



MINUTES OF SPECIAL COUNCIL MEETING HELD ON 30 NOVEMBER 2004

I hereby certify that the Minutes of the Special Meeting of Council held on 30 November 2004 are a true and accurate record of the proceedings contained therein.

Chairman Confirmed

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**MINUTES OF A SPECIAL COUNCIL MEETING OF THE SHIRE OF WYNDHAM EAST
KIMBERLEY HELD ON TUESDAY, 30 NOVEMBER 2004 AT KUNUNURRA COUNCIL
CHAMBERS, KUNUNURRA COMMENCING AT 4:00PM**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.05pm.

2. RECORD OF ATTENDANCE / APOLOGIES & LEAVE OF ABSENCE

Attendance

Cr Barbara Johnson	Shire President
Cr Bill Barnes	Councillor
Cr John Buchanan	Councillor
Cr Roch Devenish-Meares	Councillor
Cr Julee Nelson	Councillor
Cr Michele Pucci	Councillor
Cr Keith Wright	Councillor

Mr Chris Adams	Chief Executive Officer
Mr Matthew Scott	Executive Manager Corporate & Community Services
Mr Vaughan Davies	Manager of Community Services
Mrs Sharon McLachlan	Building Supervisor
Mr Keith Williams	Town Planner
Mr John Gault	Administration Officer – Council Services

Apologies

Cr Ivan Thorley	Deputy Shire President
Cr Coral Gore-Birch	Councillor

Leave of Absence

Gallery

10 members of the public attended the gallery during the course of the meeting.

3. DECLARATION OF INTEREST:

- **Financial Interest**
- **Members Impartiality Interest**

Cr K Wright declared an impartiality interest in Item 7.1 (Ewin Centre) on the grounds that he is the principal officer for the centre.

Cr J Nelson declared an impartiality interest in Item 7.1 (Ewin Centre) on the grounds that she is a committee member of the Ewin Centre.

Cr J Buchanan declared an impartiality interest in Item 7.1 (Ewin Centre) on the grounds that he is a committee member of the Ewin Centre.

- **Proximity Interest**

4. PUBLIC QUESTION TIME

Nil

5. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

7. BUSINESS OF MEETING

MINUTE NO 6976

Moved Cr M Pucci/B Barnes

That Councillors K Wright, J Nelson and J Buchanan be permitted to remain in the room and vote on this item .

CARRIED UNANIMOUSLY (6-0)

MINUTE NO 6977

Moved Cr J Buchanan/M Pucci

That standing order 7.5 be set aside for the following item.

CARRIED UNANIMOUSLY (6-0)

Cr R Devenish – Meares arrived at the meeting at 4.12pm

7.1 Ewin Centre

(Minute No 6976, 6977, 6978)

DATE:	30 November 2004
PROPONENT:	N/A
LOCATION:	Ewin Centre
ATLAS REFERENCE:	Map 53, 5B
AUTHOR:	Vaughan Davies, Manager Community Services
REPORTING OFFICER:	Matthew Scott, Executive Manager Corporate and Community Services
FILE NO:	01.1818.09
ASSESSMENT NO:	N/A

PURPOSE

The purpose of this report is to notify Council of the structural condition of the Ewin Centre and to determine its future.

BACKGROUND

The Ewin Centre was constructed in 1980 and has been operating as a long day care facility for children 0 – 6 years of age. The centre is owned by the Shire of Wyndham East Kimberley and leased to the Ewin Centre Management Committee until 2008.

The timber roof structure has had recurring problems with termite damage for many years. Several previous attempts to repair the roof structure and prevent termite infestation have proven to be unsuccessful. The Shire's capital maintenance program for 2004/05 included more significant repairs to the roof structure.

Maintenance works to repair termite damaged roofing members over a portion of the Ewin Centre commenced on Saturday, 20 November 2004. Upon removal of the roof sheets, inspection revealed that the termite damage was more significant than had initially been identified. Roofing timbers were replaced and, as a precautionary measure, under-pinning of the ceiling was undertaken. This work was intended to guarantee the structural integrity of the ceiling and roof.

A structural engineer was engaged and carried out a visual inspection of the roof of the Ewin Centre. The inspection confirmed that the termite damage to the roof area over the 3-6 year room, and kitchen area was significant and there was loss of structural integrity to the roof and ceiling framework. The precautionary measures of steel under-pinning that were undertaken were not sufficient to satisfy the structural engineer of the stability of the roof & ceiling frame, particularly in view of the recent storms experienced in Kununurra.

The roof frame over the Babies, Toddlers and Administration areas was also inspected. No significant damage was identified in this area.

The outcome of the inspection is that the 3-6 year room and kitchen areas were closed to access from Child Centre Staff and the Children as of Wednesday 24 November 2004.

As a result of a portion of the centre being closed, the child care services for the 3 – 6 year old children were relocated to the Pindan Centre and meals for both the Ewin Centre and Pindan Centre are being prepared at the kitchen in the Leisure Centre. These changes came into effect on Friday 26 November 2004. The disruption to services is also affecting the after school and occasional care programs at the Pindan Centre, which may have to be cancelled or relocated until services go back to normal.

