded after that 80th day.*
- (6) *For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.*
- (7) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

[Section 4.61 amended by No. 64 of 1998 s. 25; No. 49 of 2004 s. 16(4) and 32(5).]

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Cost of running an in-house election:

ACTION	COST ESTIMATE
Statutory advertising	\$2000
Non-statutory advertising	\$2000
Staff training	8 people x 1 day \$5,840
Preparation of advertisements, public notices etc	1 person x 3 days \$2,190
Electoral roll preparation	1 person x 3 days \$2,190
Supplies (ballot boxes, forms, signage, stationary etc)	\$1000
Preparation of nomination and candidate packages	1 person x 2 days \$1,460
Assisting with nominations and nomination day	1 person x 1 day \$730
Preparation and printing of ballot papers	1 person x 2 days \$1,460
Aircraft for Kalumburu early voting	\$5000
Assisting in Kalumburu early voting	CEO x 1 day 1 person x 1 day \$1918
Managing early votes, absent votes and postal votes including preparation of postal voting papers	1 person x 3 days \$2,190
Setting up polling places	1 person x 1 day \$730

Setting up tally sheets and counting process	1 person x 1 day \$730
Presiding Officers on election day	2 people x 1 day \$2,920 <i>*after hours rates</i>
Deputy Returning Officer on election day	1 person x 1 day \$1,460 <i>*after hours rates</i>
Electoral Officers on election day	2 people x 1 day \$2,920 <i>*after hours rates</i>
Officers for counting	CEO x 4 hours 7 staff x 4 hours \$5,843 <i>*after hours rates</i>
Reporting results to Minister and Council	1 person x 1 day \$730
Returning Officer Costs (CEO) <ul style="list-style-type: none"> - Ensuring processes are carried out in a fair and impartial manner - Answer enquiries about the election process - Appointing staff and ensuring they are trained in their duties - Respond to prospective candidate enquiries - Check nomination forms and profiles for compliance - Oversee nomination day - Display details and profiles of the candidates and receipt candidates deposits - Advising candidates of position on ballot papers and supplying candidate packages - Ensuring electoral rolls and ballot papers are prepared and the security of rolls, ballot papers and boxes - Preparation of presiding officer packages - Setting up of polling places - Overseeing election day - Overseeing the count - Maintain records of correspondence with interested parties and candidates and keep records of all complaints that are made - Make sure public notice is given at certain stages - Ensuring that election preparations are complete and timely - Making sure that materials and equipment are available for the smooth running of the election 	90 hours (estimate provided by the WAEC) = \$18,000
TOTAL (estimate only) Hourly rates based on Fees & Charges for 15/16	\$61,311

Cost of appointing the WAEC to conduct the election on behalf of the Shire of Wyndham East Kimberley:

ACTION	COST ESTIMATE
Non-statutory advertising	\$2000
Staff training	8 people x 1 day \$5,840

Preparation of advertisements, public notices etc	1 person x 1 day \$730
Electoral roll preparation	1 person x 1 day \$730
Supplies (ballot boxes, forms, signage, stationary etc)	\$1000
Assisting with nominations and nomination day	1 person x 1 day \$730
Aircraft for Kalumburu early voting	\$5000
Assisting in Kalumburu early voting	1 person x 1 day \$730
Managing early votes, absent votes and postal votes including preparation of postal voting papers	1 person x 3 days \$2,190
Presiding Officers on election day	2 people x 1 day \$2,920 <i>*after hours rates</i>
Deputy Returning Officer on election day	1 person x 1 day \$1,460 <i>*after hours rates</i>
Electoral Officers on election day	2 people x 1 day \$2,920 <i>*after hours rates</i>
Officers for counting	7 staff x 4 hours \$5,113 <i>*after hours rates</i>
<p>WAEC Costs</p> <ul style="list-style-type: none"> - Return airfares for the Returning Officer for nomination period and election day - 15 days accommodation for the Returning Officer covering the nomination period, the early voting period and election day - All statutory advertising and the preparation of non statutory advertising - Ensuring processes are carried out in a fair and impartial manner - Answer enquiries about the election process - Appointing staff and ensuring they are trained in their duties - Ordering of supplies - Preparation of candidate packs - Respond to prospective candidate enquiries - Check nomination forms and profiles for compliance - Oversee nomination day - Display details and profiles of the candidates and receipt candidates deposits - Advising candidates of position on ballot papers and supplying candidate packages - Ensuring electoral rolls and ballot papers are prepared and the security of rolls, ballot papers and boxes - Preparation of presiding officer packages - Setting up of polling places - Overseeing election day - Overseeing the preparation of the count and the count - Maintain records of correspondence with interested 	\$28,000

parties and candidates and keep records of all complaints that are made <ul style="list-style-type: none"> - Make sure public notice is given at certain stages - Ensuring that election preparations are complete and timely - Making sure that materials and equipment are available for the smooth running of the election - Reporting results to the Minister and Council 	
TOTAL (estimate only)	\$59,363
Hourly rates based on Fees & Charges for 15/16	

If Council endorses the appointment of the WAEC, an amount of \$28,000 (incl GST) will be allocated in the 2014/15 budget for the WAEC to conduct the Shire of Wyndham East Kimberley 2015 ordinary election as an in person election. It should be noted that this figure is based on the estimate provided by the WAEC. All other costs will be included as part of the 2015/16 operating budgets but Council should note the cost as it will limit staff work in other areas.

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 ENGAGEMENT

The Shire of Wyndham East Kimberley’s CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required

COMMENT

On 23 March 2015 the Electoral Commissioner wrote to the Shire of Wyndham East Kimberley outlining estimated costs for the WAEC to conduct in person voting on behalf of the Shire for the 2015 Ordinary Election on 17 October 2015. The estimated cost for the WAEC to conduct an in person election is \$28,000 including GST.

This is based on the following assumptions:

- 3,800 electors
- 5 vacancies
- Count being conducted at the offices of the Shire of Wyndham East Kimberley

The estimate includes the following:

- Return airfares for the Returning Officer for the nomination period and election day
- 15 days accommodation allowance for the Returning Officer covering the nomination period, the early voting period for remote communities and election day
- All Statutory advertising

- A proportion of the total cost of WAEC staff time and corporate overheads

The estimate does not include the following:

- Non statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising)
- Any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- Cost of aircraft hire for early voting in remote locations (Kalumburu)

If the WAEC was able to source a suitable Returning Officer locally, this estimate could be reduced by approximately \$5,000.

Prices quoted are estimates only and may vary depending on a range of factors.

