

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**

24 November 2015

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

HELD ON TUESDAY, 24 NOVEMBER 2015 AT 5:00 PM

1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 5.00pm.

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

Cr J Parker	Shire President
Cr K Wright	Deputy President
Cr B Robinson	Councillor
Cr D Spackman	Councillor
Cr S Cooke	Councillor
Cr S Rushby	Councillor
Cr N Perry	Councillor
Cr A Petherick	Councillor
Cr E Bolto	Councillor
C Askew	Chief Executive Officer
N Octoman	Director Corporate Services
D Klye	Director Infrastructure
L Gee	Director Community Development
M Tonkin	Executive Assistant (Minute Taker)

GALLERY

Wayne Richards	SWEK Staff
Roy Adam	SWEK Staff
Paul Bawden	SWEK Staff
Barbara Venn	SWEK Staff
Mark Northover	Ratepayer
Paul Cavenagh	
Rob Storey	Ratepayer
Paul O'Neil	
Graham Keyser	Ratepayer

APOLOGIES

Nil

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

3. DECLARATION OF INTEREST

- Financial Interest

Councillor/ Officer	Item	Title	Description of interest
Cr S Rushby	13.1.1	Consideration of Recommendations Contained Within the Minutes of the Audit (Finance and Risk) Committee Meeting of 10 November 2015	May have a financial interest
Cr J Parker	13.4.4	Annual Community Grants 2015-16	WELA is one of the community groups named in this item as awarded a grant and I manage the WELA Centre
Cr J Parker	17.3	Lease of Kununurra Youth Centre	SCA funds WELA programs
Cr A Petherick	17.3	Lease of Kununurra Youth Centre	Save the Children are currently our tenants

- Impartiality Interest

Councillor/ Officer	Item	Title	Description of interest
Cr S Rushby	13.3.1	Road Construction Specification Policy	I am a contractor and may have an impartiality interest
Cr D Spackman	13.4.3	Lot 266 Packsaddle Road – Cabins	We live on same road
Cr K Wright	13.4.4	Annual Community Grants 2015-16	Member of KAS
Cr E Bolto	13.4.4	Annual Community Grants 2015-16	My children attend KDHS. I will participate in the 2016 Lake Argyle Swim. I work at St Joseph's School but am not employed by them.
W Richards	13.4.4	Annual Community Grants 2015-16	Children attend Kununurra District High School. They are not participants in the program applied for.
W Richards	13.4.5	Policy – Baby Tree Program	Child eligible for this program 2014/15
Cr K Wright	17.2	Kununurra Visitor Centre	Member of the KVC

- Proximity Interest

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr N Perry requests a leave of absence for the 27 January 2016, Ordinary Council Meeting.

COUNCIL DECISION

Minute No. 11163

Moved: Cr B Robinson

Seconded: Cr K Wright

That Council grants Cr N Perry a leave of absence for the 27 January 2016, Ordinary Council Meeting.

Carried Unanimously 9/0

7. PETITIONS

Nil

8. CONFIRMATION OF MINUTES

CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 27/10/2015

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 27/10/2015.

AMMENDMENT

Cr B Robinson proposes an amendment to the Officer's Recommendation. That Council confirms the Minutes of the Ordinary Council Meeting held on 27/10/2015 with the following changes applied to the Minutes:

- 1) An additional Council Decision is included before Minute No.11157 that states Cr D Spackman moved that Council defer item 13.5.6 Legal Representation Policy to a Council Briefing Session. Seconded by Cr A Petherick and lost 3 votes to 5.
- 2) Minute No. 11157 is amended to Cr B Robinson as the seconder.

COUNCIL DECISION

Minute No. 11164

Moved: Cr B Robinson

Seconded: Cr S Cooke

That Council confirms the Minutes of the Ordinary Council Meeting held on 27/10/2015 with the following changes applied to the Minutes:

- 1) An additional Council Decision is included before Minute No.11157 that states Cr D Spackman moved that Council defer item 13.5.6 Legal Representation Policy to a Council Briefing Session. Seconded by Cr A Petherick and defeated 3 votes to 5.**
- 2) Minute No. 11157 is amended to Cr B Robinson as the seconder.**

Carried Unanimously 9/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

As listed in section 17 of the Agenda.

11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Shire President, Cr Jane Parker advises that Jill Williams from the Chamber of Commerce will make a presentation towards the end of the meeting.

12. MINUTES OF COUNCIL COMMITTEE MEETINGS

Nil

13. REPORTS

13.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

Cr S Rushby leaves the Chambers at 5.08pm.

**13.1.1 Consideration of Recommendations Contained Within the
Minutes of the Audit (Finance and Risk) Committee Meeting of 10
November 2015**

DATE:	24 November 2015
AUTHOR:	Natalie Octoman, Director Corporate Services
RESPONSIBLE OFFICER:	Natalie Octoman, Director Corporate Services
ASSESSMENT NO:	Not Applicable
FILE NO:	Various
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 1

In relation to Item "7.1 - Standing Item - Sundry Debtors" that the Audit (Finance and Risk) Committee reports to the Council that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

COUNCIL DECISION

Minute No. 11165

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

In relation to Item "7.1 - Standing Item - Sundry Debtors" that the Audit (Finance and Risk) Committee reports to the Council that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

Carried Unanimously 8/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 2

In relation to Item "7.2 - *Standing Item - Rates Debtors*" 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. 11166

Moved: Cr B Robinson

Seconded: Cr N Perry

In relation to Item "7.2 - *Standing Item - Rates Debtors*" 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 8/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 3

In relation to Item "7.3 - *Standing Item - Insurance Claims*" that the Audit (Finance and Risk) Committee recommends to the Council that it notes the Insurance Claims Register attached.

COUNCIL DECISION

Minute No. 11167

Moved: Cr B Robinson

Seconded: Cr K Wright

In relation to Item "7.3 - *Standing Item - Insurance Claims*" that the Audit (Finance and Risk) Committee recommends to the Council that it notes the Insurance Claims Register attached.

Carried Unanimously 8/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 4

In relation to Item "7.4 - *Standing Item - Leases*" that the Audit (Finance and Risk) Committee recommends to the Council that it notes the Confidential Lease Schedule and New and Renewal Lease Schedule attached.

COUNCIL DECISION

Minute No. 11168

Moved: Cr B Robinson
Seconded: Cr K Wright

In relation to Item "7.4 - *Standing Item - Leases*" that the Audit (Finance and Risk) Committee recommends to the Council that it notes the Confidential Lease Schedule and New and Renewal Lease Schedule attached.

Carried Unanimously 8/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 5

In relation to Item "7.5 - *Review of Council Policy CP/FIN-3212 Rates and Charges Debt Collection*" that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the amended Policy *CP/FIN-3212 Rates and Charges Debt Collection*.

OFFICER'S ALTERNATIVE RECOMMENDATION

In relation to Item "7.5 - *Review of Council Policy CP/FIN-3212 Rates and Charges Debt Collection*" that the Council has considered the Audit (Finance and Risk) Committee's recommendation and adopts the amended Policy *CP/FIN-3212 Rates and Charges Debt Collection*, as per the revised version tabled at the 24 November 2015 Ordinary Council Meeting.

COUNCIL DECISION

Minute No. 11169

Moved: Cr B Robinson

Seconded: Cr N Perry

In relation to Item “7.5 - Review of Council Policy CP/FIN-3212 Rates and Charges Debt Collection” that the Council has considered the Audit (Finance and Risk) Committee’s recommendation and adopts the amended Policy CP/FIN-3212 Rates and Charges Debt Collection, as per the revised version tabled at the 24 November 2015 Ordinary Council Meeting.

Carried Unanimously 8/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE’S RECOMMENDATION 6

In relation to Item “7.6 - Review of Council Policy CP/FIN-3208 Rates Exemptions for Charitable Organisations (Non-Rateable Land)” that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the amended Policy CP/FIN-3208 Rates Exemptions for Charitable Organisations (Non-Rateable Land).

COUNCIL DECISION

Minute No. 11170

Moved: Cr B Robinson

Seconded: Cr S Cooke

In relation to Item “7.6 - Review of Council Policy CP/FIN-3208 Rates Exemptions for Charitable Organisations (Non-Rateable Land)” that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the amended Policy CP/FIN-3208 Rates Exemptions for Charitable Organisations (Non-Rateable Land).

Carried Unanimously 8/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 7

In relation to Item "7.7 - Review of Council Policy CP/FIN-3209 Rates Concessions (Rateable Land)" that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the amended Policy CP/FIN-3209 Rates Concessions (Rateable Land).

COUNCIL DECISION

Minute No. 11171

Moved: Cr B Robinson

Seconded: Cr S Cooke

In relation to Item "7.7 - Review of Council Policy CP/FIN-3209 Rates Concessions (Rateable Land)" that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the amended Policy CP/FIN-3209 Rates Concessions (Rateable Land).

Carried Unanimously 8/0

Cr S Rushby enters the Chambers at 5.14pm.

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 8

In relation to Item "7.8 - Review of Council Policy CP/FIN-3213 Corporate Credit Cards" that the Audit (Finance and Risk) Committee recommends to the Council that it:

1. Adopts the amended Council Policy CP/FIN-3213 Corporate Credit Cards to be effective from the day following the Ordinary Council Meeting; and
2. Notes that the amended Council Policy CP/FIN-3213 Corporate Credit Cards will not be applied retrospectively; and
3. Notes the new Organisational Directive OD/FIN-4202 Issue and Use of Credit Cards.

COUNCIL DECISION

Minute No. 11172

Moved: Cr B Robinson
Seconded: Cr K Wright

In relation to Item “7.8 - Review of Council Policy CP/FIN-3213 Corporate Credit Cards” that the Audit (Finance and Risk) Committee recommends to the Council that it:

1. Adopts the amended Council Policy *CP/FIN-3213 Corporate Credit Cards* to be effective from the day following the Ordinary Council Meeting; and
2. Notes that the amended Council Policy *CP/FIN-3213 Corporate Credit Cards* will not be applied retrospectively; and
3. Notes the new Organisational Directive *OD/FIN-4202 Issue and Use of Credit Cards*.

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE’S RECOMMENDATION 9

In relation to Item “7.9 - Review of Council Policy CP/FIN-3203 Investments” that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the revised Council Policy *CP/FIN-3203 Investments*.

COUNCIL DECISION

Minute No. 11173

Moved: Cr B Robinson
Seconded: Cr K Wright

In relation to Item “7.9 - Review of Council Policy CP/FIN-3203 Investments” that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the revised Council Policy *CP/FIN-3203 Investments*.

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 10

In relation to Item "7.10 - Review of Council Policy CP/FIN-3215 Self-Supporting Loans" that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the revised Council Policy CP/FIN-3218 Self-Supporting Loans.

COUNCIL DECISION

Minute No. 11174

Moved: Cr B Robinson
Seconded: Cr K Wright

In relation to Item "7.10 - Review of Council Policy CP/FIN-3215 Self-Supporting Loans" that the Audit (Finance and Risk) Committee recommends to the Council that it adopts the revised Council Policy CP/FIN-3218 Self-Supporting Loans.

Carried Unanimously 9/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 11

In relation to Item "7.11 - Proposed Meeting Dates for the Audit (Finance and Risk) Committee 2016" that the Audit (Finance and Risk) Committee recommends to the Council:

1. That the Audit (Finance and Risk) Committee meetings for 2016 are held in accordance with the following dates, times and place:

Date	Time	Place
Tuesday, 9 February 2016	3:00pm	Council Chambers, Kununurra
Tuesday, 10 May 2016	3:00pm	Council Chambers, Kununurra
Tuesday, 9 August 2016	3:00pm	Council Chambers, Kununurra
Tuesday, 8 November 2016	3:00pm	Council Chambers, Kununurra

2. That local public notice of the meetings outlined in recommendation (1) above is provided in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

COUNCIL DECISION

Minute No. 11175

Moved: Cr B Robinson

Seconded: Cr N Perry

In relation to Item “7.11 - Proposed Meeting Dates for the Audit (Finance and Risk) Committee 2016” that the Audit (Finance and Risk) Committee recommends to the Council:

- 1. That the Audit (Finance and Risk) Committee meetings for 2016 are held in accordance with the following dates, times and place:**

Date	Time	Place
Tuesday, 9 February 2016	3:00pm	Council Chambers, Kununurra
Tuesday, 10 May 2016	3:00pm	Council Chambers, Kununurra
Tuesday, 9 August 2016	3:00pm	Council Chambers, Kununurra
Tuesday, 8 November 2016	3:00pm	Council Chambers, Kununurra

- 2. That local public notice of the meetings outlined in recommendation (1) above is provided in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.**

Carried Unanimously 9/0

Cr S Rushby declares a financial interest in Committee Recommendation 12 of this item as she may have a financial interest and leaves the Chambers at 5.17pm

VOTING REQUIREMENT

Simple Majority

COMMITTEE’S RECOMMENDATION 12

In relation to Item “8.1 - Confidential - Minor Case Claim Update” that the Audit (Finance and Risk) Committee recommends to the Council that it notes the progress of the case.

COUNCIL DECISION

Minute No. 11176

Moved: Cr K Wright

Seconded: Cr D Spackman

That Council considers Committee Recommendation 12 of item 13.1.1 Consideration of Recommendations Contained Within the Minutes of the Audit (Finance and Risk) Committee Meeting of 10 November 2015 behind closed doors.

Carried Unanimously 8/0

Cr S Rushby enters the Chambers at 5.18pm

PURPOSE

That the Council consider the recommendations from the Audit (Finance and Risk) Committee at its meeting of 10 November 2015.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The background and details supporting the recommendations are contained in the Audit (Finance and Risk) Committee meeting minutes.

STATUTORY IMPLICATIONS

Various - detailed within the Minutes of the 10 November 2015 Audit (Finance and Risk) Committee meeting.

POLICY IMPLICATIONS

Various - detailed within the Minutes of the 10 November 2015 Audit (Finance and Risk) Committee meeting.

FINANCIAL IMPLICATIONS

Various - detailed within the Minutes of the 10 November 2015 Audit (Finance and Risk) Committee meeting.

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 services

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

RISK IMPLICATIONS

Various - detailed within the Minutes of the 10 November 2015 Audit (Finance and Risk) Committee meeting.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

Various - detailed within the Minutes of the 10 November 2015 Audit (Finance and Risk) Committee meeting.

ATTACHMENTS

Nil

13.2 CORPORATE SERVICES

13.2.1 Interim Monthly Financial Report as at 31 October 2015

DATE:	24 November 2015
AUTHOR:	Niroshini Nandasiri, Asset Management Accountant
RESPONSIBLE OFFICER:	Natalie Octoman, Director Corporate Services
FILE NO:	FM.09.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Interim Monthly Financial Report as at 31 October 2015.

COUNCIL DECISION

Minute No. 11177

Moved: Cr K Wright

Seconded: Cr D Spackman

That Council receives the Interim Monthly Financial Report as at 31 October 2015.

Carried Unanimously 9/0

PURPOSE

For Council to receive the interim monthly financial report as at 13 October 2015.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Council is to prepare monthly financial reports as required by the *Local Government (Financial Management Regulations) 1996*.

STATUTORY IMPLICATIONS

Section 6.4 Local Government Act 1995

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

RISK IMPLICATIONS

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

Operational Risk: Non-compliance with the DLG advisory standard and regulations.

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.

COMMENTS

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

It should be noted that the Shire, in conjunction with the Zone are currently in the process of implementing a new Corporate Performance Management (CPM) and Business Intelligence (BI) software application that seamlessly sources data from the Shire's corporate system SynergySoft. The solution aims to provide timely and quality information straight from the source, improves accessibility for officers, delivers efficiencies in information distribution and

collaboration across the Shire, along with efficiencies in the production of Council, Statutory and management reports.

It is anticipated that user acceptance testing will occur over the December to February period, with a likely roll-out in the months thereafter.

It is anticipated that the format of the monthly reports provided to the Council will change slightly, however this has not yet been determined given the development phase that the Shire is currently undertaking.

ATTACHMENTS

Attachment 1 - Interim Monthly Financial Report as at 31 October 2015



Shire of Wyndham East Kimberley

Interim Monthly Financial Report 2015/2016

As at 31 October 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 (Interim Report)

Year to Date Actual v Year to Date Budget

as at 31 October 2015

	YTD Actual 2015/16 \$	YTD Budget 2015/16 \$	YTD Variance 2015/16 \$	%	
Revenue					
General Purpose Funding	1,011,533	955,362	56,171	6%	▲
Governance	82,056	84,811	(2,756)	-3%	▼
Law, Order, Public Safety	13,964	37,803	(23,839)	-63%	▼
Health	56,095	21,835	34,260	157%	▲
Education and Welfare	4,519	3,616	904	25%	▲
Housing	35,844	41,392	(5,548)	-13%	▼
Community Amenities	1,901,617	1,848,411	53,206	3%	▲
Recreation and Culture	304,618	308,944	(4,326)	-1%	▼
Transport	1,412,609	1,423,277	(10,668)	-1%	▼
Economic Services	20,495	32,458	(11,963)	-37%	▼
Other Property and Services	134,115	48,053	86,062	179%	▲
	<u>4,977,466</u>	<u>4,805,962</u>	<u>171,503</u>	<u>4%</u>	<u>▲</u>
Expenses					
General Purpose Funding	(126,568)	(144,971)	18,403	-13%	▼
Governance	(213,072)	(297,392)	84,321	-28%	▼
Law, Order, Public Safety	(189,611)	(190,312)	701	0%	▼
Health	(98,334)	(97,497)	(838)	1%	▲
Education and Welfare	(77,631)	(93,104)	15,473	-17%	▼
Housing	(211,719)	(217,477)	5,758	-3%	▼
Community Amenities	(1,215,634)	(1,138,508)	(77,127)	7%	▲
Recreation & Culture	(2,230,806)	(2,172,790)	(58,015)	3%	▲
Transport	(3,221,476)	(2,793,339)	(428,137)	15%	▲
Economic Services	(129,288)	(113,751)	(15,537)	14%	▲
Other Property and Services	(330,028)	(352,324)	22,295	-6%	▲
	<u>(8,044,166)</u>	<u>(7,611,466)</u>	<u>(432,701)</u>	<u>6%</u>	<u>▲</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	3,666	(33,055)	36,721	-111%	▲
Movement in Accruals and Provisions	0	0	0	0%	▼
Depreciation on Assets	2,413,954	1,998,288	415,666	21%	▲
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▲
Purchase Land and Buildings	(116,567)	(100,000)	(16,567)	17%	▲
Purchase Infrastructure Assets - Roads	(535,950)	(2,077,464)	1,541,515	-74%	▼
Purchase Infrastructure Assets - Footpaths	0	0	0	0%	▲
Purchase Infrastructure Assets - Drainage	(82,828)	(77,302)	(5,526)	7%	▲
Purchase Infrastructure Assets - Other	(614,922)	(793,553)	178,631	-23%	▼
Purchase Plant and Equipment	(25,727)	(25,727)	0	0%	▲
Purchase Furniture and Equipment	(842)	(7,600)	6,758	-89%	▼
Grants / Contributions for Development of Assets	416,374	551,758	(135,384)	-25%	▼
Proceeds from Disposal of Assets	31,816	0	31,816	0%	▲
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(160,667)	(160,667)	0	0%	▼
Proceeds from New Debentures	0	0	0	0%	▼
Transfers to Reserves (Restricted Assets)	(87,987)	0	(87,987)	0%	▲
Transfers from Reserves (Restricted Assets)	6,934,511	4,049,438	2,885,073	71%	▲
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,665,875)	(1,665,875)	0	0%	▲
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	13,442,748	8,804,300	4,638,448	53%	▲
Amount Required to be Raised from Rates	<u>10,000,494</u>	<u>9,951,565</u>	<u>48,929</u>	<u>0%</u>	<u>▲</u>

Shire of Wyndham East Kimberley
Note to Statement of Financial Activity (Interim Report)

Net Current Assets
as at 31 October 2015

Composition of Estimated Net Current Asset Position

	YTD Actual 2015/16	Brought Forward 1 July 2015
CURRENT ASSETS		
Cash - Municipal (Restricted & Unrestricted)*	10,481,470	2,861,225
Cash - Restricted Reserves	7,367,341	14,169,235
Receivables	4,972,882	3,770,714
Inventories & Other Financial Assets	9,568	17,214
	<u>22,831,261</u>	<u>20,818,388</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	(2,021,172)	(8,315,028)
Less:		
Restricted - Reserves	(7,367,341)	(14,169,235)
	<u>13,442,748</u>	<u>(1,665,875)</u>
NET CURRENT ASSET POSITION		
Less:		
Restricted - Unspent Grants	(1,415,449)	(1,415,449)
Restricted - Unspent Loans	(1,035,127)	(1,035,127)
ADJUSTED NET CURRENT ASSET POSITION	<u><u>10,992,172</u></u>	<u><u>(4,116,451)</u></u>

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

Cash on Hand	1,700	1,700
Cash at Bank - Municipal		
Unrestricted	8,029,194	408,949
Restricted - Unspent Grants	1,415,449	1,415,449
Restricted - Unspent Loans	1,035,127	1,035,127
	<u>10,481,470</u>	<u>2,861,225</u>

** Net current asset position will remain overstated until the position of reserves are finalised for the 2014/15 financial year.

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity (Interim Report)
For the Period Ended 31 October 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

Rates Revenue - Interim Rates

49,900

▲

Council determined not to include a budget allocation for interim rates in the first instance given their uncertainty and fluctuation throughout the financial year. This will be reviewed as part of the Mid Year Budget Review process.

General Purpose Funding ▲

Interest Income - Reserve Fund

27,000

▲

Timing variance. Interest income depends on interest rates and term of investments at maturity

Governance ▼

No material variances to report

Law, Order and Public Safety ▼

No material variances to report

Health ▲

Mosquito Control Administration (CLAG)

36,100

▲

Additional grant funding received from Department of Health. Budget to be amended at the budget review, with the funds to be held in the Contiguous Local Authority Group (CLAG) Reserve until expenditure is incurred.

Education and Welfare ▲

No material variances to report

Housing ▼

No material variances to report

Community Amenities ▲

Rubbish Disposal Charges

43,400

▲

Timing variance. Budget profile indicates that the surplus could reduce in March/April 2016

Recreation and Culture ▼

No material variances to report

Transport ▼

Aircraft Landing Fees - East Kimberley Regional Airport

(22,400)

▼

Reduced income than expected. Current data indicates that this shortfall will continue to EOY.

Leases - East Kimberley Regional Airport Terminal

20,200

▲

Increased income. Due to rental car leases based on turnover.

Economic Services ▼

No material variances to report

Other Property and Services ▲

Insurance Claim Revenue - Wyndham Depot

115,500

▲

Timing variance. Progress claims related to Wyndham Depot construction expenses.

Profit on Sale of Assets - Plant Operation

(30,600)

▼

Timing variance. Disposal of assets deferred until later in the year.

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity (Interim Report)
For the Period Ended 31 October 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	▲	
General Purpose Funding	▼	
No material variances to report		
Governance	▼	
Election Expenses	37,200	▼ Timing variance. Invoice is expected in December 2015.
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	▲	
Tip Maintenance	(23,700)	▲ Increased maintenance due to increased activity as noted above, Rubbish disposal charges (\$43,400).
Recreation and Culture	▲	
Depreciation - Swimming Areas and Beaches	(80,600)	▼ Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.
Direct Salaries - Kununurra Swimming Complex	(20,000)	▼ Savings due to staff vacancies.
Depreciation - Kununurra Swimming Complex	38,000	▲ Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.
Depreciation - Other Swimming Areas and Beaches	87,200	▲ Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.
Building Maintenance - Kununurra Leisure Centre	(21,400)	▼ Budget transfer required to building operating due to the nature of expense.
Depreciation - Kununurra Grounds	30,000	▲ Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.
Transport	▲	
Administration Salary and Wages Allocated - Streets, Roads & Bridges - Non Capital	(46,600)	▼ Non cash item. Variance due to asset depreciation changed between sub programme. Off sets with budget held in another account.
Admin Overheads Allocated - Streets, Roads & Bridges - Non Capital	48,200	▲ Non cash item. Variance due to asset depreciation changed between sub programme. Off sets with budget held in another account.
Admin Overheads Allocated - Streets, Roads & Bridges - Maintenance	(43,900)	▼ Non cash item. Variance due to asset depreciation changed between sub programme. Off sets with budget held in another account.
Rural Road Maintenance	(28,200)	▼ Variance due to plant cost allocations which is a internal charge.
Depreciation - Streets, Roads & Bridges - Maintenance	357,200	▲ Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.
Depreciation - East Kimberley Regional Airport	22,100	▲ Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.
Airport Runway Extension Assessment and Business Case	35,200	▲ Budget transfer required due change from capital to operating due to the nature of expense. Budget held in capital account.
Depreciation - Wyndham Airport	33,900	▲ Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity (Interim Report)
For the Period Ended 31 October 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)

Economic Services

No material variances to report

Other Property and Services

	▲	
Indirect Salaries - Outdoor Workforce	51,800 ▲	Budget transfer required due to change of methodology in allocation of outdoor workforce salaries. Budget held in different account. Timing impact only.
Direct Salaries - Outdoor Workforce	(79,800) ▼	Budget transfer required due to change of methodology in allocation of outdoor workforce salaries. Budget held in different account. Timing impact only.
Admin Overheads Allocated - Public Works Overheads	25,100 ▲	Non cash item. Timing related to year to date budget estimates.
Administration Salary and Wages Allocated - General Administration Overheads	38,000 ▼	Non cash item. Timing related to year to date budget estimates.
Direct Salaries - Financial Services	(61,000) ▼	Savings due to vacant positions.
Software Licencing - Information Services	(29,900) ▼	Timing variance. Awaiting supplier invoice.
Plant Operating Cost Allocated	83,900 ▼	Non cash item. Variance due to asset disposals. Budget to be amended at the budget review.
Depreciation - Plant Operation	(31,700) ▼	Non cash item. Variance due to asset disposals. Budget to be amended at the budget review.

Non Cash Expenditure and Revenue

Adjustments and Accruals

Profit on Sale of Assets - Plant Operation	(30,600) ▲	Timing variance. Disposal of assets deferred until later in the year.
Depreciation	(415,700) ▲	Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review.

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity (Interim Report)
For the Period Ended 31 October 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

Purchase Land Held for Resale	▲	
No material variances to report		
Purchase Land and Buildings	▲	
No material variances to report		
Purchase Infrastructure Assets - Roads	▼	
Kalumburu Road - Re-sheet	(102,100)	▼ Project completed. Awaiting supplier invoice.
Goomig Roads Reseal 2nd coat	(1,444,700)	▼ Project completed. Awaiting supplier invoice.
Purchase Infrastructure Assets - Footpaths	▲	
No material variances to report		
Purchase Infrastructure Assets - Drainage	▲	
No material variances to report		
Purchase Infrastructure Assets - Other	▼	
Runway Asphalt Overlay MUN	(155,700)	▼ Timing variance. Awaiting supplier invoice
Purchase Plant and Equipment	▲	
No material variances to report		
Purchase Furniture and Equipment	▼	
No material variances to report		
Grants / Contributions for Development of Assets	▼	
FESA Capital Grant - SES Shed Relocation	141,400	▼ Final claim and acquittal to be submitted with DEFES in November 2015.
Proceeds from Disposal of Assets	▲	
Medium Plant - Trade Value MUN	(20,700)	▲ Timing variance. Disposal of assets differed until later in the year.
Debentures	▼	
No material variances to report		
Reserves	▲	
Unspent Loans - Transfer from Reserve MUN	(208,100)	▲ Initial budget was forecast prior to works being finalised. Actual expenditure for 2014/15 has had an impact on the funds held in these reserves, however this is a timing variance only and the 2015/16 budget will be adjusted accordingly.
Unspent Grants - Transfer from Reserve MUN	(36,500)	▲ Initial budget was forecast prior to works being finalised. Actual expenditure for 2014/15 has had an impact on the funds held in these reserves, however this is a timing variance only and the 2015/16 budget will be adjusted accordingly.
Goomig Farmlands Road Reserve - Transfer from Reserve	(2,640,600)	▲ Timing Variance. Requires monthly profile adjustment.

Shire of Wyndham East Kimberley

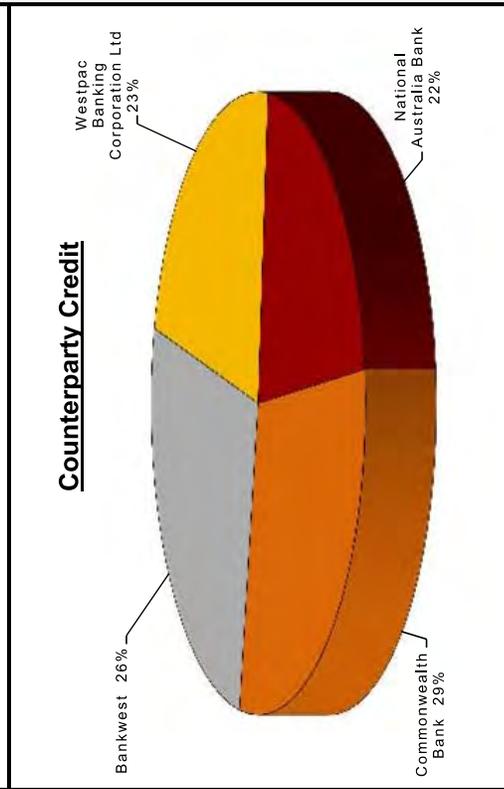
Statement of Financial Activity (Interim Report)

Budget Remaining to Collect/Spend
as at 31 October 2015

	YTD Actual 2015/16 \$	Annual Budget 2015/16	Budget Remaining 2015/16 \$	%	
Revenue					
General Purpose Funding	1,011,533	2,547,115	1,535,582	60%	▼
Governance	82,056	150,872	68,816	46%	▼
Law, Order, Public Safety	13,964	58,613	44,649	76%	▼
Health	56,095	92,506	36,411	39%	▼
Education and Welfare	4,519	11,500	6,981	61%	▼
Housing	35,844	121,590	85,746	71%	▼
Community Amenities	1,901,617	2,534,733	633,116	25%	▼
Recreation and Culture	304,618	997,143	692,525	69%	▼
Transport	1,412,609	4,160,621	2,748,012	66%	▼
Economic Services	20,495	96,365	75,870	79%	▼
Other Property and Services	134,115	371,933	237,818	64%	▼
	<u>4,977,466</u>	<u>11,142,991</u>	<u>6,165,525</u>	<u>55%</u>	<u>▼</u>
Expenses					
General Purpose Funding	(126,568)	(573,835)	(447,267)	78%	▼
Governance	(213,072)	(930,227)	(717,156)	77%	▼
Law, Order, Public Safety	(189,611)	(592,391)	(402,780)	68%	▼
Health	(98,334)	(299,639)	(201,305)	67%	▼
Education and Welfare	(77,631)	(243,541)	(165,910)	68%	▼
Housing	(211,719)	(604,444)	(392,725)	65%	▼
Community Amenities	(1,215,634)	(4,144,548)	(2,928,914)	71%	▼
Recreation & Culture	(2,230,806)	(6,897,090)	(4,666,284)	68%	▼
Transport	(3,221,476)	(8,601,589)	(5,380,113)	63%	▼
Economic Services	(129,288)	(330,981)	(201,693)	61%	▼
Other Property and Services	(330,028)	(1,633,139)	(1,303,111)	80%	▼
	<u>(8,044,166)</u>	<u>(24,851,424)</u>	<u>(16,807,258)</u>	<u>68%</u>	<u>▼</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Revenue					
(Profit)/Loss on Asset Disposals	3,666	(40,211)	(43,877)	109%	▼
Movement in Accruals and Provisions	0	0	0	0%	▼
Depreciation on Assets	2,413,954	5,765,188	3,351,234	58%	▼
Capital Expenditure and Revenue					
Purchase Land Held for Resale	0	0	0	0%	▼
Purchase Land and Buildings	(116,567)	(187,830)	(71,263)	38%	▼
Purchase Infrastructure Assets - Roads	(535,950)	(5,978,884)	(5,442,934)	91%	▼
Purchase Infrastructure Assets - Footpaths	0	(109,315)	(109,315)	100%	▼
Purchase Infrastructure Assets - Drainage	(82,828)	(552,970)	(470,142)	85%	▼
Purchase Infrastructure Assets - Other	(614,922)	(6,501,870)	(5,886,948)	91%	▼
Purchase Plant and Equipment	(25,727)	(1,501,043)	(1,475,316)	98%	▼
Purchase Furniture and Equipment	(842)	(191,100)	(190,258)	100%	▼
Grants / Contributions for Development of Assets	416,374	5,621,304	5,204,930	93%	▼
Proceeds from Disposal of Assets	31,816	363,237	331,421	91%	▼
Proceeds from Sale of Land Held for Resale	0	0	0	0%	▼
Repayment of Debentures	(160,667)	(954,447)	(793,780)	83%	▼
Proceeds from New Debentures	0	0	0	0%	▼
Transfers to Reserves (Restricted Assets)	(87,987)	(6,707,472)	(6,619,485)	99%	▼
Transfers from Reserves (Restricted Assets)	6,934,511	16,576,747	9,642,236	58%	▼
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	(1,665,875)	(1,665,875)	0	0%	▼
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	13,442,748	178,591	(13,264,157)	-7427%	▲
Amount Required to be Raised from Rates	<u>10,000,494</u>	<u>9,951,565</u>	<u>(48,929)</u>	<u>0%</u>	<u>▲</u>

REPORT ON INVESTMENT PORTFOLIO AS AT 31 OCTOBER 2015

INVESTMENT POLICY - CP FIN - 3203			
S&P Rating	Portfolio Credit Framework	Counterparty Credit Framework	
Long Term	Short Term	Direct Investment Maximum %	Counterparty Credit Framework
AAA	A-1+	100%	45%
AA	A-1	100%	35%
A	A-2	60%	20%
Note: "S & P" relates to Standard & Poors credit rating agency			
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	



Institution Name	S&P Rating	Term to Maturity	Interest Rate	Maturity Date	Principal	Interest on Maturity	% of portfolio	
MUNICIPAL FUNDS								
Bankwest	A-1+ /A	1 Month	2.59%	26-Nov-15	1,000,000.00	2,128.77	7%	
Bankwest		1 Month	2.59%	26-Nov-15	1,000,000.00	2,128.77	7%	
CBA		3 Months	2.63%	29-Dec-15	1,000,000.00	4,467.40	7%	
CBA		3 Months	2.63%	29-Dec-15	1,000,000.00	4,467.40	7%	
CBA		3 Months	2.63%	29-Dec-15	1,000,000.00	4,467.40	7%	
Westpac		2 Months	2.89%	27-Jan-16	1,000,000.00	7,126.03	7%	
Westpac		2 Months	2.89%	27-Jan-16	1,000,000.00	7,126.03	7%	
TOTAL MUNICIPAL INVESTMENTS					7,000,000.00	31,911.78	51%	
RESERVE FUNDS								
Bankwest	A-1+ /A	3 Months	2.75%	17-Nov-15	1,023,950.28	6,943.22	8%	
Bankwest		3 Months	2.75%	23-Nov-15	537,579.64	3,685.73	4%	
NAB		3 Months	2.92%	16-Dec-15	748,637.59	5,390.19	5%	
CBA		3 Months	2.80%	7-Jan-16	1,027,426.12	7,093.46	8%	
NAB		3 Months	2.85%	27-Jan-16	1,786,101.24	12,551.64	13%	
Westpac		3 Months	2.89%	27-Jan-16	1,081,624.23	8,135.89	8%	
TOTAL RESERVE INVESTMENTS					6,205,319.10	43,800.14	45%	
TRUST FUNDS - T292								
NAB	A-1+/AA	4 Months	2.98%	28-Jan-16	437,867.00	4,361.40	3%	
TOTAL TRUST INVESTMENTS					437,867.00	4,361.40	3%	
TOTAL INVESTMENT'S HELD & INTEREST PAID					13,643,186.10	80,073.32	100%	

13.2.2 List of Accounts Paid from Municipal Fund and Trust Fund

DATE:	24 November 2015
AUTHOR:	Victoria Nakamya, Creditors Officer
RESPONSIBLE OFFICER:	Natalie Octoman, Director Corporate Services
FILE NO:	FM.09.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

Municipal EFT 124743 – 125020 (01 October – 30 October 15)	\$ 2,264,793.88
Municipal cheques 51144 - 51167 (01 October – 29 October 15)	\$ 152,871.67
Trust cheques 800 - 811 (12 October – 15 October 15)	\$ 8,210.38
Trust EFT 501033 – 501052 (01 October – 30 October 15)	\$ 10,190.85
Payroll (01 October – 29 October 15)	\$ 441,319.30
Direct bank debits (01 October – 30 October 15)	\$ 132,076.84
TOTAL	\$ 3,009,462.92

COUNCIL DECISION

Minute No. 11178

Moved: Cr B Robinson

Seconded: Cr S Cooke

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

Municipal EFT 124743 – 125020 (01 October – 30 October 15)	\$ 2,264,793.88
Municipal cheques 51144 - 51167 (01 October – 29 October 15)	\$ 152,871.67
Trust cheques 800 - 811 (12 October – 15 October 15)	\$ 8,210.38
Trust EFT 501033 – 501052 (01 October – 30 October 15)	\$ 10,190.85
Payroll (01 October – 29 October 15)	\$ 441,319.30
Direct bank debits (01 October – 30 October 15)	\$ 132,076.84
TOTAL	\$ 3,009,462.92

Carried Unanimously 9/0

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*.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

In accordance with Council's Delegations Register 2015/16 which was adopted by the Council on the 22 September 2015, 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 5, 11, 12, 12(1)(a) and 13.

POLICY IMPLICATIONS

Sub-delegation 12 "Payments from the Municipal Fund and Trust Fund" applies subject to compliance with Council Policy CP/FIN-3204 Purchasing.

FINANCIAL IMPLICATIONS

Ongoing management of the Shire's 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

RISK IMPLICATIONS

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

Operational Risk: Non-compliance with the DLG advisory standard and regulations.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

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.