STATUTORY IMPLICATIONS

There are no statutory implications relating to this matter.

POLICY IMPLICATIONS

There are no policy implications relating to this matter.

FINANCIAL IMPLICATIONS

This matter has significant financial implications. The immediate cost of replacing the roof structure to make it safe will be approximately \$70,000 to \$90,000. Council has already identified approximately \$40,000 in the capital maintenance program for the Ewin Centre that can be redirected into roof repairs. Up to an additional \$50,000 will be required to complete the works.

If Council decide to commence the process of building a new purpose built child care centre approximately \$1.2 to 1.4 million will need to be sourced. Estimated costs would include:

500m ² facility @ \$2200/m ²	\$1,100,000
Car Parking	\$100,000
Landscaping	\$50,000
Playground Equipment	\$50,000
Services	\$100,000
	\$1,400,000

STRATEGIC IMPLICATIONS

Key Result Area 2 – Community Development

Goal 2 – Youth and Family

That the residents of the shire have access to the services and facilities required for meaningful, positive input to the community.

COMMUNITY CONSULTATION

There has been no consultation with the community relating to this matter. Consultation has occurred with staff at the Ewin Centre. Parents have been kept informed of the issues via memos and direct contact with centre staff.

COMMENT

The Ewin Centre requires a portion of the roof structure to be replaced immediately to allow long day care to continue. It is suggested that a steel roof structure be constructed to replace the damaged section over the 3 – 6 year old room and kitchen. The cost of replacing this portion has been preliminary quoted at \$70,000.

Alternatively, the entire roof can be replaced for approximately \$90,000. If the entire roof structure is to be replaced the centre will need to be closed completely, as opposed to the current situation where the baby and toddler rooms can still operate.

It is expected that either of the repair works can be completed by late January.

The engineers report has also indicated deterioration to timber in the majority of the centre. Although the damage poses no immediate safety concern, significant capital improvements will be required in the next few years. The Ewin Centre is also considered sub standard for child care and requires numerous exemptions from Child Care Licensing to operate. The centre is considered inadequate and not well designed for child care.

It is therefore being suggested, and supported by the Ewin Centre Management Committee, that a new purpose built child care centre be constructed in the very near future. A new child care facility of 500m² including landscaping, car parking and the provision of essential services could cost approximately \$1.2 to 1.4 million. This price is however only an indication and extensive planning will need to occur before any real costs are identified. To source external funds, plan, and design and construct the proposed facility could take approximately 18 months to 2 years.

It is the officer's opinion that only the damaged portion of the roof is replaced to minimise disruption to child care services and that, due to the above reasons, Council proceed with constructing a purpose built child care facility.

ATTACHMENTS

Structural Engineer report.

VOTING REQUIREMENT

Absolute majority

RECOMMENDATION

See recommendation provided in Addendum

Addendum – Ewin Centre

DATE:	30 November 2004
PROPONENT:	N/A
LOCATION:	Ewin Centre
ATLAS REFERENCE:	Map 53, 5B
AUTHOR:	Manager Community Services – Vaughan Davies
REPORTING OFFICER:	Executive Manager Corporate & Community Services – Matthew Scott
FILE NO:	1818
ASSESSMENT NO:	01.1818.09

PURPOSE

To notify Council of further structural findings that may effect a decision regarding the Ewin Centre

BACKGROUND

Council received a report regarding the Ewin Centre on Friday 26 November 2004. Although the information in the report is correct, further information has been provided which may effect Council's decision.

The initial report from the structural engineer indicated that the structural integrity of the roof trusses over the entire rear extension plus several parts of the existing building, including the kitchen, staff room and adult activity room in the original building, is totally compromised.

On Friday 26 November 2004 an inspection of the wall structure was carried out to determine whether studs and wall plates could support the proposed new roof structure. The inspection was concentrated to the rear addition section of the building where majority of the damaged had been occurring in the roof. Gyprock sheeting was removed to expose the wall studs and it was revealed that significant termite damage to the wall structure has occurred. In summary, the structural engineer has indicated that the structural integrity of the supporting wall over approximately one third of the rear extension is totally compromised.

To adequately support the proposed roof structure the wall will have to be repaired. Repair work would include:

- Removal and replacement of the Gyprock sheeting in the entire section.
- Removal and replacement of the ceiling in the effected area.
- Removal and replacement of the tiling and fixtures in wet areas
- Removal and replacement of the wall studs, wall plates and glazing.
- Removal and replacement of the electrical circuitry and plumbing
- Painting entire section.

It is estimated that the additional works, along with replacing the roof structure will increase expenditure to approximately \$200,000.

Long day care services are currently being operated from the Pindan Centre and successful negotiations have occurred to secure a room at the Kununurra District High School for the provision of after school care. The Ewin Centre is currently negotiating with the Child Care Licensing Board regarding the service operating from the school.

STATUTORY IMPLICATIONS

There are no statutory implications relating to this matter.