The Shire of Broome recently received estimated costs from the WAEC for both a postal and in person voting election. The in person voting election was the cheaper option. A postal election would also involve all electors on the electoral roll receiving a voting pack from the Western Australian Electoral Commission (WAEC) via post. Electors would then be required to either post or deliver their vote to an electoral officer on or before Election Day. The WAEC advised the Shire of Broome that when analysing the State roll a significant proportion of their electorate were without postal addresses and that it is common for entire communities to share one postal address making postal elections difficult. It is assumed that this would be similar to the Shire of Wyndham East Kimberley.

One Shire officer would still be required to assist the WAEC throughout the process and Shire officers are still required to undertake a number of administration duties including but not limited to processing electoral roll applications and maintaining relevant registers. Additional Shire officers will be required to assist on Election Day, however the internal Shire resources required would be marginal compared to previous years when the Shire has conducted their own in-house elections. Appointing the WAEC would ensure that the correct processes are adhered to for the 2015 Ordinary Elections. Using experienced professionals to conduct these elections would ensure that there is a fair and accurate outcome and that the process is transparent.

Should the Council decide to proceed with appointing the WAEC, the current procedure required by the *Local Government Act 1995* is that written agreement from the Electoral Commissioner has to be obtained before the vote is taken. To facilitate the process, the letter from the Electoral Commissioner dated 23 March 2015 can be taken as the Commissioner's agreement to be responsible for the conduct of the ordinary election in 2015 for the Shire of Wyndham East Kimberley in accordance with section 4.20(4) of the *Local Government Act 1995*, together with any other elections or polls that may also be required.

ATTACHMENTS

Attachment 1 - Correspondence from WAEC

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That the Council declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2015 ordinary election together with any other elections or polls which may also be required.

COUNCIL DECISION

Minute No. 10968

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

That the Council declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2015 ordinary election together with any other elections or polls which may also be required.

Carried Unanimously 9/0



LGE 028

Ms Louise Gee
Acting Chief Executive Officer
Shire of Wyndham/East Kimberley
PO Box 614
KUNUNURRA WA 6743

Attention: Ms Monika Tonkin

Dear Ms Gee

2015 Ordinary Election

I refer to your email dated 17 March 2015 requesting a cost estimate to conduct the Shire of Wyndham/East Kimberley 2015 Local Government Ordinary election as a voting in person election.

The estimated cost for the 2015 Ordinary Election being conducted as a voting in person election is \$28,000 inc GST. This is based on elections being required to fill five council vacancies, a total of approximately 3,800 electors and the count being conducted at the premises of the Shire of Wyndham/East Kimberley.

This estimate includes the following items:

- Return airfares for the Returning Officer for the nomination period and election day
- 15 days accommodation allowance for the Returning Officer covering the nomination period, the early voting period for remote communities and election day
- All Statutory advertising
- A proportion of the total cost of West Australian Electoral Commission staff time and corporate overheads.

Costs not incorporated in this estimate include:

- non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising)
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns
- Cost of aircraft hire for early voting in remote locations

If the Commission was able to source a suitable Returning Officer locally this estimate could be reduced by approximately \$5,000.

The Commission is required by the *Local Government Act 1995* to conduct local government elections on a full cost recovery basis. Of note the prices quoted are estimates only and may vary depending on a range of factors including the cost of materials or number of staff appointed. The basis for charges is all materials at cost and a margin on staff time only. Should a significant change in this figure become evident prior to or during the election you will be advised as early as possible.

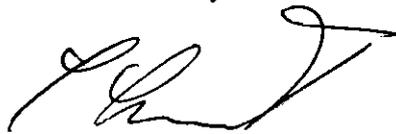
In accordance with section 4.20(4) of the *Local Government Act 1995*, I hereby agree to be responsible for the conduct of the 2015 ordinary election for the Shire of Wyndham/East Kimberley together with any other elections or polls that may also be required.

In order to have the 2015 Ordinary Election conducted as a voting in person election, your council will now need to pass the following motion by absolute majority:

- Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2015 ordinary election together with any other elections or polls which may also be required.

I look forward to conducting this election for the Shire of Whyndham/East Kimberley in anticipation of an affirmative vote by Council. If you have any further queries please contact Phil Richards Manager, Local Government Elections on 9214 0443.

Yours sincerely



For David Kerslake
ELECTORAL COMMISSIONER

23 March 2015

13.5.7 Outstanding Actions – Council Resolutions

DATE:	26/05/2015
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Monika Tonkin, Executive Assistant
REPORTING OFFICER:	Carl Askew, 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. This monthly update advises the Council as to the status of the implementation of 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

Attachment 1 summarises all actions from April Council resolutions.

Attachment 2 summarises all actions that are outstanding from previous Council resolutions.

ATTACHMENTS

Attachment 1 - Actions from April Council resolutions

Attachment 2 – Outstanding actions from previous Council resolutions

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

COUNCIL DECISION

Minute No. 10969

Moved: Cr S Cooke

Seconded: Cr K Wright

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

Carried Unanimously 9/0

Meeting	Item	Resolution	Progress Comment	Completed
OCM 28/04/15	Confirmation of Minutes of Ordinary Council Meeting 24/03/15	<p>That Council confirms the Minutes of Ordinary Council Meeting held on 24 March 2015 with the following amendments:</p> <ol style="list-style-type: none"> 1. Response to question from Ms Spragg "amused" be replaced by the word used "bemused". Last sentence "As these are not the figures used I can not answer your question". 2. Item 17.1 recorded that Cr Spackman only left the room after the item had been introduced and the motion had been moved and seconded. 3. Item 17.4 recorded that Cr Spackman only left the room after the item had been introduced and the motion had been moved and seconded. 4. The words used by Cr Wright that I requested be recorded (as per standing orders) be recorded and attributed to Cr Wright "The President is Clearly Wrong" 5. Minute number 10843 has been duplicated, the second reference to this minute number is to be changed to 10843A. 	Minutes amended in hard copy and online formats.	12-May-15
OCM 28/04/15	2014/15 Mid-Year Budget Review Results	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives the Mid-Year Budget Review Report for the period ended 31 December 2014, noting that amounts up to 31 March 2015 have been utilised in some cases and are therefore presented in Attachment 1 as a more up-to-date reflection of the financial performance of the Shire; 2. Adopts the operating and capital budget amendment recommendations for the period ended 30 June 2015 as attached; 3. Approves the increase in the number of staff by one (1) in the engineering team on a temporary basis to ensure corporate and local knowledge transfer is provided for. 	Mid-Year Budget Review results have been loaded into the system.	Yes
OCM 28/04/15	Review of CP-FIN 3211 Pricing Principles and Pricing Basis Policy for Fees and Charges	<ol style="list-style-type: none"> 1. Adopts the revised CP-FIN 3211 Fees and Charges Pricing Policy noting the change in title from the former "Pricing Principles and Pricing Basis Policy for Fees and Charges; and 2. Notes that the Policy will be utilised in part for the review of fees and charges associated with not only the 2015/16 budget process but also the revision of the Long Term Financial Plan. 	Fees and Charges Policy has been adopted.	Yes
OCM 28/04/15	Adoption of 2015/16 Elected Member Allowances and Fees and Charges	<p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to section 6.16 of the Local Government Act 1995, adopts the fees and charges for 2015/16 outlined in Attachment 1 to be effective from either 1 July 2015 or 1 January 2016, whichever date is indicated in Attachment 1. 	All fees and charges have been advertised accordingly.	No