ATTACHMENT 1

LIST OF ACCOUNTS SUBMITTED TO COUNCIL 24 NOVEMBER 2015

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT124743	01/10/2015	ABCO PRODUCTS	CLEANING SUPPLIES - EAST KIMBERLEY REGIONAL AIRPORT	49.10
EFT124744	01/10/2015	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	945.34
EFT124745	01/10/2015	ALLGEAR MOTORCYCLES & SMALL ENG.	GENERATOR AND COVER - KUNUNURRA LANDFILL	2,109.65
EFT124746	01/10/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	154.80
EFT124747	01/10/2015	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	71,455.00
EFT124748	01/10/2015	BUSHCAMP SURPLUS STORE	PROTECTIVE CLOTHING - OUTDOOR WORK FORCE	291.24
EFT124749	01/10/2015	CARPET, VINYL & TILE CENTRE	SUPPLY OF TILES AND REPAIRS TO LAUNDRY FLOOR - STAFF HOUSING	1,508.30
EFT124750	01/10/2015	COATES HIRE OPERATIONS PTY LTD	GENERATOR HIRE - KNX TIP MAINTENANCE	1,343.13
EFT124751	01/10/2015	DAVEY TYRE & BATTERY SERVICE	REPLACEMENT BATTERY FOR CONVEYANCE CONTROL SYSTEM - EKRA	64.00
EFT124752	01/10/2015	DAVID WHISH WILSON	AUTHORS FEES FOR ATTENDING THE KIMBERLEY WRITERS FESTIVAL	2,310.00
EFT124753	01/10/2015	EAST KIMBERLEY GLASS	REPLACEMENT OF GLASS IN DOOR - KUNUNURRA HISTORICAL SOCIETY	820.38
EFT124754	01/10/2015	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KLC, STAFF HOUSING & KNX DEPOT	239.70
EFT124755	01/10/2015	EAST KIMBERLEY PLUMBING	INSPECTION OF SEPTIC, INSTALL CARTRIDGE & BASIN - WYN OVAL TOILET, KLC	2,058.45
EFT124756	01/10/2015	J. CAV ELECTRICAL	REPAIRS TO LIGHTS - WYN YOUTH CENTRE	323.41
EFT124757	01/10/2015	JSW HOLDINGS PTY LTD	SUPPLY OF 1 TONNE OF YELLOW SAND - KUNUNURRA YOUTH CENTRE	26.40
EFT124758		CANCELLED	CANCELLED	-
EFT124759	01/10/2015	KUNUNURRA 4WD SPARES	SERVICE, PARTS AND REPAIRS - P122	445.55
EFT124760	01/10/2015	KUNUNURRA MEDICAL	IMMUNISATION FOR STAFF MEMBERS	176.00
EFT124761	01/10/2015	KIMBERLEY TREE SERVICES PTY LTD	TREE REMOVAL - COOLIBAH DRIVE	850.00
EFT124762	01/10/2015	KUNUNURRA COURIERS	DRINKING WATER SUPPLIES - KUNUNURRA LANDFILL - AUG 15	80.00
EFT124763	01/10/2015	KUNUNURRA DISTRICT HIGH SCHOOL	SWEK CONTRIBUTION TO LIBRARY ELECTRICITY CHARGES - JULY 15 KNX LIBRARY	6,174.57
EFT124764	01/10/2015	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS - KUNUNURRA DEPOT	16.00
EFT124765	01/10/2015	KUNUNURRA LOCK & KEY	UNLOCKING DAMAGED LOCK AND KEY CUTTING - KYC	280.50
EFT124766	01/10/2015	KUNUNURRA RURAL TRADERS	FIRE SAFETY CHECK - VARIOUS LOCS INCL. TOURISM HOUSE, WYN REC CENTRE	1,443.00
EFT124767	01/10/2015	KUNUNURRA SECURITY SERVICE	SECURITY MONITORING AND PATROL - KLC, KNX ADMIN	240.00
EFT124768	01/10/2015	KUNUNURRA SOFTBALL ASSN INC	QUICK GRANT TO ASSIST SENDING TEAM TO NORTH WEST SOFTBALL CHAMPS.	500.00
EFT124769	01/10/2015	LAWRENCE & HANSON GROUP	SUPPLY OF CEILING FAN, LAMPS - STAFF HOUSING, KYC, KLC	318.49
EFT124770	01/10/2015	LENNYS LANDSCAPING	GARDEN MAINTENANCE AND TREE LOPPING - STAFF HOUSING	412.50
EFT124771	01/10/2015	MCLEODS BARRISTERS AND SOLICITORS	LEGAL ADVICE	13,412.60
EFT124772	01/10/2015	MAXXIA	PAYROLL DEDUCTIONS	6,288.71
EFT124773	01/10/2015	NEC AUSTRALIA PTY LTD	RENEWAL OF NECARE MAINTENANCE SERVICE AGREEMENT 20/9/15 -19/9/16	4,215.02

EFT124774	01/10/2015	NELLA GLOBAL SOLUTIONS PTY LTD	PROVISION OF ASSESSMENT OFFICER SERVICES	3,573.90
EFT124775	01/10/2015	DSC CONTRACTING	RESETTING OF GLASS ON FRONT OF FIRE SYSTEM - KNX ADMIN	132.00
EFT124776	01/10/2015	ORD RIVER ELECTRICS	REPAIR POWER POINT, SOLAR UNIT & GENERATOR TEST- KLC, KNX&WYN AIRPTS	2,060.44
EFT124777	01/10/2015	ORDCO	ANT SPRAY - RETICULATION MAINTENANCE KUNUNURRA	60.50
EFT124778	01/10/2015	OUTBACK CLEANING	CLEANING - STAFF HOUSING PRIOR TO OCCUPATION	330.00
EFT124779	01/10/2015	OFFICE NATIONAL KUNUNURRA	WALL CLOCK FOR BAGGAGE ROOM - KUNUNURRA AIRPORT	92.85
EFT124780	01/10/2015	OLLIE'S IRRIG. & PLUMBING SUPPLIES	RETICULATION FITTINGS - KUNUNURRA DEPOT	1,324.13
EFT124781	01/10/2015	ORD MACHINING	REPAIRS TO SEESAW - CELEBRITY TREE PARK	220.00
EFT124782	01/10/2015	PLANT HIRE SERVICES PTY LTD	RFQ1 15/16-KALUMBURU RD RECONST.- MOBILISE, TRAFFIC PLAN, EQUIP. HIRE	105,270.00
EFT124783	01/10/2015	PRITCHARD BOOKBINDERS	BINDING - COUNCIL MINUTES	366.30
EFT124784	01/10/2015	SADLIERS RD DISTRIBUTION SERVICES	FREIGHT - PINE LOGS - EAST KIMBERLEY REGIONAL AIRPORT	933.24
EFT124785	01/10/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	390.00
EFT124786	01/10/2015	SIMPLY UNIFORMS	STAFF UNIFORMS AND EMBROIDERY - KUNUNURRA ADMINISTRATION	3,084.94
EFT124787	01/10/2015	ST JOHN AMBULANCE	FIRST AID TRAINING - STAFF MEMBER	498.00
EFT124788	01/10/2015	TNT AUSTRALIA PTY LIMITED	FREIGHT - HEALTH SAMPLES - KUNUNURRA - NEDLANDS	413.79
EFT124789	01/10/2015	EAST KIMBERLEY TOWING	REMOVAL OF ABANDONED VEHICLES - SWIM BEACH TO IMPOUND YARD	120.00
EFT124790	01/10/2015	WEST AUST. NEWSPAPERS LTD	ADVERTISING - RECRUITMENT, SWEK NEWS - AUGUST 15	3,337.72
EFT124791	01/10/2015	THINK WATER KUNUNURRA	RETICULATION FITTINGS - KNX DEPOT	1,301.69
EFT124792	01/10/2015	THORLEY'S STORE - WYNDHAM	SUPPLY OF BASKET BALLS - WYNDHAM YOUTH SERVICES	140.00
EFT124793	01/10/2015	WASTEWELL	MANUFACTURE AND SUPPLY OF X 4 LANDFILL LIDS - KNX LANDFILL	61,228.30
EFT124794	01/10/2015	WENDY MICHELLE BINKS	PERFORMANCE FEES FOR AUTHOR - KIMBERLEY WRITERS' FESTIVAL	2,310.00
EFT124795	01/10/2015	WILD MANGO	CATERING FOR OPENING NIGHT OF KIMBERLEY WRITERS' FESTIVAL - 11/09/2015	1,200.00
EFT124796	01/10/2015	WILLIAM MCINNES	AUTHORS FEES - KIMBERLEY WRITERS' FESTIVAL 10-13/09/2015	4,009.37
EFT124797	02/10/2015	CR BEAU ROBINSON	MEMBER MEETING FEES 01/07/2015-30/09/2015	3,920.75
EFT124798	02/10/2015	CR DARREN SPACKMAN	MEMBER MEETING FEES 01/07/2015-30/09/2015	3,920.75
EFT124799	02/10/2015	CR DON LEARBUCH	MEMBER MEETING FEES 01/07/2015-30/09/2015	3,920.75
EFT124800	02/10/2015	CR GARY KING	MEMBER MEETING FEES 01/07/2015-30/09/2015	3,920.75
EFT124801	02/10/2015	CR GLENN MATTHEW TAYLOR	MEMBER MEETING FEES 01/07/2015-30/09/2015	3,920.75
EFT124802	02/10/2015	CR JOHN HAMILTON MOULDEN	SHIRE PRESIDENT'S ALLOWANCE & MEETING FEES 01/07/2015-30/09/2015	11,720.75
EFT124803	02/10/2015	CR KEITH WRIGHT	MEMBER MEETING FEES 01/07/2015-30/09/2015	3,920.75
EFT124804	02/10/2015	CR SOPHIE ANN COOKE	MEMBER MEETING FEES 01/07/2015-30/09/2015	3,920.75
EFT124805	02/10/2015	JUNE GREGORY	PERFORMANCE FEE FOR ENTERTAINER - KIMBERLEY WRITERS' FESTIVAL	300.00
EFT124806	09/10/2015	DOWNER EDI WORKS PTY LTD	ET02 -14-15 ASPHALT RESURFACING EKRA - CLAIM FOR AUGUST 2015	420,816.28
EFT124807	15/10/2015	AMPAC DEBT RECOVERY (WA) PTY LTD	DEBT COLLECTION COMMISSIONS AND COSTS - AUG AND SEPT 15	3,961.46

EFT1124808	15/10/2015	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	945.34
EFT1124809	15/10/2015	ALLGEAR MOTORCYCLES & SMALL ENG.	PARTS - P356	178.93
EFT1124810	15/10/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	154.80
EFT1124811	15/10/2015	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	72,268.00
EFT1124812	15/10/2015	AUTO ONE KUNUNURRA	VEHICLE FLOOR MATS - P124	48.00
EFT1124813	15/10/2015	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL - AUGUST 2015	242.99
EFT1124814	15/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	10.25
EFT1124815	15/10/2015	BEING THERE SOLUTIONS PTY LTD	VIDEO CONFERENCING SUBSCRIPTION - OCTOBER 15	715.00
EFT1124816	15/10/2015	BEST KIMBERLEY COMPUTING	PRINTING COSTS - KUNUNURRA AND WYNDHAM ADMIN - OCT 15	3,975.93
EFT1124817	15/10/2015	BLACKWOODS ATKINS PTY LTD	GREASE - P356, PROSAFE SMOKE LENS- EKRA	652.96
EFT1124818	15/10/2015	C & S JOLLY ELECTRICS PTY LTD	REPLACEMENT OF DAMAGED SWITCHBOARD IN GYM - KLC	282.46
EFT1124819	15/10/2015	CABCHARGE	CABCHARGES - STAFF MEMBER -ATTEND TRAINING - AUG 15	186.70
EFT1124820	15/10/2015	COCA-COLA AMATIL	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	247.25
EFT1124821	15/10/2015	DELRON CLEANING PTY LTD	CONTRACT CLEANING - KNX ADMIN, KYC, KLC, CHANGE RMS & TOILETS KNX	15,430.30
EFT1124822	15/10/2015	AUTO TOW & REPAIR	SERVICE - P478,P132	1,215.76
EFT1124823	15/10/2015	DRYSDALE RIVER STATION	DIESEL - P388	192.60
EFT1124824	15/10/2015	DUFF'S GARDENING & HOME MAINT.	PARTS AND REPAIRS TO RETICULATION SYSTEM - STAFF HOUSING	350.00
EFT1124825	15/10/2015	EAST KIMBERLEY GLASS	REPLACEMENT OF GLASS IN DOOR - PETER REID MEMORIAL HALL	745.00
EFT1124826	15/10/2015	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - STAFF HOUSING AND KUNUNURRA ADMIN	221.30
EFT1124827	15/10/2015	EAST KIMBERLEY PLUMBING	SUPPLY & INSTALL STEEL WALL HUNG BASINS- WYN PORT TOILET BLOCK	1,606.00
EFT1124828	15/10/2015	ENVIRONMENTAL HEALTH PROF. LTD	CONFERENCE REGISTRATION - STAFF MEMBER AS PER EMPLOYMENT CONTRACT	950.00
EFT1124829	15/10/2015	EXPRESS VIRTUAL MEETINGS	TELECONFERENCE CHARGES - SEPT 15	173.75
EFT1124830	15/10/2015	GARY HOLBEN T/A PANDANUS HOMES	SUPPLY OF BRICKS & VARIOUS REPAIRS INCL. RESEALING LOUVRE FRAMES - KYC	3,800.50
EFT1124831	15/10/2015	GUERINONI & SON	SUPPLY OF BOLLARD MOULDS - IVANHOE CROSSING	5,368.00
EFT1124832	15/10/2015	GULLIVERS TAVERN	REFRESHMENTS - COCKTAIL PARTY - KIMBERLEY WRITERS FESTIVAL	439.69
EFT1124833	15/10/2015	IBAC PLUMBING PTY LTD	PLUMBING WORKS -DAMAGED & LEAKING PIPE AT SWIM BEACH ABLUTIONS KNX	652.40
EFT1124834	15/10/2015	INSIDE OR OUT	POT PLANT TRAYS - KUNUNURRA AIRPORT	103.80
EFT1124835	15/10/2015	IXOM OPERATIONS PTY LTD	STORAGE AND HANDLING OF CHLORINE - KUNUNURRA AND WYNDHAM POOLS	495.99
EFT1124836	15/10/2015	J. CAV ELECTRICAL	ELECT. REPAIRS INCL. SOCKETS, CEILING FAN -WYN POOL, WYN CHILD CARE	639.25
EFT1124837	15/10/2015	JOSHUA DAVID CUNNIFFE	PERFORMANCE FEES FOR ARTIST AT THE KIMBERLEY WRITERS FESTIVAL	2,310.00
EFT1124838	15/10/2015	KIMBERLEY COMMUNICATIONS	RADIO ANTENNA - P357	28.00
EFT1124839	15/10/2015	KIMBERLEY EXCAVATIONS PTY LTD	LOCATION OF SERVICES AT PROPOSED BORE MONITORING SITES - KNX LANDFILL	440.00
EFT1124840	15/10/2015	KIMBERLEY HOTEL MANAGEMENT P/L	ACCOMMODATION AND MEALS FOR AUTHORS AT KIMBERLEY FESTIVAL	5,818.50
EFT1124841	15/10/2015	KIMBERLEY MARKETING	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	1,087.00

EFT124842	15/10/2015	KUNUNURRA BETTA ELECTRICAL & GAS	SUPPLY OF REFLECTIVE DOOR CHIMES -WYN ADMIN, USB BLADE FOR WYN POOL	178.99
EFT124843	15/10/2015	KUNUNURRA COMMERCIAL LAUNDRY	LAUNDRY SERVICES - KUNUNURRA LIBRARY	69.60
EFT124844	15/10/2015	KUNUNURRA DIESEL SERVICE	SERVICE - P372	987.75
EFT124845	15/10/2015	KUNUNURRA GYMNASTICS CLUB	KIDS SPORT SPONSORSHIP	198.00
EFT124846	15/10/2015	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS - KUNUNURRA AIRPORT	389.85
EFT124847	15/10/2015	KUNUNURRA LOCK & KEY	KEY CUTTING - WHITEGUM PARK TOILETS	66.00
EFT124848	15/10/2015	KUNUNURRA MAINTENANCE SERVICE	REMOVAL AND REPLACE DAMAGED WALL IN BATHROOM - STAFF HOUSING	550.00
EFT124849	15/10/2015	KUNUNURRA PANEL BEATING WORKS	SUPPLY AND FIT WINDSCREEN - P372	528.00
EFT124850	15/10/2015	KUNUNURRA SECURITY SERVICE	SECURITY PATROL & ALARM MONITORING - VARIOUS INCL. KNX ADMIN, KLC, KYC	3,157.50
EFT124851	15/10/2015	KUNUNURRA TENNIS CLUB	QUICK GRANT FOR KUNUNURRA JUNIOR TENNIS CHAMPIONSHIPS	467.00
EFT124852	15/10/2015	L3 COMMUNICATIONS AUSTRALIA P/L	SUPPLY OF SAMPLE TRAPS & EXPLOSIVES VERIFICATION KIT - KNX AIRPORT	1,104.40
EFT124853	15/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	163.94
EFT124854	15/10/2015	MAXXIA	PAYROLL DEDUCTIONS	6,426.44
EFT124855	15/10/2015	MCLEAN ENTERPRISES PTY LTD	FREIGHT - PARTS - P136	132.00
EFT124856	15/10/2015	MOORE STEPHENS	BALANCE OF FEES -- PROCESS REVIEW & RECOMMENDATIONS AS PER AGREEMENT	2,200.00
EFT124857	15/10/2015	ORD RIVER ELECTRICS	REPAIRS INCL. REPLACEMENT CIRCUIT FOR HOT WATER SYSTEM - KNX DEPOT	551.79
EFT124858	15/10/2015	OFFICE NATIONAL KUNUNURRA	STATIONERY - KUNUNURRA LEISURE CENTRE	102.00
EFT124859	15/10/2015	PIVOTEL	SATELITE PHONE COSTS - SEPT 15	69.80
EFT124860	15/10/2015	SEARLES HOLDINGS T/A AUTO PRO	DEMINERALISED WATER - WYNDHAM AIRPORT	30.00
EFT124861	15/10/2015	SAI GLOBAL LIMITED	ADDITIONS FOR AUSTRALIAN STANDARD 1743-2001	267.08
EFT124862	15/10/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	510.00
EFT124863	15/10/2015	STRATCO KUNUNURRA	SUPPLY OF 300MM FENCE EXTENSION PANELS - STAFF HOUSING	577.50
EFT124864	15/10/2015	SURE BRIDGE IT	AUTODESK SUBSCRIPTION RENEWAL AND MAINTENANCE - 14/8/215 -13/8/2016	1,408.00
EFT124865	15/10/2015	TNT AUSTRALIA PTY LIMITED	FREIGHT - HEALTH SAMPLES - KUNUNURRA - NEDLANDS	289.23
EFT124866		CANCELLED	CANCELLED	
EFT124867	15/10/2015	TST ELECTRICAL	MAINTENANCE- RESETTING CIRCUIT BREAKER IN CHANGE ROOMS - KNX OVAL	110.00
EFT124868	15/10/2015	THINK WATER KUNUNURRA	RETICULATION FITTINGS - WYNDHAM PARKS & GARDENS MAINTENANCE	2,980.06
EFT124869	15/10/2015	THORLEY'S STORE - WYNDHAM	GAS BOTTLE REFILLS FOR BASTION BBQ'S, BALLS FOR WYN YOUTH PROGRAM	199.95
EFT124870	15/10/2015	TOX FREE AUSTRALIA PTY LTD	REFUSE & LITTER COLLECTION, STREET SWEEPING - KNX & WYN - AUG 15	67,187.08
EFT124871	15/10/2015	TUCKERBOX/RETRAVISION KUNUNURRA	PROVISIONS AND MATERIALS - KUNUNURRA LEISURE CENTRE	263.22
EFT124872	15/10/2015	UWA PUBLISHING	SUPPLY OF BOOKS FOR STOCK AT THE KIMBERLEY WRITERS FESTIVAL	164.20
EFT124873	15/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	1,400.00
EFT124874	15/10/2015	WESTRAC EQUIPMENT PTY LTD	PARTS - P390, P488	1,040.60

EFT124875	15/10/2015	WYNDHAM PLUMBING & GAS PTY LTD	REPAIRS - LEAKING TAP & SEPTIC BINS - WYN CC CENTRE & UPPER BASTION	1,051.00
EFT124876	22/10/2015	4D LANDSCAPING SOLUTIONS	GARDEN MAINTENANCE - STAFF HOUSING	147.50
EFT124877	22/10/2015	AMPAC DEBT RECOVERY (WA) PTY LTD	DEBT COLLECTION COMMISSIONS AND COSTS - AUG AND SEPT 15	19.25
EFT124878	22/10/2015	ASK WASTE MANAGEMENT	T06-14/15 - WASTE REPORTING & COMPLIANCE	3,170.75
EFT124879	22/10/2015	ALLIED PICKFORDS PTY LTD	RELOCATION FOR STAFF MEMBER AS PER EMPLOYMENT CONTRACT	8,001.40
EFT124880	22/10/2015	AUSTRALIA POST	POSTAGE AND STATIONERY PURCHASES - AUG 15	369.36
EFT124881	22/10/2015	BOC GASES AUSTRALIAN LIMITED	WELDING GASES AND BOTTLE RENTAL- SEPT 15 - KUNUNURRA DEPOT	354.72
EFT124882	22/10/2015	C & S JOLLY ELECTRICS PTY LTD	VARIOUS ELECTRICAL WORKS - KLC, KNX DEPOT, STAFF HOUSING	1,533.44
EFT124883	22/10/2015	CDM HYDRAULICS PTY LTD	PARTS - P488	245.93
EFT124884	22/10/2015	CENTURIUM TRANSPORT	FREIGHT- EMULSION - EAST KIMBERLEY REGIONAL AIRPORT	653.55
EFT124885	22/10/2015	CHEFMASTER AUSTRALIA	BIN LINERS - EAST KIMBERLEY REGIONAL AIRPORT	843.45
EFT124886	22/10/2015	COATES HIRE OPERATIONS PTY LTD	ROLLER HIRE - KUNUNURRA LANDFILL	810.10
EFT124887	22/10/2015	COCA-COLA AMATIL	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	333.90
EFT124888	22/10/2015	DOWNER EDI WORKS PTY LTD	SUPPLY OF 1,000LT CATIONIC RAPID SET - WYNDHAM AIRPORT	1,936.00
EFT124889	22/10/2015	DAVEY TYRE & BATTERY SERVICE	REPLACEMENT TYRES, FITTING AND DISPOSAL - P137	586.00
EFT124890	22/10/2015	DEPT OF ENVIRONMENT REGULATION	ANNUAL LICENCE FEE FOR KNX WASTE DISPOSAL - 2015 / 2016	5,336.50
EFT124891	22/10/2015	DRYSDALE RIVER STATION	MEALS & ACCOM.- STAFF MEMBERS - KALUMBURU ROAD INSPECTIONS	400.00
EFT124892	22/10/2015	ESPLANADE HOTEL FREMANTLE	ACCOMMODATION AND MEALS - STAFF MEMBERS - ATTEND TRAINING	1,231.35
EFT124893	22/10/2015	GUERINONI & SON	SUPPLY OF ROAD BASE & GRADER HIRE - IVANHOE ROAD	1,392.05
EFT124894	22/10/2015	HOTEL KUNUNURRA	CATERING FOR COUNCIL BRIEFING 11/08/15	297.50
EFT124895	22/10/2015	IBAC PLUMBING PTY LTD	PLUMBING WORKS - EXALOO TOILET & WYN AIRPORT TOILET	2,983.64
EFT124896	22/10/2015	J. CAV ELECTRICAL	TEST EMERGENCY LIGHTS, REPAIRS - WYN YOUTH & PETER REID HALL	929.20
EFT124897	22/10/2015	JSW HOLDINGS PTY LTD	SUPPLY OF WHITE SAND & TIPPER HIRE TO CART FILL TO KNX LANDFILL	12,383.80
EFT124898	22/10/2015	KIMBERLEY KOOL REFRIGERATION	SUPPLY OF REMOTE CONTROLLER, MAINTENANCE - AIRCON AT KYC	449.90
EFT124899	22/10/2015	KIMBERLEY TRAINING INSTITUTE	TRAINING - STAFF MEMBER AS PER EMPLOYMENT CONTRACT	1,205.07
EFT124900	22/10/2015	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS - KUNUNURRA DEPOT	190.20
EFT124901	22/10/2015	KUNUNURRA LOCK & KEY	SUPPLY PADLOCKS & KEYS - KNX DEPOT	185.00
EFT124902	22/10/2015	KUNUNURRA MOBILE WELDING SERV.	REPAIRS TO CORNER STRAINING POSTS AND FIT IN CONCRETE- EKR AIRPORT	924.00
EFT124903	22/10/2015	KUNUNURRA PEST MANAGEMENT	PEST CONTROL TREATMENT - EKR AIRPORT DEPOT	935.00
EFT124904	22/10/2015	MCLEODS BARRISTERS AND SOLICITORS	LEGAL ADVICE	455.47
EFT124905	22/10/2015	MRB PLUMBING PTY LTD	SUPPLY AND INSTALLATION OF SAFETY SHOWER & EYEWASH UNIT- KNX DEPOT	2,178.00
EFT124906	22/10/2015	MARTIN MCCLELLAND	ALTERATIONS TO TICKET FEED SHELVES AT CHECK IN COUNTER- EKRA	120.00
EFT124907	22/10/2015	ORD RIVER ELECTRICS	REPLACEMENT OF 6 EXIT & 8 EGRESS LIGHTS - KNX ADMIN	1,919.50
EFT124908	22/10/2015	ORD MACHINING	REPAIRS TO SLASHER REAR WHEEL AXLE & BEARINGS - P386	948.74

EFT124909	22/10/2015	PINE TIMBER PRODUCTS PTY LTD	SUPPLY OF PINE BOLLARDS - SWIM BEACH PARK, SALACCA LOOP, VICTORIA HWY	1,201.20
EFT124910	22/10/2015	QUICK CORPORATE AUSTRALIA	STATIONERY ORDER - AUGUST 15 - KUNUNURRA ADMINISTRATION	793.47
EFT124911	22/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	71.35
EFT124912	22/10/2015	ROAD SIGNS AUSTRALIA	RFQ 01 15-16. SUPPLY AND DELIVERY ROAD SIGNS - GIBB RIVER-KALUMBURU RD	3,931.40
EFT124913	22/10/2015	ROYAL LIFE SAVING (WA BRANCH)	TRAINING - STAFF MEMBER AS PER EMPLOYMENT CONTRACT	650.00
EFT124914	22/10/2015	RYDGES DARWIN AIRPORT RESORT	ACCOMMODATION AND MEALS - STAFF MEMBER - ATTEND TRAINING	204.00
EFT124915	22/10/2015	SHELF SUPPLY	DOG FOOD - KNX POUND, PROTECTIVE CLOTHING - OSH INSPECTIONS	699.00
EFT124916	22/10/2015	ST JOHN AMBULANCE	FIRST AID TRAINING - STAFF MEMBER	498.00
EFT124917	22/10/2015	TOYWORLD KUNUNURRA	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	53.91
EFT124918	22/10/2015	THINK WATER KUNUNURRA	RETICULATION FITTINGS - KNX DEPOT, KNX PARKS AND GARDENS	363.51
EFT124919	22/10/2015	TUCKERBOX/RETRAVISION KUNUNURRA	PROVISIONS AND MATERIALS - KUNUNURRA ADMINISTRATION	754.46
EFT124920	22/10/2015	TYREPLUS KUNUNURRA	REPLACEMENT TYRES -P123	1,480.00
EFT124921	22/10/2015	ORD FUEL SUPPLIES	FUEL COSTS - SEPT 15	9,233.07
EFT124922	22/10/2015	WESTRAC EQUIPMENT PTY LTD	SERVICE AND PARTS - P488	7,020.96
EFT124923	22/10/2015	WYNDHAM EXCAVATIONS	LOADER HIRE - PUSH UP WYNDHAM LANDFILL FROM 03/08/2015-28/09/2015	4,207.50
EFT124924	29/10/2015	KUNUNURRA CRAZY CROC PLAYGROUP	COMMUNITY QUICK GRANT	500.00
EFT124925	29/10/2015	ABCO PRODUCTS	CLEANING SUPPLIES - WYN ADMIN	490.41
EFT124926	29/10/2015	ADVANCED WEIGHING TECH. NT P/L	SERVICE, TEST, ADJUST & CLARIFY ALL CHECK IN SCALES - EKR AIRPORT	1,108.80
EFT124927	29/10/2015	AUST. PERFORMING RIGHT ASSOC. LTD	APRA LICENSE 2015-2016 - KUNUNURRA YTH CENTRE & WYN REC CENTRE	240.34
EFT124928	29/10/2015	ALCOLIZER PTY LTD	SERVICE AND RECALIBRATION OF HH2 BREATH TESTER - EKR AIRPORT	114.40
EFT124929	29/10/2015	ALLIANCE DISTRIBUTION SERVICES	BOOKS FOR RE-SALE - KIMBERLEY WRITERS FESTIVAL	674.80
EFT124930	29/10/2015	ANGLICARE	ANNUAL MANAGEMENT FEE - EMPLOYEE ASSISTANCE PROGRAM	420.00
EFT124931	29/10/2015	ARGYLE ENGINEERING	REPAIRS TO POLY TANK - KNX POUND, SIGN POST - KNX DEPOT	591.25
EFT124932	29/10/2015	AUST LOCAL GOVT. DIRECTORY	ADVERTISING - RECRUITMENT	1,749.00
EFT124933	29/10/2015	AUSTRALIA POST	POSTAGE AND STATIONERY PURCHASES - AUGUST 15	2,115.17
EFT124934	29/10/2015	BLACKWOODS ATKINS PTY LTD	VAR. INCL. PVC DOOR STRIP, MOBILE LADDER, ALPINE JUG-WYN & KNX LANDFILL	2,280.38
EFT124935	29/10/2015	BUDGET RENT A CAR	CAR RENTAL - STAFF MEMBER - ATTEND TRAINING - 09-11/09/2015	398.73
EFT124936	29/10/2015	BUSHCAMP SURPLUS STORE	PROTECTIVE CLOTHING - OUTDOOR WORK FORCE	802.05
EFT124937	29/10/2015	CDM HYDRAULICS PTY LTD	SUPPLY OF FILLER BREATHER & FREIGHT - P488	58.30
EFT124938	29/10/2015	CENTURION TRANSPORT	FREIGHT- CARTONS - ABCO PRODUCTS TO KNX AIRPORT	61.09
EFT124939	29/10/2015	CHOICE	SUBSCRIPTION RENEWAL TO CHOICE MAGAZINE - KNX LIBRARY	184.00
EFT124940	29/10/2015	CAPS HIRE	HIRE OF POSTS FOR HOLE DIGGER - IVANHOE ROAD	275.00
EFT124941	29/10/2015	COATES HIRE OPERATIONS PTY LTD	GENERATOR HIRE - POWER SUPPLY - WYNDHAM LANDFILL	1,287.00
EFT124942	29/10/2015	DOWNER EDI WORKS PTY LTD	SUPPLY OF 1,000 LT POD OF EMULSION - WYNDHAM AIRPORT	2,129.60

EFT1124943	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	136.00
EFT1124944	29/10/2015	DELRON CLEANING PTY LTD	CLEANING - EXALOO TOILET KUNUNURRA	192.40
EFT1124945	29/10/2015	DRYSDALE RIVER STATION	SUPPLY OF DIESEL - P388	429.76
EFT1124946	29/10/2015	EAST KIMBERLEY GLASS	REPLACEMENT OF THREE BROKEN WINDOWS & GLASS - WYN CHILDCARE CENTRE	2,630.10
EFT1124947	29/10/2015	EAST KIMBERLEY HARDWARE	CLEANING SUPPLIES - STAFF HOUSING	18.40
EFT1124948	29/10/2015	EAST KIMBERLEY MARKETING GROUP	ECONOMIC GRANT- KIMBERLEY REGIONAL GRANTS SCHEME MATCHING FUND	5,500.00
EFT1124949	29/10/2015	EAST KIMBERLEY PLUMBING	VAR. REPAIRS INCL. SEWER DRAIN, LEAKING PRESSURE REDUCER, VALVE - EKRA	2,523.95
EFT1124950	29/10/2015	ECOFLO WASTE WATER MANAGEMENT	SUPPLY AND DELIVERY OF EXTRA CHAMBER FOR UPPER BASTION TOILET	1,262.00
EFT1124951	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	70.00
EFT1124952	29/10/2015	FREMANTLE PRESS	BOOKS FOR RE-SALE AT THE KIMBERLEY WRITERS FESTIVAL	199.40
EFT1124953	29/10/2015	GYM CARE	ANTIBACTERIAL WIPES - KUNUNURRA LEISURE CENTRE GYM	242.00
EFT1124954	29/10/2015	GUERINONI & SON	HIRE OF END TIPPER, LOADER AND WATER TRUCK - KNX LANDFILL MAINT.	28,772.15
EFT1124955	29/10/2015	HYATT REGENCY PERTH	ACCOMMODATION AND MEALS - STAFF MEMBERS - ATTEND TRAINING PARTS - P136	1,448.00
EFT1124956	29/10/2015	HITACHI CONSTRUCTION MACHINERY		216.26
EFT1124957	29/10/2015	IBAC PLUMBING PTY LTD	PLUMBING WORKS - LEAKAGE IN POOL SHOWERS & URINAL BLOCKAGE AT KLC	697.61
EFT1124958	29/10/2015	J. CAV ELECTRICAL	LABOUR - INSPECT CEILING CASSETTE & AIRCON. - WYN ADMIN, PETER REID HALL	330.00
EFT1124959	29/10/2015	JSW HOLDINGS PTY LTD	SUPPLY AND DELIVERY OF 11 TONNE OF 5MM AGGREGATE- KNX AIRPORT	896.50
EFT1124960	29/10/2015	JAB INDUSTRIES	TRUCK HIRE - 21-25/9/15 - KUNUNURRA LANDFILL MAINTENANCE	12,969.00
EFT1124961	29/10/2015	JORRITSMAN H & CO	RETICULATION SUPPLIES KUNUNURRA PARKS AND GARDENS	58.00
EFT1124962	29/10/2015	KUNUNURRA MEDICAL	IMMUNISATION - STAFF MEMBERS	990.00
EFT1124963	29/10/2015	KENNETH JAMES SPILLMAN	PRESENTATION FEES FOR AUTHOR AT KIMBERLEY WRITERS FESTIVAL	2,541.00
EFT1124964	29/10/2015	KIMBERLEY AIR PTY LTD	FLIGHTS - KNX-KALUMBURU - KNX - LOCAL GOVERNMENT ELECTIONS	1,845.00
EFT1124965	29/10/2015	KIMBERLEY KOOL REFRIGERATION	MAINT. - AIRCONS AT PETER REID HALL WYN, KNX ADMIN & KNX REC CENTRE	880.00
EFT1124966	29/10/2015	KIMBERLEY MARKETING	PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE	401.23
EFT1124967	29/10/2015	KIMBERLEY MOTORS	FUEL COSTS - AUG 15	2,672.91
EFT1124968	29/10/2015	KIMBERLEY VET CENTRE	ANIMAL CONTROL EXPENSES	60.00
EFT1124969	29/10/2015	KUNUNURRA COURIERS	DRINKING WATER SUPPLIES - KUNUNURRA LANDFILL & ADMIN - SEPT 15	274.00
EFT1124970	29/10/2015	KUNUNURRA HOME & GARDEN	VARIOUS HARDWARE ITEMS - KLC, KNX DEPOT	142.30
EFT1124971	29/10/2015	KUNUNURRA PANEL BEATING WORKS	REMOVE ABANDONED VEHICLES FROM VARIOUS LOCATIONS TO KNX LANDFILL	330.00
EFT1124972	29/10/2015	KUNUNURRA RURAL TRADERS	INSTALLATION OF FIRE EXTINGUISHER, SIGNS & 6 MONTH FIRE SAFETY CHECK	1,339.50
EFT1124973	29/10/2015	KUNUNURRA SWIMMING CLUB	COMMUNITY QUICK GRANT	500.00
EFT1124974	29/10/2015	LANGFORD MACHINERY PTY LTD	REPAIRS TO VEHICLE AIR CONDITIONER - P482	1,318.00
EFT1124975	29/10/2015	LOCK, STOCK & FARRELL LOCKSMITH	KEY CUTTING - KNX AND WYN DEPOT	949.20

EFT1124976	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	593.85
EFT1124977	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	107.78
EFT1124978	29/10/2015	MARKETFORCE PTY LTD	ONLINE ADVERTISING - RECRUITMENT	1,507.00
EFT1124979	29/10/2015	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES - LEASE PREPARATION - EAST KIMBERLEY REGIONAL AIRPORT	2,506.36
EFT1124980	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	185.48
EFT1124981	29/10/2015	MCLEAN ENTERPRISES PTY LTD	FREIGHT - DARWIN - PARTS - EAST KIMBERLEY REGIONAL AIRPORT	302.50
EFT1124982	29/10/2015	MCMULLEN NOLAN GROUP PTY LTD	RFQ22 14-15 CONSTRUCTION PEGGING - TRAFFIC ISLAND IN KONKERBERRY DRV	924.00
EFT1124983	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	307.84
EFT1124984	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	42.10
EFT1124985	29/10/2015	DSC CONTRACTING	ALARM MONITORING & YEARLY FIRE TESTING- EKRA, WYN ADMIN	1,746.80
EFT1124986	29/10/2015	ORD RIVER ELECTRICS	REPAIRS TO SMOKE ALARM, FIT SWITCH & RESET TIMER - KNX HARD COURTS	437.25
EFT1124987	29/10/2015	OFFICE NATIONAL KUNUNURRA	COPY PAPER & WESTLINE SYNTECH CHAIR - EKR AIRPORT & KNX LANDFILL	879.20
EFT1124988	29/10/2015	OLLIE'S IRRIG. & PLUMBING SUPPLIES	RETICULATION FITTINGS - KUNUNURRA DEPOT	594.99
EFT1124989	29/10/2015	PIVOTEL	SATELITE PHONE COSTS - OCT 15	78.09
EFT1124990	29/10/2015	PLANT HIRE SERVICES PTY LTD	RFQ1 15/16 KALUMBURU RD RECONSTRUCT, RESHEET - PROGRESS PAYMENT	426,684.24
EFT1124991	29/10/2015	PRITCHARD FRANCIS	STRUCTURAL INSPECTION - ORD RIVER SPORTS CLUB KUNUNURRA	1,320.00
EFT1124992	29/10/2015	ROYAL LIFE SAVING (WA BRANCH)	TRAINING - STAFF MEMBER	130.00
EFT1124993	29/10/2015	RYNAT INDUSTRIES	SUPPLY OF BABY CHANGE TABLES X 2 - KUNUNURRA LEISURE CENTRE	1,048.30
EFT1124994	29/10/2015	SEARLES HOLDINGS T/A AUTO PRO	BATTERY - WYN AIRPORT	199.00
EFT1124995	29/10/2015	SJR CIVIL CONSULTING PTY LTD	CONSULTANCY- DESIGN CHANGES,TRAFFIC CALMING DEVICES - IRONWOOD DRV	330.00
EFT1124996	29/10/2015	SPORTSPEOPLE	MARKET ADVERTISING - RECRUITMENT 26/10/2015	176.00
EFT1124997	29/10/2015	ST JOHN AMBULANCE WA LTD	FIRST AID TRAINING - STAFF MEMBERS 22/10/2015 - 23/10/2015	597.00
EFT1124998	29/10/2015	STAPLES AUSTRALIA PTY LIMITED	CLEANING SUPPLIES - EAST KIMBERLEY REGIONAL AIRPORT	799.52
EFT1124999	29/10/2015	TELFORD INDUSTRIES	POOL CHEMICALS - KUNUNURRA LEISURE CENTRE	653.40
EFT1125000	29/10/2015	TNT AUSTRALIA PTY LIMITED	FREIGHT- HEALTH SAMPLES - KUNUNURRA - PATHWEST	590.38
EFT1125001	29/10/2015	WEST AUST. NEWSPAPERS LTD	ADVERTISING - RECRUITMENT, SWEK NEWS - AUGUST 15	4,425.84
EFT1125002	29/10/2015	THINK WATER KUNUNURRA	RETICULATION FITTINGS - KNX DEPOT	13.58
EFT1125003	29/10/2015	TOX FREE AUSTRALIA PTY LTD	REFUSE & LITTER COLLECTION, STREET SWEEPING - KNX & WYN - SEPT 15	67,706.47
EFT1125004	29/10/2015	TYREPLUS KUNUNURRA	REPLACEMENT TYRE - P133	240.00
EFT1125005	29/10/2015	ORD FUEL SUPPLIES	FUEL COSTS - SEPT 15	1,135.27
EFT1125006	29/10/2015	WA LOCAL GOVT ASSOCIATION	LOCAL GOVERNMENT ACT SUBSCRIPTION - 2015/2016	825.00
EFT1125007	29/10/2015	WA RANGERS ASSOCIATION (INC)	TRAINING - STAFF MEMBER AS PER EMPLOYMENT CONTRACT	940.00
EFT1125008	29/10/2015	STAFF MEMBER	REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT	433.99
EFT1125009	29/10/2015	WESTRAC EQUIPMENT PTY LTD	PARTS -P390	2,362.93

EFT125010	29/10/2015	WESTERN AUST. TREASURY CORP.	LOAN REPAYMENT	24,489.62
EFT125011	29/10/2015	WORLEY PARSONS SERVICES PTY LTD	ET03 14/15 ENGINEERING CONSULTANCY SERVICES - LILY CREEK BOAT RAMP	836.00
EFT125012	30/10/2015	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	945.34
EFT125013	30/10/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	154.80
EFT125014	30/10/2015	AUSTRALIAN TAXATION OFFICE - PAYG	PAYROLL DEDUCTIONS	80,148.00
EFT125015	30/10/2015	FIGLEAF POOL PRODUCTS	POOL EQUIPMENT PARTS - KUNUNURRA POOL	190.00
EFT125016	30/10/2015	IT VISION AUSTRALIA PTY LTD	RENEWAL OF SYNERGY SOFT AND UNIVERSE ANNUAL LICENSE FEES 2015-2016	58,941.30
EFT125017	30/10/2015	LGIS LIABILITY	INSURANCE 2015/16 - INCL. LIABILITY, PROPERTY & WORK COVER	406,723.97
EFT125018	30/10/2015	LORIMER HOLDINGS PTY LTD	LAUNDRY SERVICES - LINEN FOR COUNCIL MEETINGS	82.86
EFT125019	30/10/2015	MAXXIA	PAYROLL DEDUCTIONS	5,716.81
EFT125020	30/10/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	803.75
TOTAL MUNICIPAL EFT PAYMENTS				2,264,793.88

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
51144	01/10/2015	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
51145	01/10/2015	HORIZON POWER	ELEC. INCL. KNX ADMIN, KYC, KLC, KNX OVAL LIGHTS 10/07/15-09/09/15	28,043.38
51146	01/10/2015	MAXINE FITZPATRICK	CROSSOVER SUBSIDY	2,500.00
51147	01/10/2015	TELSTRA	LANDLINES COSTS - SEPTEMBER 2015	6,586.88
51148	01/10/2015	THE RUSTY SHED CAFE	CATERING FOR OCM MEETING - 25TH AUGUST 2015	367.50
51149	01/10/2015	WATER CORPORATION	WATER USE, SERV. CHARGES-KNX ADMIN, INDOOR SPORTS, EKRA 14/7-15/9/15	6,791.43
51150	02/10/2015	CR RAYMOND DESSERT	MEMBER MEETING FEES 01/07/2015-30/09/2015	5,870.75
51151	15/10/2015	DEPARTMENT OF TRANSPORT	REGISTRATION - P122	282.75
51152	15/10/2015	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75
51153	15/10/2015	HORIZON POWER	ELEC. INCL. WYN POOL, WYN ADMIN, OVAL LIGHTS, WYN DEPOT 23/07-25/09/15	9,198.28
51154	15/10/2015	LYMA PTY LTD	RATES REFUND - ASSESSMENT A1158 DUE TO OVER PAYMENT	6,669.27
51155	15/10/2015	NORTHERN STAR RESOURCES LTD	RATES REFUND - ASSESSMENT A7056 DUE TO OVER PAYMENT	38.11
51156	15/10/2015	NEW SCIENTIST	SUBSCRIPTION RENEWAL - NEW SCIENTIST MAGAZINE - KUNUNURRA LIBRARY	250.00
51157	15/10/2015	REGENT POINT PTY LTD	RATES REFUND - ASSESSMENT A7917 DUE TO OVER PAYMENT	214.96
51158	15/10/2015	TELSTRA	EXECUTIVE BROADBAND SERVICE - 08 AUGUST - 07 SEPTEMBER 2015	109.78
51159	15/10/2015	WATER CORPORATION	WATER USE CHARGES-WYN POOL, WYN SPORTS OVAL 27/07-21/09/2015	18,149.34
51160	22/10/2015	HORIZON POWER	ELEC. INCL. WYN REC CENTRE, STREET LIGHTING 01/09/2015-30/09/2015	20,929.70
51161	22/10/2015	TELSTRA	EXECUTIVE LANDLINES COSTS - SEPTEMBER 2015	398.76
51162	29/10/2015	CASH - PETTY CASH KNX AIRPORT	PETTY CASH REIMBURSEMENT - EAST KIMBERLEY REGIONAL AIRPORT	82.20
51163	29/10/2015	HEALTH INSURANCE FUND OF AUST LTD	PAYROLL DEDUCTIONS	42.75

51164	29/10/2015	HORIZON POWER	ELEC. INCL. KNX ADMIN, MESSMATE PUMP, KLC, KNX AIRPORT 9/9/15-7/10/15	37,088.73
51165	29/10/2015	JOHN STOREY & ANN STOREY	RATES REFUND - ASSESSMENT A3189 DUE TO INTERIM ADJUSTMENT	679.28
51166	29/10/2015	TELSTRA	LANDLINE PHONE COSTS - OCT 15	6,807.36
51167	29/10/2015	WATER CORPORATION	WATER USE & SERV. CHARGES - STAFF HOUSING 14/7/15-22/9/15	1,684.96
		TOTAL MUNICIPAL CHEQUE PAYMENTS		152,871.67

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
800	12/10/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	BSL COMMISSION FOR AUGUST 2015	15.00
801	12/10/2015	WA DEPT.OF COMMERCE	BSL COLLECTIONS FOR AUGUST 2015	66.00
802	12/10/2015	WA DEPT.OF COMMERCE	BSL COLLECTIONS FOR AUGUST 2015	404.15
803	12/10/2015	BUILDING & CONST. INDUSTRY FUND	BCITF COLLECTIONS FOR AUGUST 2015	3,485.75
804	12/10/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	BCITF COMMISSIONS FOR AUGUST 2015	74.25
805	12/10/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	BSL COMMISSIONS FOR SEPTEMBER 2015	55.00
806	12/10/2015	WA DEPT.OF COMMERCE	BSL COLLECTIONS FOR SEPTEMBER 2015	76.52
807	12/10/2015	WA DEPT.OF COMMERCE	BSL COLLECTIONS FOR SEPTEMBER 2015	2,353.21
808	12/10/2015	BUILDING & CONST. INDUSTRY FUND	BCITF COLLECTIONS FOR SEPTEMBER 2015	1,222.75
809	12/10/2015	SHIRE OF WYNDHAM EAST KIMBERLEY	BCITF COMMISSIONS FOR SEPTEMBER 2015	57.75
810	15/10/2015	ORD RIVER TEE BALL ASSOCIATION	BOND REFUND - SEASONAL KEY HIRE	150.00
811	15/10/2015	ORD VALLEY ABORIG. HEALTH SERVICE	BOND REFUND - EQUIPMENT HIRE	250.00
		TOTAL TRUST CHEQUE PAYMENTS		8,210.38

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
501033	01/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 01/10/15	235.50
501034	02/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 02/10/15	1,565.05
501035	05/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 05/10/15	97.20
501036	06/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 06/10/15	763.35
501037	07/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 07/10/15	124.50
501038	08/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 08/10/15	1,410.15
501039	09/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 09/10/15	73.10
501040	12/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 12/10/15	196.30
501041	13/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 13/10/15	335.55
501042	14/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 14/10/15	153.60
501043	15/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 15/10/15	41.80
501044	16/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 16/10/15	2,236.40

CHO/EFT	DATE	NAME	DESCRIPTION	AMOUNT
501045	19/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 19/10/15	194.80
501046	21/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 21/10/15	781.80
501047	22/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 22/10/15	353.30
501048	23/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 23/10/15	435.30
501049	26/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 26/10/15	568.20
501050	27/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 27/10/15	49.40
501051	29/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 29/10/15	53.00
501052	30/10/2015	TRUST DPI CLEARING	TRANSPORT CLEARING 30/10/15	522.55
			TOTAL TRUST EFT PAYMENTS	10,190.85

CHO/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	14/10/2015	PAYROLL	PAYROLL	3,057.66
	14/10/2015	PAYROLL	PAYROLL	212,884.58
	21/10/2015	PAYROLL	PAYROLL	4,409.45
	21/10/2015	PAYROLL	PAYROLL	1,653.82
	28/10/2015	PAYROLL	PAYROLL	211,221.13
	29/10/2015	PAYROLL	PAYROLL	2,115.03
	29/10/2015	PAYROLL	PAYROLL	1,289.81
	29/10/2015	PAYROLL	PAYROLL	4,687.82
			TOTAL PAYROLL PAYMENTS	441,319.30

CHO/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	01/10/2015	BANKWEST	BANK FEES	264.61
	01/10/2015	BANKWEST	EFTPOS FEES	1,945.14
	01/10/2015	NAB	BPAY FEES	188.41
	1/10/2015	CLICKSUPER	EMPLOYEE SUPERANNUATION CONTRIBUTIONS	37,128.99
	6/10/2015	MESSAGES ON HOLD	MESSAGES ON HOLD	507.00
	19/10/2015	CLICKSUPER	EMPLOYEE SUPERANNUATION CONTRIBUTIONS	37,449.68
	16/10/2015	BANKWEST	PREPAYMENTS TO MASTERCARD SEPT 15	4,740.06
	20/10/2015	BANKWEST	PERIODICAL PAYMENT TO MASTERCARD*	10,270.10
	21/10/2015	WEX AUSTRALIA MOTORPASS	PUMA FUEL CARD PURCHASES SEPT 2015	1,130.10
	30/10/2015	CLICKSUPER	EMPLOYEE SUPERANNUATION CONTRIBUTIONS	38,452.75
			TOTAL DIRECT DEBIT PAYMENTS	132,076.84

DETAILS OF MASTERCARD TRANSACTIONS INCLUDED IN DIRECT DEBIT 20/10/15

CIQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
	28/08/2015	MANTRA ON MURRAY PERTH	ACCOM. AND MEALS - STAFF MEMBER - ATTEND TRAINING -28/08/2015	512.24
	30/08/2015	RYDGES SOUTHBANK TOWNS	ACCOM. AND MEALS - STAFF MEMBER - ATTEND CONFERENCE - 23-30/08/2015	967.80
	01/09/2015	APPLE ITUNES STORE	IMAGE APP SOFTWARE	3.87
	01/09/2015	MYITBOX	CONFERENCE PHONE FOR MEETING ROOM 1	926.49
	01/09/2015	INFINITI TELECOMMUNICATION	TELEPHONE HEADSETS X 3 - KUNUNURRA ADMINISTRATION	870.65
	01/09/2015	ELECTROLUX HOME PRODUCTS	REPLACEMENT DOOR KNOBS - STAFF HOUSING	82.55
	04/09/2015	STEPHEN KING - PAYPAL	REPLACEMENT BATTERIES FOR BACKUP UPS X 2	110.00
	04/09/2015	YIXING HUO - PAYPAL	LASER POINTERS	21.98
	04/09/2015	COOLCAR SPARE PARTS	ELECTRONIC TEST TOOL FOR ICT DEPARTMENT	59.99
	04/09/2015	ROCKYBY ELECTORNICS	REPLACEMENT BATTERIES FOR BACKUP UPS	59.95
	04/09/2015	AIRNORTH	FLIGHTS - KNX-DWN - STAFF MEMBER - ATTEND TRAINING 07-20/10/2015	502.98
	05/09/2015	QANTAS AIRWAYS LTD	FLIGHTS- DWN-HOBART-KNX- STAFF MEMBER ATTEND CONFERENCE 08-19/10/2015	1,378.30
	07/09/2015	TRUE BLUE MIGRA SERVICES	APPLICATION FEE FOR RMS CERTIFICATION SPONSORSHIP PROCESS	200.00
	08/09/2015	CHOPPY'S CHINESE TAKEAWAY	CATERING FOR COUNCIL BRIEFING SESSION 08/09/15	251.50
	09/09/2015	MILIONCINO RESTAURANT PERTH	MEALS - STAFF MEMBERS - ATTEND CONFERENCE	77.90
	11/09/2015	AVIATION ID AUSTRALIA	ASIC CARD RENEWAL FOR AIRPORT STAFF - EKRA	222.00
	12/09/2015	ESPLANADE FREEMANTLE	ACCOM. AND MEALS - STAFF MEMBER - ATTEND TRAINING - 08-12/09/2015	1,087.57
	14/09/2015	MESSAGE MEDIA	SERVER SMS ALERT NOTIFICATION SERVICE	10.01
	14/09/2015	ESTORE DIRECT	REPLACEMENT PC - KNX AIRPORT	251.00
	15/09/2015	BENNET EQUIPMENT	PARTS - P487	172.70
	16/09/2015	ESPLANADE FREEMANTLE	ACCOM. AND MEALS - STAFF MEMBER - ATTEND TRAINING 8-12/09/2015	1,036.32
	16/09/2015	VIRGIN AIRWAYS	FLIGHTS - KNX-PER - STAFF MEMBER - ATTEND TRAINING 20/09/2015	436.70
	17/09/2015	4CABLING PTY LTD	FLOOR CABLING COVER - KUNUNURRA ADMIN	220.00
	18/09/2015	EB WA TRAILS AND OUTD	CONFERENCE FEE - STAFF MEMBER - 9/10/2015	88.00
	19/09/2015	QANTAS AIRWAYS LTD	FLIGHTS - KNX-PER - STAFF MEMBER - ATTEND TRAINING 13/10/2015	469.24
	19/09/2015	QANTAS AIRWAYS LTD	FLIGHTS - KNX-PER-KNX - STAFF MEMBER - ATTEND TRAINING 8-10/10/2015	1,142.01
	19/09/2015	QANTAS AIRWAYS LTD	FLIGHTS - KNX-MEL - STAFF MEMBER - ATTEND TRAINING 10-15/10/2015	1,087.67
	23/09/2015	SHELF SUPPLY	SHORTGUN SHELL HOLDING TRAYS - EKR AIRPORT	16.00
	23/09/2015	MAGSHOP ONLINE	ANNUAL SUBSCRIPTION TO DELICIOUS MAGAZINE - KUNUNURRA LIBRARY	59.95
	24/09/2015	WOTIF	ACCOMMODATION - STAFF MEMBER - ATTEND TRAINING 11-15/10/2015	412.80

25/09/2015	KIMBERLEY MARKETING	STORAGES BOXES - STAFF HOUSING	29.90
25/09/2015	KIMBERLEY MARKETING	STORAGES BOXES - STAFF HOUSING	26.80
25/09/2015	OCEAN BEACH HOTEL	ACCOM. AND MEALS - STAFF MEMBER - ATTEND TRAINING 20-25/9/15	973.64
25/09/2015	OCEAN BEACH HOTEL	ACCOM. AND MEALS - STAFF MEMBER - ATTEND TRAINING 20-25/9/15	962.53
29/09/2015	EQ LIFE	ANNUAL SUBSCRIPTION TO EQUESTRIAN LIFE MAGAZINE - KUNUNURRA LIBRARY	49.95
30/09/2015	BANKWEST	ANNUAL CARD FEE	39.00
30/09/2015	BANKWEST	FACILITY FEE	99.00

13.2.3 Information Statement 2015-16

DATE:	24 November 2015
AUTHOR:	Danielle King, Team Leader Records Management and Customer Services
RESPONSIBLE OFFICER:	Natalie Octoman, Director Corporate Services
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

For Council to rescind the current Council Policy *MC7 Freedom of Information Statement* and to adopt the Information Statement 2015-16 as presented.