POLICY IMPLICATIONS

There are no policy implications relating to this matter.

FINANCIAL IMPLICATIONS

This matter has significant financial implications. The immediate cost of repairing the effected walls and replacing the roof structure has been estimated at \$200,000.

STRATEGIC IMPLICATIONS

Key Result Area 2 – Community Development

Goal 2 – Youth and Family

That the residents of the shire have access to the services and facilities required for meaningful, positive input to the community.

COMMUNITY CONSULTATION

There has been no consultation with the community relating to this matter. Consultation has occurred with staff at the Ewin Centre.

COMMENT

The closure of a portion of the Ewin Centre, the relocation of long day care services to the Pindan Centre, meals being prepared at the Leisure Centre and the after school care being operated from the school has resulted in the management of the Ewin Centre attempting to operate services from four separate locations. This has added extra strain on the staff and management of the centre and may be confusing for parents.

However, if services can be maintained as they presently are, it is the officer's opinion that repair works at the Ewin Centre does not get carried out. It is anticipated that Council will resolve to proceed with constructing a purpose built child care facility. The funds required to repair the existing centre could be used towards the construction of a new facility.

It should also be considered that the Pindan Centre is deteriorating and although there has been no structural investigation, it is likely that considerable capital works will be required in the near future. It would be more efficient and user friendly if all child care services were provided at the same venue. The sale of the Pindan Centre land could also contribute to the construction of a new facility that houses the services that are currently being provided at the Pindan Centre in addition to the Ewin Centre.

ATTACHMENTS

Structural Engineer report.

VOTING REQUIREMENT

Absolute majority

RECOMMENDATION

That Council:

1. Does not commence works to ensure the structural integrity of the Ewin Centre roof and walls.
2. Secure the rear section of the Ewin Centre to prevent unauthorised entry
3. Commence the process of planning, funding and constructing a purpose built child care facility.

MINUTE NO 6978

Moved Cr M Pucci/K Wright

That Council:

1. ***Undertake minor repairs to the kitchen area to a maximum value of \$15,000 from funds available within the 2004/05 maintenance budget.***
2. ***Secure the rear section of the Ewin Centre to prevent unauthorised entry***
3. ***Commence the process of planning, funding and constructing a purpose built child care facility.***

CARRIED BY ABSOLUTE MAJORITY (7-0)

Explanation

Council resolved to undertake minor repairs to the kitchen in order to save Ewin centre staff time in preparation of food.



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SITE INSPECTION

CLIENT: SWEK – ASSETS MANAGER	JOB NO:	03K003C06		
PROJECT: EWIN CHILDCARE CENTRE KONKERBERRY DRIVE ROOF STRUCTURAL INSPECTION	DISCIPLINE:	STRUCT	PHASE:	INSPECTION
ISSUED BY JOB CAPTAIN: TED VIVIAN	DATE:	25/11/04		

1 Scope of Inspection and Brief Background

The Shire of Wyndham East Kimberley's Building Surveyor / Inspector requested QANTEC McWILLIAM of the Kimberley Consulting Group to inspect and report on the condition and structural integrity of the existing roof and ceiling structure for the Ewin Child Care Centre, Konkerberry Drive.

The inspection was carried out Wednesday morning and afternoon 24 November 2004 in the presence of:

- Sharon McLachlan SWEK - Building Surveyor / Inspector
- Brent Christianson SWEK – Building Maintenance Officer
- Leigh Peddler Builder
- Sonia Hunter Ewin Child Care Centre Coordinator

Council's Building Surveyor / Inspector indicated in a briefing session that white ant / termite infestation and damage **had been discovered** within the roof and ceiling structure of the building.

Remedial maintenance works had been carried out on a timber verandah beam at the rear extension in the vicinity of the toilets. The replacement of this beam, which had suffered severe white ant attack, had been the catalyst for further recent inspection of the roof and ceiling structure, which had then revealed major damage to the roof system.

Concerns were held for the structural integrity of the roof, ceiling structure and the safety of occupants given the specialised use of the building as a Child Care Centre.

2 Aim of Report

To determine the structural integrity and safety of the roof and ceiling structure and recommend actions to Council.

3 Outcome

An assessment of the structure was made by QANTEC McWILLIAM on the Wednesday afternoon of the 24th and the Council's Building Surveyor / Inspector was informed of the outcome immediately as was the Coordinator of the Centre.

Ted Vivian, Sharon McLachlan and Leigh Peddler met with The Shire's Chief Executive Officer immediately after and Ted Vivian informed him of the outcomes of the investigation which was a recommendation to immediately close down the rear section of the Building because of the structural integrity of the building and resultant safety concerns.

4 Description of Structure

The centre consists of an original building designed and constructed in 1979/80 as a multi functional centre by the then State Housing Commission of Western Australia.

In 1986 a rear extension was added, according to the plans, under the auspices of the Building Management Authority of Western Australia.



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4.1 Original Building

The original structure is brick veneer timber frame with timber roof trusses and concrete floor. Ceiling and wall cladding is 13mm. Details are appended to the report.