Meeting	Item	Resolution	Progress Comment	Completed
OCM 28/04/15	Adoption of 2015/16 Elected Member Allowances and Fees and Charges	That Council: 1. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, imposes the following charges for the 2015/16 financial year effective from 1 July 2015: a. An annual waste receptacle charge of \$293.90 for one (1) service per week of verge collection waste from a 240 Litre mobile garbage bin; b. An annual waste receptacle charge of \$516.30 for each additional service per week of verge collection waste from one (1) 240 Litre mobile garbage bin; c. An annual waste collection service charge of \$516.30 for each receptacle per annum from one (1) 240 Litre mobile garbage bin for exempt/non-rateable properties	All fees and charges have been advertised accordingly.	Yes
OCM 28/04/15	Adoption of 2015/16 Elected Member Allowances and Fees and Charges	That Council: 1. Pursuant to section 53 of the Cemeteries Act 1986 adopts the fees and charges for the Seven Mile Cemetery, Nine Mile Cemetery, Afghan Cemetery, Pioneer Cemetery, Gully Cemetery, Kununurra Cemetery and other cemetery associated fees as specified in Attachment 1.	All fees and charges have been advertised accordingly.	Yes
OCM 28/04/15	Adoption of 2015/16 Elected Member Allowances and Fees and Charges	That Council: 1. Endorse the advertising and gazettal (where required) of the 2015/16 proposed fees and charges commencing from either 1 July 2015 or 1 January 2016, whichever date is indicated in Attachment 1, as per the legislative requirements.	All fees and charges have been advertised accordingly.	Yes
OCM 28/04/15	Policy Review - Private Works and Developments on Road Verges and Council Managed Land	That Council; 1. Amends the title of its policy CP/OPS-3651- "Private Works and Developments on Road Verges and Council Managed Land" to "Private Works and Developments on Road Verges and Shire Managed Land". 2. Amends the content of its policy CP/OPS-3651- "Private Works and Developments on Road Verges and Council Managed Land" as attached.		Completed
OCM 28/04/15	Tender T06 14/15 Waste Consultancy Services	That Council accepts the Tender submitted by ASK Waste Management, 33 Windlemere Drive, DUNSBOROUGH, WA 6281 for tender T06 14/15 Waste Services Consultancy, for a contract period of three (3) years commencing from the date of execution of the contract, in accordance with their tender documentation and schedule of prices.		Completed
OCM 28/04/15	Tender T07 14/15 Supply of Professional Services for Kununurra Airport Terminal Air-conditioning	That Council rejects all tender submissions for Tender T07 14/15 - Supply of Professional Services for Kununurra Airport Terminal Air-conditioning Replacement.		Completed
OCM 28/04/15	Tender T04 14/15 Design and Construct Storage and Amenities Shed, Depot, Wyndham	That Council accept the tender submitted from East Kimberley Constructions, 35 Poinciana Street, Kununurra WA 6743, for Tender T04 -14/15 Design and Construction of Storage and Amenities Shed, Shire Depot, Wyndham, in accordance with the tender documentation for the Lump Sum Price of \$218,033 ex GST.	Contract documents posted to East Kimberley Constructions for signature	In Progress

Meeting	Item	Resolution	Progress Comment	Completed
OCM 28/04/15	WALGA Preferred Supplier eQuotes - ET02 14/15 Kununurra Airport Asphalt Surfacing Runway and Taxiway Intersections	That Council: 1. Accept the submission from Downer Infrastructure, 5 Marion Road, Maddington WA 6109 for ET02 14/15 Kununurra Airport Asphalt Surfacing Runway and Taxiway Intersections, in accordance with the tender document and their submitted schedule of prices for the lump sum price of \$4,684,813.60 ex GST; 2. Accept the Downer Infrastructure offer to transport B380 Binder using road tankers, resulting in savings to Council of \$95,000 ex GST off the lump sum price of \$4,684,813.60 ex GST; 3. Transfer \$200,000 from Airport Reserve Account to GL 04120734, Runway Asphalt Overlay, to cover contingencies and potential variations	Contract signed and contractor on site, works commenced.	In Progress
OCM 28/04/15	Development Application for an Integrated Facility (Service Station, Transport Depot, Caretaker's Dwelling and Fuel Depot) at Lot 22 Ivanhoe Road, Kununurra, subject to the following conditions:	That Council approves the planning application for an integrated facility (Service Station, Transport Depot, Caretaker's Dwelling and Fuel Depot) at Lot 22 Ivanhoe 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. All stormwater drainage shall be designed and constructed at the applicant's cost and in accordance with the requirements of the Shire and with regard to the current Australian Rainfall and Run-off Manual. Details on the proposed method of controlling the discharge are to comply with conditions (i) or (ii) as applicable. The preferred method for the subject site is to be determined in consultation with the Director of Infrastructure prior to the submission of a building application: (i) Stormwater run-off from roof and or other paved/impervious areas from the site shall be collected and discharged into the Shire's drainage system. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Manager Engineering Services and submitted with the building application.	Approval issued 29 April 2015.	29-Apr-15
OCM 28/04/15	Application for Section 40 Certificate Under the Liquor Control Act 1988 (WA)	That Council approves the application for a section 40 certificate under the Liquor Control Act 1988 (WA) and authorises to the Acting Chief Executive Officer to complete and sign the form accordingly.	Section 40 Certificate signed by the CEO on 8 May 2015 and forwarded to the applicant.	08-May-15
OCM 28/04/15	Endorsement of Draft Reviewed Policy CP_PMG-3780 Leasing of Council Managed Reserve	That Council endorse the reviewed Policy CP_PMG-3780 Leasing of Council Managed Reserve – Community for public advertisement for a period of 28 days. With the following amendment to the Draft Reviewed Policy: - Amend point 7 to read "The Shire at its discretion may request and assist with the preparation of the submission of a..."	Policy has been advertised on Shire website, Facebook and Kimberley Echo.	In Progress