COUNCIL DECISION

Minute No. 11179

Moved: Cr N Perry

Seconded: Cr S Rushby

For Council to rescind the current Council Policy *MC7 Freedom of Information Statement* and to adopt the Information Statement 2015-16 as presented.

Carried Unanimously 9/0

PURPOSE

To inform the Council that it is a requirement of the *Freedom of Information Act 1992* for the Shire to prepare and publish an annual Information Statement, and to consider the proposed Information Statement 2015-16 for adoption.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

On 15 August 2002 the Council reviewed the *MC7 Freedom of Information Statement* as a Council Policy. It is unclear as to whether this was compliant with the *Freedom of Information Act 1992* requirements at that point in time, however the legislation is quite clear in that an Information Statement should outline the ways in which the agency allows access to public information.

STATUTORY IMPLICATIONS

Freedom of Information Act 1992

Part 5 – Publication of information about agencies

94. Term used: information statement

A reference in this Act to an information statement, in relation to an agency, is a reference to a statement that contains —

- (a) a statement of the structure and functions of the agency;*
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;*
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;*
- (d) a description of the kinds of documents that are usually held by the agency including —
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and*
 - (ii) which kinds of documents can be purchased; and*
 - (iii) which kinds of documents can be obtained free of charge;**
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;*
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and*
 - (ii) the address or addresses at which access applications can be lodged;**
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and*
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.**

96. Information statement, each agency to publish annually

- (1) An agency (other than a Minister or an exempt agency) has to cause an up-to-date information statement about the agency to be published in a manner approved by the Minister administering this Act —
 - (a) within 12 months after the commencement of this Act; and*
 - (b) at subsequent intervals of not more than 12 months.**
- (2) In giving approval under subsection (1) the Minister has to have regard, amongst other things, to the need to assist members of the public to exercise their rights under this Act effectively.*

- (3) *In the case of an agency that comes into existence after the commencement of this Act the reference in subsection (1)(a) to the commencement of this Act is to be read as a reference to the time when the agency commences its operations.*
- (4) *A subcontractor does not have to comply with subsection (1) if the relevant contractor has complied with that subsection on behalf of the subcontractor.*

Local Government Act 1995

Division 7 - Access to information

- Section 5.94 - Public can inspect certain local government information
- Section 5.95 - Limits on rights to inspect local government information
- Section 5.96 - Copies of information to be available

Local Government (Administration) Regulations 1996

Part 7 - Access to information

- Regulation 29 - Information to be available for public inspection (Act s.5.94)
- Regulation 29A - Limits on rights to inspect local government information (Act s.5.95)
- Regulation 29B - Copies of certain information not to be provided (Act s.5.96)

POLICY IMPLICATIONS

It is proposed to rescind the current Council Policy *MC7 Freedom of Information Statement* as it is no longer compliant with the legislation, and for the Council to consider and adopt the proposed Information Statement 2015-16 which is to be reviewed on an annual basis.

FINANCIAL IMPLICATIONS

There are minimal financial implications with the adoption of the proposed Information Statement, which can be covered within the current annual budget.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Objective 1.1: Strong community engagement
Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.1.1: Investigate and implement options to encourage and integrate community input in Council planning, policies and decisions making.

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

RISK IMPLICATIONS

Strategic 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.

COMMUNITY ENGAGEMENT

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include:

The proposed Information Statement 2015-16 will be available at both the Kununurra and Wyndham Civic Centres and Libraries in print format, along with being available on the Shire's website, and the community being notified by the Shire's Facebook site.

COMMENTS

In accordance with statutory requirements, it is recommended that the Council adopt this proposed Information Statement for 2015-16 and rescind Council Policy *MC7 Freedom of Information Statement*. The *MC7 Freedom of Information Statement* clearly does not adhere to the requirements outlined in the *Freedom of Information Act 1992*. The proposed Information Statement 2015-16 has addressed all of the legislative requirements along with providing additional information in a concerted effort to assist, and to be transparent with the community in how they can obtain public information from the Shire. It will also ensure the Shire is compliant moving forward.

ATTACHMENTS

Attachment 1 - Proposed Information Statement 2015-16

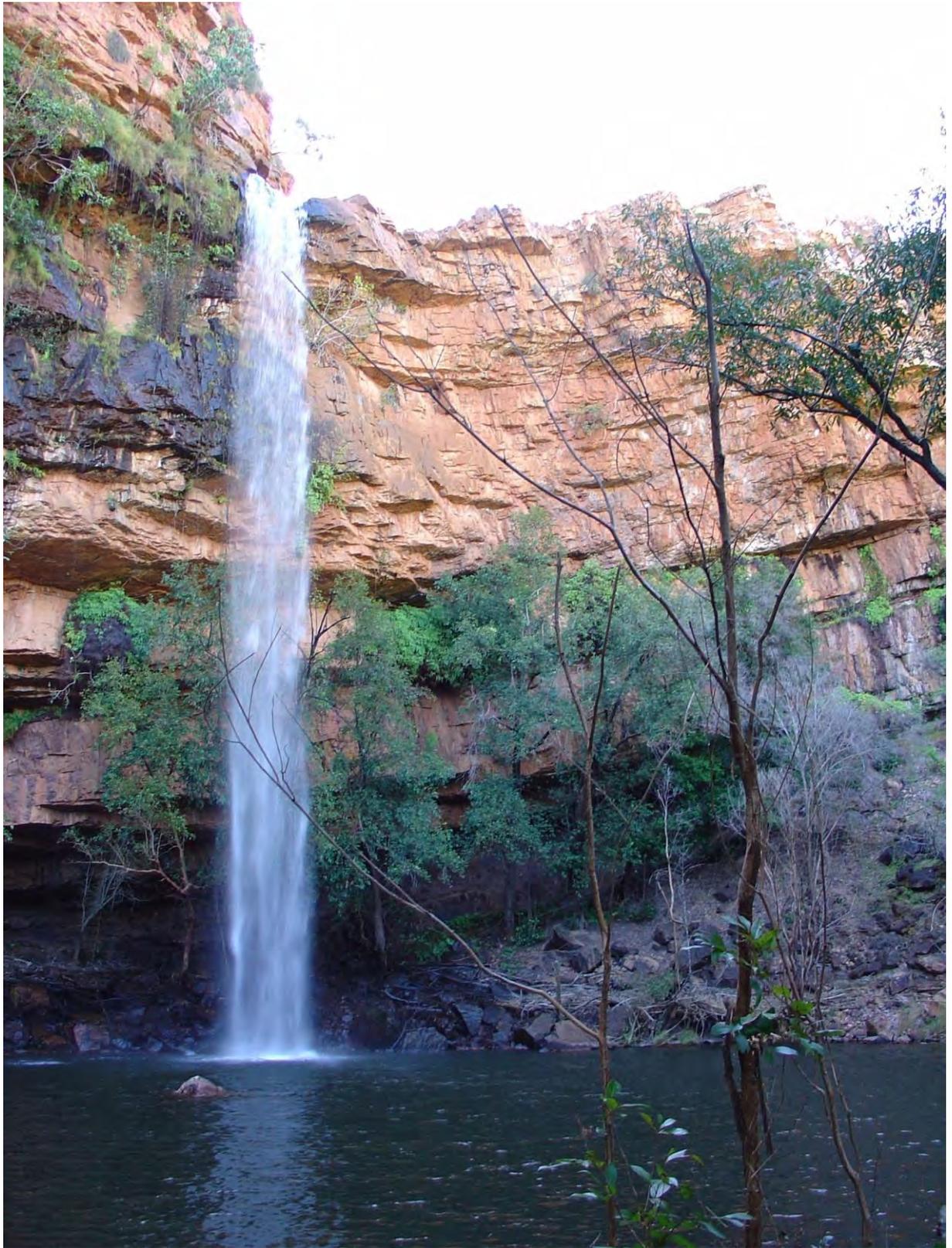
Attachment 2 - Current Council Policy *MC7 Freedom of Information Statement* to be rescinded



SHIRE of WYNDHAM | EAST KIMBERLEY

INFORMATION STATEMENT

2015 | 2016



Emma Gorge

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1 INTRODUCTION

This Information Statement is published by the Shire of Wyndham East Kimberley in accordance with the requirements of the *Freedom of Information Act 1992*. It is a requirement that the Shire prepares and publish an annual Information Statement. The information contained in this document is correct as at November 2015.

Enquiries regarding any details contained within this Information Statement can be directed to the Shire of Wyndham East Kimberley administration office by contacting the Freedom of Information Coordinator via:

Phone: (08) 9168 4100

Fax: (08) 9168 1798

Email: mail@swek.wa.gov.au



View from the Bastion, Wyndham

1.1 Shire of Wyndham East Kimberley Strategic Vision, Mission and Goals

COUNCIL

The Shire of Wyndham East Kimberley covers an area of 121,000 square kilometres and is one of four local governments that make up the Kimberley region. The Shire includes the towns of Kununurra and Wyndham and there are also a number of Aboriginal Communities; the largest being Kalumburu, which is situated in the northern part of the Shire.

A Councillor is a member of a team and that team is shaping the Shires future in consultation with the community. Councillors do not have any authority to act or make decisions as individuals. They are members of an elected body that makes decisions on behalf of the local government through a formal meeting process.

VISION

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

MISSION

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

GOALS

1. Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability.
2. Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure.
3. Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

2 ROLES AND RESPONSIBILITIES

Council consists of nine elected members. Councillors play a very important policy-making role, requiring the identification of community needs, setting objectives to meet those needs, establishing priorities between competing demands and allocating resources.

The implementation of Council's policy and plans and the ongoing management and administration of Shire affairs is the responsibility of the Chief Executive Officer and Shire officers.

The Council undertakes a range of roles which are put into practice by the Shire officers. These roles inform how the Shire will activate the Strategic Community Plan through new projects and operational activities.

Council's Role	Description	Example
Leader	Plan and provide direction through policy and practices.	Local Planning Strategy and Scheme.
Provider	Provide physical infrastructure and essential services.	Waste management, roads, drainage, parks, East Kimberley Regional Airport, sport and recreation facilities.
Regulator	Enforces State legislation and local laws.	Environmental health, land use planning, building services, ranger services and emergency management.
Advocator	Advocate and support initiatives on behalf of the local community and the Kimberley.	Ord stage two, relocation of wastewater treatment plant and drinking water reserve, Kununurra bypass and improvements to the Great Northern Highway, and an active member of the Kimberley Regional Collaborative Group and Kimberley Zone.
Facilitator	Bring stakeholders together.	Participate in human services interagency networks and Foreshore Committee.
Funder	Provide funds or other resources.	Community grants

3 CODE OF CONDUCT – COUNCIL MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

Section 5.103 of the *Local Government Act 1995* provides that every local government is to prepare a code of conduct which is to be observed by members of the Council and Shire employees.

In relation to information Council Members, Committee Members and employees have a responsibility to ensure that:

- As an Elected Member of the Council, or as a Committee Member there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council.
- Information of a confidential nature ought not to be communicated until it is no longer treated as confidential.
- Information relating to decisions of the Council must only be communicated in an official capacity by a designated officer of the Shire of Wyndham East Kimberley.
- Information concerning adopted policies, procedures and decisions of the Shire of Wyndham East Kimberley is conveyed accurately.

In addition, Elected Members are required to comply with the *Local Government (Rules of Conduct) Regulations 2007*.

4 ORGANISATION STRUCTURE

4.1 Current Elected Members

Your elected members are ratepayers or residents who have volunteered to work for the community and provide an avenue for public participation and input on important decisions which affect the community and Shire. Residents can contact the councillors to discuss any issues relevant to Council.

The Shire of Wyndham East Kimberley has nine (9) Councillors elected to represent the whole of the Shire.

More information relating to your elected members can be found on the Shire of Wyndham East Kimberley website www.swek.wa.gov.au.

- President Cr Jane Parker
- Deputy President Cr Keith Wright
- Cr Sophie Cooke
- Cr Beau Robinson
- Cr Darren Spackman
- Cr Simone Rushby
- Cr Naomi Perry
- Cr Alma Petherick
- Cr Emily Bolto

4.2 Council / Committee Structure

Council has appointed a number of Committees to assist in streamlining the decision making process. These Committees regularly report to Council. Council's Committees are outlined as follows:

Committee	Meetings	Responsible Officer
Legislated Committees		
Audit (Finance and Risk) Committee 1. Cr Beau Robinson 2. Cr Naomi Perry 3. Cr Simone Rushby 4. Cr Alma Petherick	Every three months	Director Corporate Services
Bush Fire Advisory Committee (BFAC) 1. Cr Darren Spackman 2. Not Filled	Every two months	Director Infrastructure

Committee	Meetings	Responsible Officer
Legislated Committees		
CEO Review and selection panel 1. Cr Jane Parker 2. Cr Sophie Cooke 3. Cr Keith Wright	As required	Shire President (appointed by the Council)
Local Emergency Management Committee (LEMC) 1. Cr Darren Spackman 2. Not filled	Quarterly	Director of Infrastructure
Development Assessment Panels 1. Cr Beau Robinson 2. Cr Keith Wright Proxy 1. Cr Naomi Perry Proxy 2. Cr Darren Spackman	As required	Director Community Development
Regional Representation		
WALGA Kimberley Zone / Regional Collaborative Group 1. Cr Jane Parker 2. Cr Keith Wright Proxy 1. Cr Naomi Perry Proxy 2. Cr Darren Spackman	Quarterly	Chief Executive Officer
Kimberley Regional Road Group 1. Cr Keith Wright Proxy 1. Cr Simone Rushby	Biannually	Director Infrastructure
North Kimberley Land Care District Committee (LCDC) 1. Cr Emily Bolto 2. Not filled	Biannually	Director Community Development
Local Representation		
Kununurra Community Library 1. Cr Sophie Cooke Proxy 1. Cr Emily Bolto as the proxy	Each School Term	Director Community Development

Committee	Meetings	Responsible Officer
Local Representation		
Community and Civic Events 1. Cr Keith Wright 2. Cr Jane Parker 3. Not filled	As required	Chief Executive Officer
Disability Access and Inclusion Planning 1. Cr Beau Robinson 2. Cr Alma Petherick	Annually	Director Community Development
SWEK Roadwise Committee 1. Cr Simone Rushby 2. Cr Darren Spackman	Every two months	Chief Executive Officer
Kununurra Visitor Centre 1. Cr Naomi Perry	Monthly	Chief Executive Officer
Kununurra and Wyndham Alcohol Accord 1. Cr Emily Bolto 2. Cr Simone Rushby	6 weekly	Director Community Development
Community Resource Centre 1. Cr Jane Parker	Monthly	Director Community Development
Lake Kununurra Foreshore Reference Committee 1. Cr Darren Spackman 2. Cr Alma Petherick	Quarterly	Director Community Development
East Kimberley Marketing Group 1. Cr Naomi Perry	Monthly	Chief Executive Officer
Officer Representation		
Australian Airports Association Chief Executive Officer	Biannually	Chief Executive Officer
Ord Valley Muster Committee Chief Executive Officer	As required	Chief Executive Officer

4.3 Legislated Committees

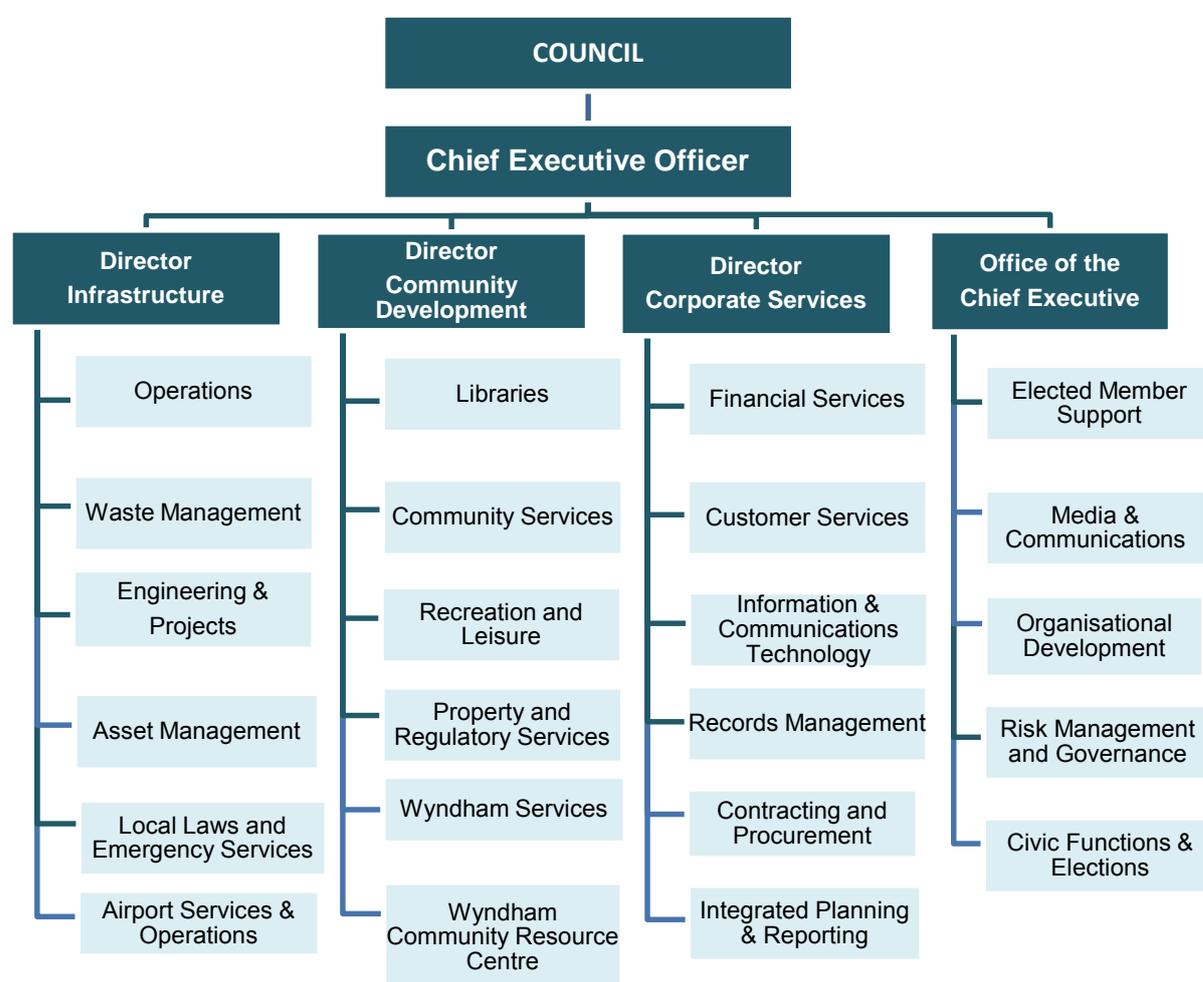
To enable public participation and awareness of Council or Committee meetings, the Shire of Wyndham East Kimberley advertises the dates, times and places of meetings that are open to members of the public.

The Shire publishes a yearly calendar including details for the Ordinary Council Meetings (OCM), Briefing sessions and the Audit (Finance and Risk) Committee Meetings. Updates to meetings are announced fortnightly in SWEK news.

4.4 Council Committees

A number of other committees, some comprising of elected members and advisory committees and consultative groups (that may also include staff and members of the public) which have been established to deal with relevant issues.

4.5 Organisation / Management Structure



5 SERVICE DELIVERY

The four Directorates are responsible for delivering services and infrastructure to the community. Shire services are both internal and external to the organisation.

Infrastructure	Community Development	Corporate Services	Office of the Chief Executive
<ul style="list-style-type: none"> ▪ Asset Management ▪ Project Management ▪ Depot and Plant ▪ Roads and Bridges ▪ Drainage Systems ▪ Parks, Ovals and Reserves ▪ Footpaths, Trails and Cycle ways ▪ Play Spaces ▪ Waste Management ▪ Airport Management ▪ Ranger Services ▪ Emergency Services 	<ul style="list-style-type: none"> ▪ Community Development ▪ Libraries ▪ Strategic and Land Use Planning ▪ Disability Access ▪ Youth Services ▪ Wyndham Office Services ▪ Wyndham Community Resource Centre ▪ Recreation and Leisure ▪ Building Services ▪ Property and Facility Management ▪ Environmental Health 	<ul style="list-style-type: none"> ▪ Corporate Services ▪ Information & Communications Technology ▪ Financial Services ▪ Records Management ▪ Customer Services ▪ Contracting & Procurement ▪ Insurance ▪ Integrated Planning & Reporting 	<ul style="list-style-type: none"> ▪ Office of the Chief Executive ▪ Council Secretariat ▪ Economic Development ▪ Media & Communications ▪ Organisational Development ▪ Governance ▪ Risk Management ▪ Occupational Health and Safety ▪ Civic Functions ▪ Elections

6 FUNCTIONS OF THE SHIRE

Under the Local Government Act 1995 the Shire has general, legislative and executive functions.

6.1 General Functions

Section 3.1 of the *Local Government Act 1995*

The general function of a local government is to provide for the good government of people living and working within its district. This means that local governments can do things for the good government of the district if they are not prevented from doing so by the Local Government Act 1995 or any other written law.

In exercising this general power, a local government can make local laws (legislative function) and provide services and facilities (executive function).

6.2 Legislative Functions

Section 3.5 of the *Local Government Act 1995*

A local government may make local laws that are necessary or convenient for it to perform any of its functions. However, a local law will be inoperative to the extent that it is inconsistent with any other written law (e.g. because there is already a State law covering the same area).

6.3 Executive Functions

Section 3.18 of the *Local Government Act 1995*

A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions.

However, before commencing a service or providing facility, a local government has to satisfy itself that the service or facility it provides integrates with the State or Commonwealth services and does not duplicate inappropriately any State, Commonwealth or private service and is managed efficiently and effectively.

Local government can make local laws about street trading, reserves, signs, parking, dogs, cats, health, licensing for planning schemes and much more.

7 ADMINISTRATION

The *Local Government Act 1995* is the principle statute pertaining to the functions and role of local government.

7.1 Acts of Parliament

The Council also administers a number of other Acts of Parliament which include but are not limited to:

- Building Act 2011
- Building and Construction Industry Training Fund and Levy Collection Act 1990
- Bush Fires Act 1954
- Caravan Parks and Camping Grounds Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Cat Act 2011
- Disability Services Act 1961
- Dog Act 1976
- Environmental Protection Act 1986
- Equal Opportunity Act 1984
- Food Act 1911
- Freedom Of Information Act 1992
- Health Act 1911
- Heritage of Western Australia Act 1997
- Library Board and Western Australia Act 1951
- Litter Act 1979 and Associated Regulations
- Local Government Act 1995 & Local Government (Miscellaneous Provisions) Act 1960
- Local Government Grants Act 1978
- Occupational Safety and Health Act 1984 and Associated Regulations
- Parliamentary Commissioner Act 1971
- Planning and Development Act 2005
- Public Interest Disclosure Act 2003
- Rates and Charges (Rebates and Deferments) Act 1992
- State Records Act 2000
- Strata Titles Act 1985
- Workers Compensation and Injury Management Act 1981

7.2 Local Laws

The Shire of Wyndham East Kimberley also has the power under the *Local Government Act 1995* (and other legislation) to adopt laws. The Shire currently has local laws relating to the following activities:

- Activities in Thoroughfares and Public Places and Trading Local Law 2005
- Health (Food) Local Laws 2009
- Repeal Local Law 2003
- Local Government Property Local Law 2003
- Parking and Parking Facilities Local Law 2003
- Standing Orders Local Law 2003
- Cemeteries Local Law 2003
- Bush Fire Brigades Local Law 2003
- Extractive Industries Local Law 2003
- Local Laws Relating to Fencing 2003
- Dogs Local Laws 2003
- Health Local Laws 2003

The Shire's Local Laws are available to the public for perusal at the Shire administration office or available to download from the Shire website: www.swek.wa.gov.au

8 DECISION MAKING FUNCTIONS

8.1 The Shire President

The role of the President is to:

- Preside at Council Meetings (in this role the President is required to ensure that meetings are conducted in a correct and orderly manner and to remain impartial when chairing the meeting.
- Provide leadership and guidance to the community.
- Carry out civic and ceremonial duties, such as conducting citizenship ceremonies on behalf of local government.
- Perform other such functions as are given to the President by the Local Government Act or any other written law.
- Liaise with the Chief Executive Officer on local government's affairs and the performance of its functions.
- Speak on behalf of local government as a corporate entity.

8.2 The Chief Executive Officer

The Chief Executive Officer acts as the conduit between the elected members and the employees' of the local government. All other employees ultimately receive their direction from, and are responsible to the Chief Executive Officer. Elected members acting individually do not have the authority to influence the activities, duties and operations of these employees directly. The Chief Executive Officer is the chief non-elected officer and has a number of functions such as;

- Advise Council in relation to the local government's functions.
- Ensure that advice and information is available to Council so that informed decisions can be made.
- Manage the day to day operations of the local government.
- Be responsible for the employment, management, supervision, direction and dismissal of other employees.
- Liaise with the President on local government's affairs and performance of functions.
- Cause Council decisions to be implemented.
- Speak on behalf of local government if the President agrees.
- Ensure that the records and documents of the local government are properly kept; and
- Perform any other function specified or delegated by the local government or imposed under an act or any other written law as a function to be performed by the Chief Executive Officer.

8.3 Delegations

The Chief Executive Officer and other officers have delegated authority from Council to make decisions on a number of specified administrative and policy matters which are subject to ongoing development. These delegations are detailed in the Delegations register and are reviewed annually by Council.

In keeping with the legislative requirements, Council makes decisions which direct and/or determine its activities and functions. Such decisions include the approval of works and services to be undertaken, and the allocation of resources to works and services.

Decisions are also made to determine whether or not approvals are to be granted for applications from residents for various forms of development. Council has a number of Policies which enable matters to be dealt with on a consistent basis. Policies are available to be viewed on the Shires website www.swek.wa.gov.au.

9 PUBLIC PARTICIPATION

9.1 Public Notices and Advertising

The *Local Government Act 1995* and other legislation may require the Shire to provide notice of its intention to take a particular course of action or decision. The Shire may also advertise certain proposed course of action or decision in order to provide the community with an opportunity to make submissions. These notices and advertisements generally appear within the 'West Australian' and/or the 'The Kimberley Echo' newspapers along with notifications on the Shire website and Facebook page.

9.2 Council Meetings

Council's Briefing Sessions are confidential and held on the second Tuesday of every month. These meetings are designed to brief and prepare the Council of the items pending for the upcoming Ordinary Council Meeting.

Ordinary Council Meetings are generally held on the fourth Tuesday of every month.

Audit (Finance and Risk) Committee Meetings are held in conjunction with the Briefing sessions but only on a quarterly basis – February, May, August and November.

For confirmation of Council meeting dates please contact the Shire on (08) 9168 4100 or visit the Shire of Wyndham East Kimberley at www.swek.wa.gov.au.

All meetings take place at the Council Chambers, Shire of Wyndham East Kimberley, 20 Coolibah Drive, Kununurra WA 6743 at 5pm, however meetings are held quarterly in Wyndham.

9.2.1 Public Question Time

All Council meetings are open to the public. There is a 'Public Question Time' at the beginning of the meeting. All questions are to be submitted in writing prior to the meeting. During this time electors may raise questions for discussion and answer.

9.2.2 Presentations

With the permission of the Chief Executive Officer, members of the public can address Council on any matter on the Council Agenda.

9.2.3 Petitions

Written petitions can be addressed to Council on any issue within Council's jurisdiction. Petitions are required to be presented to Council by either the Chief Executive officer or an Elected Member.

9.2.4 Written Requests

A member of the public can write to Council on any Council Policy, activity or service.

9.2.5 Elected Members

Members of the public can contact their Elected Members to discuss any issue relevant to Council.

9.2.6 Deputations

Where a member of the Community has an interest in an item listed for discussion at a Council or Committee meeting, upon prior written application to the Chief Executive Officer they are entitled to give a deputation.

Such deputations shall consist of no more than five persons with only two who may address the meeting for a period not exceeding 15 minutes.

9.3 Elector Meetings

Every financial year the Shire must hold a General Elector's Meeting at which the Shire's Annual Report is presented. Matters discussed at the Electors meeting include the contents of the annual report for the previous financial year and then any other general business.

Members of the public are encouraged to attend this meeting as it provides an opportunity to ask questions and raise issues with the local representatives.

9.4 Agendas and Minutes

Agendas of Council Electors and Committee Meetings are on public display at the Shire office and Library's within the Shire. Agendas can be viewed on the Shire's website at www.swek.wa.gov.au. Council Agendas are available from the Friday prior to the Council Meeting.

Minutes of Council, Electors and Committee meetings are available within 10 working days of the meeting and are also on display at the Shire office and Library within the Shire and can also be viewed on the Shire's website – www.swek.wa.gov.au/publications

10 COMMUNITY CONSULTATION

The Council consults the community to seek their views on a number of projects in which it is involved in. Council can seek these views in a number of ways including advertising in local papers, calling public meetings, seeking responses to surveys and questionnaires.

Residents are notified of some Development Applications requiring the approval of Council. When an application is publicly notified, residents have the opportunity to write to Council expressing their view of the application.

Council's approach to community engagement is based on the International Association of Public Participation's (IAP2) Spectrum. The level of engagement should be determined by considering the issue, problem or opportunity requiring community engagement, the objectives to be achieved by engaging and the extent that the community can assist Council to make decisions.



Community Consultation for the 10 Year Strategic Community Plan

The IAP2 Public Participation Spectrum:

	Inform	Consult	Involve	Collaborate	Empower
Community Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain feedback on analysis, alternatives and / or solutions.	To work directly with the public throughout the process to ensure that public concerns are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the Community	We will keep you informed.	We will keep you informed, listen to and acknowledge aspirations and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are reflected in the alternatives developed and provide feedback on how community input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Techniques	Fact Sheets, Websites, Open Houses.	Public Comments, Focus Groups, Surveys, Public Meetings.	Workshops, Deliberative polling.	Advisory Committees, Consensus Decision Making.	Citizen Juries, Ballots, Delegated decision.

11 PUBLIC LIBRARIES

11.1 Kununurra Library

The Shire of Wyndham East Kimberley has two public libraries, Kununurra Community and School Library and the Wyndham Library located in the Shire administration office, Wyndham. The Kununurra Library is a joint use facility with the Kununurra District High School. The Library aims to provide excellent and relevant library programs, resources and customer service to students, community members and visitors of Kununurra District High School and the Shire of Wyndham East Kimberley.

Kununurra Community and School Library specialises in children's services, visiting author and illustrator events, programs that promote community harmony and resources about the Kimberley.

LOCATION

The library is located on the corner of Coolibah Drive and Mangaloo Street, Kununurra and is situated on the Kununurra District School grounds.

Kununurra Library Contact Details:

Phone: 08 9169 1227

Fax: 08 9169 1128

Email: librarian@swek.wa.gov.au

Kununurra Library Open Hours:

Monday 8am - 4pm

Tuesday 8am - 5:30pm

Wednesday 8am - 12:30pm

Thursday 8am - 5:30pm

Friday 8am - 4pm

Saturday 9am - 1pm

Contact the Library or check the website for amended hours during school holidays or special program details.



Rhyme time at the Kununurra Library

11.2 Wyndham Library

The Wyndham Library aims to provide excellent and relevant library programs, resources and customer service to the community of Wyndham.

LOCATION

The Library is located in the Shire of Wyndham East Kimberley offices, 990 Koolama Street, Wyndham.

Wyndham Library Contact Details:

Phone: 08 9161 1002

Fax: 08 9161 1295

Email: wyndham.library@swek.wa.gov.au

Wyndham Library Open Hours:

Monday 8am - 4pm

Tuesday 8am - 4pm

Wednesday 8am – 12pm, 1pm - 4pm

Thursday 8am - 4pm

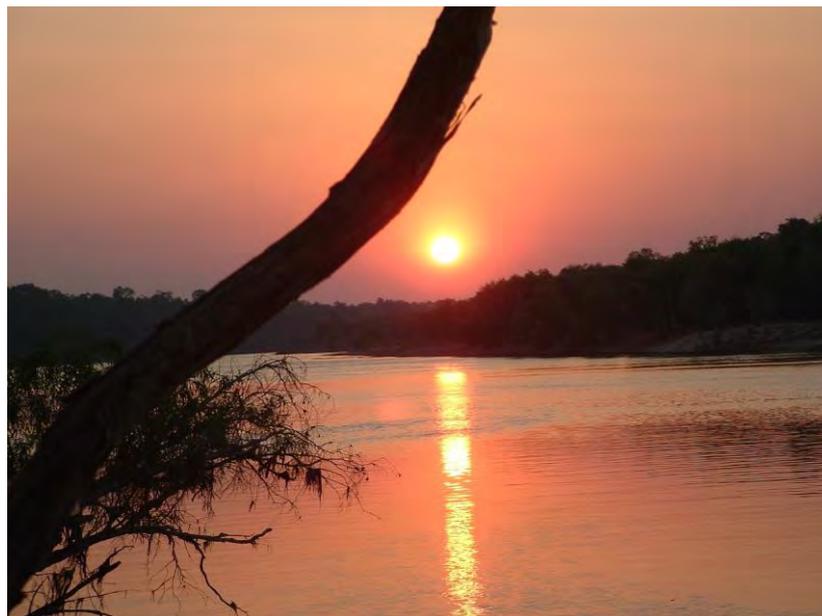
Friday 8am - 4pm

ACTIVITIES FOR CHILDREN AND PARENTS

WELA Story Time is held in the Wyndham Library on Thursday mornings starting at 8:30am. As part of the Better Beginnings program, the Library offers parents and children a large collection of Story Time and Better Beginnings books, audiobooks and access to State Library of Western Australia e-resources, including TumbleBooks and StoryBox.

CATALOGUE

An online catalogue is available to assist you in sourcing the required book, audiobook or DVD you require: <http://www.swek.wa.gov.au/wyndham-community-library.aspx>



12 WYNDHAM COMMUNITY RESOURCE CENTRE

At the Wyndham Community Resource Centre our core functions are internet access and activities such as photocopying, printing and training for members of the community who do not have these facilities at home and need to access online information. The Wyndham Resource Centre will also play a vital role in facilitating the local jobs market through accessing jobs and employment information online. We also hope to invite many Kununurra-based organisations to utilise our centre for their service delivery into Wyndham, as well as creating a welcome space for local stakeholders to meet and make use of our video conferencing equipment.

At the Wyndham Community Resource Centre we offer a variety of services such as:

- Broadband Internet Access
- Wireless Hotspot
- Check your emails
- Internet Banking
- Monthly Production of the Wyndham community newspaper: The Bastion Bulletin
- Desktop Publishing
- Letterheads
- Flyers
- Brochures
- Business Cards
- Word Processing
- Secretarial Services
- Resumes
- Photo Printing
- Photocopying
- Video Conferencing
- Westlink Services
- Laminating
- Training - introduction to computers, emails and MS Office
- Visitor Information
- Bankwest Services
- Transport Licensing Services
- Library Services
- Local Government Services

Location and Opening Hours:

The Community Resource Centre is located at the Shire office at 990 Koolama Street, Wyndham, and is open to public Monday to Friday, 8am to 4pm, closed 12pm to 1pm Wednesday.

Contact Details:

Phone: (08) 9161 1002

Fax: (08) 9161 1295

For further information visit Wyndham Community Resource Centre: www.swek.wa.gov.au or follow us on Facebook.

13 FREEDOM OF INFORMATION

13.1 What is Freedom of Information?

The Freedom of Information Act 1992 is an Act to provide for public access to documents, and to enable the public to ensure that personal information in documents held by the Shire is accurate. Under the Freedom of Information Act 1992 (the FOI Act), the right to access applies to documents held by most State government agencies, Ministers and local government. These bodies are referred to as “agencies”.

The type of documents accessible under the FOI Act include paper records, plans, drawings, photographs, tape recordings, films, videotapes or electronic documents. Agencies are required to assist applicants to obtain access to documents at the lowest reasonable cost.

Individuals can also apply to have personal information about them listed in any government documents amended if that information is inaccurate, incomplete, out of date or misleading.

There are two main categories of documents held by the Shire of Wyndham East Kimberley, those available for inspection or purchase outside of the FOI Act and those through their content must be held confidentially and public access considered only through the provision of the FOI Act. Wherever possible the Shire of Wyndham East Kimberley is required to provide access to documents outside of the FOI process.

People have the right of access to documents held by Ministers, State Government departments, local governments and other statutory authorities and can apply for access to the documents of an agency or local government. This right is not affected by any reason the person has for wishing to obtain access or the local government’s belief as to what the reasons are for wishing to obtain access.

The agency does have the right to refuse access to documents, or certain information in them, if that information is deemed exempt under the FOI Act. These exemptions include:

- personal information about individuals other than your own personal information;
- the protection of essential public interest;
- commercial information that would reveal trade secrets or information of a commercial value;
- documents that are covered by legal professional privilege;
- the deliberate processes of local government

It is the local government’s intention to provide access to requested document, wherever possible, in the ordinary course of daily work provided that in so doing no harm is inflicted upon the rights or interests of private individuals or commercial organisations. Where requested documents are of a sensitive nature the application will be dealt with under the provisions of the Act taking into account all parties concerned. It is our belief that that this strategy will facilitate the provision of information to the public in a prompt and cost effective manner whilst still observing the need to preserve the confidentiality of classified information.

13.2 Documents Available Outside the 'FOI' Act

The Shire of Wyndham East Kimberley is required under the *Local Government Act 1995*, Section 5.94 and 5.95 to make available for inspection to the public the following documents. You can request to view these documents by attending the Shire's Administration office and copies can be obtained upon payment of the relevant charges for production. Many of these documents can also be found on the Shire's website at www.swek.wa.gov.au.

- Code of Conduct
- Complaints Register of Minor Breaches
- Annual Budget
- Annual Financial Statements
- Schedule of Fees and Charges
- Strategic Community Plan
- Corporate Business Plan
- Local Laws (including amendment of text or appeals of local laws)
- Rates Records – Rate Book
- Minutes of Committee Meetings and Council Meetings (confirmed minutes that relate to the meeting)
- Limitation – Access does not extend to the inspection where a meeting of Council or Committee, or a part of such a meeting, to which the information refers, was closed to members of the public. Nor does it extend where it relates to any debt owed to the City.
- Electoral Roll – Shire of Wyndham East Kimberley Owner and Occupiers or Consolidated Roll
- Registers – Tenders, Gift
- Information Statement
- Documents released for public comment
- Delegated Authority (and decisions made under Delegation)
- Building and Development Applications via Search and Retrieval Application and subject to fees
- Shire of Wyndham East Kimberley Enterprise Agreement

13.3 Documents Available Under the 'FOI' Act

13.3.1 How to Apply

For access to documents other than those listed as accessible outside the 'FOI' Act a Freedom of Information application must be submitted. This application will be subject to legislation regarding the *Freedom of Information Act 1992* as outlined in this information statement.