4.2 Extension

The structure of the extension is brick veneer timber frame with timber roof trusses and concrete floor. Ceiling and wall cladding is 13mm gyprock plasterboard. Roof cladding is trimdeck high ten metal sheeting.

4.3 Previous repairs - several times

The Shire's building surveyor and the builder indicated that several infestations of white ant / termites had been dealt with over a number of years. The inspection revealed that a number of repairs to the trusses had been carried out in the rear extension. None were specifically noted in the original section of the building.

5 Structural Assessment

5.1 External

The whole building was examined externally in the morning. The building appeared to be well maintained and in reasonable condition. Remedial maintenance works had been carried out on a timber verandah beam at the rear extension in the vicinity of the toilets. The replacement of this beam, which had suffered severe white ant attack, had been the catalyst for further recent inspection of the roof and ceiling structure which had then revealed the evidence of major infestations and major damage to the roof system.

There were several areas of previous dry rot and white ant attack to verandah ceiling joists / rafters and water damage to ant cap / flashing at floor level.

The Shire had carried out drainage improvements in some areas, however, further drainage improvements need to be carried out as is evidenced by low spots and water lying about in some areas immediately adjacent to the building.

The Shire's Building Surveyor / Inspector indicated that while there had been several previous white ant infestations, recent inspections indicated that there had been no live insects discovered.

It was noticed that the exterior cladding over door and window spaces had been lined with what appeared to be asbestos cement sheeting. This had been painted, but it was a simple process to dislodge fibres from the material.

5.2 Internal

The building was inspected internally where possible in the morning of Wednesday 24th in the presence of the Shire's Building Surveyor / Inspector and the Centre's Coordinator.

The ceiling in the Play Space in the rear extension and the Dining Area of the original building had been temporarily propped Tuesday 23 November 2004 with beams and central column supports as a precautionary measure to secure the ceiling since the discovery of the damage to the trusses the preceding weekend.

5.3 Roof Structure

5.3.1 Roof Trusses

The internal roof structure was inspected from ceiling inspection openings in the Play Space of the rear extension and the Entry area of the original building. These were the only available accesses to the roof / ceiling space in the building.



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Rear Extension Area

The trusses over the rear extension had been severely attacked by white ant. It appeared that every truss had been attacked especially in the ridges, hips and valley. A number of trusses were observed to be broken where the attacks had been at their severest.

Sections which had been repaired previously, had been attacked again.

Original Building Area

The trusses / roof structure show no signs of attack and are in good condition. It is only when they come into contact with the rear extension truss system that any form of attack from white ant is observed. This appears then to be contained to the newer trusses which are of a different timber to the original trusses.

The trusses appear to be of relatively lightweight construction. These should be checked to ensure that they are up to current building code standards if the continued use of the Centre is being considered. The method of tying the trusses down to the top of the wall plates should also be checked.

Summary

The structural integrity of the roof trusses over the entire rear extension plus several parts of the existing building – the kitchen, staff room and resources / adult activity room in the original building - is totally compromised.

5.3.2 Ceiling and Ceiling Battens & Temporary Props and Beams

The ceiling is gyprock plasterboard attached to the roof structure with steel furring channels (top hat sections).

The ceiling currently is in good condition and remains intact and to a certain degree, supports the roof structure.

The temporary beams and columns erected this week support only the ceiling over the relevant areas and not the attached roof structure. While a good temporary precautionary measure, these do not meet the requirements of the relevant building standards and codes and therefore cannot be considered as a permanent solution.

5.3.3 Roof Sheeting

The roof cladding is trimdeck high ten metal sheeting. The decking is in good condition and can be re-used if required.

5.3.4 Wall Framing and Trimmings

It was not possible to carry out a full inspection of the structural wall framing. There was evidence of white ant attack and damage to the trimming around and over doors in the area of the toilets at the rear of the building extension.

5.3 Foundations and Drainage

The building appeared to be straight and true except for the corner verandah area at the rear of the rear extension. The verandah roof line was broken in this area and it was difficult to ascertain whether its cause was roof construction or a slight settlement of the corner footing to the verandah post.

There were several areas of water damage to ant cap / flashing at floor level.

The Shire had carried out drainage improvements in some areas, however, further drainage improvements need to be carried out as is evidenced by low spots and water lying about in some areas immediately adjacent to the building.



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6 Recommendations

- 1 The structural integrity of the roof trusses over the entire rear extension plus several parts of the existing building – the kitchen, staff room and resources / adult activity room in the original building - is totally compromised.
- 2 The area of the building outlined above is considered to be unsafe for occupation especially considering the current use of the building.
- 3 The entire rear extension plus several parts of the existing building – the kitchen, staff room and resources / adult activity room in the original building should immediately be closed down to occupancy given the the current use.
- 4 If consideration is given to repairing the rear section of the building, then the whole of the roof structure needs to be replaced. It is possible to retain the existing ceiling and fixtures and the roof sheeting may be re-used.
- 5 The inspection of the building needs to be extended to include white ant attack on walls and accordingly the structural integrity of the walls.
- 6 The whole of the building should be assessed with respect to the requirements of the current building code.
- 7 The exterior cladding over door and window spaces had been lined with what appeared to be asbestos cement sheeting. This needs to be removed given the current occupancy of the building.
- 8 Drainage improvements need to be carried out as is evidenced by low spots and water lying about in some areas immediately adjacent to the building. Had been painted, but it was a simple process to dislodge fibres from the material.