Meeting	Item	Resolution	Progress Comment	Completed
OCM 28/04/15	Kununurra Agricultural Society Lease	<p>That Council:</p> <p>1. Revoke the Council decision Minute No. 10802 of the 24 February 2015 Ordinary Council Meeting:</p> <p>"That Council subject to the payment in full of the invoice (\$10,000 plus GST) by Kununurra Agricultural Society Inc. or a signed special payment arrangement with Kununurra Agricultural Society for the above invoice (\$10,000 plus GST) offers the Kununurra Agricultural Society the amended Lease over portion of Reserve 29799, part Lot 504 Coolibah Drive, Kununurra, subject to the following:</p> <p>a) Lease term to be 21 years b) Commencement date to be 1 July 2012, from the expiry of the previous lease c) Minister of Lands approval."</p> <p>2. Revokes the Council decision Minute No. 10803 of the 24 February 2015 Ordinary Council Meeting:</p> <p>"That Council subject to the payment in full of the invoice (\$10,000 plus GST) by Kununurra Agricultural Society Inc. or a signed special payment arrangement with Kununurra Agricultural Society for the above invoice (\$10,000 plus GST) offers the Kununurra Agricultural Society the amended Lease over portion of Reserve</p>	Noted; draft Lease amended. Three copies of amended Lease provided to KAS along with letter summarising Council's decision and including copy of the Item minutes.	18-May-15
OCM 28/04/15	Kununurra Agricultural Society Lease	<p>That Council subject to the payment in full of the invoice (\$10,000 plus GST) by Kununurra Agricultural Society Inc. or a signed special payment arrangement with Kununurra Agricultural Society for the above invoice (\$10,000 plus GST) offers the Kununurra Agricultural Society the amended Lease over portion of Reserve 29799, part Lot 504 Coolibah Drive, Kununurra, subject to the following:</p> <p>a) Lease term to be 21 years b) Commencement date to be 1 July 2015 c) Minister of Lands approval.</p>	Three copies of amended Lease provided to KAS along with letter summarising Council's decision and including copy of the Item minutes.	
OCM 28/04/15	Kununurra Agricultural Society Lease	<p>That Council subject to the payment in full of the invoice (\$10,000 plus GST) by Kununurra Agricultural Society Inc. or a signed special payment arrangement with Kununurra Agricultural Society for the above invoice (\$10,000 plus GST) offers the Kununurra Agricultural Society the amended Lease over portion of Reserve 29799, part Lot 504 Coolibah Drive, Kununurra, subject to the following:</p> <p>a) Lease rent to start at \$750 per annum plus GST for Community Use only; b) Rent to be reviewed every 3 years starting from 1 July 2018, or at such time that a Caravan Park and Camping Ground licence is approved c) Minister of Lands approval.</p>		
OCM 28/04/15	Code of Conduct Complaints Handling	That Council endorse Attachment 1 - Code of Conduct Complaint Handling Procedure	The Organisational Directive has been finalised and Exec have been asked to share with their teams.	12-May-15

Meeting	Item	Resolution	Progress Comment	Completed
OCM 28/04/15	Council Policy Review	That Council repeals the following policies: - CP/HR18 Fitness for Work - CP/HR16 Superannuation - CMS 3 Percent for Art - CPF02 Loans to Community Organisations - MC16 Freeman of the Shire of Wyndham East Kimberley - MC17 Elected Member Induction Program - CPMC14 Community Recognition - F11 Cheque Signing Authority - CP/HR02 Members of Staff Code of Conduct - CP/OD-3300 Preferred Employer Policy - IT3 IT Software Acquisition & Installation - CPMC5 Elected Member Entitlements - F13 Libraries – Internet Use - F14 Environmental Funding Policy – Environmental Allocation Fund - E14 :Light Vehicle Purchase and Replacement Policy - E12 Plant and Vehicles – Change Over - FC3 Finance Assistance to Bush Fire Brigades - E8 Disposal of Councils Surplus/Redundant Equipment - E4 Refuse Site Management	Updated policy manual is being prepared and will be placed on the website once completed. The policy register will be updated. Working with exec to confirm a schedule for policy reviews before December Working with exec to schedule new Organisational Directives required as per this Council item	
OCM 28/04/15	Ord East Kimberley Expansion Project - Dedication of Public Roads and Comparable Rate Income	That Council direct the Chief Executive Officer to seek legal advice to confirm the feasibility of introducing a Specified Area Rate for the Ord East Kimberley Expansion Area and whether there is a valid basis for objection by landowners.	Legal advice was sought and presented to the 12 May 2015 Special Meeting of Council for consideration.	Yes
OCM 28/04/15	Confidential - Legal Claim	That Council; 1. Notes the officer's confidential report and the progress of the General Procedure Claim, 2. Directs the CEO, or their delegate, to legally defend the matter on behalf of the Shire in the abovementioned General Procedure Claim, 3. Approves sufficient provision in the budget to allow for associated legal fees, and 4. Directs the CEO, or their delegate, to provide a report to Council on the status of the matter at the earliest opportunity.	Current awaiting advice of a pre-trial conference date from the Court.	In Progress
OCM 28/04/15	Confidential - Disposal of Shire Residential Property	That Council 1. Direct the Chief Executive Officer or their delegate to engage one or more real estate agents to market 6 Eugenia Street, Kununurra and 67 Koojarra Street, Wyndham and bring forward an offer to Council to dispose of the property(s) by private treaty. 2. Direct the Chief Executive Officer or their delegate to lease vacant Shire residential properties.	Pre-sale valuations being sought for the sale of the two properties; Tenancy Agreement being finalised for the rental of Shire residential properties.	No
SCM 23/04/15	Hotel Kununurra Request for Support of Extended Trading Hours	That Council requests the Acting CEO write to Hotel Kununurra advising that support is given for the Hotel Kununurra's application to extend their liquor license in order to show a Main Event Boxing Bout, 'The Fight of the Century' Floyd Mayweather v Manny Pacquiao on Sunday 3 May 2015.	Letter forwarded to Hotel Kununurra advising of Council's decision.	12-May-15
SCM 23/04/15	Tender T09 – 14/15 Kalumburu Rd – Port Warrender Road Opening Grade.	That Council accept the tender submitted by Sunlight Holdings Pty Ltd, PMB 9, Kununurra WA 6743, for Tender T09 14/15 Kalumburu Road - Port Warrender Road, Opening Grade in accordance with the tender documentation and their submitted schedule of prices.		