A Freedom of Information application must be in writing and include an Australian address to where notices can be sent. It is beneficial to include as much information as possible as outlined on the application form including your full name, telephone contact and email address.

A prescribed fee of \$30 will be applicable upon submission of the application in order for the Information Coordinator to begin the document assessment process. The identified documents will then be reviewed to determine if any exemptions apply. The response to the original application must be provided to the applicant in the shortest possible time (or within 45 days) at the lowest reasonable cost.

The application should include enough information to clearly identify the requested documents. Try to include information such as subject matter, clearly defined dates where possible and the types of documents required.

You can contact the Shire's Freedom of Information Coordinator prior to completing your application for assistance to clarify and/or reduce your scope. The Shire can refuse to deal with any application that it considers that the work involved in dealing with the access application would divert a substantial and unreasonable portion of the agency's resources away from its other operations, the agency has to take reasonable steps to help the applicant to change the application to reduce the amount of work needed to deal with it (*Freedom of Information Act 1992, Part 2, s.20(1)*).

Application forms can be collected in person from the Shire Administration office or downloaded from the Shire website. Forms can be submitted in person or by mail and the application must include the prescribed payment to be considered valid.

The Shire of Wyndham East Kimberley
Freedom of Information Coordinator
Director of Corporate Services
20 Coolibah Drive
KUNUNURRA WA 6743

PO Box 614
KUNUNURRA WA 6743

Phone: 08-9168 4100
Email: mail@swek.wa.gov.au
Website: www.swek.wa.gov.au

13.3.2 Fees and Charges

No fees or charges apply for information relating to personal information or the amendment of personal information. All other applications are subject to the prescribed application fee.

FEES AND CHARGES	FEE
FEES (GST EXEMPT)	
Application fee for non-personal information (Mandatory)	\$30.00
Application fee for personal information	No Fee
CHARGES (GST APPLICABLE)	
Charge for staff dealing with application and photocopying	\$30.00 / hr
Supervised access to records for inspection only	\$30.00 / hr
Transcribing information from tape, film or computer	\$30.00 / hr

FEES AND CHARGES	FEE
Photocopying	\$0.20 / page
Duplicating a tape, CD, DVD or computer information	Actual Cost
Delivery, packing and postage	Actual Cost
DEPOSITS	
An advance deposit may be required	25%
An additional advance deposit may be required for large applications	\$75

For financially disadvantaged applicants of those issued with prescribed pensioner concession cards, (apart from the application fee) the charge payable is reduced by 25%.

There are no application fees or charges for internal or external reviews.

13.3.3 Notice of Decision (s.49)

A “Notice of Decision” will be provided by the chief decision maker at the Shire. This “Notice of Decision” will advise the outcome of your application. If the outcome is positive it will also include information as to how to obtain the required documents. If access is refused or only partial access is granted, the “Notice of Decision will outline the reasons as to why you have been denied access to any or all documents.

13.3.4 Decision and Reasons for Decision (s.49)

The FOI Act allows agencies to refuse access without confirming or denying the existence of a document in certain narrow circumstances. These are where a document, if it existed, would be exempt under section 33 (documents affecting national security, defence or international relations) or section 37(1) (documents affecting enforcement of law and protection of public safety).

13.3.5 Your Review Rights – Internal Review (s.39)

If you are dissatisfied with the Shire’s decision (which is deemed to be a refusal to grant access), you may apply for internal review or seek the Information Commissioner review the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

13.3.6 Decision and Reasons for Decision (s.49)

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review the decision. An application for review by the Information Commissioner must be made in writing within 60 calendar days of the date of this letter, and be lodged in one of the following ways:

Online: <https://forms.business.gov.au/aba/oaic/foi-review/>
Email: enquiries@oaic.gov.au
Post: GPO Box 2999, Canberra ACT 2601
In person: Level 3, 175 Pitt Street, Sydney NSW.

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to www.oaic.gov.au/freedom-of-information/foi-reviews.

13.3.7 Appeals to the Supreme Court (s.85)

Any party to a complaint may appeal to the Supreme Court on any question of law arising out of a decision of the Information Commissioner, except for a decision as to the deferral of access to a document, the charges to be imposed for dealing with an access application and the payment of a deposit on account of charges.

13.4 Time Limits

13.4.1 Notice of Decision

Must be issued within 45 calendar days from when the application was received. Should the application be unusually large, or require consultation with a significant number of third parties, consultation with the Applicant to arrange an agreed period of extension should take place as soon as is practicable within the assessment process.

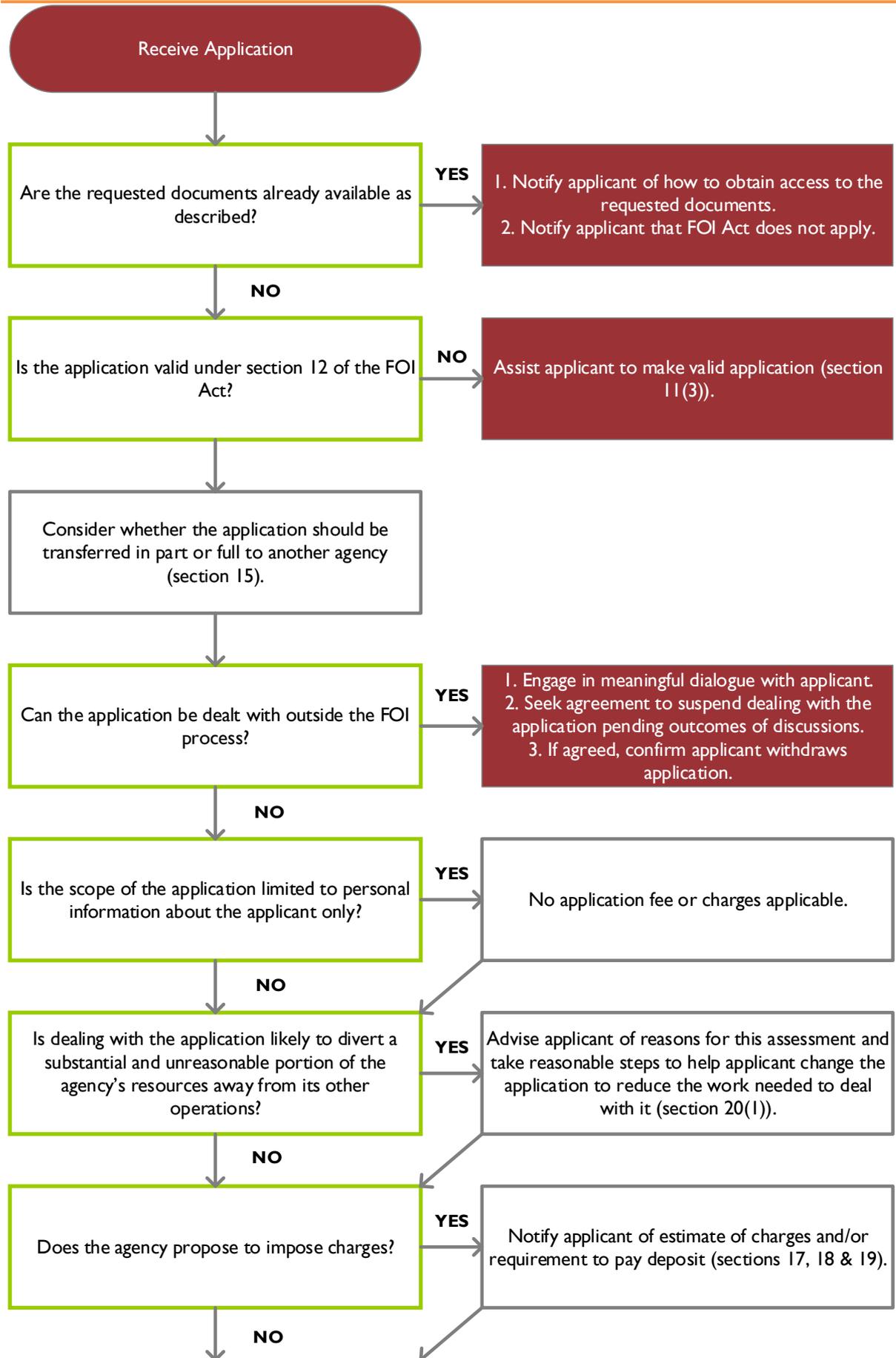
13.4.2 Internal Review

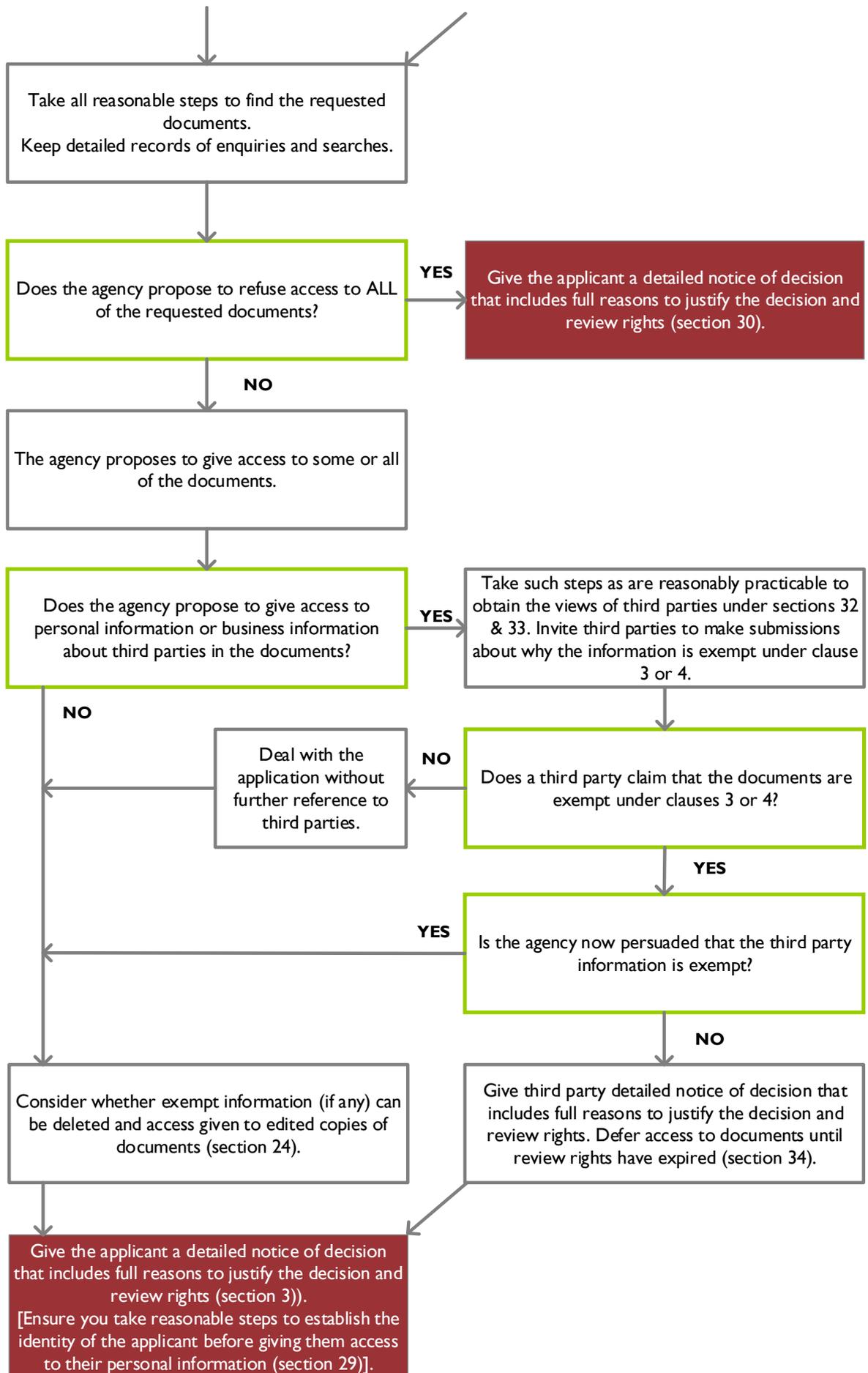
Must be lodged within 30 calendar days by the applicant if they are dissatisfied with the Shire's Notice of Decision. The Shire in turn must respond within 15 days upon receipt of the Internal Review application.

13.4.3 External Review

Must be lodged within 60 calendar days by the applicant if they are dissatisfied with the Shire's Internal Review decision. The Information Commissioner in turn must respond within 30 days upon receipt of the External Review application.

13.5 Freedom of Information Process Flow





13.6 Amending Personal Information

The 'FOI' Act allows you to seek amendment of personal information held by the Shire. This ensures information does not unfairly harm the person referred to, misrepresent facts about them or give a misleading impression or is incorrect or inaccurate. Applications must be provided to the Shire administration office in writing to request a correction, amendment or annotation to the documents containing an individual's personal information.

The written application must include:

- the details, and if necessary, documentation to support claims that the information the Applicant seeks to amend is inaccurate, incomplete, out of date or misleading.
- direction from the applicant as to whether they require the amendment to the information to be made by altering, striking out or deleting the information or inserting information or a note in relation to the information.

The agency can refuse to annotate a record if they consider the annotation to be voluminous, defamatory or irrelevant. They can also attach their own comments to the annotation.

The Shire will inform the applicant of its decision and the reasons for arriving at that decision, together with rights of review if dissatisfied with the Shire's decision.

The Privacy Act 1988 (Privacy Act) also provided you with rights to request that Ministers and agencies change information they hold about you. These rights are separate from your rights under the 'FOI' Act.

14 CHANGE OF ADDRESS / DETAILS REQUEST

If you are a current rate payer, creditor or debtor within the Shire of Wyndham East Kimberley and you are required to amend any details of where your notices and accounts are sent, a 'Change of Address / Details Request' form must be completed and returned to the Shire administration office. The form can be downloaded from Shire's website at <http://www.swek.wa.gov.au> under Find a Form or you can request a copy either in person or by email directly from the Shire administration office.

SHIRE of WYNDHAM | EAST KIMBERLEY

Freedom of Information Application Form



PO Box 614 Kununurra 6743
 20 Coolbah Drive KUNUNURRA
 Koolama Street WYNDHAM
 T | 9168 4100
 F | 9168 1798
 E | mail@swek.wa.gov.au
 W | www.swek.wa.gov.au
 8.00am - 4.00pm MON - FRI

Pursuant to the *Freedom of Information Act 1992, Section 12*

1. DETAILS OF APPLICANT

Surname:	_____	Given Names:	_____
Australian Postal Address:	_____ _____ _____		
Daytime Contact Number:	_____	Mobile:	_____
Email Address:	_____		
Agency Name and Contact Details (if applicable):	_____ _____ _____		

2. DETAILS OF REQUEST

Information Type	Application Fee	Details
Personal documents <input type="checkbox"/>	Nil	Request must only contain personal information about the applicant eg. Family details, details of employment, material in personal records, medical reports etc.
Non-Personal documents <input type="checkbox"/>	\$30.00	\$30.00 application fee and associated charges, and may, subject to the Act and/or consultation, contain information regarding third parties.
I wish to apply for access to documents concerning:		
_____ _____ _____		
Please indicate a time period for the documents, if possible:		
Start Date:	_____	End Date: _____

<<Form Path>>

<<Form Number>>

<<Version Date>>

3. FORM OF ACCESS

Inspection: <input type="checkbox"/>	Hard Copy: <input type="checkbox"/>	Electronic Copy: <input type="checkbox"/>
--------------------------------------	-------------------------------------	---

4. PAYMENT METHOD

An application fee of \$30.00 is required for Non-personal documents upon receipt of a valid application.
 NB: Your request is not valid unless payment is received.

<input type="checkbox"/> Cheque or Money Order	Please make payable to the Shire of Wyndham East Kimberley
<input type="checkbox"/> Credit Card	Visa or Mastercard (AMEX and Diners is not accepted)

Note: For security reasons, the Shire of Wyndham East Kimberley cannot accept written credit card details. Therefore, please provide the name as displayed on your credit card and sign below to authorise the Shire of Wyndham East Kimberley to debit that card. The Shire of Wyndham East Kimberley will contact you to obtain your credit card number.

Name on Card:

Signature: Date / /

5. DISCOUNTS MAY BE AVAILABLE

If you consider you are entitled to a reduction, please submit a request with copies of pension card(s) or other documents that support your application.

<input type="checkbox"/>	I am requesting a 25% reduction in charges on the basis that I am financially disadvantaged and/or the holder of a pensioner concession card (<i>Freedom of Information Regulations 1993, Reg 3</i>)
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6. AUTHORISATION

I understand that before I obtain access to documents I may be required to pay processing charges in respect of this application and that I will be supplied with an estimate of charges, if appropriate, and provided the opportunity to adjust the scope of my application to reduce charges.

Signature:	Date / /
------------------	----------

7. FURTHER INFORMATION

For advice and further information on Freedom of Information and the types of documents held by the Shire of Wyndham East Kimberley, please contact the Shire's Freedom of Information Coordinator on (08) 9168 4100 or email mail@swek.wa.gov.au. The Shire's Information Statement may be accessed from the website: www.swek.wa.gov.au.

For general information and advice on Freedom of Information you can also contact the Office of the Information Commission on (08) 9220 7888 or see their website at www.foi.wa.gov.au.

8. OFFICE USE ONLY

Receipt No: _____	Date of Receipt: / /	Officer Signature: _____
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RESPONSE TIME: 45 WORKING DAYS FROM DATE OF RECEIPT OF A VALID APPLICATION INCLUDING PAYMENT
PLEASE REFER TO IMPORTANT INFORMATION BELOW

8. IMPORTANT INFORMATION

Freedom of Information Applications

1. Please provide as much detail of your request as possible so that the documents you are requesting may be identified. Applications cannot be accepted without sufficient information being provided.
2. The Shire of Wyndham East Kimberley may request proof of your identity.
3. If you are seeking access to a document(s) on behalf of another person, the Shire of Wyndham East Kimberley will require authorisation, usually in writing.
4. Your application will be processed as soon as practicable. All applications will be processed within 45 days.

Forms of Access

1. You may request access to documents in different formats. Where the Shire is unable to grant access in the form requested, access may be provided in a different form.

Fees and Charges

1. No fees are applicable for an internal or external review.
2. An application fee of \$30.00 is applicable in every instance for applications for non-personal information.
3. The Shire may seek charges for postage, special arrangements for access or for specialised access such as reproductions.

Lodgement of Applications

By Post:

FOI Coordinator
 Shire of Wyndham East Kimberley
 PO Box 614
 KUNUNURRA WA 6743

In Person:

FOI Coordinator
 Shire of Wyndham East Kimberley
 120 Coolibah Drive
 KUNUNURRA WA 6743

By Email:

mail@swek.wa.gov.au
 Attention: FOI Coordinator



Shire of Wyndham East Kimberley
Council Policy Manual
MC7

POLICY NO:	MC7
DIVISION:	Members of Council
SUBJECT:	Freedom of Information Statement
REPORTING OFFICER:	Executive Manager Corporate Services
ENABLING LEGISLATION:	Freedom of Information Act 1992 Part 5 Section 94

OBJECTIVE

To make readily available to the public at least in accordance with the Freedom of Information Act information sought as soon as practicable.

POLICY

Council will provide a general right of access to documents and records of Council in accordance with the provisions of the Freedom of Information Act 1992, The Local Government Act 1995 Section 5.94 and the Local Government Administration Regulations 1996 and the guidelines in this policy.

1. The Executive Manager Corporate Services and in that person's absence the Manager Corporate Services is appointed as "FOI Co-ordinator" and "Decision Maker" and is hereby authorised to make decisions regarding access to information.
2. Chief Executive Officer is the "Internal Review Officer" appointed to review an application should the applicant be dissatisfied with the result of their application.
3. Procedures for determining access, exemptions, personal information and review and the preparation of information statements shall be in accordance with the Freedom of Information implementation guidelines prepared by the Office of the Information Commissioner.
4. Council shall apply fees and charges applicable under the Act and as published in the Government gazette from time to time.

ADOPTED: 15/08/2002

REVIEWED:

AMENDED:

Cr S Rushby declares an impartiality interest in this item as she is a contractor, and may have an impartiality interest.

13.3 INFRASTRUCTURE

13.3.1 Road Construction Specification Policy

DATE:	24/11/2015
AUTHOR:	David Klye, Director Infrastructure
RESPONSIBLE OFFICER:	David Klye, Director Infrastructure
FILE NO:	CM.11.2
DISCLOSURE OF INTERESTS:	NIL

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the reviewed policy E5 Road Construction Specifications, renamed to CP-OPS 3655 - Road Construction Specification as attached.

MOTION

Cr K Wright moves that Council defer item 13.3.1 to a briefing session.

Cr K Wright withdraws the motion.

COUNCIL DECISION

Minute No. 11180

Moved: Cr K Wright

Seconded: Cr D Spackman

That Council suspends Standing Order 7.5 Limitation of number of speeches.

Carried Unanimously 9/0

Standing Order 7.5 suspended at 5.24pm.

COUNCIL DECISION

Minute No. 11181

Moved: Cr S Cooke

Seconded: Cr B Robinson

That Council resumes Standing Order 7.5 Limitation of number of speeches.

Carried Unanimously 9/0

Standing Order 7.5 resumes at 5.36pm

FORESHADOWED MOTION

Cr K Wright foreshadows a motion to defer the item 13.3.1 to a briefing session.

MOTION

Cr S Rushby moves that Council recommend:

- The Director Infrastructure take the policy back for full review and present to council a comprehensive policy in line with and Including detail that will meet the requirements as outlined in the probity audit and those specified for future grant funding.
- Incorporate the standards of funding bodies such as MRWA , so that we can align with Western Australia's best practice for regional areas and meet the MRWA state standards.
- Enable the policy to be interpreted in such a manner that a comprehensive understanding can be held by officers as to what council expects going forward.
- Ensure that the policy is in line with budgetary schedule and outline lifetime expectancies of each of the classified roads usage.
- Specifically address all aspects that can constitute a road eg: running surface, shoulders, line marking, bridges ,verges and footpaths etc.

MOTION

Cr K Wright moves that the question be now put.

COUNCIL DECISION

Minute No. 11182

Moved: Cr K Wright

Seconded: Cr S Cooke

That the question be now put. (To consider the motion as moved by Cr S Rushby).

Carried Unanimously 9/0

COUNCIL DECISION

Minute No. 11183

Moved: Cr S Rushby

Seconded: Cr K Wright

That Council recommend:

- **The Director Infrastructure take the policy back for full review and present to council a comprehensive policy in line with and Including detail that will meet the requirements as outlined in the probity audit and those specified for future grant funding.**
- **Incorporate the standards of funding bodies such as MRWA , so that we can align with Western Australia's best practice for regional areas and meet the MRWA state standards.**
- **Enable the policy to be interpreted in such a manner that a comprehensive understanding can be held by officers as to what council expects going forward.**
- **Ensure that the policy is in line with budgetary schedule and outline lifetime expectancies of each of the classified roads usage.**
- **Specifically address all aspects that can constitute a road eg: running surface, shoulders, line marking, bridges ,verges and footpaths etc.**

Lost Unanimously 0/9

The motion foreshadowed by Cr K Wright is considered:

COUNCIL DECISION

Minute No. 11184

**Moved: Cr K Wright
Seconded: Cr N Perry**

That Council defer item 13.3.1 Road Construction Specification Policy to a briefing session.

Carried 8/1

**For: Cr J Parker, Cr K Wright, Cr D Spackman, Cr S Cooke, Cr S Rushby, Cr N Perry,
Cr A Petherick, Cr E Bolto
Against: Cr B Robinson**

PURPOSE

For Council to consider a review of its policy, E5 Road Construction Specifications.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At its 28 July 2004 meeting Council adopted a policy titled E5 Road Construction Specification. A copy of the E5 Road Construction Specifications is attached to this report as Attachment 1.

COUNCIL DECISION

MINUTE NO 6795

Moved Cr K Wright / J Nelson

That Council:

- 1. Repeal all current Engineering policies in their entirety.***
- 2. Endorse the modified Engineering policies as attached.***

CARRIED UNANIMOUSLY (7-0)

STATUTORY IMPLICATIONS

The *Local Government Act 1995* Section 3.1 and the *Main Roads Act 1930* Section 24 applies to this item.

POLICY IMPLICATIONS

The proposal establishes Council's policy position in relation to acceptable standards of road construction and planning within the Shire.

FINANCIAL IMPLICATIONS

There are no direct additional financial implications in adopting the revised policy.

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

This policy aligns fully with the State Government's Integrated Planning and Reporting Framework.

RISK IMPLICATIONS

Risk:

Lack of maintenance and renewal of infrastructure resulting in inadequate level of service.

Controls:

- Education of Council and organisation in asset management principles.
- Funding submissions

Risk:

Lack of planned approach to project design and approvals resulting in increased costs and poor delivery.

Controls:

- Recruitment of Manager, Engineering Services and Senior Technical Officer and change in work practices.
- Education of the other Departments to refer project proposals to Engineering for advice.

COMMUNITY ENGAGEMENT

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

Community consultation is not required in relation to this item.

COMMENTS

A copy of the proposed revised policy is attached as Attachment 2 - CP-OPS 3655 - Road Construction Specification. The proposal differs to the previous version of the policy by providing overall guidance on the types of road the Shire requires according to road type rather than referencing traffic counts which may not be applicable and will vary over time and by referring to comprehensive technical specifications for road and drainage design and construction. The proposed Policy contains minimal technical specifications regarding road widths for each road type as policy should focus on strategic matters and not contain technical and operational detail and specifications.

The proposed policy refers to road classes rather than vehicle count as vehicle counts apply better to populous areas (Perth for example) and provide a skewed result when used in towns with a smaller population. For clarification, the road classes referred to above would require 3000 vehicles per day in a populous area. The reasons for the recommendations for wider streets for fewer vehicles per day are for safety and practical reasons. The recommendations allow for better driver visibility, on street parking and access for service vehicles including street sweeping and garbage collection.

The Main Roads Western Australia supplement to Austroads Guide to Road design has not been included in the policy as the level of technical refinement contained in the supplement was not considered necessary or appropriate in the local context.

ATTACHMENTS

Attachment 1 - E5 Road Construction Specification

Attachment 2 - CP-OPS 3655 - Road Construction Specification



Shire of Wyndham East Kimberley
Council Policy Manual
E5

POLICY No:	E5
DIVISION:	Engineering
SUBJECT:	Road Construction Specifications
REPORTING OFFICER:	Executive Manager Engineering and Development Services
ENABLING LEGISLATION:	Local Government Act 1995 Section 5.52.3

OBJECTIVE:

To provide an appropriate safe and maintainable road network throughout the Shire.

POLICY:

Road Widths and Standards

Residential and Commercial

- Less than 100 vehicles per day - 6 metres seal between kerbs
- More than 100 vehicles per day - 7.5 metre seal between kerbs.
- Distributor Roads - 9 metre seal between kerbs.

Industrial

- 9 metre seal between kerbs.

Rural

- Less than 50 vehicles per day - 8 metre gravel formation, 6 metre running surface (2 x 3 trafficable lanes 2 x 1 metre shoulders)
- 50 to 150 vehicles per day - 9 metres gravel formation, 6 metre seal.
- over 150 vehicles per day - 10.5 metre gravel formation, 7.5 metre seal.

Rural Residential

- 9 metre gravel formation 6 metre seal

Drainage Standards

Townsites

- Residential - underground pipe drainage to be capable of accommodating a one in five year storm/flood.
- Commercial/Industrial - underground pipe drainage to be capable of accommodating a one in ten year storm/flood.

Kerbing Standards

- Central Business District - barrier kerbing for all new and replacement kerbing.
- All Other Areas - Semi-mountable kerbing for all new and replacement kerbing.
- All kerbing on side of road required for drainage to be constructed in kerb and channel formation, all other kerbing must be keyed into the road surface.

Footpath Standards

- Main Thoroughfares - dual use concrete paths 2.4 metres wide are to be installed on major urban thoroughfares. Paths to be constructed at back of kerblines but must not interfere or obstruct access to service utilities.
- All Other Thoroughfares - Concrete paths are to be installed, 2.1 metres wide on all other roads. Path to be constructed at back of kerb if appropriate, but must not interfere or obstruct access to service utilities.
- Service Conduit - All concrete paths to have service conduit line installed under path for water, etc. where required.

ADOPTED: 20 July 2004

REVIEWED:

AMENDED:



POLICY NO	CP/OPS-3655	
POLICY	Road Construction Specification	
RESPONSIBLE DIRECTORATE	Infrastructure	
RESPONSIBLE OFFICER	Director Infrastructure	
COUNCIL ADOPTION	Date: 20/07/2004	Resolution No: 6795
REVIEWED/MODIFIED	Date: 24/11/2015	Resolution No: Insert Here
	Date:	Resolution No:
REVIEW DUE	Date: March 2018	
LEGISLATION	Local Government Act 1995, Section 3.1 Local Government (Uniform Local Provisions) Regulations 1996 Sections 15(1) and 15(2)	
RELATED POLICIES	CP/FIN-3216 Asset Management	
RELATED ORGANISATIONAL DIRECTIVES	Technical Specification TS/OPS - Road and Drainage Construction	

PURPOSE:

The primary objectives are to:

- (a) Provide a safe, efficient and effective road system for the Shire;
- (b) Facilitate the upgrading of existing roads to preferred widths, alignments and standards of construction;
- (c) Provide sufficient road reserve width to accommodate all required public utilities required as part of a Road Construction; and
- (d) Provide a rational and consistent basis for the construction of roads and any financial contributions required for such construction.

DEFINITIONS:

“**Road**” means the road reserve, inclusive of pavement, shoulders, drains, bridges, Footpaths and verges.

“**Shire**” means the Shire of Wyndham East Kimberley

The meaning of all the other terms not specifically defined in this policy shall be the Same as the definitions contained in the Local Government Act 1995.

POLICY STATEMENTS:

Road & Pavement Construction

Urban road design shall accord with the Western Australian Planning Commission (WAPC) Livable Neighborhoods operational policy that was developed specifically to guide planning for subdivision of Greenfield and large urban infill sites. The WAPC Livable Neighborhoods operational policy was developed in Perth and is acknowledged as Perth-centric. For this reason some modification of the policy has been made to suit the Shire of Wyndham East Kimberley. The following minimums shall apply to the construction or reconstruction of roads

association with new developments in addition to the WAPC Livable Neighborhoods operational policy;

Urban Residential

These are defined in the Liveable Neighbourhoods Guide as *Neighbourhood Connectors* and *Access Streets*. *Access Street D*, *Laneway/Rear Lane* and *Small Town Centre Street* categories are not applicable.

- Urban access street pavements shall be sealed with a minimum width of 7.2 metres between kerbs within a minimum 20 metre wide road reserve.
- The diameter between kerbs for a cul-de-sac shall be a minimum of 18.0 metres. (“T” turning heads are not acceptable)
- Concrete footpaths on at least one side of the road to connect to existing footpaths.

Industrial, Commercial and Thoroughfares

- Pavements shall be subject to a seal width of 9 metres between kerbs within a minimum 20 metre wide road reserve.
- Concrete footpaths on at least one side of the road to connect to existing footpaths.

Rural Residential

- Pavements shall be subject to a seal width of 7.2 metres with 1.0 m shoulders minimum 20 metre wide road reserve.
- Unsealed gravel footpath to one side of the road to connect to existing footpaths where possible.

Gravel Roads

- 10 metre gravel formation with 8 metre running surface and 1.0 m shoulders minimum 20 metre wide road reserve.

Notwithstanding the above Roads shall be designed in accordance with the following;

Verges shall have sufficient width for the provision of trunk and reticulation services and Property connections, and shall be a minimum width of 5.0m unless approved otherwise by the Shire CEO.

Road Design General

All Roads should be designed generally in accordance with the Institution of Public Works Engineering Australia (WA Division Inc) Subdivisional Guidelines together with the relevant Austroads and ARRB guidelines and publications which include:

- a) Guide to Road Design – Parts 1 to 8 (Austroads);
- b) Guide to Traffic Management (Austroads);
- c) Guide to Road Safety Parts 1 to 9 (Austroads);
- d) Guide to Traffic Management – Parts 1 to 13 (Austroads);
- e) Guide to Pavement Technology – Parts 1 to 10 (Austroads); and
- f) Sealed Local Roads Manual (ARRB).

Urban Road Design

All urban Roads (roads within a town site) shall be sealed and include kerb to both sides of the road.

Rural Road Design

All Rural Roads (roads not within a town site) shall as a minimum be formed with drainage to both sides of the road.

Road Upgrading Conditions

Council may request contributions from developers to upgrade existing roads as a condition of approval of adjoining applications for:

- (a) Subdivisions, when any additional lots are created; and
- (b) Development, other than single dwellings and outbuildings.

If the proposed subdivision or development is located on an unsealed road, Council may determine that the developer shall contribute towards road construction or upgrade to connect the development to the nearest sealed road.

Construction Standards

All construction works shall be subject to inspection at various stages of the works by the Shire. Final approval of the road works shall only be given when the whole of the works have been constructed to the true meaning and intent of the approved engineering drawings and specifications and to the satisfaction of the CEO.

All construction works shall be carried out in accordance with the approved engineering Drawings and specifications to the complete satisfaction of the CEO and in accordance with current, accepted engineering practice. Refer to the Shire's Technical Specification TS-OPS 3655 Road and Drainage Construction.

EXPLANATORY NOTES:

The Road Construction Specification Policy is intended to give firm direction for construction standards.

Fees and Charges for roads shall be in accordance with the adopted Schedule of Rates for the current financial year.

APPLICATION/S:

This policy applies all Council managed property within the Shire of Wyndham East Kimberley.

RISK:

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

Control: Implementation, review policies and procedures in accordance with review schedule.

Risk: Inability to deliver consistent levels of service expected by the community.
Control: Implementation, review policies and procedures in accordance with review schedule..

13.4 COMMUNITY DEVELOPMENT

13.4.1 Council Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds

DATE:	24 November 2015
AUTHOR:	Ebony Daniell, Environmental Health Officer
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
FILE NO:	PH.12.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the updated Council Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds as shown in Attachment One.

COUNCIL DECISION

Minute No. 11185

Moved: Cr B Robinson
Seconded: Cr S Cooke

That Council adopt the updated Council Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds as shown in Attachment One.

Carried Unanimously 9/0

PURPOSE

For Council to adopt the updated Council Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

A draft policy for the licensing of overflow sites in caravan parks and camping grounds was first considered by Council at the 20 April 2010 Ordinary Council Meeting (Item 12.4.7). At the time the Shire had a total of 285 overflow sites licensed in caravan parks and camping

grounds. The draft Policy detailed that the Shire would not specify or approve an overflow area within a caravan park or camping ground licence.

A number of objections were received during the advertising period and the Policy was brought back to Council at the 15 March 2011 Ordinary Council Meeting (Item 12.4.1) with significant changes. The updated Policy allowed 10 overflow sites per park to be operated in June and July each year without providing additional facilities. Minimum standards consistent with those required of temporary parks (under Council Policy CP/HTH-3762 Licensing of Temporary Parks) were also applied to overflow sites.

The policy review was aimed to address the following issues:

- The Shire has experienced difficulty in monitoring and enforcing the Policy, particularly with regard to the different standards for overflow sites versus regular sites and the time limits for overflow. This is to be expected and was noted in the original draft Policy item considered by Council in 2010.
- The current licensed numbers for the six permanent parks in Kununurra range from 40 sites to 224 (for the purposes of calculating required ablutions). Each park has the services and facilities to cater to their number of sites accordingly. However, all parks are allowed to apply for ten overflow sites without any change to their facilities.
- The previous policy allowed a reduction in amenity for overflow sites (up to 10 sites), without requiring there to be a demonstrated need. As overflow in parks will only be used when the park is at capacity there will be an inherent need, however this does not take into account the occupancy rates for other parks. Smaller parks may be operating overflow sites while larger parks have not reached their capacity.
- The Regulations do not specify a reduction in services or facilities for overflow sites. The only concession for overflow sites specified by the Regulations is a reduced fee to reflect the lower occupancy rates of these sites.

The updated Policy was considered by Council at the 22 September 2015 OCM with the following motion passed.

<p><u>COUNCIL DECISION</u></p> <p>Minute No. 11125</p> <p>Moved: Cr B Robinson Seconded: Cr K Wright</p> <p>That Council endorse the reviewed Draft Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds as shown in Attachment 3 for public advertisement for a period of 28 days.</p> <p style="text-align: right;">Carried Unanimously 8/0</p>
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The Policy has been advertised for comment and is now being brought back to Council for adoption with minor amendments.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995

s. 6. Caravan park or camping ground not to be operated without a licence

(1) On and after the appointed day a person must not operate a facility, or a facility of a prescribed type, unless the person holds the appropriate licence under this Act in relation to that facility.

Penalty: \$5 000.

Caravan Parks and Camping Grounds Regulations 1997

20. Use of overflow area

The licence holder of a facility is to ensure that an overflow area of the facility is used only —

- (a) with the approval of the local government;*
- (b) for the period of time specified in that approval; and*
- (c) in accordance with any conditions specified in that approval.*

Penalty: a fine of \$2 000.

48. Overflow areas

A local government may specify in a licence for a facility, an area of the facility as an overflow area.

50. Licence to specify number and types of sites and other conditions

A local government is to endorse on each licence, as conditions of the licence —

- (a) the maximum number of sites that may be used at the facility, other than at any overflow area;*
- (b) where the facility has an overflow area, the maximum number of sites that may be used at any overflow area when the area is in use;*
- (c) the maximum number of sites of particular types that may be used at the facility, other than at any overflow area; and*
- (d) where the facility has an overflow area, the maximum number of sites of particular types that may be used at any overflow area when the area is in use.*

The Department of Local Government and Communities is currently reviewing the Act and the Regulations with significant changes proposed. The Policy will need to be reviewed again upon the introduction of the new legislation.

POLICY IMPLICATIONS

It is proposed to make changes to Council Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds as a result of this report.

FINANCIAL IMPLICATIONS

Licence fees for temporary caravan park and camping grounds licences are in accordance with Schedule 3 of the Regulations. As shown below the fee per overflow site is \$1.50 compared to \$6 per site for caravan sites (short and long stay) and \$3 per camp site. The

reduced fee is intended to reflect the lower occupancy rates of overflow sites throughout the year.

A change in policy which affects the number of overflow sites will have an effect on the annual caravan park licence fees the Shire receives. There are currently 142 overflow sites within the Shire with a total of \$213.00 charged in overflow site fees each year. The proposed Policy may result in these fees no longer being charged and will slightly decrease the total fees collected for caravan park licences.

Licence fees for temporary caravan park and camping grounds licences are in accordance with Schedule 3 of the Regulations:

Column 1	Column 2
<i>Long stay sites</i>	<i>\$6 per site</i>
<i>Short stay sites and sites in transit parks</i>	<i>\$6 per site</i>
<i>Camp site</i>	<i>\$3 per site</i>
<i>Overflow site</i>	<i>\$1.50 per site</i>

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: Access to appropriate health, family and community services

Strategy 2.4.2 : Ensure community compliance with Environmental Health regulations

RISK IMPLICATIONS

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

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and includes:

The review of the Policy was advertised in the Kimberley Echo on 6 October 2015 and a notice placed on the Shire website, Facebook page and at Shire facilities. A copy of the Policy was also sent directly to all licensees and parties who are expected to be affected by the changes.

The following comments were received:

Respondent	Comments	Staff comments
Kimberleyland Holiday Park	Support the changes but would ask if it's possible to get more flexibility with the location of overflow sites. For us, being a bigger park, having one designated area for overflow may be constructive, especially where we are doing a staged development of the park. While we understand and support removing the "scattering" of overflow sites, we would like to see 2-3 designated areas for larger parks. It's easy for a park with 4 overflow sites to put them together but harder for a big park to put 20 sites in only one area.	The Policy has been amended to allow larger parks to have multiple overflow areas, where it can be demonstrated that the overflow areas can be closed.
Chris Robinson – Kununurra Agricultural Society	<p>Do chalets in caravan parks make up the numbers for which we calculate the 10% allowable figure.</p> <p>In terms of equal services, does this include roads, water, sullage, power, fire extinguishers within 30m etc.</p> <p>Would this fit for the ag society to have overflow sites for say one month pre show and two months post show with no other licence either permanent or short stay. My guess is it wouldn't because you couldn't apply the 10% rule. Do we need some allowance for setting up town overflow sites if and when we get years of far too many travellers. It has happened in the past, where at the Shires request the ag society and other places have opened up extra sites to cope with the</p>	<p>No, the caravan park licence includes long stay, short stay and camp sites and overflow would be calculated from this.</p> <p>Yes, the intention is that overflow areas will be provided with the same services and facilities as other areas of the park whilst they are occupied.</p> <p>No this policy is intended to apply only to existing licences. If the Ag Society obtains a licence in the future the overflow provisions could be applied to that. Until a permanent licence is issued for the Ag Society grounds, any facility there will be licenced under the CP/HTH-3762 – Licensing of Temporary Caravan Parks and</p>

	demand. One year we had over 50 sites at the showgrounds at the Shires request on short notice.	Camping Grounds, which includes provisions for temporary overflow parks.
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COMMENTS

Proposed policy:

It is proposed to change the Policy to remove the allowance of lower standards of amenity for overflow areas. The updated Policy will still allow parks to operate an overflow area, however the overflow must be within their established capacity. For example under the proposed Policy a 200 site park could licence 20 of their sites (10%) as overflow. This would not increase the total number of sites within the park, but would mean that the licensee pays full fees for 180 of their sites and overflow fees for 20 sites. This Policy acknowledges that parks have a much lower occupancy for much of the year and charges them lower fees accordingly. It does not allow lower standards of amenity during the overflow period.

A copy of the Policy is provided in Attachment One. It includes the following changes:

- Up to 10% of the sites within a park may be designated as overflow. As the lower fee for overflow sites could be seen as an incentive for parks to licence as many sites as overflow as possible, it is necessary to place a limit on the proportion of overflow sites.
- The minimum requirements specified in the current policy have been removed. All sites will be required to comply with the same standards prescribed by the Regulations.
- The overflow area may be used for no more than three months in any year. This is based on the fee for an overflow site being one quarter the fee of a short stay site. It is therefore reasonable that the sites can be occupied for up to one quarter of the year. The increased overflow period would also allow parks to operate their overflow to cater to an increase in tourist numbers due to events outside of June-July should they choose to (for example the Ord Valley Muster period).
- The overflow area must be a single designated area, or may be in multiple overflow areas provided they can be closed at appropriate times (to accommodate the needs of larger parks as a result of feedback received). This is to prevent parks from having overflow sites in various locations throughout the park and make it easier to monitor and enforce the Policy.
- The overflow area should not be in the most desirable areas of the park, as these areas are likely to be used all year round, regardless of whether other areas are full.
- If a park is found to be operating their overflow area outside of the approved period they will no longer be considered overflow sites and must be licenced as short stay or camp sites when the licence is next renewed. This will prevent continued non-compliance with the Policy.

ATTACHMENTS

Attachment 1 - Council Policy CP/HTH-3761 Licensing of overflow sites in caravan parks and camping grounds.



POLICY NO	CP/HTH-3761	
POLICY	Licensing of Overflow Sites in Caravan Parks and Camping Grounds	
RESPONSIBLE DIRECTORATE	Community Development	
RESPONSIBLE OFFICER	Environmental Health Officer	
COUNCIL ADOPTION	Date: 20 April 2010	Resolution No: 9101
REVIEWED/MODIFIED	Date: 15 March 2011	Resolution No: 9415
	Date: 24 November 2015	Resolution No:
REVIEW DUE	Date: November 2017	
LEGISLATION	<i>Caravan Parks and Camping Grounds Act 1995</i> <i>Caravan Parks and Camping Grounds Regulations 1997</i>	
RELATED POLICIES	CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds	
RELATED ORGANISATIONAL DIRECTIVES	Nil	

PURPOSE:

To provide a consistent approach to the approval of overflow areas in Caravan Parks and Camping Grounds.

DEFINITIONS:

Camp Site includes to camp in a vehicle, but not a caravan

Long Stay Site means a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time

Overflow Area means an area of a facility specified as an overflow area in the licence for the facility.