DOCUMENT VERIFICATION AND AUTHORISATION

CHECKED/VERIFIED BY:
DATE:

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SIGNATURE:

ISSUE AUTHORISED BY:
DATE:

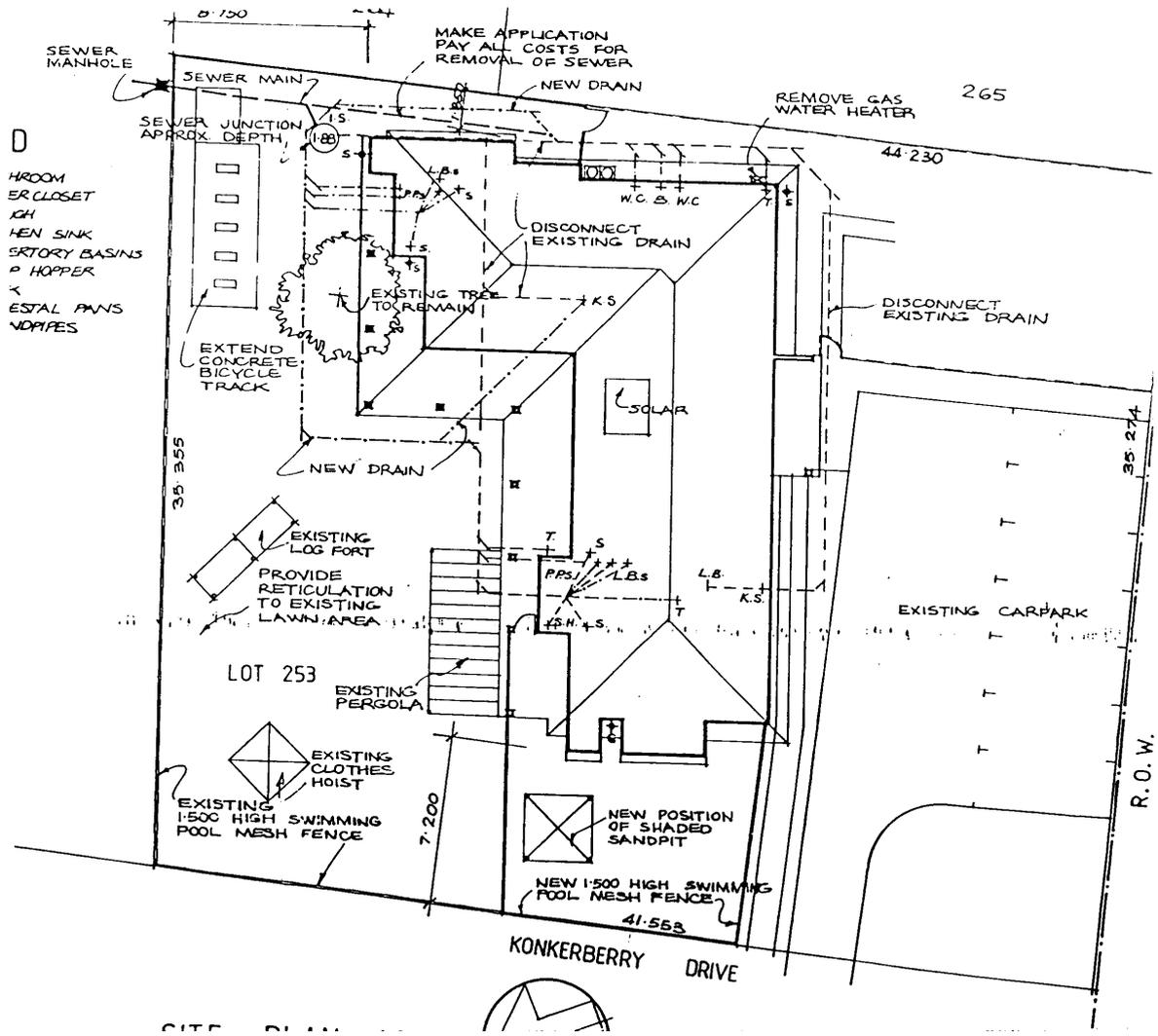
E VIVIAN
25 NOVEMBER 2004

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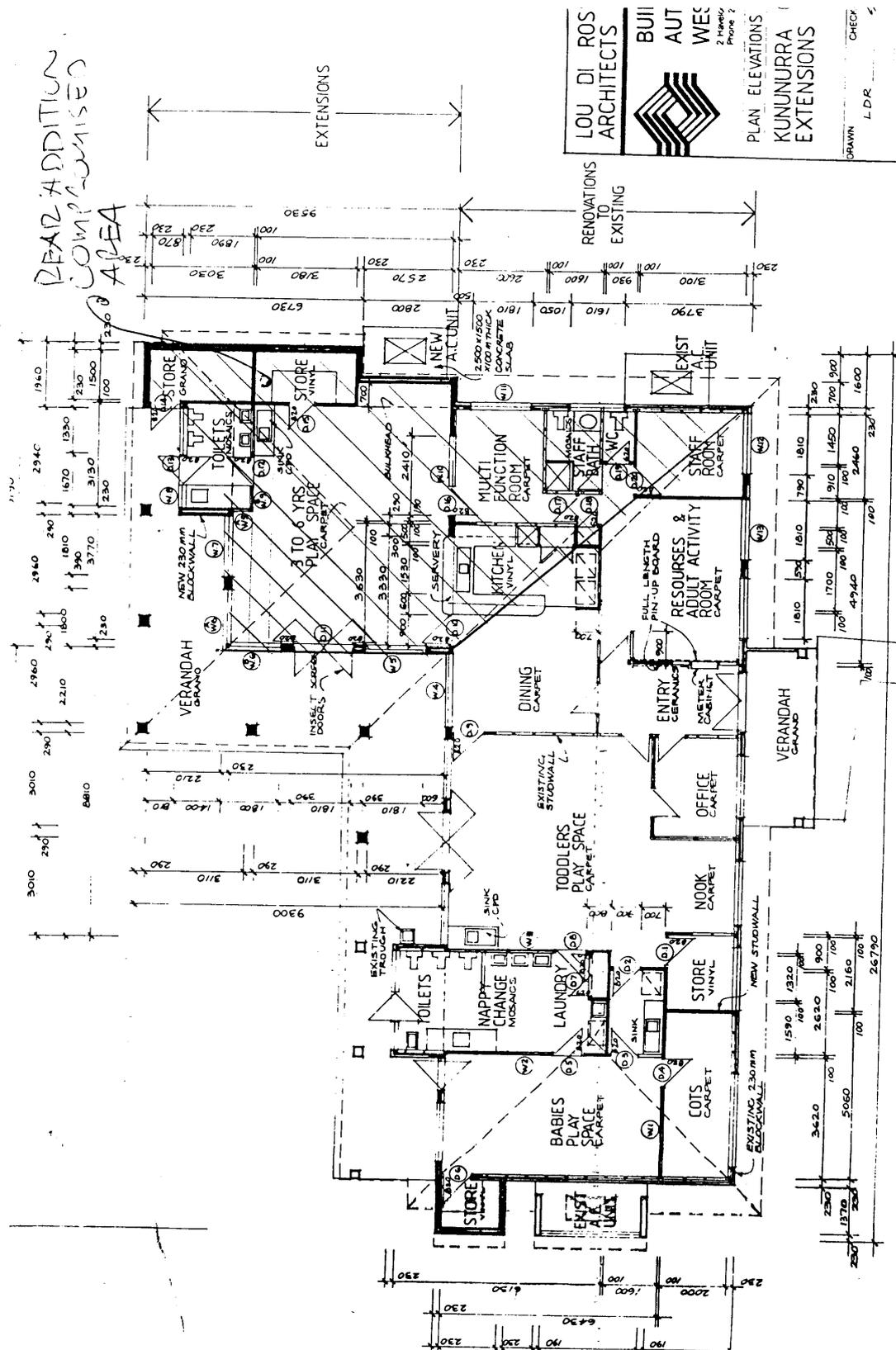
DOCUMENT HISTORY AND STATUS

DATE	DESCRIPTION	REV	ISSUED TO	QTY	VERIFIED	AUTHORISED
25/11/04	REPORT	0	SWEK	1		E VIVIAN



SITE PLAN

REAR ADDITION
COMPROMISED
AREA



LOU DI ROS ARCHITECTS
 BUI
 AUT
 WEC
 2-Storey
 Project 2

PLAN ELEVATIONS
 KUNUNURRA
 EXTENSIONS

DRAWN LDR CHECK
 SCALE 1:100 DATE
 JOB NUMBER 110

GROUND PLAN 1:100



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SITE INSPECTION – ADDENDUM REPORT

CLIENT: SWEK – ASSETS MANAGER	JOB NO:	03K003C06		
PROJECT: EWIN CHILDCARE CENTRE KONKERBERRY DRIVE ROOF STRUCTURAL INSPECTION	DISCIPLINE:	STRUCT	PHASE:	INSPECTION
ISSUED BY JOB CAPTAIN: TED VIVIAN	DATE: 26/11/04			

1 Scope of Inspection and Brief Background

This report is produced as an addendum to a previous report of 25 November 2004 for the above.

The previous report was constrained to an investigation of the structural integrity of the roofing system to the Centre and recommended that further investigation be carried out to the walls.

The wall investigation was carried out Friday morning 26 November 2004.