Meeting	Item	Resolution	Progress Comment	Completed
SCM 01/05/15	Confirmation of Minutes of Special Council Meeting 01/05/15	That Council confirms the Minutes of the Special Council Meeting held on 23/04/2015, with an amendment to Minute No. 10872 – the votes against are to be recorded as Cr D Spackman, Cr K Wright, Cr G King.	Minutes amended in hard copy and online formats.	12-May-15
SCM 01/05/15	Mosquito Fogging in Wyndham	That Council: a) Run a mosquito fogging program, 3 times a week for 2 weeks b) Invites Dr Peter Neville from the Department of Health or his nominee to attend via video link to provide a briefing on this matter as soon as convenient	Mosquito fogging to commence in Wyndham on the 25 May 2015 following one weeks public notification. Dr. Peter Neville presented at the May Briefing.	12-May-15
SCM 12/05/15	Endorsement of the 2015/16 Rates in the Dollar and Minimum Payments for Advertising	That Council: a. Endorses for advertising for a minimum of twenty-one (21) days and seeks public submissions on: i. The Strategic Rating Policy that outlines the principles which underpin the proposed 2015/16 rating model, including the Objects of and Reasons for Differential Rates; ii. The following proposed differential general rates and minimum payments to be applied from 1 July 2015 for the 2015/16 financial year in accordance with section 6.36 of the Local Government Act 1995: Differential Rating Category Rate In the Dollar (cents) Minimum Payment GRV Residential 9.4738 1,105.00 GRV Other Vacant 14.2107 1,105.00 GRV Commercial 12.3159 1,105.00 GRV Industrial 11.3686 1,105.00 UV Rural Residential 0.9979 1,105.00 UV Pastoral 5.3637 1,105.00 UV Commercial/Industrial 0.6843 1,105.00 UV Rural Agriculture 1 0.9677 1,105.00 UV Rural Agriculture 2 0.6843 1,105.00 UV Mining 28.0312 1,105.00 UV Mining Vacant 14.0156 553.00 UV Other 0.6420 1,105.00	Public submission period will commence on 21 May 2015.	No
SCM 12/05/15	Endorsement of the 2015/16 Rates in the Dollar and Minimum Payments for Advertising	That Council notes: a. That approval from the Minister for Local Government and Communities will need to be sought subsequent to the consideration of public submissions for: i. Imposing a minimum payment on the GRV Other Vacant rating category which result in more than 50% of the properties in this category being subject to minimum payments, in accordance with section 6.35(5) of the Local Government Act 1995; and ii. Imposing a rate in the dollar for UV Mining, UV Mining Vacant and UV Pastoral which will result in it being more than twice the lowest differential general rate imposed, in accordance with section 6.33(3) of the Local Government Act 1995. b. That the 2015/16 rates in the dollar and minimum payments proposed, cannot be adopted by the Council for incorporation into the budget until after Ministerial approval has been granted.	Will be sought subsequent to the Council considering submissions from the public.	No

Meeting	Item	Resolution	Progress Comment	Completed
SCM 12/05/15	Endorsement of the 2015/16 Rates in the Dollar and Minimum Payments for Advertising	<p>That Council:</p> <p>1. Approves the allocation of 3% of the additional rating revenue to be transferred to the Asset Management Reserve to be utilised for its stated purpose, being to "provide for the ongoing maintenance, renewal, upgrade, replacement or development of Shire owned assets within the Shire of Wyndham East Kimberley".</p>	This will be incorporated into the 2015/16 Budget Process	No
SCM 12/05/15	Endorsement of the 2015/16 Rates in the Dollar and Minimum Payments for Advertising	<p>That Council:</p> <p>1. Notes the legal advice received in relation to the option of imposing a specified area rate and endorses officer's investigating alternative options</p>	Noted	Yes

Meeting	Item	Resolution	Progress Comment
Aug-12	Matters arising from committees of council	<p>That the Audit (Finance and Risk) Committee recommends to Council to require the Wyndham Community Club Committee to:</p> <ol style="list-style-type: none"> 1. Either <ol style="list-style-type: none"> a. meet their outstanding rates debt on assessment A501 within 60 days; or b. enter into a suitable payment plan approved by the Chief Executive Officer; and 2. Formalise the lease of Lot 472 Great Northern Highway, Wyndham with the Shire within 90 Days 	Ratepayer has requested an extension in order to consult with the members of the Committee which was endorsed on 12 May 2015 by the Committee and will be considered by the Council on the 26th of May. A meeting will be established if possible, with the President of the Committee shortly.
May-13	Lease of portion of Reserve 41812 – Ingle Pty Ltd (Lakeside Resort)	<p>That Council:</p> <ol style="list-style-type: none"> 1. Offers Ingle Pty Ltd a 21 year lease, for portion of Reserve 41812, part Lot 502 on Deposited Plan 64834, adjoining Lakeside Resort, Casuarina Way Kununurra, and the annual rental amount be set at \$25,750, to be reviewed every two years; 2. Advertises its intention to enter into a lease over portion of Reserve 41812 to Ingle Pty Ltd for 14 days in accordance with section 3.58 of the Local Government Act 1995; 3. Delegates the power to sign the lease to the CEO and Shire President, subject to receiving no objections during the advertising period. 	Final lease document provided for signing. Lessee has requested clarification on the lease commencement date and survey area. To be considered at June OCM.
Aug-13	Road Closure, Long Michael Plain Road	<p>That Council:</p> <ol style="list-style-type: none"> 1. Finalise the process for the closure of Long Michael Plain Road; 2. Acknowledges there were no submissions against the closure of the Long Michael Plain Road and there were four (4) submissions acknowledging the pending closure; 3. Resolve to request the Minister of Lands to close the road as per section 168 of the Land Administration 1997 Act , and 4. Upon response from the Minister of Lands removes Long Michael Plain Road from the Shire's Road Register. 	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	Deferred to July Council Briefing Session.	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.