Permanent Licence means a licence under section 7 of the Act for a facility which remains in force for one year in accordance with Regulation 52 and must be renewed each year.

Short Stay Site means a site at a caravan park which is to be occupied consecutively by the one person or group of persons, for no longer than 3 consecutive months

POLICY STATEMENTS:

The *Caravan Parks and Camping Grounds Regulations 1997* allow Local Government to approve overflow areas within licences with the following mechanisms:

20. Use of overflow area

The licence holder of a facility is to ensure that an overflow area of the facility is used only-

- (a) with the approval of the local government;*
- (b) for the period of time specified in that approval; and*
- (c) in accordance with any conditions specified in that approval.*

48. Overflow areas

A local government may specify in a licence for a facility, an area of the facility as an overflow area.

50. Licence to specify number and types of sites and other conditions

A local government is to endorse on each licence, as conditions of the licence —

(a) the maximum number of sites that may be used at the facility, other than at any overflow area;

(b) where the facility has an overflow area, the maximum number of sites that may be used at any overflow area when the area is in use;

(c) the maximum number of sites of particular types that may be used at the facility, other than at any overflow area; and

(d) where the facility has an overflow area, the maximum number of sites of particular types that may be used at any overflow area when the area is in use.

In assessing applications for overflow areas within Permanent Licences the following will be taken into consideration:

1. APPLICATION

A facility must apply for use of any overflow area each year as part of their annual licence and must designate clearly on the site map accompanying the application a single specific area which will be used as overflow.

2. SERVICES AND FACILITIES

Any overflow area designated as part of a permanent licence must comply fully with Schedule 7 of the Regulations. There will be no reduction in services or facilities approved for sites within an overflow area.

3. LICENCE

Where an overflow area is approved as part of a permanent licence it shall be in accordance with the following:

- a. Up to 10% of a facility's sites may be designated as overflow area.
- b. The overflow area may be used for no more than three months in any year.
- c. The overflow area should be a single designated area separate from other areas of the facility and able to be closed outside of the licenced period.
- d. Where possible the overflow area will not include the most desirable sites within a park.

4. NON-COMPLIANCE

Where routine monitoring has found an overflow area has been occupied outside of the licensed period, favourable consideration will not be given to maintaining the overflow area in the subsequent licence renewal. In this case any sites within the overflow area will be licensed as either short stay sites or camp sites with the appropriate fee applied.

EXPLANATORY NOTES:

1. APPLICATION

An accurate site map will allow Shire officers to more easily monitor compliance. It is important the site map is reviewed annually to capture any changes made to the park layout.

2. SERVICES AND FACILITIES

Overflow sites must be provided with the same services and facilities as other sites in accordance with Schedule 7 of the Regulations. Overflow sites are not allowed to have lesser services and facilities, however parks are charged a lower fee to reflect the lower occupancy rate.

3. LICENCE

- a. Up to 10% of the facilities sites may be licensed as overflow. This is to be calculated from the number of sites for the purposes of calculating the required amenities (two camp sites are equal to one caravan site).
- b. As the fee for an overflow site is one quarter of the fee for a short stay site, it is reasonable to allow overflow sites to be occupied for one quarter of the year. Parks may choose which three months they will operate their overflow sites.
- c. The overflow area should be easily distinguished from other areas to allow it to be closed outside of the licenced period. Overflow sites must not be scattered throughout the park. This will make it easier for parks to ensure people do not use overflow sites outside of the licenced period and also for Shire officers to monitor occupancy of overflow sites.
*In larger parks multiple overflow areas may be acceptable where the requirement to close the overflow area/s can be met.
- d. The most desirable sites within a park should not be licenced as overflow, as occupants are likely to want to stay in these sites year round. Desirable sites may include those close to a waterfront area, or other more natural setting.

4. NON-COMPLIANCE

If an overflow area is found to be occupied outside of the licensed period, it will be converted to either short stay or camp sites with the appropriate fees payable upon renewal of the licence. This will prevent ongoing non-compliance with the policy.

RISK:

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.

13.4.2 Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camp Grounds

DATE:	24 November 2015
AUTHOR:	Ebony Daniell, Environmental Health Officer
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
FILE NO:	PH.12.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the updated Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds as shown in Attachment One.

COUNCIL DECISION

Minute No. 11186

Moved: Cr S Cooke

Seconded: Cr K Wright

That Council adopt the updated Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds as shown in Attachment One.

Carried Unanimously 9/0

PURPOSE

For Council to adopt the updated Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

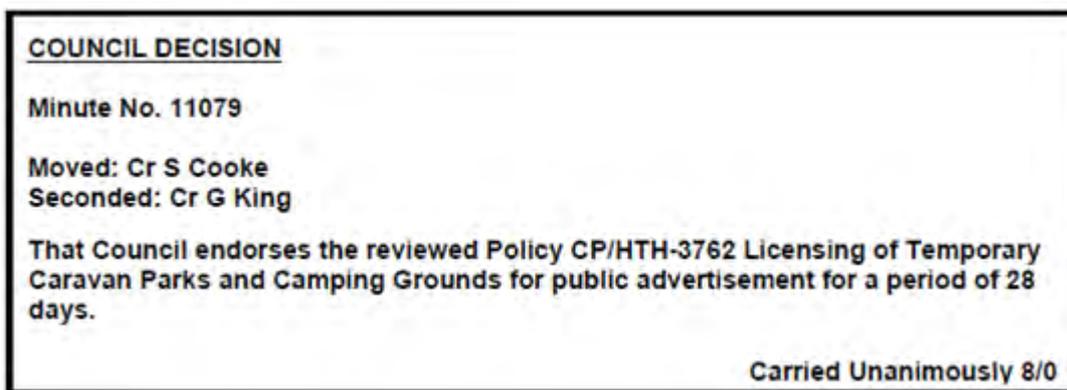
BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At the Ordinary Council Meeting held on 21 June 2011 (item 12.4.4) Council considered a draft Policy to provide guidelines for the provision of temporary caravan parks and camping grounds within the Shire.

The Policy was developed to provide consistent minimum health and safety requirements for temporary parks. It also set restrictions on when a temporary licence would be issued, requiring applicants to demonstrate a need for the facility as well as consider the impact on existing parks. The Policy has been used in licensing temporary parks to provide for overflow sites during the peak tourist season as well as temporary camping at public events.

As of 1 January 2015 changes in the Caravan Parks and Camping Grounds Regulations 1997 came into effect, which provided more specific requirements for nature based parks. The Policy for temporary parks has been reviewed to refer to the requirements for a nature based park requirements specified in the Regulations.

The Policy has been reviewed and was endorsed by Council for public advertisement at the August 2015 Ordinary Council Meeting. The following motion was passed:



The Policy has been advertised for comment and is now being brought back to Council for adoption with no changes.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

- s. 7(5) Before granting a licence a local government must ensure that —*
- (a) the applicant has complied with the requirements of this Act;*
 - (b) the applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.*

Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)

- r. 47 Applications not dealt with within time are taken to be refused*
- (1) If within —*
- (a) 63 days of receiving an application for a licence; or*
 - (b) 35 days of receiving an application for a renewal of a licence, the local government to which the application was made has not informed the applicant whether or not the application has been granted, the applicant may give the chief executive officer of the local government a notice requiring the local government to inform the applicant, within 14 days, whether or not the application is granted.*

(2) If within 14 days after receiving a notice referred to in subregulation (1), the local government has not informed the applicant whether or not the application is granted, the local government is to be taken to have refused the application and the applicant may make an application for review to the State Administrative Tribunal under section 27 of the Act.

r. 54 Temporary licence

(1) A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence.

(2) A local government is to endorse on a temporary licence for a facility as conditions of the licence —

- (a) the maximum number of sites that may be used at the facility;
- (b) the maximum number of sites of particular types that may be used at the facility; and
- (c) the services and facilities that are to be provided.

The Department of Local Government and Communities is currently reviewing the Act and the Regulations with significant changes proposed. The policy will need to be reviewed again upon the introduction of the new legislation.

POLICY IMPLICATIONS

It is proposed to make changes to Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds as a result of this report.

FINANCIAL IMPLICATIONS

Licence fees for temporary caravan park and camping grounds licences are in accordance with Schedule 3 of the Regulations:

1. Application for grant or renewal of licence — reg. 45

The fee for an application for the grant or renewal of a licence is —

- (a) \$200; or
- (b) the amount calculated by multiplying the relevant amount set out in column 2 by the maximum number of sites (including any sites that may be used in an overflow area) of the particular type specified in the application, whichever is the greater amount.

Column 1	Column 2
Long stay sites	\$6 per site
Short stay sites and sites in transit parks	\$6 per site
Camp site	\$3 per site
Overflow site	\$1.50 per site

2. Additional fee for renewal after expiry — reg. 53

Additional fee by way of penalty for renewal after expiry \$20

3. Temporary licence — reg. 54

Temporary licence

.....
pro rata amount of the fee payable under item 1 for the period of time for which the licence is to be in force with a minimum of \$100

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: Access to appropriate health, family and community services

Strategy 2.4.2 : Ensure community compliance with Environmental Health regulations

RISK IMPLICATIONS

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

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 includes:

The review of the policy was advertised in the Kimberley Echo on 10 September 2015 and a notice placed on the Shire website, Facebook page and in Shire facilities. A copy of the policy was also sent to all licensees and parties who have previously obtained a licence under the policy.

Two comments were received:

Respondent	Comments
Kununurra Visitor Centre Executive Committee	Policy seems straight forward - no comments
Kimberleyland Holiday Park	Support the changes

No further comments have been received and no changes have been made to the draft policy.

COMMENTS

The Policy contains two key elements:

Setting the circumstances under which a temporary licence may be granted

Applicants are required to justify why the temporary licence is needed, or why the occupants of the temporary park cannot be accommodated in existing permanent parks. Examples of justification include camping at an event and provision of overflow sites when existing parks are full during the peak season.

Setting the minimum health and safety requirements when a temporary licence is granted

Previously the Policy set-out detailed requirements for temporary licences, which were based on the requirements for nature based parks. This has been changed to refer to the nature based park provisions now included in the Regulations.

Nature based parks are allowed a lower level of services and facilities by the Regulations due to their natural setting and often remote locations. The stay at a nature based park is restricted to 28 nights in any 3 month period. As temporary licences are issued for short periods of time it is reasonable to allow a lower level of services and facilities than that required of a permanent park.

A copy of the reviewed Policy is provided at Attachment One.

ATTACHMENTS

Attachment 1 - CP/HTH-3762 Licensing of temporary caravan parks and camping grounds



POLICY NO	CP/HTH-3762	
POLICY	Licensing of Temporary Caravan Parks and Camping Grounds	
RESPONSIBLE DIRECTORATE	Community Development	
RESPONSIBLE OFFICER	Environmental Health Officer	
COUNCIL ADOPTION	Date: 20 April 2010	Resolution No: 9103
REVIEWED/MODIFIED	Date: 21 June 2011	Resolution No: 9490
	Date: 24 November 2015	Resolution No:
REVIEW DUE	November 2017	
LEGISLATION	Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997	
RELATED POLICIES	CP/HTH-3761 – Licensing of Overflow Sites in Caravan Parks and Camping Grounds	
RELATED ORGANISATIONAL DIRECTIVES	Nil	

PURPOSE:

To provide guidance for the approval of temporary licences under the Caravan Parks and Camping Grounds Act 1995 and Regulation 54 of the Caravan Parks and Camping Grounds Regulations 1997.

DEFINITIONS

Definitions are taken from the Act and the Regulations

Camp Site includes to camp in a vehicle, but not a caravan.

Caravan means a vehicle that is fitted or designed for habitation.

Long Stay Site means a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time

Nature Based Park means a facility in an area that-

- a) is not in close proximity to an area that is built up with structures used for business, industry or dwelling-houses at intervals of less than 100 metres for a distance of 500 metres or more; and
- b) has been predominantly formed by nature; and
- c) has limited or controlled artificial light and noise intrusion.

Overflow Area means an area of a facility specified as an overflow area in the licence for the facility.

Permanent Licence means a license under section 7 of the Act for a facility which remains in force for one year in accordance with Regulation 52 and must be renewed each year.

Short Stay Site means a site at a caravan park which is to be occupied consecutively by the one person or group of persons, for no longer than 3 consecutive months

Temporary Licence a licence issued under the Caravan Parks and Camping Grounds Act and in accordance with the Caravan Parks and Camping Grounds Regulation 54.

Vehicle means a conveyance (other than a train, vessel or aircraft) capable of being propelled or drawn on wheels

POLICY STATEMENTS:

Regulation 54 states that:

(1) A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence.

(2) A local government is to endorse on a temporary licence for a facility as conditions of the licence —

(a) the maximum number of sites that may be used at the facility;

(b) the maximum number of sites of particular types that may be used at the facility; and

(c) the services and facilities that are to be provided.

1. APPLICATION

An application for a temporary licence must:

- a. provide justification for the temporary licence (why it is needed, who the main users are); and
- b. detail the services and facilities that will be provided at the facility; and
- c. demonstrate legal entitlement or signed written permission from the owner to occupy the land.

When considering an application under Regulation 54 the following will be taken into account:

2. SERVICES AND FACILITIES

In granting a temporary licence the Shire of Wyndham East Kimberley will accept and endorse as conditions of the licence levels of services and facilities in line with those required for a Nature Based Park under Schedule 7 of the Regulations.

3. LICENCE

- a. A temporary licence may include short stay sites and camp sites.
- b. A temporary licence will only be issued upon completion of an inspection of the facility by a Shire officer to confirm the facility meets minimum standards.

EXPLANATORY NOTES:

Justification

For the purposes of policy statement 1a justification may include a temporary licence for an approved public event or for overflow sites outside of a facility with a permanent licence where there is a demonstrated need.

The intention is to avoid temporary licences being issued for facilities which compete with parks holding permanent licences while providing lesser services and facilities.

Services and Facilities

Schedule 7 clause 23 prescribes 2 toilets for every 20 sites and at least as many showers and hand basins as is approved. For the purposes of a temporary licence issued under this policy no less than one hand basin and one unisex shower must be provided for every 20 sites.

RISK:

Risk: Failure to comply with minimum health and safety standards resulting in illness or injury to members of the public.

Control: Inspection by Shire officer and compliance with minimum requirements based on legislative requirements for Nature Based Parks.

Risk: Failure to provide adequate caravan sites during peak tourist season, leading to economic loss for the town and decrease in tourist numbers.

Control: Policy provides for temporary licence to be issued where there is a demonstrated need for an overflow facility.

Risk: Issue of temporary licence in direct competition with existing permanent parks allowing a competitive disadvantage.

Control: Policy requires a demonstrated need to justify the temporary licence, with the intention to prevent unfair competition.

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.

Cr D Spackman declares an impartiality interest in this item as he lives on same road.

13.4.3 Lot 266 Packsaddle Road - Cabins

DATE:	24 November 2015
AUTHOR:	Roy Adam, Planning Officer
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
ASSESSMENT NO:	A1626
FILE NO:	DA50/15
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That in accordance with Part XI of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7, Council APPROVES the application for three Cabins submitted by BL Planning at Lot 266 Packsaddle Road, Kununurra subject to the following conditions:-

1. All development shall occur in accordance with the approved plans including modifications marked in red and the conditions of approval.
2. The approved Cabins shall only be used to accommodate short-stay guests, where occupation by any person is limited to a maximum of three (3) months in any twelve (12) month period.
3. The approved Management Plan must be implemented and reviewed biennially on the basis set out therein.
4. The following disclosure statement shall be provided to prospective guests at the time of booking. This disclosure statement must be provided as part of the terms and conditions provided to the prospective guest prior to the booking taking place:

“You will be staying in an active agricultural area where normal farming practices may result in nuisances including odour, spray drift, noise, dust and smoke. These practices may be carried out by our farm or adjoining farms when you are staying in a cabin at the property.”

5. Prior to occupation or use of the development a Landscape Plan showing vegetative buffers designed and established in accordance with Department of Health guidelines shall be submitted for approval. This plan shall be maintained for the duration of the approved development to the satisfaction of the Shire.
6. Both during and after construction of the approved development dust from the

accessway to the Cabins shall be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Shire.

7. The accessway leg to the Cabins shall be relocated 50m eastward so as to minimise the truncation of the "future agricultural land" on site. This accessway intersection shall be designed to mitigate dust, headlight glare or any other nuisance effect to the satisfaction of the Shire.
8. Promotional material including signage is not approved as part of this application. Further detail and plans for promotional material are to be submitted for approval to the Shire prior to display.
9. Prior to occupation or use of the Cabins the applicant shall notify the Shire and arrange an inspection to confirm compliance with the Management Plan.
10. A minimum of one (1) parking bay per Cabin is to be provided.

AMENDMENT

Cr D Spackman proposes an amendment to the Officer's Recommendation. That point 7 is removed and that point 8 is amended to refer to 'onsite promotional material' in place of 'promotional material'.

COUNCIL DECISION

Minute No. 11187

**Moved: Cr 8 GdUW_a Ub
Seconded: Cr K Wright**

That in accordance with Part XI of the Shire of Wyndham East Kimberley Town Planning Scheme No. 7, Council APPROVES the application for three Cabins submitted by BL Planning at Lot 266 Packsaddle Road, Kununurra subject to the following conditions:-

- 1. All development shall occur in accordance with the approved plans including modifications marked in red and the conditions of approval.**
- 2. The approved Cabins shall only be used to accommodate short-stay guests, where occupation by any person is limited to a maximum of three (3) months in any twelve (12) month period.**
- 3. The approved Management Plan must be implemented and reviewed biennially on the basis set out therein.**
- 4. The following disclosure statement shall be provided to prospective guests at the time of booking. This disclosure statement must be provided as part of the terms and conditions provided to the prospective guest prior to the booking taking place:**

"You will be staying in an active agricultural area where normal farming practices may result in nuisances including odour, spray drift, noise, dust and

smoke. These practices may be carried out by our farm or adjoining farms when you are staying in a cabin at the property.”

5. Prior to occupation or use of the development a Landscape Plan showing vegetative buffers designed and established in accordance with Department of Health guidelines shall be submitted for approval. This plan shall be maintained for the duration of the approved development to the satisfaction of the Shire.
6. Both during and after construction of the approved development dust from the accessway to the Cabins shall be contained on site with the use of suitable dust suppression techniques to the satisfaction of the Shire.
7. Onsite promotional material including signage is not approved as part of this application. Further detail and plans for onsite promotional material are to be submitted for approval to the Shire prior to display.
8. Prior to occupation or use of the Cabins the applicant shall notify the Shire and arrange an inspection to confirm compliance with the Management Plan.
9. A minimum of one (1) parking bay per Cabin is to be provided.

Carried 8/1

For: Cr J Parker, Cr K Wright, Cr B Robinson, Cr D Spackman, Cr S Rushby,
Cr N Perry, Cr A Petherick, Cr E Bolto
Against: Cr S Cooke

The Officer's Recommendation was amended to provide clarity on promotional material and signage and to accommodate the possible future use of the neighbouring property.

PURPOSE

Proposal

The applicant proposes to construct three Chalets for the purpose of tourist accommodation. Designs and details generally meet the Scheme definition for Cabins:

Means an individual self-contained similar to a chalet but may lack en-suite facilities and may only comprise one room and is designed for short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three (3) months in any twelve (12) month period.

Details

- Cabins (x3) of 68.0m² (8.5 x 8.0m) overall with floor spaces of 43.9m² respectively
- Internal features comprising a single bedroom, bathroom and open kitchenette/dining area
- Separation distances of 5m between chalets
- Setbacks of 81m to the east, 35m to the north and 42m to the south lot boundaries.

Applicant's Justification

The applicant has provided a written submission and plans, refer Attachment 1.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws.

BACKGROUND

Owners: Grahame John Keyser and Debora May Davidson

Applicant: BL Planning

Zoning: Rural Agriculture 2, Special Foreshore

Use class: Cabin (x3) 'IP' (use permitted when incidental to the predominant use of the land)

Land area: 7.45 hectares



Locality Plan - Lot 266 Packsaddle Road, Kununurra

STATUTORY IMPLICATIONS

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

The land at the subject lot is zoned Rural Agriculture 2 under TPS No. 7. The objectives of this zone are:

- a) *To ensure the adequate supply of land for intensive agricultural and horticultural holdings in localities of adequate water supply and suitable soil types;*
- b) *To promote the use of these lots for the production of horticultural crops and associated uses.*

The Scheme also provides that a Cabin is an 'IP' use in the Rural Agriculture 2 zone. This refers to a use that *"is not permitted unless such use is incidental to the predominant use of the land as determined by the Council"*.

Amendment 18

This addition to TPS No. 7 was gazetted in 2010. It was designed to incorporate those objectives of the Local Planning Strategy (adopted 2006) that allowed for the diversification of uses on agricultural land with appropriate land use and development controls:

5.22.2 Other Incidental uses

Council may permit the development and use of the land for the following uses:

Art and Craft Centre

Art Gallery

Bed and Breakfast

Cabin

Chalet

Farm Stay

Plant Nursery

Wayside Stall provided that:

- (a) The applicant submit a management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed as per the requirements of SPP 2.5, and including but not limited to the following:
 - i. Prior to construction of any units, the applicant shall submit a management plan developed in consultation with the Department of Agriculture and Food Western Australia and other relevant agencies or stakeholders, detailing measures to manage the following impacts:
 - a. Dust and noise;*
 - b. Visual amenity; and*
 - c. Biosecurity**
 - ii. Prior to construction, all promotional information intended to be displayed shall be submitted to Council for approval;*
 - iii. Prior to occupation, relevant officers shall inspect accommodation to ensure biosecurity information is displayed in a prominent place; and*
 - iv. Prior to occupation, relevant officers shall inspect the procedures to ensure that all workers are made aware of the biosecurity issues and preventative measures prior to take residence with the accommodation.**
- (b) The proponent submit an Agriculture Impact Statement, in accordance with the information prescribed in State Planning Policy 2.5 (SPP2.5);*
- (c) The proposed development remains as a subordinate use in scale, scope and intensity to the predominant agricultural nature of the site;*
- (d) The proposed development is advertised;*
- (e) A maximum of three (3) accommodation units is permitted on lots in the Rural Agricultural Zone 1, Rural Agricultural Zone 2 and the General Agricultural Zone;*
- (f) All accommodation units shall:
 - i. Be separated from the nearest residential building on an adjacent property by a minimum of 70 metres; and*
 - ii. Comply with the setback provisions in the Scheme;*
 - iii. Have screening vegetation planted and maintained to shield the neighbouring property from accommodation units.**

POLICY IMPLICATIONS

State Planning Policy 2.5 – Land Use Planning in Rural Areas

The stated objectives of this policy are:

- a) *To protect rural land from incompatible uses by:
 - i) requiring comprehensive planning for rural areas;
 - ii) making land use decisions for rural land that support existing and future primary production and protection of priority agricultural land, particularly for the production of food; and
 - iii) providing investment security for the existing and future primary production sector.*
- b) *To promote regional development through provision of ongoing economic opportunities on rural land.*
- c) *To promote sustainable settlement in, and adjacent to, existing urban areas.*
- d) *To protect and improve environmental and landscape assets.*
- e) *To minimise land use conflicts.*

Section 5 'Policy Measures' in this policy outlines the position of the Western Australian Planning Commission (WAPC) in implementing the above objectives. In particular these are aimed towards the formulation and assessment of subdivisions, strategies and local planning schemes. In this instance those prior stages in the planning processes have occurred however several points may be considered relevant to the development proposal:

- 5.1 b) land identified as priority agricultural land in a planning strategy or scheme is to be retained for that purpose;*
- 5.3 a) the WAPC will continue to promote rural zones in schemes as highly flexible zones that cater for a wide range of rural land uses that can support primary production and value adding, small-scale tourism, environmental protection and biodiversity conservation;*
- 5.8 a) the introduction of land uses that may constrain existing or potential rural land uses will generally not be supported;*
- b) existing and future land use conflicts are understood and demonstrated in strategies and schemes as appropriate; and*
- c) in the absence of site-specific technical studies, buffer distances will be guided by the Environmental Protection Authority's Guidance Statement No. 3 – Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses.*

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

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

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

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

Strategy 1.1.1: Investigate and implement options to encourage and integrate community input in Council planning, policies and decisions making.

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

Strategy 2.2.4 : Enhance and expand tourism opportunities in the East Kimberley and improve access to significant tourism destinations

Local Planning Strategy 2006

A Local Planning Strategy provides the strategic framework upon which planning for a local government area is based and, in turn, administered through its local Town Planning Scheme. The current strategy was adopted 20 September 2005.

In regards to prime agricultural land (PAL) the strategy provides that it is important that these areas are not intruded upon by conflicting land uses. It is further noted in the document that increasing pressure to accommodate other land uses is evident in the Shire. Thus overall a balance between economic diversification and land preservation is outlined.

PAL is specifically mentioned in regards to planning implications for the economy and employment at Chapter 4.5.6:

Land that is identified as prime agricultural land needs to be protected from competing land use. The functionality and longevity of key industries such as agriculture and mining, as well as the encouragement of newer, burgeoning markets in tourism, need to be assured within the Shire.

However the economic benefits of diversification are noted in the LPS at Chapter 5.10.1.1. “Due to fluctuating agricultural product prices, economies of scale and current world market trends, there are also significant pressures to diversify incomes on farms” (pg. 102). And to continue:

Diversification of lands uses in agricultural zones is generally not supported due to the potential loss of productive PAL, the impact on management and operational practices and the potential externalisation of these impacts. However, where farmers and producers are seeking to supplement incomes to ensure viability of the principal agricultural land use, there is some scope for allowing subordinate land uses only, or uses that are wholly incidental or dependant on the principal agricultural use of land.

When addressing land use diversification of Rural Agriculture 1 & 2 zones in particular, the strategy acknowledges that these zones are “sensitive to the intrusion of other land uses and that they are a finite and infrastructure intensive resource” (pg. 103). Machinery and chemical use, operational hours, as well as climate are noted as reasons why these areas may be incompatible with other uses.

Towards mitigating the compatibility issues above, the strategy identifies a number of measures (pg. 104):

- Limit accommodation to low key uses such as bed and breakfast or farm stay;
- Prohibit larger scale accommodation uses such as Caravan Parks or Camping Grounds;

- Control accommodation numbers via Scheme provisions (One accommodation unit or bedroom in Rural Agriculture 1 zone, Two accommodation units or bedrooms in Rural Ag 2 zone);
- Limit uses to those that are subordinate to agricultural uses to ensure that principal use of the site remains agriculture in a subsequent Scheme.

Chapter 6.2 of the Strategy further consolidates agricultural land policy objectives, recommendations and actions (pg. 122). Recommendations of particular relevance to the current proposal are:

- *Other uses may be permitted within these areas provided that they are subordinate to, are incidental to, or relate to the predominant agricultural use of the land. These uses must not have a detrimental impact on the operations of or threaten the productivity of agricultural land use and development in the locality. Assessment would need to include consideration of access, scale, buffer distances and issues of sustainability, and any other relevant factors.*
- *Land that is considered to be PAL should not be developed for anything that may prejudice its continued use for these purposes. Consultation in relation to the identification of PAL will be conducted in conjunction with the Department of Agriculture.*

Draft Local Planning Strategy (2015)

The draft Strategy notes that *“Priority agricultural land is not mapped or well defined within the Shire. This enables inappropriate land uses, such as subdivision or tree farming, which erodes the area of high quality agricultural land available for priority agricultural production (such as horticulture).”* (pg. 19).

As strategic responses the draft recommends that mapping occur in order to better understand the location of priority agricultural land, and that priority agricultural land be protected from inappropriate land uses.

Draft Planning Policy - Packsaddle Conservation Reserve

This Policy has been drafted to better manage the land in close proximity to the wetland in the Packsaddle locality. It is based upon conservation and visual (aesthetic) values to set out minimum buffers for development from Lake Kununurra.

The document entertains several forms of development (including Ancillary Accommodation and Bed and Breakfast) where the construction sits at least 50m from the Lake Kununurra wetland boundary.

RISK IMPLICATIONS

Clause 11.4 ‘Deemed Refusal’ - Where an application has been advertised and has Council not made a decision within 90 days and no other agreement made with the applicant, the Scheme provides that an application may be taken to have been refused. An “application for review” to the State Administrative Tribunal (by the applicant) may then be made.

The current application was received on 18 August 2015, thus 98 days have elapsed to 24 November 2015 - agreed on the basis of OCM scheduling. A deferral by Council may result in the applicant seeking review.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and included: Adjoining landowner notification and an advertising sign placed on-site which invited public submissions within a 21-day period. Five (5) responses were received including four (4) of objection and one (1) response of support, refer Attachment 2.

Although not a statutory requirement the applicant has also supplied two (2) letters of support from the adjoining landowners at Lots 265 and 267 Packsaddle Road.

The responses found in the table below have been prepared by Shire officers. Responses from the applicant are provided, refer Attachment 3.

Submitter's Comments	Officer's Response
The chalets would not be subordinate to a predominant agricultural use/nature of the site. The lot is not used for agriculture and the owners have not guaranteed that cropping will occur.	The meaning of "agricultural nature" for the purposes of the Scheme at cl. 5.22.2 (c) encompasses currently vacant land (with agricultural potential). Therefore as the proposed Cabins occupy a minority area of the lot the proposal is considered to be subordinate.
Appropriate responses to biosecurity risks have not been listed by the applicant. More than six pests and diseases are known across WA-Qld however only two pests are in the biosecurity plan.	It is acknowledged that tourism is associated with heightened biosecurity risks. The Department of Agriculture and Food WA (DAFWA) has been forwarded a copy of the proposal and a response has been received.
Tourism uses are incompatible in an established agricultural area. Approval of the proposed tourist development may have a future effect on the viability of future agricultural land within the area.	The Shire has established tourism facilities within Rural Agriculture 1 and Rural Agriculture 2 zones. It is recognised that the proposed buffers lack detail on vegetation species and density (and/or permeable screening). In addition the Management Plan includes detail on practices and information to minimise land-use conflicts and biosecurity matters in particular. The upkeep of Landscape and Management plans will be recommended as conditions on any approval.
Noise, dust, odour as well as spraying of	The Scheme allows for smaller-scale

<p>chemicals and machinery access are not compatible with tourism uses and therefore would impact the future operations of the agricultural activities.</p>	<p>development of a non-agricultural nature. Excluding zoning uses from the Scheme's Zoning Table is outside the scope of a development application. Nonetheless it is acknowledged that the development needs to be managed appropriately. Therefore Dept. of Health and Environmental Protection Agency guidelines which aim to minimise land-use conflicts shall be given due regard in the assessment.</p>
<p>Shire staff members do not have the capability to continuously monitor chalet developments to ensure biosecurity.</p>	<p>Continuous monitoring of land-uses is outside the role of Shire officers and the development process. The proposed methods of addressing biosecurity are considered generally reasonable and have been referred to DAFWA for further comment.</p>

Referral responses

The application was referred to the Department of Health as well as the Department of Agriculture and Food.

The Department of Health noted:

- The prevalence of mosquito-borne diseases including Ross River and Barmah Forest viruses, and the recommendation that built-form measures (insect screening and warning signage) be required; and
- Establishing a vegetative buffer in accordance with Department guidelines (see Attachment 4).

The Department of Agriculture and Food WA noted that:

- All prime agricultural land should remain in production and not have its capacity removed
- Alternative development cannot be provided with adequate buffers (normally a minimum of 500 metres)
- Increased tourism raises the biosecurity risk to agricultural areas
- Management of tourism activities would require monitoring to ensure they are in place and working
- Rubbish disposal must be done securely so there is no escape from a landfill site (see Attachment 5).

COMMENTS

The Scheme's Zoning Table provides that a Cabin use in the Rural Agriculture 2 zone is not permitted unless it is incidental to the predominant use of the land as determined by the Council (as indicated by the 'IP' symbol). As the site contains an existing, inhabited dwelling this measure is considered to be satisfied.

Regarding zone objectives for the Rural Agriculture 2 zone it is considered that the proposal is generally satisfactory. In particular the “*supply of land*” is provided for in the site layout which allows for retention of the larger portion of the lot in one portion and thus future intensive agricultural or horticultural uses.

Amendment 18 (adopted February 2010) of the Scheme at clause 5.22.2 provides a further statutory basis for assessing the proposal:

5.22.2 (a.i) specifies the requirement for a management plan that covers dust and noise, visual amenity and biosecurity impacts. The submitted plan is considered acceptable. Council may note that it is similar to that received previously for Chalets at Lot 530 River Farm Road, Kununurra (DA 112/13) (approved December 2014).

5.22.2 (a.ii) regarding promotional material or advertising signage - is considered appropriate for the applicant to complete as a condition of approval. The applicant has indicated that sign designs are currently being drafted and will be submitted to Shire officers prior to placement/erection.

5.22.2 (a. iii-iv) is considered appropriate as a condition of approval, with Shire officers able to inspect the display of biosecurity information and relevant procedures for guests being in place. This would be required prior to the occupation and use of the accommodation.

5.22.2 (b) stipulates the need for an Agriculture Impact Statement (AIS) based upon SPP 2.5. It is considered that the applicant has fulfilled this requirement appropriately in the attached submission. Council may note that as prime agricultural land has not been defined (or mapped) thus there is a limited scope to the appraisal of the AIS.

5.22.2 (c) describes the requirement for the proposed accommodation to be subordinate (in scale, scope and intensity) to the *agricultural nature* of the lot. As the majority of the subject lot (approx. 5 of 7.4ha) will remain vacant and open to future agricultural uses the proposal is therefore subordinate.

Council may note that this interpretation is made in light of the Shire’s experience in State Administrative Tribunal mediation discussions that have previously considered the meaning of the term “*agricultural nature*”. In particular mediation discussions regarding an application for Chalets at Lot 530 Riverfarm Road of December 2014 (DA112/13) explored this question.

5.22.2 (d) 21-day advertising requirements have been met with notification letters to adjoining landowners and a sign being displayed on the front boundary.

5.22.2 (e) describes a maximum number of three (3) units per development which is met. In addition;

- i) A 70m distance is provided to the closest neighbouring residence at Lot 267.
- ii) Other setback distances required in the Scheme are achieved. The proposal meets the incidental development setback requirements for front, side and rear boundaries with 20m, 35m and 35m required respectively.

iii) Vegetation screening has been indicated on the proposal. A condition requiring further detail on any approval regarding planting density and species selection in order to satisfy the Department of Health *Guidelines for Separation of Agricultural and Residential Land Uses – Establishment of Buffer Areas* (2012) is considered appropriate.

In summary it is considered that the key points for the proposal to satisfy are:

1. Preserving the future viability of agricultural uses on the subject lot, and
2. Minimising the land-use conflicts that are likely to arise both on-site and between neighbouring lots.

In the first regard (1) it is noted that the accommodation is proposed to the rear/east of the property in a close arrangement alongside the existing dwelling on the lot. This layout allows assists in retaining the agricultural viability of the remaining balance of the lot. In addition it is considered that the proposed location will minimise visual impacts as may occur from lake traffic/watercraft.

By relocating the accessway 50m eastward it is considered that a widening of the area available for future agricultural use would be achieved. At the same time a distance of 70m from the neighbouring dwelling to the south and internal turn/bend of the accessway would be maintained. This has been discussed with the applicant where it was noted that a scenic driveway would enhance the entrance to the Cabins. A condition on this relocation is recommended.

On the second point (2) the applicant has allowed sufficient distances for 40 metre separation buffers to the north, west and south in accordance with DoH guidelines. This document outlines that buffer distances of 300m or (alternatively) 40m with vegetative screening are acceptable to the Department. Further detail on plant species and density in the form of a Landscape Plan is therefore recommended as a condition on any approval. A condition requiring the ongoing maintenance and upkeep of vegetation by the landowner is also recommended.

ATTACHMENTS

- Attachment 1 - Submission and plans
- Attachment 2 - Public submissions
- Attachment 3 - Applicant's response to submissions
- Attachment 4 - Department of Health referral response
- Attachment 5 - DAFWA referral response



APPLICATION FOR PLANNING APPROVAL

PROPOSED TOURIST ACCOMMODATION

LOT 266 Packsaddle Road, Kununurra

28 October 2015

DESIGN & DRAFTING \\ TOWN PLANNING \\ ENERGY EFFICIENCY \\ ENGINEERING \\ BUILDING SURVEYING

PO Box 318 \\ APPLECROSS WA 6953 \\ E stuard@blplanning.com.au \\ P 1300 550 848 \\ W www.blplanning.com.au

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Appendices:

Appendix 1	Certificate of Title & Survey
Appendix 2	Proposed Plans <ul style="list-style-type: none">▪ Site Plan▪ Partial Site Plan (including Landscape Plan)▪ Chalet Floor Plans, Elevations & Cross Section
Appendix 3	Chalet Management Plan <ul style="list-style-type: none">▪ Dust & Noise Management▪ Visual Amenity▪ Biosecurity Management
Appendix 4	Greenies Real Food – Letter
Appendix 5	Agricultural Impact Statement (AIS)
Appendix 6	Adjoining Landowner Support - Letters

Introduction

BL Planning act on behalf of the owners of lot 266 Packsaddle Road; Grahame Keyser and Debora Davidson.

BL Planning has prepared an application for planning approval for the proposed development of three (3) chalets on Lot 266 Packsaddle Road, Kununurra (the 'subject site') to complement on-site organic farming and existing residence. Three (3) proposed chalets will provide accommodation to support the local tourism industry, whilst also providing a supplementary income to maintain and improve the agricultural viability of the subject site.

This planning report sets out the justification for this proposal, providing a description of the site and immediate surrounding area, the strategic and statutory planning context and the specific components of the proposed development and related management strategies. The application is supported by letters from adjoining land owners and an organic farmer currently in lease negotiations.

The application for tourism accommodation is respectfully submitted for Council approval accordingly.

Site Description

Location

The subject site is located approximately 15 km to the south of the Kununurra Town Centre, with vehicular access provided via Packsaddle Road. Packsaddle Road forms the western boundary of the site, with the Ord River forming the eastern boundary. Existing agricultural uses surround the subject site, of which some include other land uses such as galleries and accommodation – refer to the Surrounding Land Use section in this report for further commentary in this regard.

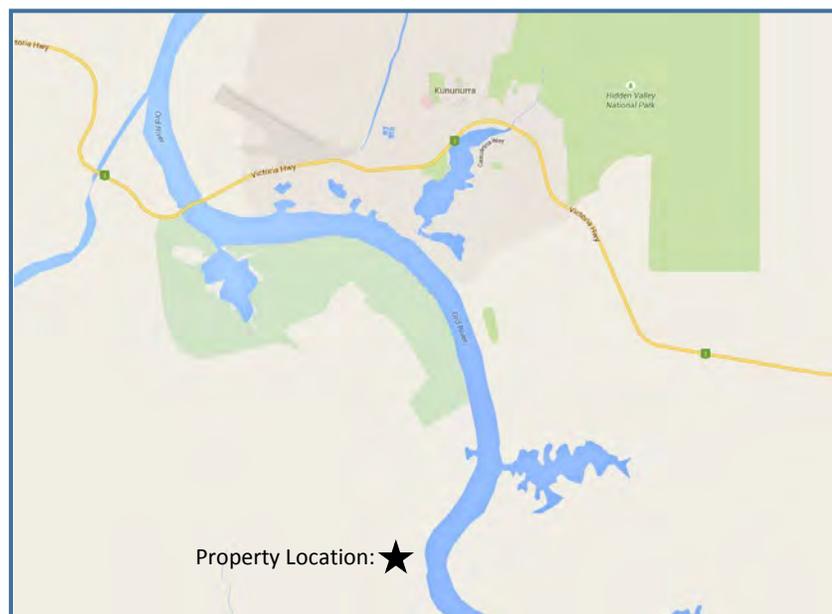


Image Source: www.maps.google.com.au

It is a 10 minute drive from the Kununurra Town Centre to the subject site, with easy navigation along Victoria Highway and Packsaddle Road.

Land Use

The subject site, which is 7.4479 hectares in area, currently consists of:

- a) One (1) existing house and related outbuildings, located near the eastern boundary and setback approximately 113 metres from the Ord River bank;
- b) Orchard area (comprising existing mangoes and cleared orchard area) utilises approximately 52,000 m²; and
- c) Existing vacant land in excess of 6,000 m² near to the Ord River with the potential for development that is complementary to the predominant agricultural use of the site.

An aerial photograph image of the subject site is provided below:



Image Source: www.maps.google.com.au

It is recognised that rural properties that can only operate small orchard due to limited planting area have marginal profitability. Production costs associated with mango orchards for example do not yield income sufficient to adequately live off the land, and supplementary income is necessary. The subject property previously supported mango trees. Economics however led to the orchard becoming un-kept and run-down. Most trees have now been removed and the land lies substantially unused.



Former mango orchard at the subject site has been removed due to marginal profitability.

Image Source: www.reachbeyond.org.au

Surrounding Land Use

The subject property is situated immediately adjacent to the renowned Zebra Rock Gallery, a significant tourist attraction within the region, attracting visitors to the gallery, shop and restaurant/café. Zebra Rock Gallery is also host to events including weddings and concerts.

A bird's eye view of Zebra Rock Gallery and Mango Orchard



Image Source: www.kimberleyexposure.com.au

Properties to the south of the subject site are utilised for a mix of commercial agriculture and rural lifestyle living. Oria Orchards is situated two properties to the south, providing wholesale and retail of locally grown fruit, vegetables, herbs and flowers.

Local Planning Context

Strategic Community Plan 2012-2022

The Council's Strategic Community Plan establishes an important foundation to the various strategic and statutory arrangements. The goals and objectives set out in the plan are intended to help guide decision-making within the Shire.

The Strategic Community Plan identifies a goal of achieving *greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure*. A specific objective to give effect to this goal is identified as: *maintenance of economic diversity and greater community returns from investment in the region*.

Local Planning Strategy

The Shire of Wyndham East Kimberly Local Planning Strategy (LPS) identifies that the retention of Prime Agricultural Land (PAL) is important, however it acknowledges that there is increasing pressure to accommodate other land uses. Section 4.5.6 outlines planning implications for the economy and employment, stating:

“Land that is identified as prime agricultural land needs to be protected from competing land use. The functionality and longevity of key industries such as agriculture and mining, as well as the encouragement of newer, burgeoning markets in tourism, needs to be assured within the Shire.”

Section 5.10.1.1 of the LPS provides further commentary regarding the need to support the continued diversification of the economy, whilst protecting the predominant industries of agriculture and mining. Section 5.10.1.1 provides:

“Diversification of land uses in agricultural zones is generally not supported due to the potential loss of productive PAL, the impact on management and operational practices and the potential externalisation of these impacts. However, where farmers and producers are seeking to supplement incomes to ensure viability of the principal agricultural land use, there is some scope for allowing subordinate land uses only, or uses that are wholly incidental or dependant on the principal agricultural use of the land”.

For Rural Agriculture zones, the LPS acknowledges that these zones are sensitive to the intrusion of other land uses and that they are a finite and infrastructure intensive resource. Notwithstanding, the LPS supports the introduction of subordinate land uses, acknowledging that through appropriate development controls, that such uses can diversify the income of farmers and ensure their economic viability.

Town Planning Scheme No 7

Zone Provisions

The property is zoned 'Rural Agriculture 2' and 'Special Foreshore' under the provisions of Town Planning Scheme No 7 (the Scheme).