1.1 Brief History

The Shire of Wyndham East Kimberley's Building Surveyor / Inspector requested QANTEC McWILLIAM of the Kimberley Consulting Group to inspect and report on the condition and structural integrity of the existing roof and ceiling structure for the Ewin Child Care Centre, Konkerberry Drive.

Concerns were held for the structural integrity of the roof, ceiling structure and the safety of occupants given the specialised use of the building as a Child Care Centre.

The inspection was carried out Wednesday morning and afternoon 24 November 2004 in the presence of:

- Sharon McLachlan SWEK - Building Surveyor / Inspector
- Brent Christianson SWEK – Building Maintenance Officer
- Leigh Peddler Builder
- Sonia Hunter Ewin Child Care Centre Coordinator

Council's Building Surveyor / Inspector indicated in a briefing session that white ant / termite infestation and damage had been discovered within the roof and ceiling structure of the building.

Remedial maintenance works had been carried out on a timber verandah beam at the rear extension in the vicinity of the toilets. The replacement of this beam, which had suffered severe white ant attack, had been the catalyst for further recent inspection of the roof and ceiling structure, which had then revealed major damage to the roof system.

2 Aim of Addendum Report

To determine the structural integrity and safety of the supporting wall structure and recommend actions to Council.



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3 Outcome

The wall inspection was carried out Friday morning 26 November 2004 in the presence of:

- Sharon McLachlan SWEK - Building Surveyor / Inspector
- Vaughan Davies SWEK - Manager Community Services
- Sonia Hunter Ewin Child Care Centre Coordinator

An assessment of the wall structure was made by QANTEC McWILLIAM on the Friday morning of the 26th and the Council's Building Surveyor / Inspector, Community Services Manager and the Coordinator of the Centre, who were in attendance, were immediately informed of the outcome.

Ted Vivian immediately prepared this Addendum Report and handed it over to the Shire's Building Surveyor.

4 Structural Assessment

4.1 Internal Walls

The building was inspected internally where possible in the morning of Wednesday 26th in the presence of the Shire's Building Surveyor / Inspector and the Centre's Coordinator.

The ceiling in the Play Space in the rear extension and the Dining Area of the original building had been temporarily propped Tuesday 23 November 2004 with beams and central column supports as a precautionary measure to secure the ceiling since the discovery of the damage to the trusses the preceding weekend.

The inspection was concentrated / constrained to the rear addition section of the building where the infestation / attacks had been discovered.

Council had removed the gyprock sheet wall cladding at various points around the building at the ceiling level.

Infestation and substantial damage was revealed to the wall top plates and studs in the rear section adjacent to the toilets and store rooms. The damage appeared to be constrained to the top 400mm of the walls. No further investigation was carried out at a lower level.

5 Summary

The structural integrity of the supporting wall over approximately one third of the rear extension plus several is totally compromised.

6 Recommendations

- 1 The structural integrity of the supporting timber wall frames over a large part of the rear extension is totally compromised.
- 2 The area of the building outlined above
- 3 The entire rear extension should immediately be closed down to occupancy given the current use.
- 4 The whole of the building should be assessed with respect to the requirements of the current building code.



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DOCUMENT VERIFICATION AND AUTHORISATION

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DATE:

E VIVIAN
25 NOVEMBER 2004

SIGNATURE:

DOCUMENT HISTORY AND STATUS

DATE	DESCRIPTION	REV	ISSUED TO	QTY	VERIFIED	AUTHORISED
25/11/04	REPORT	0	SWEK	1	N JONES	E VIVIAN
26/11/04	ADENDUM REPORT	0	SWEK	1	N JONES	E VIVIAN

MINUTE NO 6979

Moved Cr J Buchanan/M Pucci

That Council resume standing orders.

CARRIED UNANIMOUSLY (7-0)

7.2 Shire of Wyndham East Kimberley - Local Planning Strategy (Minute No 6979, 6980)

DATE:	30 November 2004
PROPONENT:	SWEK
LOCATION:	N/A
ATLAS REFERENCE:	N/A
AUTHOR:	Keith Williams, Town Planner
REPORTING OFFICER:	Chris Adams, Chief Executive Officer
FILE NO:	43.04.01
ASSESSMENT NO:	N/A

PURPOSE

To provide information to Council on the progress of the Local Planning Strategy (LPS), and to obtain Council consent for advertising of the LPS.

BACKGROUND

The Town Planning Regulations 1967 require, through the provisions of the Model Scheme Text, the preparation of a Local Planning Strategy as a strategic planning process for all Town Planning Schemes. Council resolved to undertake a Local Planning Strategy, in order to progress development of a single Planning Scheme for the Shire.

The LPS will enable the Town Planning Scheme to more clearly express the strategic vision, policies and proposals of the Council for the Shire. On a regional level, it also provides a means to interpret State and regional policies at the local level. With the implementation of a Local Planning Strategy, the Scheme will shift from being purely regulatory document to become a tool for expressing and achieving the Shires objectives, policies and proposals.