Meeting	Item	Resolution	Progress Comment
Jun-14	Development Application for Change of Use - Shop at Lot 11, Pruinosa Street, Kununurra	That Council approves the planning application for a Change of Use - Shop at Lot 11 Pruinosa Street, Kununurra, subject to the following conditions: 1) Development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the Shire; 2) A total of 20 parking spaces are to be provided onsite in accordance with a parking layout plan approved by the Shire prior to the commencement of the use; 3) All vehicle access/egress from the site must comply with the requirements of the Shire and Main Roads Western Australia; 4) The road reserve is for expansion of the road network and if needed any part of the driveway access/egress that is in the road reserve shall be removed. Future location and use of driveway access/egress requires approval and negotiation with Department of Main Road Western Australia; 5) Access directly onto the Victoria Highway from Lot 11 Pruinosa Street, Kununurra is not permitted. The installation of measures to prohibit access is required, which are to be approved by the Shire and Department of Main Road Western Australia, and maintained by the applicant.	Approval letter sent 27 June 2014. Specific advice regarding the ACROD disabled bay and kerb ramp design has been provided to the landowner to undertake required works. Ongoing discussions with applicant regarding the outstanding disabled parking bay.
Aug-14	Motion from Cr Glenn Taylor	That Council: 1) undertakes to remove the locked gates on the access path to the top of Kelly's Knob and replace them with an appropriate lockable bollard to prevent unauthorised vehicle access; and 2) that the 2014/2015 budget caters for this by re-allocating the appropriate funds from existing Infrastructure/Road Maintenance/Amenity Maintenance allocations, so as there is no net increase in expenditure due to this item.	Project on schedule for completion on 22 May 2015.
Sep-14	Adoption 2014/15 Budget	That Council, in accordance with Section 6.20 of the Local Government Act 1995, raises a Building and Infrastructure Loan for \$303,218 in 2014/15.	Application forms are currently being completed and assessed by the WATC.
Sep-14	Adoption 2014/15 Budget	That the Council: 1. directs the CEO, and all procurement delegates, to seriously consider the expenditure of funds prior to commitments being made to ensure that the expenditure is the best value for money for ratepayers and is absolutely warranted or if further savings could be made; 2. directs the CEO, or their delegate, to investigate a. further savings opportunities associated with the operation of the Wyndham Pool, Kununurra Leisure Centre and Library Services that are to be brought back to elected members for consideration prior to the 2014/15 Mid Year Budget Review; b. potential leasing opportunities for the Kununurra Youth Centre; and c. opportunities for the sale, lease or co-location of Shire-owned land and buildings. 3. directs the CEO, or their delegate to write to DLGC and ask them to carry out a probity audit on the Shire (SWEK operations) at no cost to SWEK for external agencies.	Staff have been advised of Council's direction and requirements of this decision. Probity audit requested and approved (intended to be on-site on another matter). DLG were on-site on 23 September with a final report yet to be provided.

Meeting	Item	Resolution	Progress Comment
Oct-14	Proposed Transfer of Part Lot 3004, Portion of Reserve 50425, Adjoining Kimberleyland Holiday Park	That Council advises the Department of Water: 1. That the Shire of Wyndham East Kimberley is willing to take on management of portion of Reserve 50425, being part Lot 3004 on Deposited Plan 46759, subject to survey, if required and at no cost to the Shire. 2. That the Shire requires access to maintain existing drainage facilities on a portion of Lot 3004 on Deposited Plan 46759 which is within the Priority Drinking Water Source Area (PDWSA), and wishes to continue discussions to identify an appropriate mechanism for the continued maintenance of this asset.	Letter and copy of the minutes sent to Department of Water, and the Department of Lands.
Oct-14	Reserve 24857 - Wyndham Turf Club - Encroachment of Racecourse onto Unallocated Crown Land	That Council: 1. Advises the Department of Lands that: a) The Shire of Wyndham East Kimberley has identified an approximately 13ha area of unallocated Crown land to be included into Reserve 24857 to address the encroachment of the Wyndham Racecourse as depicted on the attached aerial photograph. b) The Shire of Wyndham East Kimberley indemnifies the Minister for Lands against any costs arising from the future act process. 2. Advises the Wyndham Turf Club that they will be responsible for any costs incurred by the Shire of Wyndham East Kimberley arising from the future act process.	Letter and copy of the minutes sent to both Department of Lands and Wyndham Turf Club. Department of Lands has advised that the Shire is the proponent and seeking the Shires agreement to pay survey costs. and to commence discussions with the Balanggarra #3 PBC. Meeting to be arranged with Balanggarra Aboriginal Corporation and matter to be considered at June OCM.
Oct-14	East Kimberley Marketing Group Funding Request	That Council will continue to fund the East Kimberley Marketing Group for the next phase of implementing their Marketing Plan on the following conditions: a) that incorporation is achieved, ABN registered (for GST compliant invoices) and the Bank Accounts established before any more funding is provided; and b) that the next grants are in two stages iii. \$10,000 provided when the marketing fund has reached a balance of \$10,000 from contributions from business; and iv. a further \$5,000 provided when that amount is also matched.	EKMG have been notified and awaiting invoices
Nov-14	Proposed pedestrian refuge island and associated pavement markings, Konkerberry Drive and Banksia Street Intersection following asphalt overlay	That Council approve Option 1 as shown on Concept Drawing KON-14-1 including provision of a dedicated right turn pocket for vehicles entering Coles shopping car park area and the provision of a refuge island for pedestrians/cyclists crossing <u>Konkerberry Drive</u> .	Following no responses to a request for tender, Staff are now approaching contractors directly to progress the project. Pavement line markings and regulatory signage installed by MRWA contractor when in town likely mid 2015
Nov-14	Ivanhoe Road to Lily Lagoon Drainage	That Council: 1) Requests Department of Lands to establish drainage easements as shown in general form on the plan in Attachment 3.	Department of Water have indicated that they will not support or approve the application for easements. Further report to be provided to Council on this matter.

Meeting	Item	Resolution	Progress Comment
Nov-14	Results of Tender T3 14/15 – Airport Terminal Vehicle Hire Booths and Parking Bay	<p>1. That Council accept the offer made by the 3 respondents; WTH Pty Ltd, t/a Avis Busby investments t/a Budget Territory Rent a car, t/a Thrifty, for the occupancy of the respective East Kimberley Regional Airport concession booth areas and parking bays</p> <p>2. A lease agreement is entered in to between Council and each respondent for the provision of a 5 year lease, comprising of an initial 3 year term with a further 2 year exercisable option.</p> <p>3. The lease be subject to the pricing specifications approved previously by Council Resolution 10498 (See attachment 1)</p> <p>4. Parking bay licencing arrangement be established for respondents as per Council Resolution 10498</p> <p>5. Parking bays be assigned to respondents and necessary signage erected as per Council Resolution 10498</p>	Lease completed, with Car Hire companies for signature..
OCM 16/12/14	Waste and Green Waste at Crossing Falls	<p>That Council:</p> <p>1) sends a letter to Crossing Falls residents advising them that all household waste must be placed in their wheely bin or taken directly to the licenced Shire landfill facility, that green waste should not be deposited at the disused gravel pit on Crown Land at the corner of Crossing Falls Road and Cherubin Road and that residents may dump up to 1 m3 per day without charge at the licenced Shire landfill facility;</p> <p>2) approaches the Crossing Falls Fire Brigade with a request to supervise the once off burning of the current pile of green waste at the site; and</p> <p>3) places a rock barrier at the entrance to the disused gravel pit, using waste maintenance funds.</p>	Letters sent to Crossing Falls residents and to the Crossing Falls Fire Brigade. Crossing Falls Brigade have requested this item not be progressed while it seeks State approval to undertake training at the site.