The objectives of this zone, as provided under Clause 5.19.1 of the Scheme, are as follows:

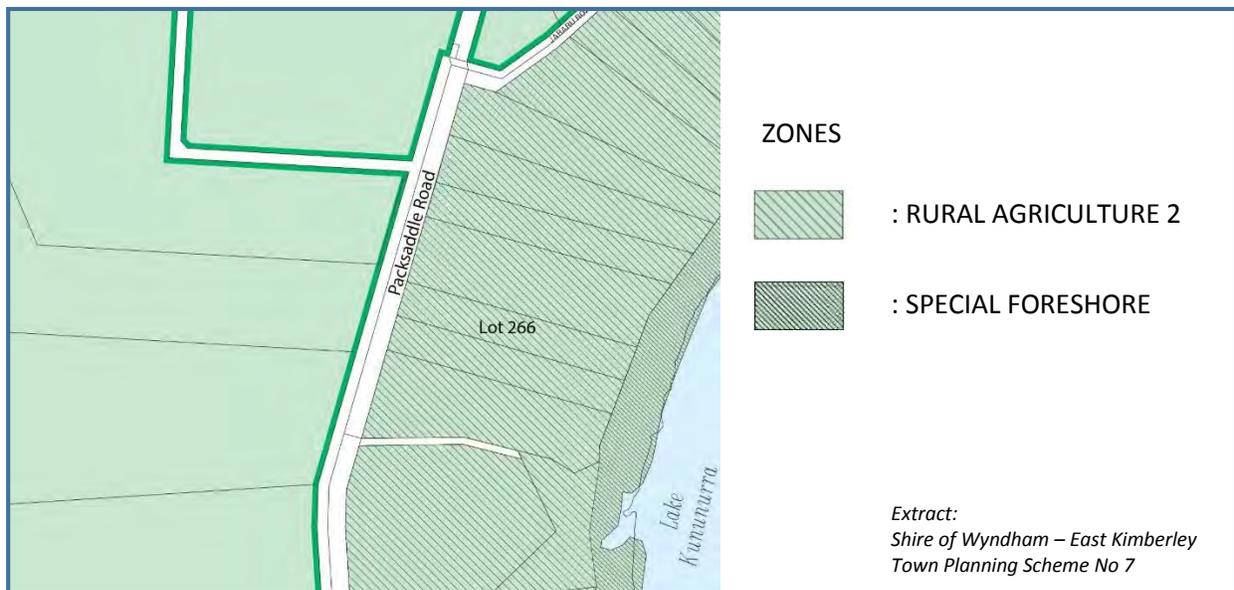
- (a) to ensure the adequate supply of land for intensive agricultural and horticultural holdings in localities of adequate water supply and suitable soil types:
- (b) To promote the use of these lots for the production of horticultural crops and associated uses.

A chalet is defined as the following under the Scheme:

“means an individual self-contained unit usually comprising cooking facilities, en-suite, living area, and one or more bedrooms designed to accommodate short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three (3) months in any twelve (12) month period.”

Under the Zoning Table of the Scheme, a chalet is listed as an ‘IP’ use, meaning a use that is not permitted unless such use is incidental to the predominant use of the land as determined by Council.

Clause 5.22 of the Scheme provides for the development provisions relating to the Rural Agriculture 2 zone, including provisions for the consideration of ‘Other Incidental Uses’, such as chalets. The provisions relating to ‘Other Incidental Uses’ are outlined in the section below, which includes background commentary in relation to the introduction and purpose of this section of the Scheme.



Amendment No 18

Clause 5.22.2 of the Scheme provides for the consideration of ‘Other Incidental Uses’ in the Rural zones of the Shire. This clause was introduced via Amendment No. 18 to the Scheme, which was gazetted in February 2010. Amendment 18 was formulated on the basis of the strategic recommendations of the Shire’s LPS regarding the need to assist the viability of existing agricultural operations by supporting other subordinate income-generating land uses.

Amendment 18 acknowledged that the introduction of other uses in Rural Agriculture zones may give rise to potential land use conflicts and impacts, and therefore introduced provisions that require applicants to demonstrate that other land uses are incidental and can be managed so as to limit the

potential impact both on and from existing and potential agricultural activities, including those internal and external to the site boundaries.

Clause 5.22.2 provides that Council may permit the development and use of the land for the following uses:

- Art and Craft Centre
 - Art Gallery
 - Bed and Breakfast
 - Cabin
 - Chalet
 - Farm Stay
 - Plant Nursery
 - Wayside Stall, provided that:
- (a) The applicant submit a management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed as per the requirements of SPP2.5, and including but not limited to the following:
- i. Prior to construction of any units, the applicant shall submit a management plan development in consultation with the Department of Agriculture and Food Western Australia and other relevant agencies or stakeholders, detailing measures to manage the following impacts:
 - a) Dust and noise;
 - b) Visual amenity; and
 - c) Biosecurity
 - ii. Prior to the construction, all promotional information intended to be displayed shall be submitted to Council for approval;
 - iii. Prior to occupation, relevant officers shall inspect accommodation to ensure biosecurity information is displayed in a prominent place; and
 - iv. Prior to occupation, relevant officers shall inspect procedures to ensure that all workers are made aware of the biosecurity issues and preventative measures to take residence with the accommodation.
- (b) The proponent submit an Agricultural Impact Statement, in accordance with the information prescribed in SPP2.5;
- (c) The proposed development remains as a subordinate use in scale, scope and intensity to the predominant agricultural nature of the site;
- (d) The proposed development is advertised;
- (e) A maximum of three (3) accommodation units is permitted on lots in the Rural Agricultural Zone 1, Rural Agricultural Zone 2 and the General Agricultural Zone.
- (f) All accommodation units shall:
- i. Be separated from the nearest residential building on an adjacent property by a minimum of 70 metres; and
 - ii. Comply with the setback provisions in the Scheme;

- iii. Have screening vegetation planted and maintained to shield the neighbouring property from accommodation units.

Supporting information, as required by Clause 5.22.2, for the proposed development of three (3) chalets at the subject site is set out within the 'Proposal' and appendices of this report.

In respect to building setbacks from boundaries, Clause 5.22.1 prescribes minimum distances, namely 20 metres from the front boundary and 35 metres from both side and rear boundaries.

State Planning Context

WA Planning Commission

State Planning Policy 2.5 – Land Use Planning in Rural Areas (SPP2.5)

The objectives of SPP2.5 are to protect rural land from incompatible uses, promote regional development by providing opportunities on rural land and to minimise land use conflict.

Section 5.3 of the SPP2.5 recognises that there is a need to promote rural zones as highly flexible zones that cater for a wider range of rural land uses that can support primary production and value adding, small-scale tourism, environmental protection and biodiversity conservation. Inherent within the policy framework is the consideration of impact on agricultural activity. In this regard, the policy identifies guidelines that assist the preparation of an Agricultural Impact Statement (AIS) as included within this submission at Appendix 5.

Department of Health

Guidelines for Separation of Agricultural and Residential Land Uses

The Department of Health has prepared guidelines to assist the consideration of residential development in proximity to agricultural land uses. Although the current proposal does not involve residential development (permanent residential occupancy), it is appropriate to take into account recommendations that minimise the potential for conflict between activities.

The Department's guidelines acknowledge that the Environmental Protection Authority has prepared generic separation distances that would avoid any relationship between agriculture and housing estates. The guidelines however recognise that mitigation measures – namely vegetation can substantially reduce the dispersion of spray drift, dust, smoke and ash that can emanate from agricultural property. With an appropriate vegetated buffer, the guidelines identify 40 metres as a suitable separation between active agricultural land and residential development.

Department of Agriculture and Food Western Australia

Biosecurity Management

The Department of Agriculture and Food Western Australia oversee the implementation of the Western Australian Biosecurity and Agriculture Management Act 2007. Objectives of the Biosecurity and Agriculture Management Act 2007 relating to the subject property include controlling the entry, establish, spread and impact of organisms that have or may have an adverse effect on agricultural activities.

In respect to Chalet developments, management plans are recognised as an appropriate means to establish, implement and monitor ongoing protection arrangements.

Proposal

The property owners seek to:

1. Construct 3 tourist chalets;
2. Utilise approximately 5 hectares of the site for agricultural (working farm) purposes; and
3. Maintain the existing residence for occupancy by the owners.

More specifically, details of the terms of the proposal are set out as follows:

Chalet Development

As provided for by the Scheme, application is made to construct three (3) self-sufficient chalets to accommodate short-stay guests (tourists) situated at the Ord River (eastern) end of the property, near to the existing house. The buildings are in close proximity to each other, with one generally behind the other as viewed from the road. The closest boundary setback is 35 metres to the northern side.

Each chalet has a floor area of 45m², with provision for a single central living/bed area, with separate wet and kitchen/dining areas. The limited size of the chalets will reduce the number of occupants to a maximum of two (plus infant if required) per chalet. Occupation by any person will not exceed three months in any twelve month period as prescribed by the Scheme.

Plans identifying the location, floor plans and elevations are included at **Appendix 2**. Access will be provided via the existing driveway which diverts to each chalet. Common septic tanks and leach drains will service each. Proposed landscaping that will provide screening is detailed within the 'partial site plan' included within the appendix.

A Chalet Management Plan is included at **Appendix 3**. The plan addresses issues associated with agricultural impact and the range of actions that will prevent the introduction of disease or pests to the area.

Agricultural Activity

Viable agriculture requires sufficient operational scale to achieve adequate profit returns. As such, the area of around 5 hectares (former mango orchard) extending from the street frontage approximately 550 metres eastward is to be sub-leased to an organic grower for citrus, avocados, mangoes and other fruits. Organic farmer practices; using renewable resources, maximising recycling, minimising waste and reducing reliance on out-site inputs will be modelled as part of the tourist attraction to the site. The tourist accommodation will be marketed as part of a Kimberley 'working farm'.

Organic agriculture relies on a high level of control over site conditions and the potential for introduced pests and disease. The Chalet Management Plan practices will be necessary to not only protect agricultural interests of neighbouring properties, but also to maintain the integrity and sustainability of organic certification.

Negotiations are presently underway with a Northern Territory based operator to lease the active orchard portion of the site for organic farming purposes. A letter from the proprietor of Greenies Real Food Malcolm Green indicating such is included at **Appendix 4**.

Existing Residence

The existing residence is to be maintained and occupied by the owners who will also operate the chalet facility. The close proximity of the residence to the proposed chalets will ensure effective management and oversight of the facility.

Assessment

The proposal is found to be consistent with all planning requirements as set out.

Suitability of Land Use

A chalet development is an appropriate land activity for the subject site when considering:

- Amendment 18 to Council's Scheme recognises the need and suitability of income generating activities that complement and support agricultural operations. Chalets are identified as one of a number of non-agricultural activities that can be located within agricultural zones.
- Chalets are permitted in the zone as an 'IP' use; being a use that is incidental to the predominant use. A recognised measure of incidental activity is the comparison of size and scale between the predominant and incidental activity. The agricultural (orchard) area will occupy in excess of 50,000m², whereas the area generally taken up by the chalets is around 2,500m². The chalets will take up less than 5% of the orchard area, and will clearly be subordinate to the agricultural activity.
- The proposal includes a detailed Chalet Management Plan, addressing dust, noise and biosecurity. The plan ensures any potential impact on agricultural uses are suitably managed, noting it remains in the owners' own interest to ensure onsite agricultural activity is not compromised (refer to AIS at **Appendix 5**).
- A comparable proposal, although a larger scale development, was approved at Lot 530 River Farm Road, Kununurra. This application demonstrates the suitability of the activity within the 'Rural Agriculture' 2 zone.
- The development will be immediately adjacent to a well-established tourist destination, and can provide a complementary service to patrons of Zebra Rock Gallery.
- Another tourism accommodation facility and associated marketing will assist tourism within the region as a whole, providing economic benefits to the community more generally.
- The activity is supported by immediate adjoining landowners (refer **Appendix 6**).

An agricultural impact statement (AIS) is included at Appendix 4, addressing the considerations set out within State Planning Policy 2.5.

Development Standards

The layout of the proposed chalets along with additional landscaping to be installed satisfy the setback and screening requirements of the Scheme.

Conclusion

It is concluded that the terms of the application for planning approval support strategic objectives of Councils Strategic Community Plan and Local Planning Strategy, while meeting the statutory prescriptions of the Town Planning Scheme. Chalet development is specifically provided for by the Scheme within the Rural Agriculture 2 zone. The development will be ideally situated to complement the adjacent gallery - an important tourist facility within the region.

A responsible Chalet Management Plan is submitted with the application, demonstrating the interests of biosecurity can be maintained, avoiding any potential for unacceptable impact on agricultural activity in the area.

The application is respectfully submitted for Council's consideration of approval accordingly.

Appendix 1 Certificate of Title & Survey

WESTERN



AUSTRALIA

REGISTER NUMBER 266/DP64754	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 9/8/2011

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2763** FOLIO **481**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 266 ON DEPOSITED PLAN 64754

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

GRAHAME JOHN KEYSER
DEBORA MAY DAVIDSON
BOTH OF PO BOX 1306, KUNUNURRA
AS JOINT TENANTS

(T M057205) REGISTERED 25 SEPTEMBER 2012

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

- L660246 EASEMENT TO REGIONAL POWER CORPORATION FOR OVERHEAD POWER LINES PURPOSES. SEE DEPOSITED PLAN 64754. REGISTERED 22.6.2011.
- L660256 EASEMENT BENEFIT FOR WATER PIPELINE PURPOSES. SEE DEPOSITED PLAN 64754. REGISTERED 22.6.2011.
- *M057206 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 25.9.2012.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

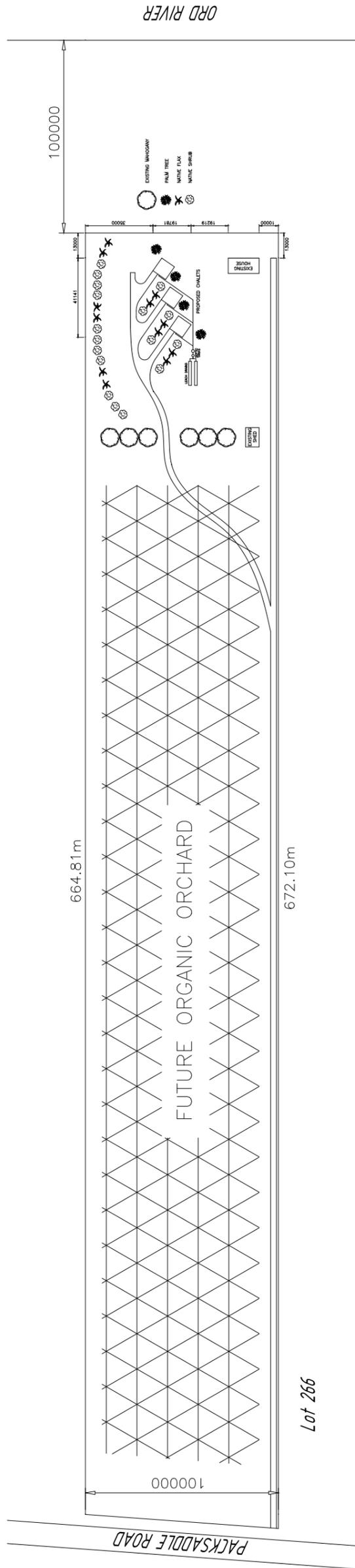
STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP64754 [SHEET 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15].
PREVIOUS TITLE: 1972-938.
PROPERTY STREET ADDRESS: LOT 266 PACKSADDLE RD, KUNUNURRA.
LOCAL GOVERNMENT AREA: SHIRE OF WYNDHAM-EAST KIMBERLEY.

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING M057206

Appendix 2 Proposed Plans



REV
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title
SITE PLAN
scale 1:2500 342-S01

project

PROPOSED CHALETS
LOT 266 PACKSADDLE ROAD
KUNUNURRA

client

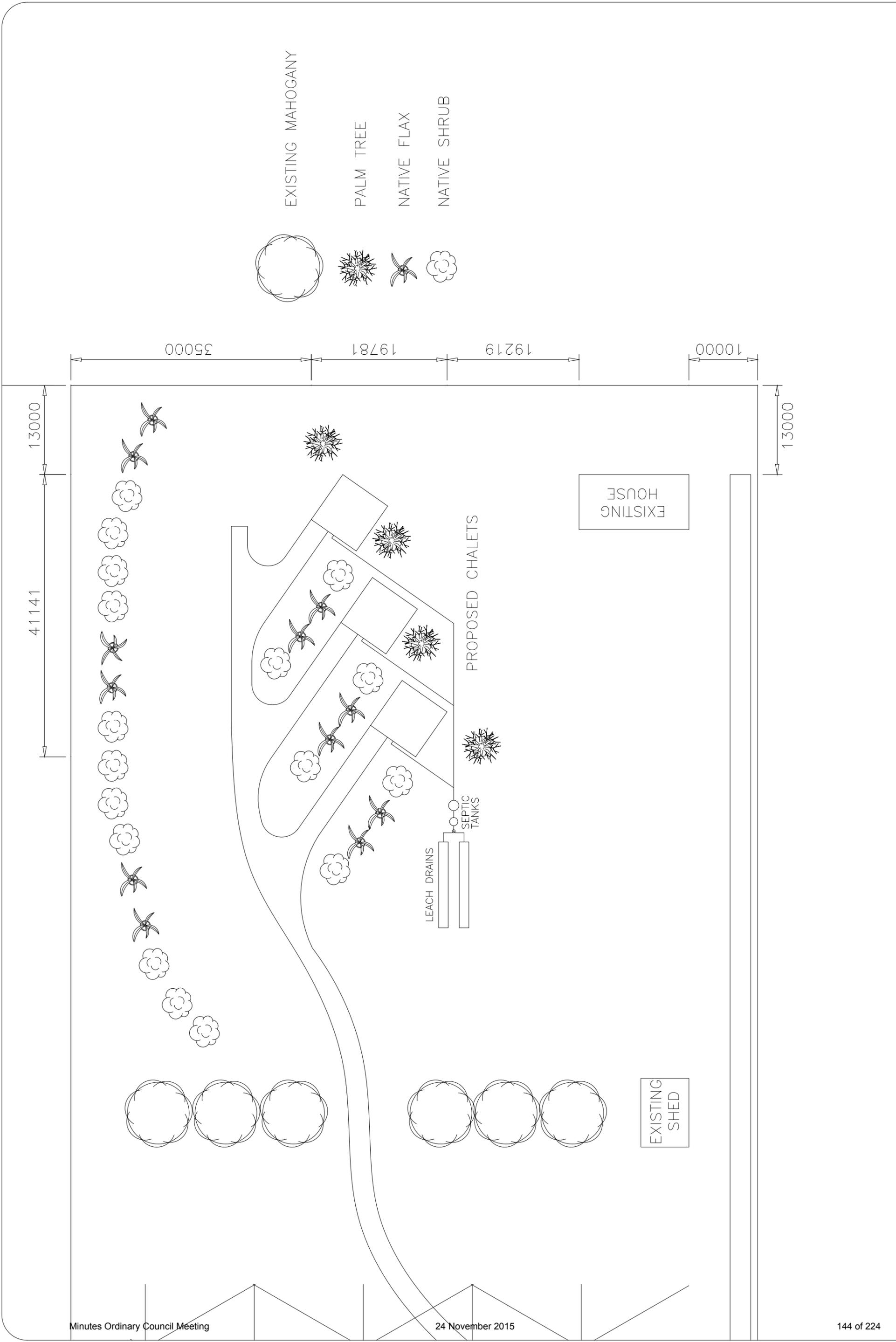
GRAHAME KEYSER

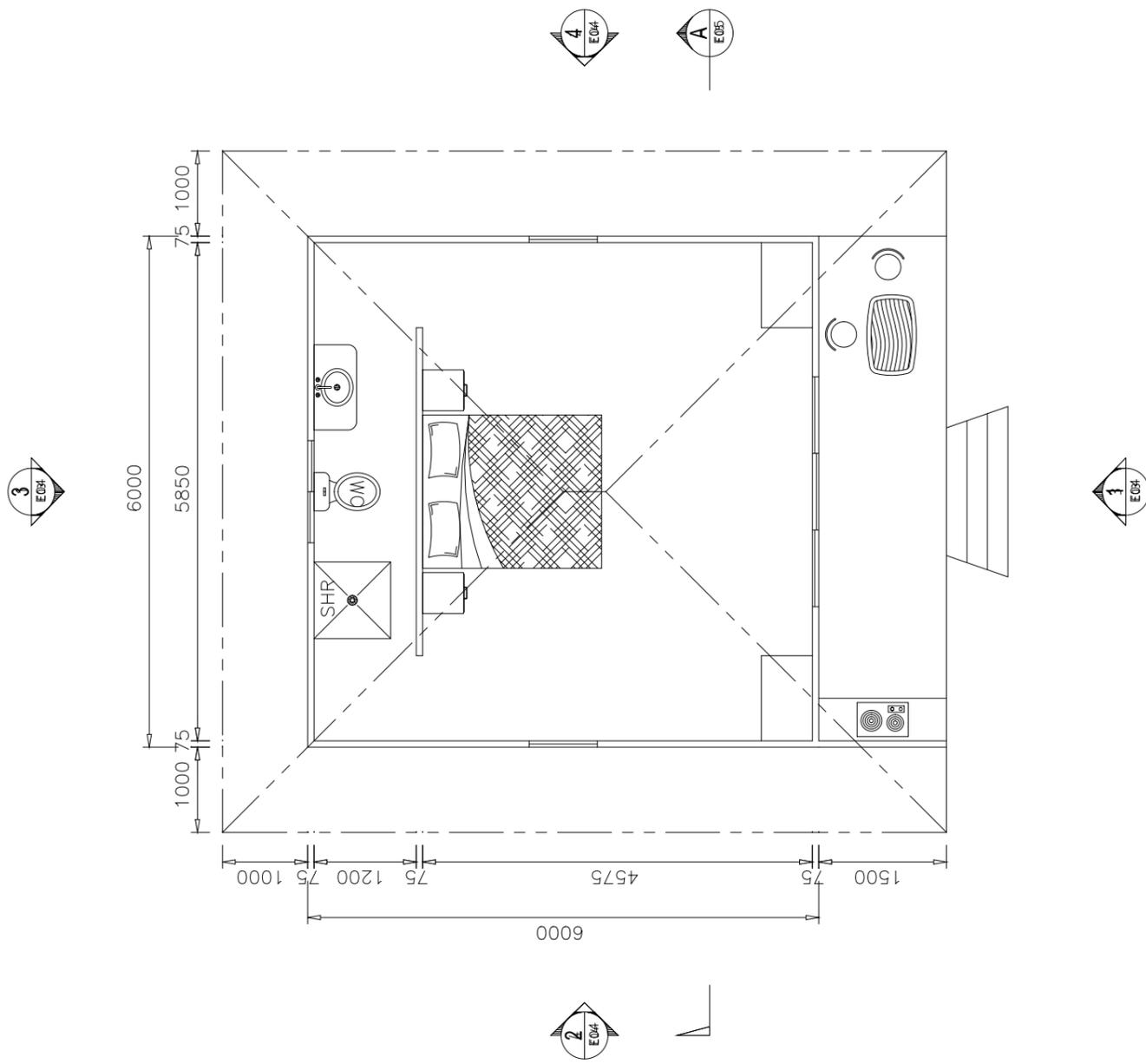
builder

DE CARPENTERS PTY LTD

NICKAD

DESIGN DRAFTING
P.O. Box 2189 Kununurra WA 6743





REV
0

title
FLOOR PLAN
scale 1:75
342-E03

project

PROPOSED CHALETS
LOT 266 PACKSADDLE ROAD
KUNUNURRA

client

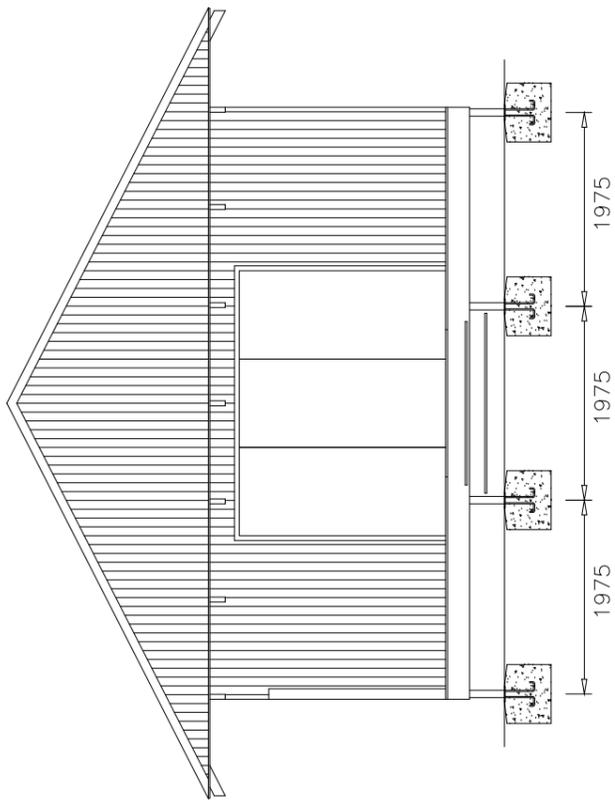
GRAHAME KEYSER

builder

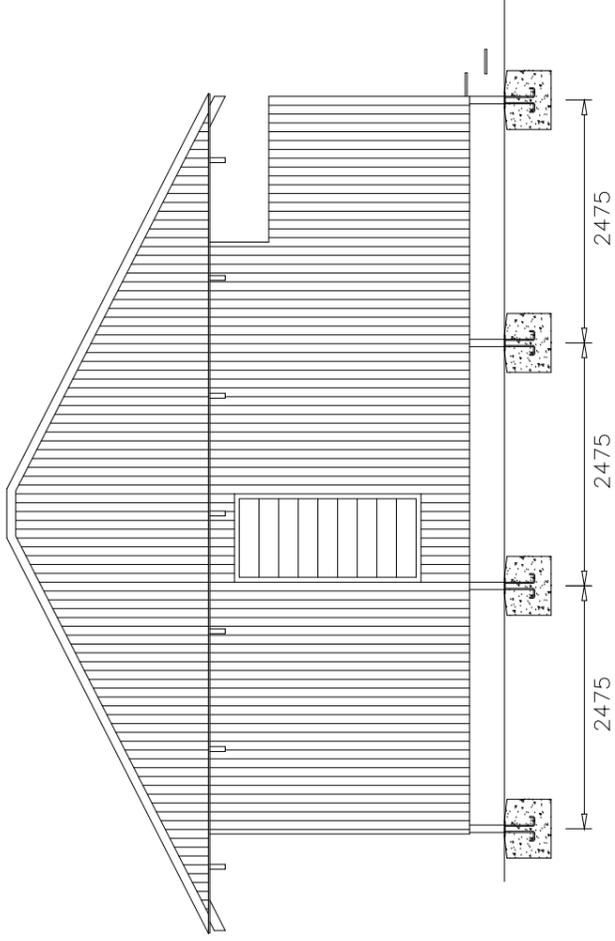
DE CARPENTERS PTY LTD

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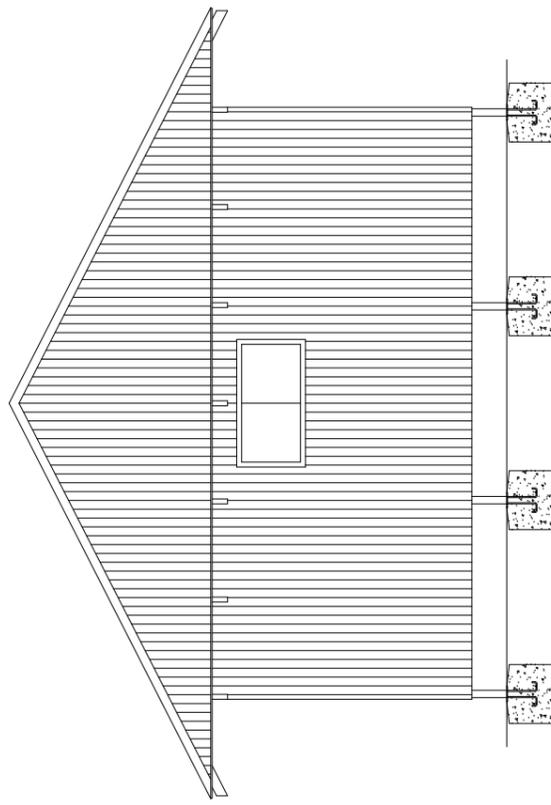
DESIGN DRAFTING
P.O. Box 2189 Kununurra WA 6743



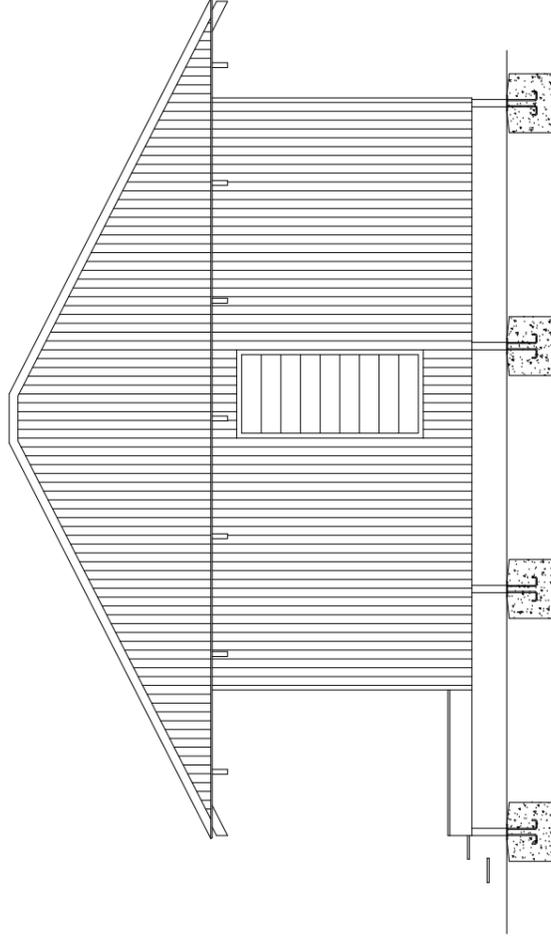
ELEVATION 1
E03



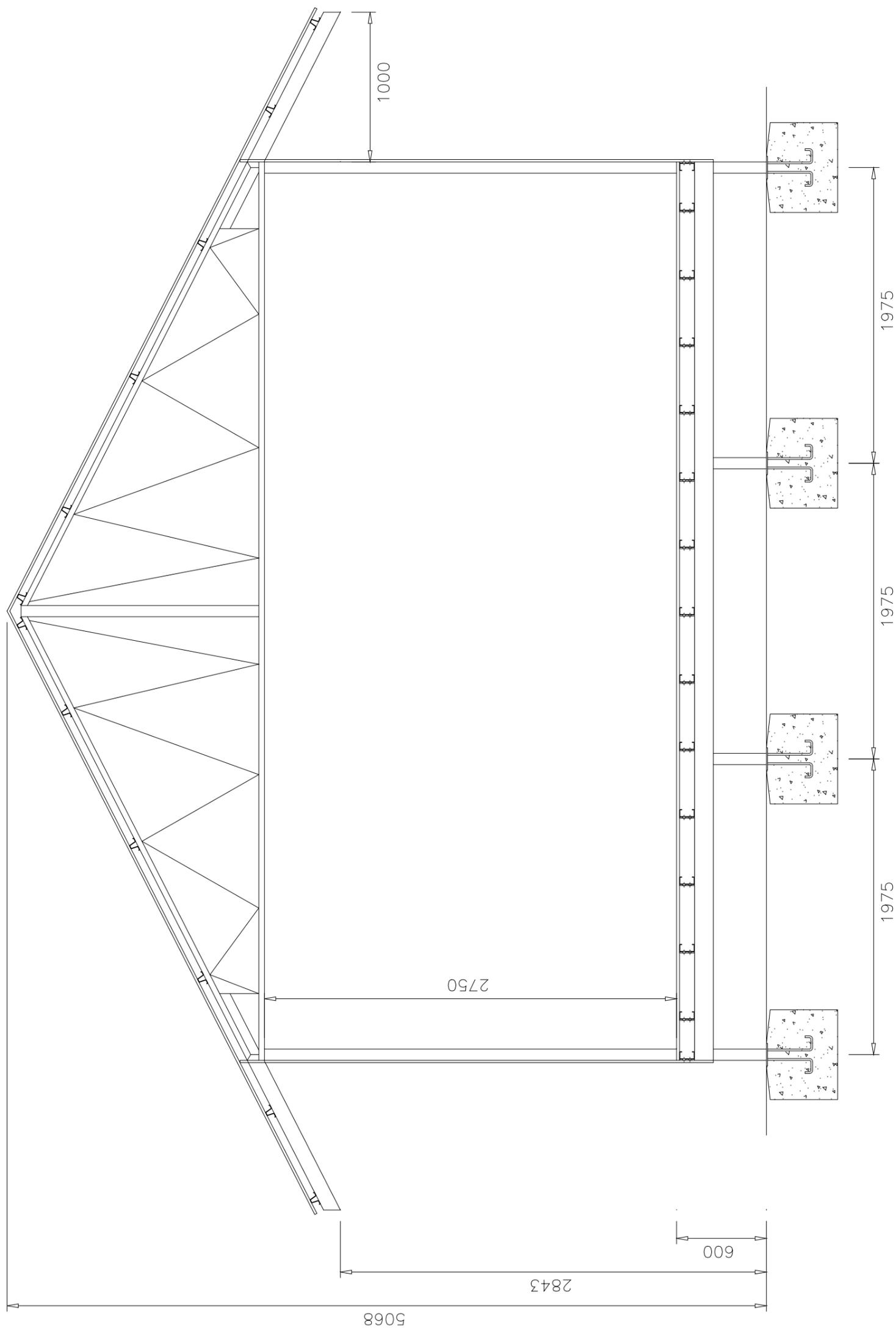
ELEVATION 2
E03



ELEVATION 3
E03



ELEVATION 4
E03



SECTION A
E03

REV
0

title
SECTION A
scale 1:30
342-E05

project

PROPOSED CHALETS
LOT 266 PACKSADDLE ROAD
KUNUNURRA

client

GRAHAME KEYSER

builder

DE CARPENTERS PTY LTD

NICKAD

DESIGN DRAFTING
P.O. Box 2189 Kununurra WA 6743

Appendix 3 Chalet Management Plan

CHALET MANAGEMENT PLAN

LOT 266 Packsaddle Road, Kununurra

August 2015

Contents

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Appendices:

Appendix 1	Chalet Guest Information
Appendix 2	Signage
Appendix 3	Guest Biosecurity Log

Introduction

The purpose of this Management Plan is to regulate the Chalet use at Lot 226 Packsaddle Road, Kununurra. The Management Plan sets out the practices that must be employed to ameliorate any adverse amenity impacts that the Chalet use may otherwise have on the surrounding properties and the land uses to which those properties are put.

Pursuant to the terms of the planning approval issued by the Shire of Wyndham-East Kimberley, the operator is required to comply with the Management Plan. In addition, the Management Plan is to be reviewed in accordance with the protocol set out in the Management Plan itself.

Dust

Standard

The operator is to ensure that the generation of dust is kept to a minimum by the Chalet use.

Justification

Dust can create an unpleasant living environment for residents, and may have adverse effects on the fruiting of crops.

Management Action

The generation of dust is to be managed by:

1. Construction and maintenance of existing and new internal roads with heavy gravel to attenuate dust generation.
2. Signs on internal roads advising to drive at a maximum of 5km per hour?
3. Counselling guests, should the operator witness guests driving in a manner to generate dust, or upon complaint from neighbouring property owners.

Noise

Standard

The operator is to ensure that noise from the Chalet use is kept to acceptable levels.

Justification

People in 'holiday mode' are often less aware of their surroundings, and enjoy later and more convivial evenings with their fellow holiday makers.

Management Action

The Chalets have been sited at an optimal distance from existing dwellings on neighbouring properties.

The generation of noise is to be managed by:

1. Information included in the in-Chalet literature reminding Chalet guests that there are residents close by.
2. Counselling guests, should the operator experience guests generating unreasonable levels of noise, or upon complaint from neighbouring properties.

Biosecurity

Standard

The operator is to ensure that no fruits, vegetables or other fresh plant material is brought on to lot 266 Packsaddle Road, Kununurra from outside the Kununurra region.

Justification

The Ord River region of Western Australia enjoys special status because of the absence of certain insects which can be harmful to crops. These include, but are not limited to the Mediterranean Fruit Fly, and the Silverleaf White Fly.

While it is an offence under State law to bring plant material into the Ord River Irrigation Area (ORIA), policing of the law is patchy. It is therefore necessary for tourist operators to do what they can to ensure that tourists do not provide a vector for the introduction of these pests.

Management Action

Prior to Booking – Promotion Material

1. The Operator will ensure that information is included in promotional material and at the time of booking that requires prospective guests to:
 - a. Not bring any plant material from outside the ORIA with them.
 - b. Expect that their vehicle will be inspected upon check-in to ensure that this requirement has been adhered to.
2. The form of information to be included in promotional material and at the time of booking should include the matters set out in **Appendix 1**.

Upon Arrival

3. The Operator shall install signs at the property entrance gate to remind Chalet guests of their biosecurity obligations. The signs will be similar to that which appears in **Appendix 2**.
4. Upon arrival for check-in, the Operator is to:
 - a. Reiterate the need to ensure no non-ORIA plant material has been brought to the site;
 - b. Physically undertaken an inspection of the Chalet guest's car to confirm compliance with this requirement.
5. Guests will be asked to enter the property and meet the Operator at the Chalets, where the relevant Chalet will be unlocked for the Chalet guest. The inspection of the Chalet guest's car will occur at the Chalet. This is to ensure that a bin with a lockable lid is located close to where the inspection is taking place.
6. Where plant material is found, the Operator will ask the Chalet guest to produce documentary evidence (by way of tax invoice) to show where that plant material has been purchased.
7. Where the Chalet guest cannot produce this documentary evidence, the Operator will confiscate the plant material.
8. The plant material will be 'double-bagged' in 2 black plastic bags and will be placed in a cage (to stop vermin from opening the bag) in the sunlight for 5 days.
9. At the end of 5 days, the bag will be disposed of in the normal way by transferal to the local rubbish tip.

During Stay

10. The Operator will provide the information set out in **Appendix 1** affixed to the door of the refrigerator in each Chalet.
11. The Operator will include literature regarding biosecurity in each of the Chalets, including pamphlets or photographs of the insects that pose the major threat and a reminder to observe biosecurity measures.
12. Each Chalet will be provided with a separate bin for green waste which will be plastic-bag lined, and with a lockable lid. Bins will be emptied regularly by the Operator as part of the room-services provided.

Inspection

13. The Operator (and employees of the Operator) will remain vigilant during the cleaning of the Chalets, as well as during general farming duties, to identify suspected pest incursions.

Reporting

14. Should the Operator suspect a pest incursion, the Operator will make immediate contact with the Department of Agriculture and Food, Kununurra Office.
15. The Operator will provide the Shire, on an annual basis, with a log of the biosecurity measures taken in respect of each guest. That log will be in the form set out in **Appendix 3**.

Review Dates

This Management Plan is to be reviewed biennially, using the following protocol:

1. The Operator is to provide a letter to the Shire advising of the operation of the Management Plan over the previous 2 year period.
2. The letter shall include improvements or variations to the Management Plan, based upon the experience gained over that period.
3. The Shire is to, within 60 days, reply in writing to the Operator and advise whether it accepts the Management Plan as proposed by the Operator, or requires further variations to be made.
4. Where the Shire does not respond within 60 days, the Management Plan and any proposed improvements or variations proposed by the Operator in its letter will be deemed acceptable by the Shire.
5. Where the Shire does require further variations or improvements and/or does not agree to the Operator's proposed variations or improvements, then the parties shall, acting reasonably, negotiate the variations and improvements to the Management Plan.
6. During this negotiation period, the existing Management Plan will continue to apply.

Chalet Guest Information

Iterations of this information is to be included on Chalet website, as part of the information package upon booking confirmation, and available in each of the Chalets.

Working Farm

Please note that you will be staying in an active agricultural area, and there will be agricultural activities occurring on adjoining and nearby properties. At different times of the day and year, this may mean that your Chalet is exposed to noise, dust or agricultural spraying. Sometimes these activities can occur in the early hours of the morning.

Biosecurity

The Chalets are located on a working farm in the Ord River Irrigation Area (ORIA). The ORIA has special status as an area free of certain pests, including the Mediterranean Fruit Fly and Silverleaf White Fly. This means that we do not have to spray or treat our produce before sending it to market. It makes produce from the ORIA very valuable both in Australia and to export internationally.

We need to keep these pests out of the ORIA to maintain our livelihoods. That is why biosecurity is very important to us. As our guests, we ask you to agree to certain measures to help keep us, our neighbours and the rest of the ORIA pest free.

1. Do not bring any plant material (including fruit, vegetables or plant cuttings) to the Chalets upon arrival and check-in.
2. Upon arrival, you will be asked to allow your car, eskies and other belongings to be checked to ensure there is no plant material with you.
3. Where plant material is found, your hosts will ask you to provide evidence of where you purchased the plant material – by way of a docket or receipt.
4. Where you have purchased groceries in Kununurra, you are free to keep them.
5. If you cannot provide proof of location of purchase, you will be asked to surrender the plant material for disposal.
6. Once you are checked in, you are free to bring any groceries you wish to the Chalets that have been purchased within Kununurra, without the need for further checks.
7. We ask that during your stay, all green waste be disposed of in the designated bin that you will find within your Chalet, and that you keep the lid firmly closed.
8. While you are our guest, we ask that you keep eye out for insects, and let us know. Every set of eyes helps! You will find some 'least wanted' information in your Chalet.



VISITORS

**PLEASE RESPECT
FARM BIOSECURITY**

Please contact the manager before entering.

 _____

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



Source: www.animalhealthaustralia.com.au

Appendix 3 Guest Biosecurity Log

GUEST BIOSECURITY LOG

Guest Party Name: _____ **Mobile Contact:** _____

Visiting from: _____, travelling by: Road (private car)
 Road (public transport)
 Air

Booking procedures - information provided

On booking: At time of internet booking Verbally over phone
Confirmation: Automatic booking confirmation By post / e-mail

Pre check-in procedures

Lockable bin with bin liners provided? Biosecurity information in Chalets?

Check-in procedures

Met at the chalet? Appropriate disposal of any non-verified plant material found?
 Inspection of vehicle / belongings? Verbal reminder of biosecurity risk given?

Notes:

Appendix 4 Greenies Real Food

30 July 2015

Mr Carl Askew
Chief Executive Officer
Shire of Wyndham – East Kimberley
PO Box 614
KUNUNURRA WA 6743

ORGANIC ORCHARD LEASE – LOT 266 PACKSADDLE ROAD, KUNUNURRA

'Greenies Real Food' is a well-established Darwin based business specializing in the retail and wholesale of fresh organic produce, serving urban and rural communities in the Top End.

To maintain a consistent supply of fresh and seasonal produce, we need to source fruits from different regions. Greenies Real Food is presently investigating opportunities to lease land in the Kununurra region to grow a range of products that are either better suited or have complementary seasons to Darwin.

By expanding into a different growing region, we are able to further build our business. It will allow us to diversify and more readily supply the WA market. Produce grown in WA is easier to sell through Perth markets as it avoids issues associated with transporting fresh produce across the WA border. At the same time, transport of produce back to the Territory does not face the same restrictions.

Greenies Real Food is presently in discussion with the owners of lot 266 Packsaddle Road, Kununurra concerning leasing options for an organic orchard. The ultimate mix of produce is yet to be decided, but would likely involve a substantial number of lime trees (there is a strong stable market for limes from the region) combined with other plantings such as melons, pumpkins, bananas, paw-paw and the like.

Please contact me direct on 0447 107 072 with any queries you may have regarding the above.



Malcom Green
Proprietor
Greenies Real Food



Appendix 5 Agricultural Impact Statement

Agricultural Impact Statement – Proposed Tourist Accommodation

Lot 266 Packsaddle Road, Kununurra

The following statement addresses the three themes documented within State Planning Policy 2.5 – Agricultural and Rural Land Use Planning, Appendix 3, being loss of productive agricultural land, land use conflict and land and environmental management and rehabilitation.