In Broad terms, the Local Planning Strategy will:

- Set out the long-term planning directions for the Shire of Wyndham East Kimberley;
- Apply State and regional planning policies; and
- Provide the rationale for the zones and other provisions of the scheme.

The Western Australian Planning Commission agreed to fund the Local Planning Strategy as a pilot program, on the basis that the SWEK Local Planning Strategy would be prepared as a model for the development and implementation of Local Planning Strategy throughout the state.

A Project Control Group was set up to oversee the progression of the Local Planning Strategy. The Project Control Group is made up of three members of Council, the CEO of Shire of Wyndham East Kimberley (chair), Council's Planner, and members of the following agencies and organisations:

- Department of Conservation and Land Management
- Waters and Rivers Commission
- Department of Environment
- Western Australian Tourism Commission
- Kimberley Land Council
- Department of Agriculture
- Kimberley Development Commission

The Western Australian Planning Commission has representation on the Planning Control Group via three staff from the Department for Planning and Infrastructure. Planning consultants awarded the contract are represented by two members of the Project Control Group. The Project Control Group also includes a representative of Argyle Diamond Mine.

Project initiation of the Local Planning Strategy began in August 2003, with the tender was awarded to the successful consultants (SMEC) in September 2003. The first meeting of the Project Control Group was held on 25 September 2003.

Progress of the Local Planning Strategy to date has consisted of:

- Preparation and advertising of Fact Sheets
- Community Consultation process for comment on fact sheets
- Preparation of preliminary draft Local Planning Strategy
- Revisions to Draft Local Planning Strategy.
- Mapping

The Project Control Group has met regularly to discuss a variety of issues. In general, consensus has been reached on contentious issues. It is considered that. Involving key stakeholders at this early stage will make the adoption process relatively simple, as all agencies are aware of the Local Planning Strategy and its content prior to the public submission stage.

PROCEDURE FOR AD OPTION OF LPS

The procedure for the advertisement and endorsement of the Local Planning Strategy is set out in Regulation 12B, which provides as follows:

- The local government must endorse and forward the draft Local Planning Strategy to the Commission.
- The Commission is required to certify that the Local Planning Strategy is consistent with the Town Planning Regulations.
- When the Commission has certified a Local Planning Strategy as being consistent with the Town Planning Regulations, the Local Planning Strategy is advertised.
- This requires the publication of a notice of the Local Planning Strategy once a week for two consecutive weeks in a local newspaper, as well as any consultation process that Council thinks is sufficient

- The submission period for which submissions may be lodged regarding the Local Planning Strategy is 42 days.

After the expiry of the submission period, the Local Planning Strategy will be reviewed in the context of any submissions lodged during advertising. Council may then:

1. Adopt the LPS with any modifications as it thinks fit in response to the submissions, or
2. Adopt the Local Planning Strategy without modifications

The finalised Local Planning Strategy is then forwarded to the Commission for its endorsement. An LPS may be amended by following the same procedures as per adoption of the LPS.

It should be noted that the Minister does not need to approve or refuse the Local Planning Strategy because it does not form part of the Scheme Text, however, it is necessary for the Commission to endorse the Local Planning Strategy because it is the strategic basis for the scheme, and to ensure consistency with State and regional policies.

FINANCIAL IMPLICATIONS

The Local Planning Strategy is being prepared by consultants, utilising funding from the Western Australian Planning Commission. Council has contributed funding for the indigenous consultation component of the strategy.

CONCLUSION

Development of the Local Planning Strategy has been significantly progressed. Three Councillors have been involved in the Project Control Group for the Local Planning Strategy, and Council officers have also been extensively involved.

Significant stakeholder involvement has already occurred, and through the development of the issues papers and fact sheets. Significant work has been done on addressing many issues raised by the public or identified by the Control group.

If endorsed by Council for advertising, the Local Planning Strategy will be forwarded to the Western Australian Planning Commission for endorsement for advertising. Due to the requirements and procedures of the Western Australian Planning Commission, this process is likely to take one month.

Subject to no significant modifications being required by the Western Australian Planning Commission, it is intended that the Draft Local Planning Strategy will be advertised in January/February 2005. The purpose of advertising during this period is to ensure that meaningful comment is obtained (advertising over the Christmas period may result in members of the community missing the opportunity to comment due to family or travel commitments).

The Draft Local Planning Strategy is recommended for endorsement by Council for the purposes of undertaking advertising.

ATTACHMENTS

The DRAFT Local Planning Strategy will be available at the meeting.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council:

- 1 Adopt the Draft Local Planning Strategy for the purposes of advertising.
- 2 Recommend to the Western Australian Planning Commission that the draft Local Planning Strategy be advertised for public comment.

MINUTE NO 6980

Moved Cr J Buchanan/K Wright

That Council:

- 1 Adopt the Draft Local Planning Strategy for the purposes of advertising.***
- 2 Recommend to the Western Australian Planning Commission that the draft Local Planning Strategy be advertised for public comment.***

CARRIED UNANIMOUSLY (7-0)

8. MEETING CLOSURE

Nil