Meeting	Item	Resolution	Progress Comment
OCM 16/12/14	Lease of Concession Stand, East Kimberley Regional Airport	<p>That Council:</p> <ol style="list-style-type: none"> 1. Authorises the property (one concession booth at East Kimberley Regional Airport) to be advertised for disposal (lease) to Bradleigh Trading Pty Ltd as per the provisions of the WA Local Government Act 1995, sect 3.58(3)(4) "Disposing of property". 2. If no objections are received through public notification process, then; <ul style="list-style-type: none"> o Authorises the Chief Executive Officer to execute the new lease with Bradleigh Trading Pty Ltd for the vacant booth area at the East Kimberley Regional Airport with the following conditions; <ul style="list-style-type: none"> Permitted use of administration and office duties allowed. Lease to be an initial 1 year period, with an ongoing option of monthly extensions based on agreement between the lessor and the lessee, (the short lease period will allow Council the flexibility to install new Car Hire tenants if the need arises). Rent set at the property valuation level of \$5,000 per annum with normal CPI increases. Commencement date 1 February 2015. 	The lease documents have not been executed. Currently seeking legal advice.
OCM 16/12/14	Requests for Information	<p>That the Acting Chief Executive Officer develop the following for Council consideration in 2015:</p> <ol style="list-style-type: none"> 1. Communications Policy 2. Customer Service Charter 3. Complaints Policy 	The Council endorsed a draft Customer Services Policy and Complaints Management Policy at the March OCM. Public comment is now being sought for a period of 28 days to be provided to the Council for consideration prior to the adoption of the Policies. The endorsed Policies have been communicated to staff and the leadership team, and are currently in use. The public comment period has now closed and a report will be provided to the June meeting for consideration.
OCM 24/02/15	Kelly's Knob Walking Track	<p>That Council notes:</p> <ol style="list-style-type: none"> 1. the officers comments relating to the gates and the damaged section of the access path to the top of Kelly's Knob; 2. the cost of the works will impact the town maintenance schedule; and 3. the current estimate for completion time of the works is April 2015; and <p>further, that Council:</p> <ol style="list-style-type: none"> 4. Directs the Acting Chief Executive Officer to write to the Ord Irrigation Cooperative advising them that "Council has considered the Ord Irrigation Cooperative submission in relation to the proposed walking track at Kellys Knob and has resolved to progress the project in the broader public interest", and that "The Shire intends to unlock the gates at the bottom of the walking track on its reserve No R 42441."; 5. Amends its 2014/15 budget by transferring \$8,500 from General Ledger account number 02110315 Garden Maintenance – External Kununurra Swimming Complex to a newly established General Ledger account number for "Kellys Knob Walking Track" to fund the project and commence work immediately noting that the adjustment will be incorporated as part of the Mid Year Budget Review process; 6. Accepts that provision of a bollard does not provide adequate deterrent to pedestrians' access to the Broadcast Australia site and prefers instead that a new set of gates be placed in an appropriate location closer to the Broadcast Australia property (PIN) 638963; 7. Directs the Acting Chief Executive Officer to order the 	Project on schedule for completion on 22 May 2015.

Meeting	Item	Resolution	Progress Comment
OCM 24/02/15	Draft Shire of Wyndham East Kimberley Local Planning Strategy	<p>That Council:</p> <ol style="list-style-type: none"> 1. Directs the Acting Chief Executive Officer to amend the Priority Agricultural Land - Key Recommendations and Consolidated Recommendations in the draft Local Planning Strategy to include an additional recommendation to investigate appropriate zonings of land adjacent to Lake Kununurra on Packsaddle and Jabiru Roads; and land adjacent to the Ord River on River Farm Road for tourism development, non-agricultural business development and rural living. 2. Endorses the draft amended Shire of Wyndham East Kimberley Local Planning Strategy for advertising; and. 3. Directs the Acting Chief Executive Officer to forward the draft amended Shire of Wyndham East Kimberley Local Planning Strategy to the Western Australian Planning Commission (WAPC) and requests certification to advertise in accordance with Regulation 12 of the Town Planning Regulations 1967. 	Amendments requested to be made by consultants (GHD) to Draft Local Planning Strategy as per Council's resolution. Draft Strategy referred to WAPC for certification.
OCM 24/02/15	Draft Shire of Wyndham East Kimberley Local Planning Scheme No. 9	<p>That Council:</p> <ol style="list-style-type: none"> 1. Directs the Acting Chief Executive Officer to amend Sub-Section 4.12.2.1 Non-agricultural uses (4.12 Local Horticulture Zone (Rural Agriculture 2), of the draft Shire of Wyndham East Kimberley Local Planning Scheme No. 9 (LPS 9) to include the following uses; farm stay and chalet. 2. Directs the Acting Chief Executive Officer to amend Section 4.3 Zoning Table of the draft Shire of Wyndham East Kimberley Local Planning Scheme No. 9 (LPS 9) to include Use Classes Farm Stay and Chalet in the Local Horticulture Zone, and the permissibility of these uses to be 'A' in accordance with section 4.3.2. 3. Directs the Acting Chief Executive Officer to amend Schedule 1 - Dictionary of Defined Words and Expressions, Part 2 Land use definitions of the draft Shire of Wyndham East Kimberley Local Planning Scheme No. 9 (LPS 9) to include farm stay and chalet. 4. Directs the Acting Chief Executive Officer to amend Table 2 - Development Standards of the draft Shire of Wyndham East Kimberley Local Planning Scheme No. 9 (LPS 9) to include development standards for farm stay and chalet land use. 5. Notes the letter received from the Western Australian Planning Commission dated 4 August 2014. 	Letter sent to WAPC and EPA dated 18/03/2015 along with 2 bound copies of the Scheme Text and Scheme Maps and full copy of the Council Resolution.
OCM 24/02/15	Management of Proposed Reserve - Packsaddle Creek	That item 13.4.7 Management of Proposed Reserve – Packsaddle Creek be deferred to a briefing session.	Matter was discussed at March Briefing Session. Subsequent information to be sought from Department of Lands.