An extract of the guidelines, along with a corresponding statement of impact of the current application is provided as follows:

SPP2.5 Guideline	Statement
Loss of Productive Agricultural Land	
1	<p>Whether the proposed use is an essential use of land identified as being of State, regional or local significance.</p> <p>The tourist component of the application is in supplementary to the predominant activity being agriculture as set out within the application. The tourism activity represents a diversification of land use in the agricultural zone as encouraged by the Shire of Wyndham East Kimberly Local Planning Strategy.</p>
2	<p>The agricultural significance of the area where the use is being proposed.</p> <p>The relative significance of the land for agricultural purposes has not been defined by the Shire at this point in time. The land is not classified as Prime Agricultural Land (PAL).</p>
3	<p>Alternative sites that have been considered for the proposed use and their suitability.</p> <p>The intentions of the Town Planning Scheme provisions are to support diversification of land activity within agricultural property. Accordingly, Scheme provisions provide for the proposed uses at Lot 266 Packsaddle Road.</p>
4	<p>Whether the proposal will result in the loss of productive agricultural land, including land required for the following purposes (as appropriate):</p> <ul style="list-style-type: none"> • Perennial horticulture • Annual horticulture • Grazing • Cropping • Tree plantations • Aquaculture <p>The non-agricultural component of the application is small scale, representing less than 5% of the orchard area. Historically, the small area concerned has not been utilized for orchard purposes.</p>
5	<p>The impact of the use on the quantity and quality of surface and groundwater supplies available to existing and potential agricultural uses in the area.</p> <p>The small scale proposal will not adversely impact on surface or groundwater supplies.</p>

6	Whether the new use will alienate adjacent agricultural land from the remainder of the agricultural area.	The tourist component of the proposed development will not segregate agricultural areas.
7	The impact on any processing or value-adding industries.	The application will not have any impact on processing or value-adding industries.
Land Use Conflict		
8	Agricultural or rural uses existing or permitted by the local planning scheme – either as of right or discretionary, on land in the area and potential impacts.	The Scheme provides for the ordinary range of activities ordinarily anticipated within an agricultural zone.
9	Affect that existing or potential agricultural and rural uses could have on the proposal.	The proposed management arrangements associated with the application will suitably manage the expectation of chalet guests. This will be achieved through the advice provided to prospective guests in advance.
10	Recommended buffers to existing and potential agricultural uses.	The accommodation units achieve suitable levels of separation from orchard activities.
11	The ability of the proposal to accommodate impacts within its own lot boundary.	The non-agricultural aspect of the application will not generate impacts beyond property boundaries.
12	Other measures that can be undertaken to mitigate the effects of potential land use conflict.	The proposed Chalet Management Plan will provide measures that will avoid land use conflicts.
Land and Environmental Management and Rehabilitation		
13	The capability of the land for the proposed use.	The site is capable of accommodating the proposed orchard, chalet and dwellings.
14	Proposals to reduce any limiting factors.	No limiting factors are identified.
15	The significance of any remnant vegetation on the site proposed to be cleared and whether the proposal has secured approvals for this clearing.	No vegetation is to be cleared to facilitate the proposed works.
16	The potential impact of the proposal on downstream uses.	No potential impact on downstream uses is identified.
17	Whether the site contains any contaminated land.	The site is not registered as contaminated, and is not known to be contaminated.
18	Design and management proposals to: <ul style="list-style-type: none"> • Manage land degradation risks; • Manage land uses for nutrient loss and erosion into on-site watercourses/bodies; 	Proposed works are not expected to lead to land degradation, nutrient loss or erosion. The site does not contain protected environmentally sensitive wetlands or vegetation requiring rehabilitation. Further,

	<ul style="list-style-type: none"> • Manage and rehabilitate degraded areas or environmentally sensitive areas, such as wetlands and remnant native vegetation; • Remove and manage declared plants under the <i>Agriculture and Related Resources Protection Act 1976</i>; • Remove neglected orchards or vineyards; and • Manage stock. 	<p>there are no identified declared plans, neglected orchards/vineyards or stock to manage.</p>
--	---	---

Appendix 6 Adjoining Landowner Support

Mr Carl Askew
Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Dear Sir

PROPOSED TOURIST ACCOMMODATION – LOT 266 PACKSADDLE ROAD, KUNUNURRA

We are the owners of 267 PACKSADDLE RD

We write in support of an application for planning approval for tourist accommodation at the neighbouring property owned by Grahame Keyser and Debora Davidson.

We understand that the proposal involves the construction of 3 single-bedroom chalets located at the eastern end of the property – away from Packsaddle Road and the agricultural areas to the west. Grahame and Debora have shown us the proposed drawings, and we are aware of the substantial setbacks from the side boundaries as well as the Ord River. The proposed landscaping is also noted.

Please consider this as a letter of support for the planning application.

We wish Grahame and Debora well in their endeavours to help supplement local agriculture and to provide further support for tourism activity by increasing services available in the region.

Your sincerely

JEFF WALTERS

0417 682585



11-8-15-

SANDRA PHIPPS

0428 951120

Sandra Phipps

11/08/15.

11/08/2015

Mr Carl Askew
Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Dear Sir

PROPOSED TOURIST ACCOMMODATION – LOT 266 PACKSADDLE ROAD, KUNUNURA

I am the owner of Zebra Rock Gallery, 410-411 Packsaddle Road, Kununurra.

I write in support of an application for planning approval for tourist accommodation at the neighbouring property owned by Grahame Keyser and Debora Davidson.

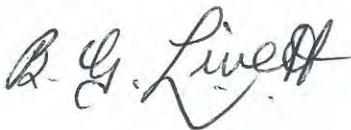
I understand that the proposal involves the construction of 3 single-bedroom chalets located at the eastern end of the property – away from Packsaddle Road and from the agricultural areas to the west.

Grahame and Debora have shown me the proposed drawings, and I am aware of the substantial setbacks from the side boundaries as well as from the Ord River. The proposed landscaping is also noted.

Please consider this as a letter of support for the planning application.

We wish Grahame and Debora well in their endeavours to help supplement local agriculture and to provide further support for tourism activity by increasing services available in the region.

Yours sincerely,



Bruce G. Livett
Director, Brandier AgriRock Holdings Pty Ltd
(trading as Zebra Rock Gallery)

Bruce Livett
Owner, Zebra Rock Gallery,
PO Box 97
Kununurra, WA 6743
Tel/Fax: 08 9168 1114
M. 0403014626



Level 26, Governor Phillip Tower, 1 Farrer Place
Sydney NSW 2000, Australia

PO Box 255
Kununurra WA 6743, Australia

251 Oxford Street
Leederville WA 6007, Australia

PO Box 5626
Albany WA 6332, Australia

25 September 2015

Your ref: TP3422:A1626P

Roy Adam
Planning Officer
Shire of Wyndham-East Kimberley
PO Box 614
KUNUNURRA WA 6743

RE: Proposed development application at Lot 266 Packsaddle Road, Kununurra WA 6743

Dear Roy,

Santanol Group wish to formally object to the development application lodged for Lot 266 Packsaddle Road, Kununurra WA 6743, per Shire of Wyndham-East Kimberley correspondence dated 7 September 2015.

The proposed development area is zoned Rural Agricultural 2, which highlights the predominance of farming and agricultural interests in the area. We have sandalwood plantations located at Lot 1, Lot 3 and Lot 4 Packsaddle Road, adjacent to the proposed development location.

Our objection is based on the nature of the development being for tourism purposes, which we feel is incompatible with the existing agricultural operations in the area. Our plantations, and others in the area undertake activities such as approved aerial spraying, tractor operations and other farming work that is noisy and dusty and which commences very early in the morning, and on weekends. Packsaddle Road is also used by operators of heavy farm machinery to gain access from property to property, again from very early in the morning and on weekends.

The proposed development in this area is likely to have an impact on existing land owners, as seen from a comparable application lodged on River Farm Road. Surrounding land owners were having complaints made against them for undertaking routine farming activities. The area has been zoned Rural Agricultural 2 precisely for the reason that the majority of land owners have farming or agricultural interests on their land, and would like to pursue these interests without potential opposition or interference from others.

If you require any additional information, or wish to further discuss this letter, please do not hesitate to contact me on 0417 928 362.

Kind regards,

A handwritten signature in black ink, appearing to read "Dan Raymond", is written over a horizontal line.

Dan Raymond
Operations Manager

Santanol Group

Alpha Santanol Pty Ltd (ACN 162 509 220), atf the Alpha Santanol Trust (ABN 26 233 977 184)
Beta Santanol Pty Ltd (ACN 162 509 211), atf the Beta Santanol Trust (ABN 92 391 093 451)

Delta Santanol Pty Ltd (ACN 162 823 065)

29 SEP 2015

PA & SM Cottle

[REDACTED]
[REDACTED]
KUNUNURRA WA 6743

28th September 2015

The Chief Executive Officer

Mr Carl Askew

PO Box 614

KUNUNURRA WA 6743

Dear Mr Askew

Proposed Tourist Accommodation – Lot 266 Packsaddle Road, 3x chalets application.

We formally notify you of our objection to the construction of tourist accommodation on Lot 266 Packsaddle Road. Our objection is based on the following:

1. The proposed development **DOES NOT** remain as a subordinate use in scale, scope and intensity to the predominant agriculture nature of the site; (AM 18)
2. Biosecurity and the potential dangers to neighbouring agricultural pursuits
3. Loss of agricultural land
4. Land use conflict

1. **Amendment 18 states**, “ The proposed development remains as a subordinate use in scale, scope and intensity to the predominant agriculture nature of the site;”

- It is not subordinate in scale due to the land not being currently used
- It is not subordinate in scope and intensity as there is no farming activity on the agricultural land compared to chalets which will have significant scope and intensity i.e. building, hospitality management, cleaning, staff, laundry, biosecurity etc.

2. **Biosecurity**

- Management plan has not been sighted by Department of Agriculture and Food WA (DAFWA) or seeks their feedback.
- The Department of Agriculture and Food have recorded the incursions of Mediterranean fruit fly into Kununurra over the period 1994-2013. Historically each incursion has involved a costly publicly funded monitoring or eradication campaign

to retain Area Freedom Status. Using that med fly incursion data¹ as an example it is demonstrated that over a 20 year period, 91% of fly incursions have occurred at, or within 100 meters of a tourist accommodation site. (This percentage would be higher due to the 2015 incursion) These incursions have occurred within the Kununurra Town and have been dealt with before they became a serious issue for the industry. Tourism accommodation within and surrounded by agriculture precludes effective treatment prior to pests becoming established in crops and therefore increases the biosecurity risk.

- Biosecurity Management plan discusses Mediterranean fruit fly and White fly, showing limited understanding, when there is many pest and diseases constantly threatening the ORIA i.e. Cucumber Green mottle mosaic virus (CGMMV). In NT CGMMV positive farmers and their adjacent neighbours were shut down for production for up to two years
- Concerns the management plan are asking the guest to look out for insects and no preventive measures in conjunction with DAFWA such as fly trapping
- No preventive measures with car washing etc. . DAFWA have stated that they identify new weed species regularly at the wash down area at their WA/NT boarder station.
- Concerned there is no understanding or any management plan for the proposed Northern Territory company entering the ORIA. I.e. machinery, seed etc.

The ORIA's Area Freedom Status from a wide range of introduced pests, weeds and diseases and the benefits that this status provides, must be recognized and secured. Mr Noel Wilson, Manager of DAFWA states...

"Areas free of pests and diseases and good practices to minimize risk to areas contribute to the maintenance of Western Australia's and Australia's overall reputation for freedom from many pests and diseases, market access for agricultural and horticultural commodities, product safety and integrity and diverse ecosystem sustainability.

The Ord River Irrigation Area (ORIA) agriculture industries are by world standards, remarkably free of pests, weeds and diseases. This situation is aided by the areas geographic isolation from other agricultural areas and by good border protection.

*Pest, weed and disease freedom allows produce a greater range of access to National and International markets. This also reduces production costs by not having to treat crops to ensure good production levels and access markets."*²

The ORIA's Area Freedom status should be recognized. Maintaining this status will provide flexibility of cropping options, help maintain competitive advantage and secures farming into the future.

¹ Ceratitis capitata incursions in the Ord River Irrigation Area (ORIA) 1994-2013, Western Australia – DAFWA

² Manager DAFWA – Noel Wilson –June 2014 - letter attached

SWEK in the last 12 months have unlocked thousands of dollars from the emergency biosecurity budget for preventative signage aiming at tourists and assisting DAFWA with the Medfly Eradication program. Does the Shire want to further increase the biosecurity risk within the valley by potentially introducing pest and disease in the centre of the farming community, by allowing this application to proceed?

Again the ambiguity of Amendment 18 has put the community at considerable risk.

3. Loss of Agricultural land

The following planning policies outline the importance of protecting and preserving productive agricultural land in WA and provide guidelines for achieving this outcome:

- State Planning policy 2.5
- DAFWA rural land use policy
- SWEK Local Planning Strategy
- SWEK Town Planning Strategy No. 7 Kununurra and Environs
- Development Control Policy 3.4
- Guidelines for separation of Agricultural and Residential Land Uses- Establishment of Buffer Areas August 2012
- Biosecurity and Agriculture Management Act 2007

Local council must meet the needs of both tourism and agriculture and in doing must acknowledge where there are incompatibilities. To do less, may allow short term gain for individuals and small scale tourist operations, whilst transferring long term risk to the agricultural industries.

4. Land Use Conflict

It is widely documented and long understood, that conflicts occur when incompatible land uses are placed side by side. We have seen within our community conflicts occurring when tourism and urbanisation are within the practical realities of farming .i.e. “noisy pumps”, gun shots, spray planes, odours etc.

Conflicts resulting in impediments or restrictions to farming practise will impact farming viability.

Issues which are known to cause land use conflict:

Noise

From pumps, tractors, harvesting equipment, pruning equipment, slashing, mowing, motor bikes, spray planes and bird/animal control noise i.e. gas guns.

Dust

Generated by harvesting, land preparation, fertiliser application, mowing, slashing, machinery movement.

Odour

Chemicals, fertilizers and smoke.

Other Issues

Spraying of chemicals, potential drift and the lack of understanding demonstrated by tourists who don't understand the complexities of agriculture.

Trespassing by tourists

The application touches on how they will address the land use conflict from within their property but does not address how potential conflicts, impacts and the compatibility with existing and potential land uses - both internal and external to the site will be managed.

Once again, Amendment 18'2 ambiguity has enabled another interpretation. The last "like" development application following objections went to mediation. We do not feel the Shire has the ability to make this a bench mark for subsequent applications because in a similar case the Shire withdrew legal support and the issue was not tested within the applicable court.

We disagree with the proposed development. This development will potentially jeopardise one of the leading industries within the Shire, agriculture. Tourism and agriculture can co-exist within the Shire with clear and concise planning guidelines. Amendment 18 does not provide clear and concise planning parameters.

We ask that approval not be given to this development application and hence a multimillion dollar industry and its associated infrastructure is protected.

Yours sincerely

Handwritten signatures of Peter and Susan Cottle. The signature on the left is 'Peter Cottle' and the signature on the right is 'Susan Cottle'.

Peter and Susan Cottle



Oria Orchards

Suppliers of fresh produce to the Kimberley from the Kimberley

[REDACTED] Kununurra WA 6743

Roy Adam
Planning Officer
Shire Wyndham East Kimberley

RE: Three (3) chalets at Lot 266 Packsaddle Rd, Kununurra

In response to your letter dated 7 September 2015 I would like to make the following comments in relation to the proposed chalet development on Lot 266 Packsaddle Rd.

Firstly, we are commercial farmers operating a farm 3 blocks (some 500 m) away from the proposed development. We produce a range of horticultural crops including fruit, vegetables, herbs and flowers. Our produce is sold in a range of places including local restaurants, passing cruise ships, Saturday morning markets, Perth wholesale markets and at times we have exported fruit. Our product list can at certain times of the year include some 90 or so crops. We have until early 2015 operated an on farm fruit and veg retail outlet. The extreme risk of pest and disease incursions in recent times has forced us to stop trading from the farm. We hold a SWEK registration to operate a low risk food Business from lot 752 Packsaddle Rd.

It is our view that incidental and not adequately thought out tourist accommodation development in agricultural areas is not necessary or warranted and poses serious threats to our ability to continue farming without new and difficult problems to deal with.

We oppose the approval of this development because;

1. It does not meet the objective of the local planning strategy to protect Prime Agricultural Land.

2. It does ^{NOT} meet the condition that any development must be subordinate to agricultural activity.

3. It does not adequately address the impacts this development can have on external agricultural activities.

4. It does not go anywhere near addressing most of the biosecurity threats that exist in our agricultural areas.

1. The Shires Town planning Scheme (TPS), the State planning Policy 2.5 (Land Use Planning in Rural Areas, and the Department of Health – Guidelines for Separation of Agricultural and Residential land use), that residential or accommodation developments in rural areas need to be regulated.

The shires TPS states the need to protect prime agricultural land and keep it available for agricultural use. The Shire TPS 5.19.1 States as an objective

“(a) to ensure the adequate supply of land for intensive agricultural and horticultural holdings in localities of adequate water and suitable soil types;

(b) To promote the use of these lots for the production of horticultural crops and associated uses.”

Lot 266 certainly fits into this category, being adjacent to the Ord diversion dam that supplies water and comprising a mixture of predominantly Ord sandy loam and Ord loamy sand soils, all highly suited to horticultural production. The property has, with previous owners, been a very lucrative lime orchard, been an asparagus farm, been a banana farm with at least two owners, and has had various other agricultural enterprises with its various owners.

The Shire TPS also allows for only one dwelling (with shire discretion for more)

The Shire of Wyndham East Kimberley Local Planning Strategy Section 5.10.1.1 provides:

“Diversification of land uses in agricultural zones is generally not supported due to potential loss of PAL, the impact on management and operational practices and the potential externalisation of these impacts, However, where farmers and producers are seeking to supplement incomes to ensure viability of the agricultural land use, there is scope for allowing subordinate land uses only, or uses that are wholly incidental or dependant on the principal agricultural use of the land.”

2. The owners of lot 266 do not farm the land and never have in the time that they have owned the block. They have no apparent intention to farm the property but instead are trying to lease part of the property for agricultural purposes. At the moment there is no agriculture on the block, no lease- only negotiations with a potential lessee, Therefore, the chalet development is not and cannot be subordinate to an agricultural income. They are not trying to "supplement the income" from the farm but are trying to create an income from an alternate use of the land.

Furthermore, if a lease arrangement was entered into, firstly does this constitute the owners having an agricultural activity to allow subordinate uses and secondly, if the lease arrangement ends or ceases or fails to progress to agricultural production, does that then mean the allowance of subordinate activity ceases, meaning the chalets need to be closed(removed).

3. Amendment 18 of the TPS No7 states:-

".....the introduction of other uses in Rural Agriculture zones may give rise to potential land use conflicts and impacts, and therefore introduced provisions that require applicants to demonstrate that other land use issues are incidental and can be managed so as to limit the potential impacts both on and from existing and potential agricultural activities, including those internal and external to the site boundaries...."

We believe the applicants have not addressed the issues of impacts of this development both internal and external to the property. They have not addressed the conflict between tourists and legitimate agricultural activities going on around them, nor have they adequately addressed how they will deal with the potential consequences the tourist accommodation can have on the external farming community.

It is interesting to note that the only currently approved tourist accommodation venture in the Kununurra area (a B & B on Riverfarm Road) is currently in conflict over legitimate agricultural activities on the other side of the river. This can only cost the farmer considerable money to resolve this issue.

Cr John Moulden (Shire President) in relation to proposed chalet developments on River Farm road.

".....This is one of the most important decisions this council has had to make. If it approves this development it will set a precedent for residential development in this critical agricultural precinct that this and future councils will find hard to control, and inevitably end up regretting. There would be almost no way to stop every landownerapplying for similar development, with every expectation of succeeding."

The land is zoned for agriculture, not residential or tourism for a good reason. It would be a grave mistake to approve this development....."

4. Biosecurity:-

Significant events in the last couple of years have increased the need to maintain a very high level of vigilance and control to prevent the incursion of exotic and foreign pests and diseases. Pests and diseases that currently threaten our agricultural activities include but are not limited to:-

Mediterranean Fruit Fly currently in Kununurra

Cucumber green mottle mosaic virus in the Northern Territory

Banana freckle in the Northern Territory

Panama disease race four in North Queensland

Asian Honey bee in Darwin

Mango seed weevil in Darwin

All these pests and diseases plus others could devastate many agricultural activities currently undertaken in the ORIA.

The Owners of Lot 266 Packsaddle road have developed a chalet management plan that attempts to deal with biosecurity issues. It however only lists two pests

"The Ord River region of Western Australia enjoys special status because of the absence of certain insect which can be harmful to crops. These include, but are not limited to the Mediterranean fruitfly, and the silver leaf whitefly. "

They have not considered the host of other threats that exist at the moment, nor does their plan to manage "Med fly" give any assurances that they can maintain freedom from the pest.

Kununurra is the only place in Western Australia that is free and maintained free of **Mediterranean fruit fly**. Despite all biosecurity efforts, incursions of the pest still occur, the latest in August of this year. Kununurra township is currently in Quarantine and our area freedom status has been suspended until such times as we can prove we have eradicated the incursion and proved we are again free of the pest, a process that takes a minimum of 12 weeks and has prompted the release of funds from the shire managed biosecurity fund.

There have been many medfly incursions(over 30) in the last 20 years, most(over 90 %) have occurred in or near to tourist accommodation venues such as caravan parks, motels etc. It can be surmised that most of these fly's have come in with people staying in tourist accommodation. (I.e. tourists). Currently, almost all Tourist accommodation is located in or close to town. This confined area makes it easier to monitor, detect and isolate incursions. Having a potential incursion site (i.e. chalets) some 15 kilometres distant from all other sites poses a need for increased scrutiny, surveillance and creates issues for other farmers. If an incursion occurs at these chalets my farm plus many others will go into quarantine.

Cr John Moulden (Shire President) in relation to proposed chalet developments

"...There is a close correlation between tourist accommodation and medfly outbreaks in the Ord. This is despite official restrictions on the movement of fruit, and checkpoints. A medfly outbreak would have season-long and devastating consequences for any farmer in the area selling produce into southern markets. It would be almost impossible to put in place suitably stringent biosecurity measures...."

Cucumber green mottle mosaic virus is currently present in the Northern Territory and Queensland. Little is known about this new virus to Australia except that it will devastate any farm that it infects. Infected farms in the NT and QLD have been quarantined and banned from growing cucurbits for two years. A grower fund has been established to study the disease, how it moves, what are its host plants and how to manage or control it, all current unknowns. It is thought it has native plants as hosts and that it can move on seed, machinery and dirt or dust. The threat of this disease is one of main reasons we have closed our farm shop to the travelling public. The risk of a tourist bringing the disease on their car or clothing is too great.

Kimberley Echo Thursday, December 11, 2014

"....If the virus was discovered in Kununurra it would likely cripple the local melon industry and force affected farms to be placed under quarantine for up to two years. Speaking in support of the motion at the October meeting, Cr Dessert said the disease was "business killing", and would do "astronomical damage" to the Ord Valley industry if discovered...."

And yet the proposed development requires an Agricultural component so that it can be subordinate to agriculture. The proposed activity involves a Darwin based grower who has suggested he may grow cucurbits (amongst other things). Darwin and its melon growers are the epicentre of Cucumber green mottle mosaic virus. No plan is listed as to how we prevent pests and diseases entering when this proposed farmer travels back and forth with vehicles, machinery, clothing, seeds etc etc. The Northern Territorian, Malcom Green, in his letter of support to the development indicates there are issues with getting produce into WA across the border and yet no problems going the other way. We think this is a testimony to our stringent quarantine strategy which is something we fight hard to protect.

Thursday July 9, 2015 Kimberley echo

"Ord Valley melon production has received a \$765,000 shot in the arm to combat two viruses that threaten WA's \$75 million cucurbit industry..... The second part of the project will be undertaken in Perth to investigate biosecurity measures that can be taken to prevent CGMMV from reaching the Ord. Dr Jones said CGMMV was worrying a lot of people at the moment. Five hours down the road and across the border in Katherine, several crops have been wiped out"

The Banana diseases , **Panama disease** is currently present in Queensland and has resulted in the quarantining of affected properties, and **Banana freckle** which is present in the Darwin area, have effectively wiped out the banana industry in the Northern Territory. Panama race four was detected some 15 years ago in the territory and even with destroying almost all banana plantations no new industry has developed. Banana freckle is currently stopping the development of a new industry as it currently has no control method. Kununurra is currently seeing a resurgence of our banana industry with some 50 hectares of bananas planted and plans for more. It has been suggested the Darwin grower in negotiations to farm on lot 266 will plant bananas. Once again the movement of vehicles, plant and people who farm in the Darwin area poses an unacceptable risk of banana diseases entering.

Northern Territory Rural weekly. September 11 2015:-

"The National Banana Freckle Eradication Program has issued its first infringement notice as part of its ongoing effort to eradicate Banana Freckle from the Northern Territory..... In Darwins Northern Suburbs has been issued with a \$765 on the spot fine after banana plants were found on his property last week. Ron and his wife Kay said they have been against the eradication program from the start."

Northern territory Rural Weekly. September 18 2015:-

"Growers who have banana plants that have regrown have been given a deadline for the destruction of the plants.....Over recent weeks we have sent out more than 3500 SMS messages to addresses that had banana plants destroyed in phase one....."

These excerpts indicate how serious a biosecurity threat can be and the levels farmers and agencies and Governments need to go to to protect and make it possible for industries to exist. This is testimony that we need to do all we can to prevent pests and diseases from entering the agricultural areas in Kununurra. Tourist accommodation in agricultural areas provides a high risk point of entry for exotic pests and diseases.

Mango Seed Weevil is present in Darwin Mango orchards. Recent changes by our own state agencies to the protocols now allows fruit from known infected areas to come into Western Australia, so long as the growers can satisfy the protocols.

Our grower from the NT in negotiation with the owners of lot 266 has also proposed growing mangoes on this location. Mango seed weevil & mango scab are pests currently present in Darwin and can travel in plant material and soil. Whilst the border checkpoint is quite good at preventing fruit and plant material entering it does not insist on asking all travellers if they are farmers or have been on a farm or ensuing all vehicles are thoroughly sterilised before entering WA. A farmer crossing the border in a vehicle used on an infected farm, or with tools and /or equipment, or soil, plant material or budwood from that farm, could easily be carrying pests and diseases that could devastate our local industries.

As part of the ongoing surveillance against threat of exotic pests and diseases, we have had, in the last couple of months two (2) groups of highly qualified experts from the Australian Department of Agriculture conducting surveys on ours and many other properties looking for the presence or absence of specific pests and diseases. The first was looking for cucurbit viruses and diseases, the second looking citrus greening disease and exotic mealy mugs. Fortunately they did not find any!. These surveys are a part of the ongoing efforts to manage the threat of importing exotic pests and diseases.

We suspect the shire does not have the time, inclination or expertise to continuously monitor things like chalet developments to ensure they are complying with the rules and regulations to ensure we remain free of exotic pests and diseases.

We feel extremely uncomfortable having to rely on the owner of Lot 266, who is not a farmer but in the building industry, to protect us and other farmers from all the biosecurity risks that currently or potentially exist for our operations. Should there be an incursion starting at the site of the chalets it could totally devastate our and other farmers business and yet not incur any inconvenience whatsoever to the owners of Lot 266. In fact it could be said that their main interest would be to earn as much as possible from the chalets and that the biosecurity part is a little inconvenience they have to endure. We think their proposal shows a lack of full understanding of biosecurity issues and how to manage them.

The consequences of an accidental incursion in the agricultural areas could be devastating.

In the "Chalet management plan review dates" Prepared by the owners of Lot 266.

"1 The operator is to provide a letter to the shire advising of the operation of the Management Plan over the previous 2 year period.

2 The letter shall include improvements or variations to the management plan, based upon the experience gained over that period.

3 The shire is to, within 60 days, reply in writing to the operator and advise whether it accepts the Management Plan and any proposed improvements or variations proposed by the operator or require further variations to be made.

4 Where the shire does not respond within 60 days, the management plan and any proposed improvements or variations proposed by the operator will be deemed to be acceptable by the shire....."

We see this section as totally unworkable for the following reasons.

- The current management plan does not adequately address many issues, particularly those relating to biosecurity.
- The shire currently does not have the expertise to assess any variations to any management Plan particularly in relation to managing biosecurity issues.
- There is no requirement for any changes to go out for public or agricultural industry comment or input.
- A period of 60 days is insufficient for the shire to undertake a thorough review and to make a qualified assessment of the management plan. The shire would have to seek outside expert advice in order to make a qualified judgement.
- This review process leaves it open for the watering down of any controls without anyone in the surrounding or agricultural areas having any knowledge of it.

This type of process cannot be allowed to occur!

Whilst we have focused largely on the biosecurity threats posed by this type of development there are many reasons why this development should not be allowed including but not limited to:-

- It not being subordinate to an agricultural activity.
- Not allowing protection of prime agricultural land
- Not having sufficient buffers from other residences (Lot 266 is only 100 m wide, the proposed location of the chalets is less than 70m from the nearest neighbouring residence as required by the guidelines.

- The owners, not being farmers, have demonstrated they do not have a good understanding or appreciation of agricultural and biosecurity issues.
- The need to provide a potable water supply. Lot 266 does not currently have or have access to a potable water supply.

One of the biggest potential threats of approving this development is that it will open the door for many other similar development applications along Packsaddle Road. Should this occur it would be almost impossible to prevent conflicts with agricultural activities and hugely increase the risk of exotic pests and diseases establishing.

It is interesting to note that this application has used the approval of a similar application on lot 530 Riverfarm Rd as setting the precedent for such developments. It is our understanding the Riverfarm rd development has not progressed and that the property is now on the market. It would be cynical to suggest that the reason to get the approval was only to increase the value of the property for sale!!

We urge the Shire to not approve this application and to ensure any future applications allow for the protection of agriculture in agricultural areas.



Diane and Chris Robinson

ORIA Orchards

[REDACTED]

Kununurra WA

27th September 2015

Date: 27 September 2015

Mr Roy Adam
Planning Officer
Shire of Wyndham East Kimberley
20 Coolibah Drive
Kununurra WA 6743

Dear Mr Adam:

Application for Planning Approval
Tourist Accommodation Lot 266 Packsaddle Rd Kununurra

I refer to your letter of 7th September 2015 seeking other Landholder views on the above application. I find it incredible, and deeply concerning, that we are again being asked our opinion on such a development when our by-law regulations are adequately clear in this matter.

At our meeting on Wednesday 23rd September I pointed out to you that I was involved with the wording of the regulations to safeguard our agricultural land. I have, since our meeting, carefully gone through those regulations and policies again and find them quite clear in their meaning. I am appalled therefore that you and SAT would take one word out of one sentence and interpret it in such a way to meet the applicant's interests.

Your comment too of Council approving the development on Lot 530 Riverfarm Rd is also wrong and out of place. Council – correctly – did NOT approve this development but was coerced into accepting the SAT interpretation of that one WORD in an effort to save further rate payer funds on a costly hearing. I can assure you that, with proper legal representation Council's decision would have been upheld in a proper court.

Let me refer you to TPS 7 Amendment No. 18 in its full context as submitted to, and approved by, Council in 2009.

In a letter from the Council on May 27th 2008 to the Minister of Planning and Infrastructure on Amendment no. 18 Council says '*when considering this advice please take into account that the purpose of the amendment is to permit(framers).... to use this land for other SUBORDINATE land use to supplement their PRIMARY AGRICULTURAL INCOME!*' The word is 'INCOME'!

The final amendment was put to Council in 2009. The section 'Reason for Amendment' states '*the protection of agricultural land, particularly prime agricultural land, is one of the KEY OBJECTIVES of the Shire of Wyndham East Kimberley.*' On page 1 the Shire Report also refers explicitly to SPP 2.5 saying that Council must be guided by these principals, in particular 5.2.1(iv). "*Town Planning Scheme provisions may be appropriate within the Priority Agricultural zone to allow SMALL SCALE tourist activities, including farm stay and bed and breakfast, where these are INCIDENTAL uses to the PRIMARY AGRICULTURAL USE of the land.*' The word is 'USE'.

On page 2, Item 5.10.1.1 it also states '*... where farmers and producers are seeking to supplement INCOME to ensure viability of the principal AGRICULTURAL land USE, there is some scope for allowing*

subordinate land uses only, or uses that are wholly INCIDENTAL or DEPENDENT on the PRINCIPAL AGRICULTURAL USE of the land.' This document is the one accepted by Council and is crystal clear in its intent and wording.

HOWEVER it is to be noted that in the last document titled "Resolution Deciding to Amend a Town Planning Scheme" which the Council signed off on, on page no. 5 Item 12.21.2(c), the wording has been changed to read '*the proposed development remains as a subordinate use in scale, scope and intensity to the predominate agricultural NATURE of the site.*'

The change of the word 'USE' to 'NATURE' is what SAT used in their determination of Lot 530 Riverfarm Road. This is not the wording of the original document Council voted on in 2009. The 'INTENT OF' and 'WORDING OF' the amendment is perfectly clear. The documents put to the Minister and Council use the words *subordinate, incidental to, primary income and primary agricultural use*. When there is NO agricultural use of - or agricultural income from - the use of Prime Agricultural Land, an application for other development such as on Lot 266 Packsaddle Road, should not be accepted, much less put out for comment. Such action is a waste of staff time, and a waste of farmers' time when we have already spent so many years putting safe guards and regulations in place. I would now hope that commonsense prevails and the regulations read and understood in FULL and not by taking a word or section out of context. In the case of a Lot 266 Packsaddle Road there is no agricultural use of, nor income from, the land, and until there is, the said application cannot be accepted.

One would also have to question why the word 'USE' was changed after Council passed the original document. This word 'nature' should be changed immediately as per the approved document.

Yours Sincerely,

John Storey

Roy Adam

From: [REDACTED]
Sent: Tuesday, 29 September 2015 2:05 PM
To: Roy Adam
Subject: proposed development at Lot 266 Packsaddle Rd Kununurra.

Good afternoon Roy,

Further to your letter received on 10 September regarding a proposal residential development on Lot 266 Packsaddle Road Kununurra, I confirm that I have read the application and advise that the diocese has no objection to the proposed development.

Please contact me if you have any queries or require further information;

Regards

Lawrie Grant
Project Officer

Diocese of Broome

[REDACTED]
Broome WA 6725.

Phone ~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~.

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28 October 2015

Mr Carl Askew
 Chief Executive Officer
 Shire of Wyndham East Kimberley
 PO Box 614
 KUNUNURRA WA 6743

via e-Mail: mail@swek.wa.gov.au

**RESPONSE TO PUBLIC SUBMISSIONS – APPLICATION FOR PLANNING APPROVAL – LOT 266
 PACKSADDLE ROAD, KUNUNURRA**

Thank you for providing the opportunity to respond to the submissions received by Council in respect to the proposed tourist chalets in conjunction with on-site agricultural activity and existing residence.

We note that Council received 5 submissions; 4 objections and 1 no-objection. It should also be noted that the Council has received letters of support for the proposal from immediate adjoining land owners as submitted with the application.

Supporting Submissions

It is significant to note the letters of support from immediate adjoining land owners. It is the adjoining property owners who have the greatest interests in respect to any implications that might arise from the proposed development.

Submissions of Objection

We offer collective comments on matters raised within the four submissions as follows:

1 Objection to the Chalets in Principle

It is evident that concern is raised over the nature of the proposed chalet development as a matter of principle. The application in this instance however involves use classes that are specifically provided for by the Council's Local Planning Strategy and Town Planning Scheme No 7.

The provisions of Council's Scheme that permit such developments are described at pages 5 to 8 inclusive within the application report. Chalets are amongst a range of non-agricultural activities permissible within the 'Rural Agriculture 1' and 'Rural Agriculture 2' zones. Other potential uses include:

- Art and Craft Centre;
- Art Gallery;
- Bed and Breakfast;
- Cabin;

DESIGN & DRAFTING \\ TOWN PLANNING \\ ENERGY EFFICIENCY \\ ENGINEERING \\ BUILDING SURVEYING

- Farm Stay;
- Plant Nursery; and
- Wayside Stall.

An objection to a chalet development as a matter of principle therefore cannot be entertained by Council. It is necessary to assess the merit of the particular application to determine the suitability of the terms of the specific proposal. This point is further addressed below.

2 *Incompatibility with Agricultural Land Activity*

The WA Planning Commission has established State Planning Policy 2.5 for the purposes of addressing agricultural and rural land use planning. The provisions of this policy are intended to apply to planning instrument preparation – that is, the terms of Council’s Local Planning Strategy and Town Planning Scheme provisions. The Council is required to have regard for this policy when proposing Schemes and Scheme amendments. The Council will also have regard for the Department of Health – Guidelines for Separation of Agricultural and Residential Land Uses.

Scheme provisions administered by the Council have been assessed by the Department of Planning, Department of Health, Department of Agriculture and Food, WA Planning Commission and Minister for Planning. The Scheme provisions were assessed for their adequacy before the provision became operative.

The guidance provided by the various State Government policies have been incorporated within the provisions of Council’s Scheme.

State Government policy clearly recognizes the capacity for agricultural and non-agricultural activities to co-exist. It is inappropriate therefore to object outright to a chalet development on the basis of incompatibility with agricultural activity. Consistent with the point made above, it is necessary for the application to be considered on its merits.

3 *Biosecurity Risk*

The potential for an agricultural area to be subjected to pests and disease is well recognized. As a consequence, the State Government through its various agencies recommends that a wide range of preventative measures be taken to minimize risk.

The legal planning framework that applies to agricultural areas specifically provides for agricultural and non-agricultural activities – including those which invite visitors to the area. It is not appropriate therefore to object to this one particular application on the basis that it presents a biosecurity risk.

4 *Biosecurity Management*

It is significant that the objections do not identify the particulars of the proposed biosecurity management measures that are not adequate. The application includes a proposed Chalet Management Plan that addresses issues of dust, noise and biosecurity.

While a submission suggests the management plan is not adequate, the basis of the assertion is not explained.

5 *Complaints*

Tourist accommodation is short-stay as opposed to permanent occupation. Guests are to be advised that the chalets form part of a working farm. This is clearly spelt out within Appendix 1 to the Chalet Management Plan.

There is no capacity for guests to raise valid complaint about ordinary agricultural activity within the area. Should guests not be comfortable with the accommodation and/or environment, bookings will not be made or the guests will leave – immediately resolving the issue.

6 *Loss of Agricultural Land*

The location of the proposed chalets is separated from the main orchard area of the site and will not prejudice the capacity of the area to support agricultural activity. An Agricultural Impact Statement (AIS) is included at Appendix 4 of the revised application submission.

We trust this further information assists your consideration of the application and the public submissions. Should you have any further queries, please do not hesitate to contact me at your convenience on 0423 683 762.

Yours faithfully



Stuart Devenish

Managing Director/Town Planner

BL Planning Pty Ltd



Government of **Western Australia**
Department of **Health**

10 NOV 2015

Your Ref: DA50/15 101827 A1626
Our Ref: EHB-00545 EHB15/1909
Contact: Vic Andrich
Phone: 9388 4978

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

Attention: Roy Adam, Planning Officer

Dear Mr Gaffney

**DEVELOPMENT APPLICATION – TOURIST ACCOMMODATION – THREE
CHALETS – LOT 266 PACKSADDLE ROAD, KUNUNURRA**

Thank you for your letter dated 7 October 2015 requesting comment from the Department of Health (DOH) on the above proposal.

The DOH provides the following comment:

1. Medical Entomology

The subject land is in a region that regularly experiences significant problems with nuisance and disease carrying mosquitoes. These mosquitoes can disperse several kilometres from breeding sites and are known carriers of Ross River (RRV) and Barmah Forest (BFV) viruses.

Human cases of RRV and BFV diseases occur annually in this general locality. For example, in the 2014/2015 season, there were 14 cases of Ross River Virus in the Shire of Wyndham-East Kimberley (SWEK) and of these, 12 occurred in Kununurra. An additional risk in northern areas of WA is the rare, but potentially fatal Murray Valley encephalitis (MVE).

The subject land is also within 3km of mosquito dispersal distance from breeding sites along the Ord River. Mosquitoes will disperse from these sites to the subject land under favourable environmental conditions. There may also be additional seasonal freshwater mosquito breeding habitat during the wet season within close proximity to the proposed development.

The SWEK should incorporate built form design measures (e.g. insect screening on doors and windows and screened outdoor enclosures) and public warning signage into the conditions of approval to assist in protecting visitors from mosquitoes and associated disease risks.

Environmental Health
All correspondence PO Box 8172 Perth Business Centre Western Australia 6849
Grace Vaughan House 227 Stubbs Terrace Shenton Park WA 6008
Telephone (08) 9388 4999 Fax (08) 9388 4955
wa.gov.au
28 684 750 332

2. Toxicology Programs and Services

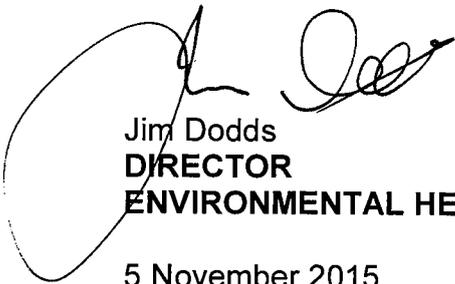
The DOH has released *Guidelines for Separation of Agricultural and Residential Land Uses* and it should be taken into consideration. A copy is attached or it may be accessed from the Public Health website:

<http://www.public.health.wa.gov.au/cproot/4913/2/Guidelines%20for%20Agricultural%20and%20Residential%20Buffer.pdf>

Requirements for a vegetative buffer are on page 5 of the Guidelines. To assist with the development of a vegetative buffer, attached are 'Examples of vegetation suitable for buffering'.

Should you have queries or require further information please contact Vic Andrich on 9388 4978 or vic.andrich@health.wa.gov.au

Yours sincerely



Jim Dodds
DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE

5 November 2015



Department of **Agriculture and Food**



Roy Adam
Planning Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra 6743

Your Ref:
Our Ref:
Enquiries: Noel Wilson
Date: 11th November 2015

Dear Roy,

Referral of Planning Application – Lot 266 Packsaddle Road

The Department of Agriculture and Food WA (DAFWA) considers that all land zoned as prime agriculture land should remain in agricultural production and not have some of this capacity removed for non agricultural uses. Lot 266 Packsaddle Road is considered as prime agricultural land and as such should remain totally for agricultural use.

Existing horticulture on smaller lots remain important for agriculture. Alternative development of such lots would compromise adjacent agriculture as adequate buffers cannot be provided.

DAFWA also considers that sensitive land uses, such as tourism developments, should not be located adjacent to agriculture production areas (rural zoned land) without an adequate buffer, normally a minimum of 500m, which must be provided for on the land to be developed.

Increased tourism into an agricultural area will increase the biosecurity risk to these areas. Any accommodation or other tourism activities located in the middle of an agricultural area will increase the risk of pests and diseases being introduced, could lead to loss of market access for growers and increase the cost of control if outbreaks were to occur.

While management practices can be introduced to assist in the reduction of risk, the more tourism activities present in an agricultural area the greater the risk. Any management practices would require monitoring to ensure that they are in place and working.

To assist in the management of any introduced pests or diseases the disposal of rubbish for sites of tourism use must be done in a secure way so that there is no escape in the landfill site.

Yours sincerely

A handwritten signature in black ink, appearing to read "Noel Wilson".

Noel Wilson
Manager
Department of Agriculture and Food
Kununurra Office

Durack Drive, Kununurra, Western Australia 6743
Postal address: PO Box 19, Kununurra WA 6743
Telephone: (08) 9166 4000 Facsimile: (08) 9166 4000

Cr J Parker declares a financial interest in this item as WELA is one of the community groups named in this item as awarded a grant and she manages the WELA Centre. Cr J Parker leaves the Chambers at 6.07pm and Cr K Wright takes the Chair.

Cr E Bolto declares an impartiality interest in this item as her children attend KDHS, she will participate in the 2016 Lake Argyle Swim and she works at St Joseph's School but is not employed by them.

Cr K Wright declares an impartiality interest in this item as he is a member of KAS.

W Richards, Manager Community Services declares an impartiality interest in this item as his children attend Kununurra District High School – they are not participants in the program applied for.

13.4.4 Annual Community Grants 2015-16

DATE:	24/11/2015
AUTHOR:	Wayne Richards, Manager Community Services
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
FILE NO:	GS.05.44
DISCLOSURE OF INTERESTS:	Wayne Richards - Impartiality - Children attend Kununurra District High School - They are not participants in the program applied for.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the recommendations of the Annual Community Grants Assessment Panel and award grant funding as follows:

Submitted Round 1:

Lake Argyle Swim Inc.	\$15,000	2016 Lake Argyle Swim
Kimberley Action Sports Inc.	\$3,500	2015 Lake Argyle Adventure Race
Kununurra Water Ski Club	\$4,246	Ski Club Equipment
Wunan	\$7,500	2015 EK Aboriginal Achievement Awards
Kununurra Agricultural Society	\$5,000	Kununurra Showgrounds Economic Sustainability
Wyndham Early Learning Activity	\$1,000	WELA Nature Day Out

Submitted Round 2:

Wyndham Community Events	\$15,000	2016 Stars on the Bastion
--------------------------	----------	---------------------------

Ord Valley Events	\$22,500	2016 Ord Valley Muster
Kimberley Action Sports Inc.	\$3,500	2016 Lake Argyle Adventure Race
Childrens Services Support Unit	\$1,000	CFC Resources
Country Women's Association	\$1,000	2016 Bush Dance
Cancer Council WA	\$1,000	2016 Kununurra Relay for Life
Kununurra District High School	\$2,500	Tournament of the Minds
Kununurra Netball Association	\$2,500	North West Championships
St Joseph's School Wyndham	\$800	Community Partnerships Program

2. Advises the organisations listed below that their applications were unsuccessful and provide feedback:

Broome Chamber of Commerce
 Kalumburu Social Enterprise Project
 Role Models and Leaders Australia

FORESHADOWED MOTION

Cr S Rushby foreshadows a motion that Council:

- Cease quick grants for a period of 24 months, and review the Annual Grant process to accommodate the following
- Revisit and reduce the amounts approved on the 2015/2016 schedule
- Adopt the change that going forward the panel will be required to consist of two senior admin officers, two council members and a duly appointed member of the community
- No repeat applications within 24 Months
- No retrospective payments
- Payment amounts be reviewed, caps introduced and adopted for the next round

COUNCIL DECISION

Minute No. 11188

Moved: Cr B Robinson

Seconded: Cr S Cooke

That Council:

1. Endorse the recommendations of the Annual Community Grants Assessment Panel and award grant funding as follows:

Submitted Round 1:

Lake Argyle Swim Inc.	\$15,000	2016 Lake Argyle Swim
Kimberley Action Sports Inc.	\$3,500	2015 Lake Argyle Adventure Race
Kununurra Water Ski Club	\$4,246	Ski Club Equipment
Wunan	\$7,500	2015 EK Aboriginal Achievement Awards
Kununurra Agricultural Society	\$5,000	Kununurra Showgrounds Economic Sustainability
Wyndham Early Learning Activity	\$1,000	WELA Nature Day Out

Submitted Round 2:

Wyndham Community Events	\$15,000	2016 Stars on the Bastion
Ord Valley Events	\$22,500	2016 Ord Valley Muster
Kimberley Action Sports Inc.	\$3,500	2016 Lake Argyle Adventure Race
Childrens Services Support Unit	\$1,000	CFC Resources
Country Women's Association	\$1,000	2016 Bush Dance
Cancer Council WA	\$1,000	2016 Kununurra Relay for Life
Kununurra District High School	\$2,500	Tournament of the Minds
Kununurra Netball Association	\$2,500	North West Championships
St Joseph's School Wyndham	\$800	Community Partnerships Program

2. Advises the organisations listed below that their applications were unsuccessful and provide feedback:

Broome Chamber of Commerce
Kalumburu Social Enterprise Project
Role Models and Leaders Australia

Carried 5/3

For: Cr K Wright, Cr B Robinson, Cr S Cooke, Cr N Perry, Cr E Bolto

Against: Cr A Petherick, Cr D Spackman, Cr S Rushby

PURPOSE

For Council to endorse the Annual Community Grant Assessment Panel recommendations for 2015/16.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Funder - provide funds or other resources

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Services, activities, and opportunities provided by community organisations are highly valuable to any community. These organisations can often provide specific services more efficiently and effectively than local government. Strong community organisations build resilience within the community; their presence means that during times when government spending is scaled back, services within the community are less likely to be impacted. For these reasons it is in the interest of the Shire to support these organisations to be as strong, resilient and effective as possible.

The Shire achieves this in a number of ways:

- Providing facilities such as ovals, courts, lighting and swimming pools. These are hired to community/not for profit organisations at a significantly subsidised rate (less than the cost of providing these facilities).
- Providing community leases which not only allow organisations space to develop facilities for their activities but often to generate income that supports their core purposes.
- Providing administrative support and direction for clubs that require assistance with activities such as business plan development, reviews of constitutions etc.
- Providing direct financial support to these organisations.

Providing financial support can allow clubs and groups to undertake programs that they may not otherwise be able to provide such as:

- Undertake capital works projects to improve community facilities (typically at a lower cost than the Shire is able to)
- Undertake projects that benefit the community
- Deliver events that can have a positive impact socially and economically.

While appearing relatively straightforward, care must be taken to provide direct financial support in an equitable and accountable manner. The reasoning for providing, or denying funding must be clear and documented and all organisations should have an equal opportunity to receive Shire financial support, bearing in mind that a number of organisations already receive support through the other mechanisms described in the above paragraph.

The Shire's Community Grants Scheme is the mechanism in place that allows the Shire to provide support for and contributions to community organisations meeting the requirements above. The Scheme is administered in accordance with Council Policy CP/COM 3582 Community Grant Scheme. It should be noted that at the time that the policy was reviewed in between round 1 and round 2 submission dates. This has not impacted on the assessment of the 2015/16 Annual Grants as the same criteria and application forms were advertised and used to assess all applications received.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

The Annual Community Grants were assessed in accordance with Council Policy CP/COM 3582 Community Grant Scheme.

Several of the applications did not comply with the policy; these have been identified within the Assessment Report. Despite this, the assessment panel chose to include these applications in the assessment process, firstly given the non-compliance was relatively minor, and secondly in the knowledge that Council has the discretion to override their policy if desired.

FINANCIAL IMPLICATIONS

Eighteen applications were received across both grant rounds requesting a total of \$185,132.60. \$100,000 was allocated to the 2015/16 Community Grant Scheme. This amount is the total amount available for Annual Community Grants and Quick Grants.

The Panel has recommended, on the basis of the grant applications, a total allocation of \$86,046. This leaves a total of \$13,954 for Community Quick Grants.

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 3.1: A broad range of lifestyle opportunities and activities are available for East Kimberley residents

Strategy 3.1.3: Support the community by providing access to local funding and sponsorship opportunities

RISK IMPLICATIONS

Non-compliance with policy and processes resulting in financial or reputation loss.

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:

- Public advertising of both Grant Rounds in the Kimberley Echo, the Shire website and Shire Facebook page.
- Direct email to organisations impacted by the removal of the Economic Sponsorship process.

COMMENTS

The applications received were from an extremely broad range of applicants with a wide variety of projects and amounts requested. For this reason and to ensure fairness to all applicants and to maximise the community benefit of the Annual Community Grants Scheme, it is imperative that the Community Grant Scheme is as clear and transparent as possible. This is achieved through a thorough assessment process.

All applications (Round 1 and Round 2) were assessed by the Annual Community Grants Assessment Panel on 6 October. The panel was made up of:

- Acting Director Community Development
- Community Development Officer
- Executive Assistant
- Coordinator Recreation and Leisure

Details of the assessment process and assessment report were provided at the 10 November Council Briefing. The assessment report included comment made on each application, scores for each selection criteria, and the template used for this process.

As discussed above, several of the applications were non-compliant with the Annual Community Grant Scheme Policy. In addition, there were several applications that did not meet criteria requested through the application form (responses less than minimum word count or failed to answer a question). As these criteria are not included in the Policy (they were put in place to ensure the assessment panel had enough information to make an informed decision), they are technically compliant. These issues were highlighted to Council through the assessment report.

ATTACHMENTS

Attachment 1 - Confidential - Annual Community Grants Assessment Report (provided under separate cover)

Cr J Parker enters the Chambers at 6.25pm and resumes the Chair.

W Richards, Manager Community Services declares an impartiality interest in this item as his child is eligible for this program 2014/15.

13.4.5 Policy - Baby Tree Program

DATE:	24/11/2015
AUTHOR:	Wayne Richards, Manager Community Services
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
DISCLOSURE OF INTERESTS:	Wayne Richards - Impartiality - Has a child eligible for the 2014/15 program.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the attached Draft Baby Tree Policy.

COUNCIL DECISION

Minute No. 11189

**Moved: Cr K Wright
Seconded: Cr N Perry**

That Council adopt the attached Draft Baby Tree Policy.

Carried 8/1

**For: Cr K Wright, Cr B Robinson, Cr S Cooke, Cr N Perry, Cr E Bolto, Cr J Parker,
Cr A Petherick, Cr D Spackman
Against: Cr S Rushby**

PURPOSE

For Council to adopt the Draft Baby Tree Policy.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Provider - provide physical infrastructure and essential services.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The purpose of the Baby Tree Program is to build a sense of belonging and community spirit through recognising babies born within the Shire. It is recognised that there is a lot of history and sentimental attachment to the baby tree program. The intent of this Policy is to

acknowledge and consider this history, as well as provide guidelines for the program to achieve the benefits of the program in the most effective and sustainable manner.

The guidelines for the program to date have not been well documented. This has led to some misunderstandings about the program as well as negative feedback from the community and staff frustration. The program appears relatively straightforward however in drilling down; the manner in which the program is managed can have a significant impact on the Shire budget, on future land use, and on public perception.

The purpose of this Policy is to ensure that the program is conducted in a manner that considers these impacts while still achieving the positive community benefits. The Policy clearly documents the terms of the program as well as ongoing responsibilities for the trees and plaques.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this item.

POLICY IMPLICATIONS

This item is seeking to adopt a new Council Policy providing guidance for the delivery of the Shire of Wyndham East Kimberley Baby Tree Program.

FINANCIAL IMPLICATIONS

The terms of the Policy will have financial implications both in the short term for the installation, and in the long term in the management of the trees and sites once planted.

The amount budgeted for plaques, plinths and trees is approximately \$1000 per annum.

The implications of the program on garden maintenance are difficult to quantify and are dependent on:

- Whether the Shire commits to maintaining the trees
- The number of trees planted
- The type of trees planted (and whether irrigation is needed)
- Whether the trees are planted in a location that is already, or planned to be irrigated.
- Whether the location is close to a water and power supply.

Under these terms the maintenance could range from almost nil if the Shire does not maintain the trees, to up to \$10,000 per annum to install, maintain irrigation at an unirrigated site, maintain, and where required, replace trees and plaques, maintain a new site (including mow and other general maintenance).

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 3.1: A broad range of lifestyle opportunities and activities are available for East Kimberley residents.

Strategy 3.1.1: Support activities that promote volunteerism and active participation in community events and programs.

RISK IMPLICATIONS

Public Perception: The sentimental nature of this program means that the Policy must consider the value placed on the trees and their location, both at the time of planting and in the future.

Land Use: The policy must consider the impact the program will have on future land use.

Financial: The terms of the policy have the potential to commit Council to future costs.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley 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:

- Consideration of community feedback from previous baby tree events.

COMMENTS

The Draft Baby Tree Policy is attached.

ATTACHMENTS

Attachment 1 - Draft Baby Tree Policy



POLICY NO	*** To be supplied by Governance once adopted by Council	
POLICY	Baby Tree Program	
RESPONSIBLE DIRECTORATE	Community Development	
RESPONSIBLE OFFICER	Community Development Officer	
COUNCIL ADOPTION	Date: Insert Date Adopted	Resolution No: Insert Here
REVIEWED/MODIFIED	Date:	Resolution No:
	Date:	Resolution No:
REVIEW DUE	Date: Insert Month and Year for next review – 4 years maximum, only make yearly review if deemed absolutely necessary, best practice is 2 years	
LEGISLATION	<i>Insert here, include relevant section information eg Local Government Act 1995 – Sections 2.7, 5.40, 5.41</i>	
RELATED POLICIES	Insert Here	
RELATED ORGANISATIONAL DIRECTIVES	Insert Here	

PURPOSE:

The purpose of the Baby Tree Program is to build a sense of belonging and community spirit through recognising babies born within the Shire. The purpose of this Policy is to provide clear guidance for the management of this Baby Tree Program.

DEFINITIONS:

Nil

POLICY STATEMENTS:

The Shire of Wyndham East Kimberley wishes to recognise babies born within Wyndham and Kununurra through the annual planting of a tree in each locality. A plaque will be placed alongside the tree listing the names and birthdates of these children.

Process:

The Shire will call for registrations of babies born within the Shire of Wyndham East Kimberley within the previous calendar year.

In both Wyndham and Kununurra a single boab tree will be planted. A plinth will be erected with a plaque listing the names and birthdates of babies born within that town.

Parents/carers will be given an individual small boab seedling for them to plant at a location of their choice.

Eligibility for inclusion in the program:

- Baby born within the Shire boundaries during the period to be listed on the plaque.
 - Babies born outside the Shire boundaries for medical reasons may be included at the discretion of the Director Community Development.

- Babies that have not been registered for the program prior to the registration closing date are not entitled to be added to the program. The Shire may choose to add the baby's name to the plaque only where there is no financial or additional resource implication to the Shire. Such cases may be:
 - The family cover the cost of the replacement plaque; or
 - The Shire was replacing the plaque for other purposes such as vandalism.
- To ensure inclusion on the plaque, the baby must be registered prior to the advertised due date. Babies not registered by this due date will not be guaranteed inclusion on the plaque and will not be added if there is any financial implication to the Shire.

Maintenance responsibility:

Trees planted up to 2010 - Kununurra: Trees planted adjacent to Victoria Highway are the responsibility of the family. Trees that are no longer in place will not be replaced by the Shire however may be replaced by members of the public on approval. No irrigation is installed in this location.

Trees planted up to 30 June 2015 – Wyndham: The Shire will maintain the irrigation installed at the existing location on the corner of St Pauls Way and Koolama St. Once trees are established, irrigation to individual trees may be removed or changed if no longer required to maintain the trees. The Shire will not replace individual trees however may be replaced by members of the public on approval.

Trees planted after 2010 Kununurra: The Boab Trees placed along Millington Drive will be monitored and, if required, maintained by the Shire. Families and carers are encouraged to monitor and care for the trees.

Trees planted after 1 July 2015 Wyndham: The Boab Trees will be planted at a location approved by Council. These trees will be monitored and, if required, maintained by the Shire. Families and carers are encouraged to monitor and care for the trees.

EXPLANATORY NOTES:

Nil

RISK:

Risk: Financial cost to the Shire both in the planting of the trees and the long term upkeep of the trees, plaques and surrounding areas.

Control: Clear instruction on the scope and limitations of Shire expenditure.

Risk: Negative community perception of the program and of the Shire due to the manner in which the program is administered.

Control: Clear guidelines for the administration of the program and the provision of public access to these guidelines and the reasoning for them.

13.5 CHIEF EXECUTIVE OFFICER

13.5.3 Standing Item - Outstanding Actions from Council Resolutions

DATE:	24 November 2015
AUTHOR:	Monika Tonkin, Executive Assistant
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

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

COUNCIL DECISION

Minute No. 11190

Moved: Cr K Wright

Seconded: Cr B Robinson

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

Carried Unanimously 9/0

PURPOSE

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

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policies and practice

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

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 services

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

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

This report includes actions from October resolutions (Attachment 1). Attachment 2 summarises all actions that are outstanding from previous Council resolutions (before October 2015).

ATTACHMENTS

Attachment 1 - Actions from October Resolutions

Attachment 2 - Outstanding Actions from Previous Council Resolutions

COUNCIL ACTION ITEMS

Item	Resolution	Progress Comment	Completed
Adoption of Amended Wyndham Community Resource Centre Fees and Charges 2015/16 24 November 2015 Ordinary Council Meeting	That Council: 1. Pursuant to section 6.16 of the Local Government Act 1995 adopts the amended fees and charges for the Wyndham Community Resource Centre as specified in Attachment 2. 2. Endorse the advertising of the amended fees and charges for the Wyndham Community Resource Centre as specified in Attachment 2 commencing 16 November 2015, as per the legislative requirement.	Public Notice of the amended fees and charges undertaken.	Completed
Caravan Parks and Camping Grounds Legislation - Release of second consultation paper	That Council endorse the completed feedback form provided at Attachment 2 for forwarding to the Department of Local Government and Communities as the Shire of Wyndham East Kimberley's submission on the Second Consultation Paper – Proposal for Holiday Parks and Camping Grounds Legislation.	Submission has been forwarded to DLGC and Kimberley Zone.	Completed
Delegations - Shire of Wyndham East Kimberley Town Planning Scheme No.6 and No.7	That Council:- 1. Revoke Delegation No. 33 Local Planning Scheme No. 7, Minute No. 11129, 22 September 2015 Ordinary Council Meeting. 2. Adopts Delegation No. 33 Local Planning Scheme No.6 and No. 7 as detailed in Attachment 2.	Delegations Register has been updated	Completed
Wyndham Child Care - Request for Sublease 24 November 2015	That Council: 1. Requests the Chief Executive Officer to write to the Department of Lands to seek consent on behalf of the Minister for Lands for the sub lease of Reserve 28976, 44 Koolama St, Wyndham for the purposes of providing in-venue child care services. 2. Subject to consent being granted on behalf of the Minister for Lands, advertise the intent to grant permission to Children's Services Support Unit to sub lease 44 Koolama St, Wyndham for the purpose of providing in venue child care for a period of 12 months. and: 3. Delegate authority to the Chief Executive Officer and Shire President to: a) consider any public submissions in determining approval for Children's Services Support Unit to sublease Reserve 28976, 44 Koolama St, Wyndham for a period of 12 months, and b) execute a sub-lease agreement on behalf of the Shire of Wyndham East Kimberley.	Have received in principle consent from Department of Lands, still require section 18 approval. Intent to sub lease has been advertised.	In progress

Item	Resolution	Progress Comment	Completed
2016 Council Briefing Session and Ordinary Council Meeting Dates	<p>1. That Council accepts the following dates and locations for 2016 Council Briefing Sessions and Ordinary Council Meetings:</p> <p>Month Briefing Session Ordinary Council Meeting Location of OCM (all Briefing Sessions to be held in Kununurra)</p> <p>January No briefing 27 January Kununurra</p> <p>February 9 February 23 February Wyndham</p> <p>March 8 March 29 March Kununurra</p> <p>April 12 April 26 April Kununurra</p> <p>May 10 May 31 May Wyndham</p> <p>June 14 June 28 June Kununurra</p> <p>July 12 July 26 July Kununurra</p> <p>August 9 August 30 August Wyndham</p> <p>September 13 September 27 September Kununurra</p> <p>October 11 October 25 October Kununurra</p> <p>November 8 November 29 November Wyndham</p> <p>December 13 December 20 December Kununurra</p> <p>2. That Council accepts that the above 2016 Council Briefing Sessions and Ordinary Council Meetings will all commence at 5.00pm.</p> <p>3. That Council authorises the Chief Executive Officer to give public notice, by way of advertising of the accepted meeting dates, times and location of all 2016 Ordinary Council Meetings.</p> <p>4. That Council repeals policy CPMC15 Councillor Briefing Sessions/Forums and adopts the Council Briefing Session Policy as per Attachment 1.</p>	<p>Meeting requests to be sent to all Councillors. Public notice to be given with dates for the Audit Committee as well. Policy manual to be updated.</p>	No
Councillor Committee Representation	That Council endorses the following Councillor representation on Committees (see minutes for full list)	All Committee organisers have been notified.	Completed
Recognition of Staff Policy	That Council repeals CP/HR09 Recognition of Staff policy and acknowledges that this will be replaced with an Organisational Directive to be approved by the CEO.	Policy manual to be updated.	No
Elected Member Allowance & Entitlements Policy	<p>That Council repeals the following policies:</p> <ul style="list-style-type: none"> - CMPC6 Councillors Presentation on Retirement - CMPC18 Elected Members Training <p>That Council adopts the Elected Member Allowances & Entitlements Policy.</p>	Policy manual to be updated.	No
Kimberley Development Commission Board Nominations	<p>That Council nominates:</p> <ol style="list-style-type: none"> 1. Cr S Cooke 2. Cr D Spackman <p>As representatives of the Shire to nominate to be on the Kimberley Development Commission Board.</p>	Applications submitted for Cr Cooke and Spackman.	Completed
Legal Representation Policy	That Council defers item 13.5.6 Legal Representation Policy to a Council Briefing Session.	Item considered at November briefing session.	Completed

COUNCIL ACTION ITEMS

Meeting	Item	Resolution	Progress Comment
Aug-14 Minutes Ordinary Council Meeting	Matters arising from committees of council	That the Audit (Finance and Risk) Committee recommends to Council to require A501 to: 1. Either 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	Correspondence provided to A501 and a suitable payment plan has been entered into, with payments commenced. Lease discussions may now commence as the payment plan is in place.
OCM 24/06/14 Waste and Green Waste at Crossing Falls		That Council: 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; 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 3) places a rock barrier at the entrance to the disused gravel pit, using waste maintenance funds.	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. The Department of Lands and Planning has requested further information on the location prior to consideration of any approval. No agreement has been reached to date with the brigade and Departments. Subsequently, the Shire has written to Crossing Falls brigade advising them that the site will be closed.
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.
OCM 24/02/15 Minutes of Council Committee Meetings		That Council accepts the unconfirmed Minutes of the Audit (Finance and Risk) Committee Meeting held on 10/02/2015 with an amendment to: Minute AC330 – to include current ratios where available Minute AC343 – to be amended to: That the Council: 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.	Update provided to the 10 November 2015 meeting of the Audit (Finance and Risk) Committee. Recommendation will be considered by Council at the OCM in November. Matter is ongoing.

Meeting	Item	Resolution	Progress Comment
OCM 24/03/15 Minutes Ordinary Council Meeting	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. 	<p>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. Reminder correspondence sent to MG Corporation.</p>
OCM 28/04/15	Confidential - Legal Claim	<p>That Council:</p> <ol style="list-style-type: none"> 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. 	<p>Issue listed for hearing on 9 & 10 March 2016</p>
OCM 28/04/15	Confidential - Disposal of Shire Residential Property	<ol style="list-style-type: none"> 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. 	<p>No submissions received for disposal of 6 Eugenia St. Settlement due to take place 23 November 2015. 67 Koojarra Street, Wyndham has been advertised for sale, no enquiries made.</p>
OCM 23/06/15	East Kimberley Regional Airport Proposed Runway Extension Business Case	<p>That Council notes the Chief Executive Officer's intention to appoint GHD Consulting Engineers for the Lump Sum price of \$140,740.00 ex GST in accordance with the current budget to:</p> <ol style="list-style-type: none"> 1. Prepare a Business Case to support grant opportunities including an application to a future round of the National Stronger Regions Fund; 2. Investigate the ground soil conditions for the proposed runway extension and associated taxiways and passenger terminal apron at East Kimberley Regional Airport to determine their structural adequacy to accommodate B737 and A320 aircraft. 	<p>The consultant has commenced work</p>
OCM 23/06/15	Draft Shire of Wyndham East Kimberley Play Space Plan	<p>That Council endorse the Draft Shire of Wyndham East Kimberley Play Space Plan for community consultation</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Supports in principle the draft East Lily Creek and draft Kununurra Civic Centre Structure Plans. 2. Requests the Chief Executive Officer to facilitate meetings with major stakeholders to discuss the draft Structure Plans and provide a report back to Council on the outcomes of these meetings. 	<p>Community Engagement to be conducted</p> <p>Draft Structure Plan documents have been forwarded to the MG Corporation, Department of Lands, Department of Regional Development and Kimberley Development Commission, requesting meetings to discuss these plans.</p>
OCM 28/07/15	Draft East Lily Creek and Kununurra Civic Centre and Structure Plans		

Meeting	Item	Resolution	Progress Comment
OCM 28/07/15	Request for Lease – Kimberley Action Sports Inc.	That Council request the Chief Executive Officer to commence negotiations with Kimberley Action Sports Inc. for a 10 year lease over a portion of Reserve 30290, Lot 707 Drovers Road Kununurra, subject to the approval of the Minister of Lands.	Letter has been forwarded to Kimberley Action Sports Inc. advising of Council resolution. Site requires survey and lease to be drafted.
OCM 28/07/15	Request for Lease – Kununurra Dragon Boat Club Inc.	That Council request the Chief Executive Officer to enter into negotiations with the Kununurra Dragon Boat Club Inc. for a 10 year lease over a portion of Reserve 41812, Lot 2371 Old Danwin Road Kununurra, subject to the approval of the Minister of Lands.	Letter has been forwarded to Kununurra Dragon Boat Club Inc. advising of Council resolution. Site requires survey and lease to be drafted.
OCM 28/07/15	Mediterranean Fruit Fly Eradication Program	<p>That Council consider entering into a Memorandum of Understanding with DAFWA and industry on the following basis:</p> <ol style="list-style-type: none"> 1. DAFWA continues to fund and maintain the current medfly surveillance program. 2. SWEK will fund medfly eradication programs from its biosecurity reserve, with a maximum exposure being those funds available in the reserve in excess of \$200,000 i.e. currently approximately \$67,000. 3. If an eradication program reduces the reserve balance to below \$200,000, industry will make good the difference to restore the reserve to a balance of \$200,000 (mechanism yet to be determined). 4. The biosecurity reserve be maintained with a balance for now of a minimum \$200,000, to serve as a form of insurance against future pest or disease incursions. 5. A reference group to be established with members from SWEK, DAFWA and industry. The role of the group would be to recommend expenditure from the reserve and to formulate policy in the event of future pest crises. SWEK Council approval would still be required before the reserve could be accessed for response to threats other than medfly. 	<p>Letter sent to DAFWA advising of the decision and requesting advice on how to proceed with the eradication program, including indicative cost, and an invoice. Advice also given that SWEK will be in contact shortly to commence the consideration of entering into a MOU. The baiting program is complete and area freedom was reinstated for the area on 5th October. Industry has been notified. Invoice has been paid. In relation to the MOU DAFWA have requested for an interim group to be formed to progress this, feedback from industry has been minimal. ORDCO are interested in assisting where possible and have volunteered to talk with growers to get some industry participation. This will also be discussed at the incident debrief. There is no date for the debrief yet.</p>
OCM 28/07/15	Management and Operation of Kununurra Youth Centre	<p>That Council:</p> <ol style="list-style-type: none"> 1. Request the Chief Executive Officer to write to the Department for Child Protection and Family Support to seek approval to offer a lease for the Management and Operation of the Kununurra Youth Centre, based on the proposal received. 2. If authorisation is received from the Department for Child Protection and Family Support, request the Chief Executive Officer to enter into negotiations for a 3 year lease with 3 year option, for the Management and Operation of the Kununurra Youth Centre, Ron Hodnett Drive, Kununurra to Save the Children with terms based on the proposal received 11 June 2015 including: <ul style="list-style-type: none"> • A term of 3 years, with an option of a 3 year extension. • Annual Lease fee of \$18,250.00 inclusive of GST, indexed for CPI annually. • Shire to maintain responsibility for fixtures and fittings. • Lessee to provide general maintenance including cleaning and gardening. • The primary use of the facility will be the provision of services for Young people at risk. • The facility will continue to be available to the community for hire. 	<p>Approval has been received from DCPFS, Lease has been drafted and forwarded to Save The Children for their review (8/9/15). Response received and final lease has been drafted (13/11/15)</p>

Meeting	Item	Resolution	Progress Comment
OCM 25/08/15	Proposed Gravel Reserves	<p>That Council:</p> <ol style="list-style-type: none"> 1. Requests the Chief Executive Officer to consult with the Darwulah Aboriginal Corporation to obtain written consent for the surrender of the proposed 'King River' gravel area from Lease I837493, and support the realignment of the dedicated road reserve to correspond with the physical location of the constructed King River Road. 2. Requests the Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley: <ol style="list-style-type: none"> a. agrees to proceed with a future act process to facilitate the creation of reserves for the purpose of gravel supply for road building purposes over the sites identified as 'Afghan Cemetery', 'Mount Albany' and 'Parry Creek', and proposed easement to provide legal access to the 'Afghan Cemetery'. b. indemnifies the Minister for Lands against any costs arising from the future act process. 3. Requests the Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley agrees to pay survey costs associated with: <ol style="list-style-type: none"> a. the creation of 'Gravel' reserves over the four areas referred to as 'King River', 'Afghan Cemetery', Mt Albany and 'Parry Creek', 	Correspondence sent to DoL advising of Council resolution. Correspondence also sent to Darwulah Aboriginal Corporation in relation to the gravel source along King River Road and the proposed realignment of the dedicated road reserve. The Senior Planning Officer met with Darwulah representatives on 6 October 2015 to discuss the matter. Another meeting to be scheduled with Darwulah and Director of Infrastructure.
OCM 25/08/15	Minutes Ordinary Council Meeting		
OCM 25/08/15	Review of Council Policy Number: CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping	That Council endorses the reviewed Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds for public advertisement for a period of 28 days	Policy advertised for comment until 9th October 2015.
OCM 25/08/15	Transient Accommodation - Lot 411 Minjiljirga Lane, Kununurra	That Council request the Chief Executive Officer to undertake further investigation as part of the Local Planning Scheme review, to consider the introduction of a new or amended use class to appropriately provide for rural workers accommodation and preparation of a subsequent Local Planning Policy.	To be commenced.
OCM 22/09/15	Request for Community Lease – Kununurra Bushmen's Rodeo Association	That Council request the Chief Executive Officer to enter into negotiations with the Kununurra Bushmen's Rodeo Association for a lease over a portion of Reserve 30290, Lot 707 Drovers Road Kununurra, subject to the approval of the Minister of Lands.	KBRA have been notified of the intent to commence negotiations.
OCM 22/09/15	Request for Community Lease – Ord Pistol Club	That Council request the Chief Executive Officer to enter into negotiations with the Ord Pistol Club for a lease over a portion of Reserve 31780, Lot 375 Drovers Road Kununurra, subject to the approval of the Minister of Lands.	OPC have been notified of the intent to commence negotiations.
OCM 22/09/15	Review of Council Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds	That Council endorse the reviewed Draft Policy CP/HTH-3761 Licensing of Overflow Sites in Caravan Parks and Camping Grounds as shown in Attachment 3 for public advertisement for a period of 28 days.	Advertising commenced with a closing date for submissions Friday 6 November.
OCM 22/09/15	TENDER RFT01 15-16 LILY CREEK LAGOON – BOAT LAUNCHING FACILITY, KUNUNURRA	That Council accept the tender submitted by Engineered Water Systems, 26 Dellamarta Road, Wangara WA 6065, for Tender RFT01 2015-16 Lily Creek Lagoon – Boat Launching Facility, Kununurra, for the Lump Sum Price of \$694,271.80 ex GST in accordance with the tender documentation.	Successful contractor notified. Contract documents prepared

Meeting	Item	Resolution	Progress Comment
OCM 22/09/15 Minutes Ordinary Council Meeting	DISPOSAL OF SHIRE PROPERTY - LOT 1664 (6) EUGENIA ST, KUNUNURRA	<p>That Council:</p> <ol style="list-style-type: none"> 1. Acknowledges and thanks Denbey Moulder and Bethany Moulder for their offer on Lot 1664 (6) Eugenia St, Kununurra; 2. Seeks public submissions on the proposed disposition of property for a minimum of two (2) weeks in accordance with section 3.58 of the Local Government Act 1995; 3. Subject to no submissions being received within the specified advertising period: <ol style="list-style-type: none"> a. Agrees to dispose of Lot 1664 (6) Eugenia St, Kununurra, by way of sale to Denbey Moulder and Bethany Moulder in accordance with section 3.58(3) of the Local Government Act 1995 (private treaty) for the price of \$350,000.00 in accordance with the Contract for Sale of Land or Strata by Offer and Acceptance documentation; and b. Authorises the Chief Executive Officer and the Shire President to duly execute the sale documentation with the common seal of the Shire of Wyndham East Kimberley. 4. That proceeds from the sale of Lot 1664 (6) Eugenia St, Kununurra be placed in the Asset Management Reserve for staff housing purposes. 	No public submissions received, settlement date set at 23 November 2015.

13.5.4 Standing Item - Use of Common Seal

DATE:	24 November 2015
AUTHOR:	Monika Tonkin, Executive Assistant
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil

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 October – 18 November 2015.

COUNCIL DECISION

Minute No. 11191

Moved: Cr K Wright
Seconded: Cr B Robinson

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 23 October – 18 November 2015.

Carried Unanimously 9/0

PURPOSE

For Council to receive this report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 23 October – 18 November 2015.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

STATUTORY IMPLICATIONS

Local Government Act 1995

9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
 - (a) *the mayor or president; and*
 - (b) *the chief executive officer or a senior employee authorised by the chief executive officer,**each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

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 services

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

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

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

Date of Use	Document
29/10/2015	Offer & Acceptance of Contract for 6 Eugenia Street, Kununurra
03/11/2015	Disbursement Authority for 6 Eugenia Street, Kununurra
10/11/2015	Deed of Assignment of Sub-Lease Unit 5, Tourism House to Ting Huang
13/11/2015	Transfer of Land for the sale of 6 Eugenia Street, Kununurra

ATTACHMENTS

Nil

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

Cr D Spackman leaves the Chambers at 6.29pm

COUNCIL DECISION

Minute No. 11192

Moved: Cr B Robinson

Seconded: Cr E Bolto

That Council moves behind closed doors to consider items 17.1, 17.2 and 17.3 with officers to remain in the Chambers.

Carried Unanimously 8/0

Council moves behind closed doors at 6.30pm.

Cr D Spackman enters the Chambers at 6.30pm.

17.1 TENDERS T02 - T04 15/16 FOR COMMERCIAL TENANCIES AT KUNUNURRA (EAST KIMBERLEY REGIONAL) AIRPORT

DATE:	24/11/2015
AUTHOR:	Paul Bawden, Manager East Kimberley Regional Airport
RESPONSIBLE OFFICER:	David Klye, Director Infrastructure
FILE NO:	CM.16.163
DISCLOSURE OF INTERESTS:	Nil

This item is to be considered behind closed doors as per the *Local Government Act 1995*:

5.23. *Meetings generally open to public*

(2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*

(c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*

(e) *a matter that if disclosed, would reveal —*

(ii) *information that has a commercial value to a person; or*

(iii) *information about the business, professional, commercial or financial affairs of a person,*

(3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Reject all tender submissions in respect to Tender T02 15/16 Lease of Café, East Kimberley Regional Airport Terminal.
2. Terminate the tender processes for Tenders T03 15/16 Airport Commercial Area and T04 15/16 Hire Car Booth, East Kimberley Regional Airport Terminal and not pursue the leasing of these areas at this time.
3. Note that in accordance with Regulation 30(2a)(b) of the *Local Government (Functions and General) Regulations 1996*, any disposition of property identified within the:
 - a. Tender T02 15/16 Lease of Café; and
 - b. Tender T03 15/16 Airport Commercial Area; and
 - c. Tender T04 15/16 Hire Car Booth, East Kimberley Regional Airport Terminal,

are exempt dispositions if any of the properties are disposed of within 6 months after

they have been the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act.

4. Authorise the Chief Executive Officer to negotiate via a private treaty arrangement for the café area at the East Kimberley Regional Airport.
5. Subject to the negotiated arrangements being reasonably comparable with the valuation received for the East Kimberley Regional Airport, authorise the Chief Executive Officer to execute a lease for the café area.

AMENDMENT

Cr S Cooke moves an amendment to the Officer's Recommendation that point 4 is amended to read – Authorise the Chief Executive Officer in consultation with the Shire President to negotiate via a private treaty arrangement for the café area at the East Kimberley Regional Airport.

COUNCIL DECISION

Minute No. 11193

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

That Council suspends Standing Order 7.5 Limitation of number of speeches.

Carried 7/2

**For: Cr J Parker, Cr K Wright, Cr D Spackman, Cr S Rushby, Cr N Perry,
Cr A Petherick, Cr E Bolto
Against: Cr S Cooke, Cr B Robinson**

Standing Order 7.5 Limitation of number of speeches suspended at 6.36pm.

COUNCIL DECISION

Minute No. 11194

**Moved: Cr N Perry
Seconded: Cr B Robinson**

That Council resumes Standing Order 7.5 Limitation of number of speeches.

Carried Unanimously 9/0

Standing Order 7.5 Limitation of number of speeches resumes at 6.42pm.

MOTION

Cr K Wright moves that the motion be amended as per the amendment proposed by Cr S Cooke.

COUNCIL DECISION

Minute No. 11195

Moved: Cr K Wright

Seconded: Cr S Cooke

That the substantive motion be amended to:

That Council:

- 1. Reject all tender submissions in respect to Tender T02 15/16 Lease of Café, East Kimberley Regional Airport Terminal.**
- 2. Terminate the tender processes for Tenders T03 15/16 Airport Commercial Area and T04 15/16 Hire Car Booth, East Kimberley Regional Airport Terminal and not pursue the leasing of these areas at this time.**
- 3. Note that in accordance with Regulation 30(2a)(b) of the *Local Government (Functions and General) Regulations 1996*, any disposition of property identified within the:
 - a. Tender T02 15/16 Lease of Café; and**
 - b. Tender T03 15/16 Airport Commercial Area; and**
 - c. Tender T04 15/16 Hire Car Booth, East Kimberley Regional Airport Terminal,****

are exempt dispositions if any of the properties are disposed of within 6 months after they have been the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act.

- 4. Authorise the Chief Executive Officer in consultation with the Shire President to negotiate via a private treaty arrangement for the café area at the East Kimberley Regional Airport.**
- 5. Subject to the negotiated arrangements being reasonably comparable with the valuation received for the East Kimberley Regional Airport, authorise the Chief Executive Officer to execute a lease for the café area.**

Carried 7/2

**For: Cr K Wright, Cr D Spackman, Cr S Cooke, Cr S Rushby, Cr N Perry,
Cr A Petherick, Cr E Bolto
Against: Cr J Parker, Cr B Robinson**

MOTION

Cr K Wright moves that the question be now put.

COUNCIL DECISION

Minute No. 11196

Moved: Cr K Wright

Seconded: Cr S Cooke

That the question be now put. (To consider the substantive motion as amended).

Carried 7/2

**For: Cr J Parker, Cr K Wright, Cr S Cooke, Cr S Rushby, Cr N Perry, Cr A Petherick,
Cr E Bolto**

Against: Cr D Spackman, Cr B Robinson

COUNCIL DECISION

Minute No. 11197

Moved: Cr S Cooke

Seconded: Cr N Perry

That Council:

- 1. Reject all tender submissions in respect to Tender T02 15/16 Lease of Café, East Kimberley Regional Airport Terminal.**
- 2. Terminate the tender processes for Tenders T03 15/16 Airport Commercial Area and T04 15/16 Hire Car Booth, East Kimberley Regional Airport Terminal and not pursue the leasing of these areas at this time.**
- 3. Note that in accordance with Regulation 30(2a)(b) of the *Local Government (Functions and General) Regulations 1996*, any disposition of property identified within the:
 - d. Tender T02 15/16 Lease of Café; and**
 - e. Tender T03 15/16 Airport Commercial Area; and**
 - f. Tender T04 15/16 Hire Car Booth, East Kimberley Regional Airport Terminal,**

are exempt dispositions if any of the properties are disposed of within 6 months after they have been the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act.**
- 4. Authorise the Chief Executive Officer in consultation with the Shire President to negotiate via a private treaty arrangement for the café area at the East Kimberley Regional Airport.**
- 5. Subject to the negotiated arrangements being reasonably comparable with the valuation received for the East Kimberley Regional Airport, authorise the Chief Executive Officer to execute a lease for the café area.**

Carried 8/1

For: Cr K Wright, Cr S Cooke, Cr S Rushby, Cr N Perry, Cr J Parker, Cr B Robinson

Cr A Petherick, Cr E Bolto

Against: Cr D Spackman

PURPOSE

For Council to consider the outcome of three Tenders at East Kimberley Regional Airport being Tender T02 15/16 - Lease of Café (5 + 5 Years); T03 15/16 – Lease of Commercial Area (4 Years) and T04 Lease of Hire Car Booth (5 + 5 Years).

Cr K Wright declares an impartiality interest in this item as he is a member of the KVC.

17.2 KUNUNURRA VISITOR CENTRE

DATE:	24 November 2015
AUTHOR:	Carl Askew, Chief Executive Officer
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
FILE NO:	CP.07.8
DISCLOSURE OF INTERESTS:	Nil

This item is to be considered behind closed doors as per the *Local Government Act 1995*:

5.23. *Meetings generally open to public*

(2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*

(e) *a matter that if disclosed, would reveal —*

(ii) *information that has a commercial value to a person; or*

(iii) *information about the business, professional, commercial or financial affairs of a person,*

(3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council;

1. Consider operational/financial support to the Visitor Centre based at East Kimberley Tourism House as part of the mid year budget review 2015/16.

COUNCIL DECISION

Minute No. 11198

Moved: Cr N Perry

Seconded: Cr S Cooke

That Council:

1. **Consider operational/financial support to the Visitor Centre based at East Kimberley Tourism House as part of the mid year budget review 2015/16.**

Carried Unanimously 9/0

PURPOSE

For Council to consider a request from the Kununurra Visitor Centre for both “one off” and “ongoing” operational/financial support to the Visitor Centre based at East Kimberley Tourism House.

Cr J Parker declares a financial interest in this item as SCA funds WELA programs and leaves the Chambers at 6.54pm.

Cr A Petherick declares a financial interest in this item as Save the Children are currently our tenants and leaves the Chambers at 6.54pm.

17.3 LEASE OF KUNUNURRA YOUTH CENTRE

DATE:	24/11/2015
AUTHOR:	Wayne Richards, Manager Community Services
RESPONSIBLE OFFICER:	Louise Gee, Director Community Development
ASSESSMENT NO:	A7621
FILE NO:	CP.07.20
DISCLOSURE OF INTERESTS:	Nil

This item is to be considered behind closed doors as per the *Local Government Act 1995*:

5.23. Meetings generally open to public

(2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*

(e) *a matter that if disclosed, would reveal —*

(ii) *information that has a commercial value to a person; or*

(iii) *information about the business, professional, commercial or financial affairs of a person,*

(3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council offers a 3 year lease, with an option to renew for a further 3 years, over the Kununurra Youth Centre, Part Reserve 50704 subject to the following:

- Annual Lease fee of \$18,250.00 inclusive of GST, indexed for CPI annually.
- Shire to maintain responsibility for fixtures and fittings.
- Lessee to provide general maintenance including cleaning and gardening.
- The primary use of the facility will be the provision of services for young people at risk.
- The facility will continue to be available to the community for hire.
- Commencement date of 1 January 2016
- Minister of Lands approval

COUNCIL DECISION

Minute No. 11199

Moved: Cr S Cooke

Seconded: Cr E Bolto

That Council offers a 3 year lease, with an option to renew for a further 3 years, over the Kununurra Youth Centre, Part Reserve 50704 subject to the following:

- **Annual Lease fee of \$18,250.00 inclusive of GST, indexed for CPI annually.**
- **Shire to maintain responsibility for fixtures and fittings.**
- **Lessee to provide general maintenance including cleaning and gardening. The primary use of the facility will be the provision of services for young people at risk.**
- **The facility will continue to be available to the community for hire.**
- **Commencement date of 1 January 2016**
- **Minister of Lands approval**

Carried Unanimously 7/0

PURPOSE

For Council to offer the Lease of the Kununurra Youth Centre to Save the Children Australia for a term of 3 years with an option to renew for a further 3 years.

Cr J Parker and Cr A Petherick enter the Chambers at 6.58pm.

Cr S Rushby leaves the Chambers at 7.00pm

MOTION

Cr D Spackman moves to suspend Standing Order 7.5 Limitation of Number of Speeches.
Motion lapses for want of a seconder.

Council consider Recommendation 12 of item 13.1.1 Consideration of Recommendations Contained Within the Minutes of the Audit (Finance and Risk) Committee Meeting of 10 November 2015.

13.1.1 Consideration of Recommendations Contained Within the Minutes of the Audit (Finance and Risk) Committee Meeting of 10 November 2015

COMMITTEE'S RECOMMENDATION 12

In relation to Item "8.1 - Confidential - Minor Case Claim Update" that the Audit (Finance and Risk) Committee recommends to the Council that it notes the progress of the case.

MOTION

Cr K Wright moves that the question be now put.

COUNCIL DECISION

Minute No. 11200

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

That the question be now put. (To consider the committee's recommendation).

Carried Unanimously 8/0

COUNCIL DECISION

Minute No. 11201

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

In relation to Item “8.1 - Confidential - Minor Case Claim Update” that the Audit (Finance and Risk) Committee recommends to the Council that it notes the progress of the case.

Carried 6/2

**For: Cr J Parker, Cr K Wright, Cr B Robinson, Cr S Cooke, Cr N Perry, Cr E Bolto
Against: Cr D Spackman, Cr A Petherick**

COUNCIL DECISION

Minute No. 11202

**Moved: Cr B Robinson
Seconded: Cr N Perry**

That Council moves out from behind closed doors.

Carried Unanimously 8/0

Cr S Rushby enters the Chambers at 7.11pm.

Council move out from behind closed doors at 7.11pm.

All resolutions of items considered behind closed doors were read out to members of the public.

18. CLOSURE

The Shire President declares the meeting closed at 7.15pm.