Meeting	Item	Resolution	Progress Comment
OCM 24/02/15	Public Art Project	<p>That Council directs the Acting CEO to:</p> <ol style="list-style-type: none"> 1. Enter into an agreement with LandCorp for the placement, maintenance and insurance of the public art works in Coolibah Estate for a period of two (2) years. 2. Ensure that the formalised agreement with LandCorp includes a requirement for LandCorp to maintain detailed records of the costs incurred during this two (2) year period for the maintenance and/or repair of the art works and provide these records to the Shire. 3. Provide a further report to Council prior to the conclusion of the formalised agreement with LandCorp which includes the following - <ul style="list-style-type: none"> A Costs incurred for the maintenance and/or repair of the public art works during the period of the agreement; and B Confirmation of LandCorp's intent to contribute a minimum of \$10,000 or another appropriate amount which reflects incurred maintenance costs towards the ongoing maintenance of the public art works. 4. Bring up notice as the 2 year period draws near so that Council may consider the future of the proposed public art. 	Draft Deed has been reviewed and comments provided to LandCorp.
OCM 24/02/15	Car Hire Booth Rental at EKRA	<p>That Council authorise the Acting Chief Executive Officer to advertise the proposed disposition of concession booth 3 and designated parking bays at the East Kimberley Regional Airport in accordance with The Local Government Act 1995 Cl 3.58 (3) & (4) and if there are no submissions, execute a lease agreement with Tuffy's Pty Ltd trading as East Kimberley Hirings and known as Hertz for a concession booth and 6 designated car parking bays at the East Kimberley Regional Airport subject to the following conditions:</p> <ol style="list-style-type: none"> 1) for record purposes, Tuffy's Pty Ltd shall satisfactorily complete a copy of the tender return documents for tender T3 14/15 TENDER FOR THE LEASE OF CONCESSION BOOTHS AT THE EAST KIMBERLEY REGIONAL AIRPORT in full and return these documents to the Shire prior to execution of the lease; 2) the lease shall contain similar conditions to and have the same termination date as the other concession booth leases at the airport; 3) the initial lease payment by Tuffy's Pty Ltd shall be adjusted to account for the lower lease fees charged to Tuffy's Pty Ltd after 1st February 2015 such that there is no commercial advantage to Tuffy's Pty Ltd in lease fees over the fees applicable to the other concession booth lessees; 4) prior to execution of the lease, Tuffy's Pty Ltd shall make an ex-gratia payment of \$1500 to the Shire in addition to the lease or any other payments in recognition of Hertz's proportion of the additional costs to the Shire to prepare the lease and facilitate the leasing process. 	The lease documents have not been executed. Currently seeking legal advice.

Meeting	Item	Resolution	Progress Comment
OCM 24/02/15	Minutes of Council Committee Meetings	<p>That Council accepts the unconfirmed Minutes of the Audit (Finance and Risk) Committee Meeting held on 10/02/2015 with an amendment to:</p> <p>Minute AC330 – to include current ratios where available</p> <p>Minute AC343 – to be amended to:</p> <p>That the Council:</p> <ol style="list-style-type: none"> 1) Directs the A/CEO, or their delegate, to legally defend the Shire in the abovementioned minor case claim; 2) Approves sufficient provision in the Mid- Year Budget Review to allow for associated legal fees; and 3) Directs the A/CEO, or their delegate, to provide a report to the next Audit (Finance and Risk) Committee meeting outlining the current status of the matter. 	Minor Case Claim has not progressed since the last update.
OCM 24/03/15	Consideration of a Customer Service Policy and Complaints Management Policy for Adoption	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse the Customer Service Policy effective immediately; 2. Endorse the Complaints Management Policy effective immediately; 3. Directs the Acting Chief Executive Officer to seek public comment in relation to the Customer Service Policy and the Complaints Management Policy; 4. Notes that the Communications Policy resolved at the December Ordinary Meeting of Council has been separated into two policies, being the Customer Services Policy and a new Media Policy that is currently in development; 5. Notes that to ensure the appropriate implementation of a Customer Service Charter incorporating service standards, the Shire will require a significant review of procedures and systems to support its implementation and ongoing measurement against the standards set, which is not funded in 2014/15 and would need to be considered as part of the 2015/16 Budget Process. 	The Council endorsed a draft Customer Services Policy and Complaints Management Policy at the March OCM. Public comment is now being sought for a period of 28 days to be provided to the Council for consideration prior to the adoption of the Policies. The endorsed Policies have been communicated to staff and the leadership team, and are currently in use. The public comment period has now closed and a report will be provided to the June meeting for consideration.

Meeting	Item	Resolution	Progress Comment
OCM 24/03/15	Outdoor Dining Permit at Lot 614 Messmate Way, Kununurra	<p>That Council:- APPROVES the request submitted by Guillaume Tollec for an outdoor dining permit at Lot 641 (shop 5) Messmate Way, subject to compliance with the following conditions, to the satisfaction of Shire officers:</p> <ol style="list-style-type: none"> 1. The permit is valid for 12 months. 2. The applicant shall make payment of an Outdoor Dining permit fee, upon completion of the local public notice process and imposition of the fee into the Shire's Fees and Charges schedule. 3. The applicant shall be responsible for: <ol style="list-style-type: none"> i. Indemnifying the Shire in writing with regard to any claims that may arise in this public place. As such, the onus remains with the applicant to ensure that adequate Public Liability Insurance Cover is provided to a minimum of \$10 million. A copy of the trader's public liability insurance must be provided to the Shire of Wyndham East Kimberley prior to the trading date; ii. Ensuring that the dining use is conducted at all times in accordance with the provisions of the Shire's local laws; iii. Maintaining the furniture in the public place in a good, clean and serviceable condition at all times; iv. Removing all waste after trading hours conclude; and v. All costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the dining area. 	Applicant advised on 9 April 2015 of outcome of the March 2015 Ordinary Council Meeting and of the new fees adopted by Council.
OCM 24/03/15	Unnamed Creek Crossing - Victoria Highway	<p>That Council:</p> <ol style="list-style-type: none"> 1. Directs the Acting Chief Executive Officer to write to the MG Corporation to seek advice from the relevant Traditional Owners on the proposed formal naming of 'Philchowski Crossing', and potential indigenous naming of the creek. 2. Directs the Acting Chief Executive Officer to undertake research and compile supporting documentation to demonstrate Philchowski's contribution to the community or historical significance. 3. Endorses the proposed formal naming of 'Philchowski Crossing', and advises the Geographic Names Committee of its endorsement, subject to adequate supporting documentation being compiled and no objection being received from Traditional Owners. 	Letter sent to MG Corporation dated 20 April to seek advice from relevant Traditional Owners. MG Corporation have acknowledged receipt of this letter and advised that the matter will be referred to the relevant MG Entity and Traditional Owner for comment, and a response will be provided in due course.
OCM 24/03/15	CONFIDENTIAL Ord River Sports Club Lease	That Council directs the Acting CEO or their delegate to offer a special payment arrangement with Ord River Sports Club Inc. for a period which does not extend beyond July 2020, being approximately 5 years, for the payment of outstanding rates and charges (\$19,799.71), if requested by the Club.	Notification of offer of special arrangement has been sent to the Ord River Sports Club. Awaiting a response.

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

**16. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY
DECISION**

Nil

17. MATTERS BEHIND CLOSED DOORS

Nil

18. CLOSURE

The Shire President declares the meeting closed at 6.35pm